

SCHEDULE OF AMENDMENTS

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

Name	Description
Selwyn District Council	Add Designation D413 – Rolleston South Reserve D414 – Foster Park Dog Park
New Zealand Transport Agency	Name change from Transit New Zealand Designations made operative
Minster of Education	Add Designations ME11 – Lowes Road New School ME14 – Springston School
Variation 29	Rural Activity Definition and Scale of Activity Rules Operative
Plan Change 5	Rezoning of Rural Land to Business 2 at Izone Rolleston Operative
Plan Change 6	Lower Port Hills and Summit Road Protection Area Non-operative
Minor Amendments	Various minor amendments included

Please amend your District Plan by updating the following pages:

Township Volume

Amendments from 26.08.2008 – 22.06.2009

Insert Pages

Front of Township Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 29.05.2009
Front of Township Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 10.06.2009

Replace pages - Please recycle all pages removed

Part B2 – Physical Resources	B2-009 – B2-010
Part C12 – Living Zone Rules – Subdivision	C12-011 – C12-012
Part C13 – Business Zone Rules – Status of Activities	C13-001 – C13-002
Part C16 – Business Zone Rules – Buildings	C16-001 – C16-012

Part C18 – Business Zone Rules – Utilities	C18-003 – C18-004 C18-007 – C18-010
Part C22 – Business Zone Rules – Activities	C22-003 – C22-012
Part C24 – Business Zone Rules – Subdivision	C24-003 – C24-016
Part D – Definitions	D-001 – D-012
Part E Appendix 2 - Designations	E2-001 – E2-030
Part E Appendix 21 - Planting Requirements for Business 2 Zone (Appendix 22) at Rolleston	E21-001 – E21-002

Rural Volume

Amendments from 26.08.2008 – 22.06.2009

Insert Pages

Front of Rural Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 29.05.2009
Front of Rural Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 10.06.2009

Replace pages - Please recycle all pages removed

Part B1 – Natural Resources	B1-041 – B1-054
Part C1 – Rural Rules – Earthworks	C1-003 – C1-006
Part C2 – Rural Rules – Tree Planting and Removal of Heritage Trees	C2-001 – C2-012
Part C3 – Rural Rules – Buildings	C3-003 – C2-026
Part C5 – Rural Rules – Utilities	C5-007 – C5-018
Part C9 – Rural Rules – Activities	C9-003 – C9-026
Part C10 – Rural Rules – Subdivision	C10-007 – C10-016
Part D – Definitions	D-009 – D-010
Part E Appendix 2 - Designations	E2-023 – E2-028 E2-035 – E2-046

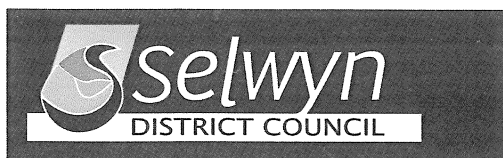
Map Book

Amendments from 26.08.2008 – 22.06.2009

Replace pages - Please recycle all pages removed

Cover page

Map 1	Sheet 1
Map 8	Sheet 2
Map 9	Sheet 1 & 2
Map 10	Sheet 1
Map 12	Sheet 2
Map 13	Sheet 1 & 2
Map 14	Sheet 1 & 2
Map 15	Sheet 1
Map 95	Sheet 2
Map 96	Sheet 1 & 2
Map 97	Sheet 1 & 2
Map 98	Sheet 1
Map 99	Sheet 2
Map 100	Sheet 1 & 2
Map 101	Sheet 1 & 2
Map 102	Sheet 1 & 2
Map 103	Sheet 1 & 2
Map 104	Sheet 1 & 2
Map 105	Sheet 1
Map 108	Sheet 2
Map 109	Sheet 1
Map 133	Sheet 2
Map 134	Sheet 1 & 2
Map 135	Sheet 1 & 2



CERTIFICATE OF APPROVAL

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

Council resolved on the 27th of May 2009 to make the parts of the Selwyn District Plan relating to rules and definitions relating to non-residential and non-rural activities in the Rural Zone (Variation 29) operative. In addition, the New Zealand Transport Agency has issued decisions relating to two of their road widening designations for State Highway 1, the effect of which makes these designations operative. Provisions which are not yet operative are detailed on the following page.

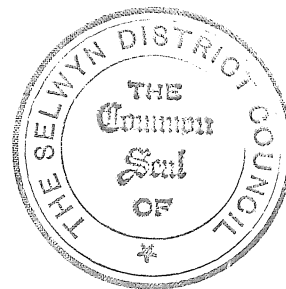
This resolution was made in accordance with Clauses 17(2) and 20 of Schedule 1 of the Resource Management Act 1991.

Sealed with the Common Seal of the Selwyn District Council

in the presence of:

A handwritten signature in black ink, appearing to be 'K Coe', written over a horizontal line.

Mayor
K Coe



A handwritten signature in black ink, appearing to be 'P Davey', written over a horizontal line.

Chief Executive
P Davey

Dated at Rolleston this 29th day of May 2009

Variation	Plan Provisions Still Subject to Challenge (25 August 2008)
Variation 30 Financial Contributions	Township and Rural Volumes All Issues, Objectives, Policies, Methods and Anticipated Environmental Results that relate to Financial Contributions and Development Contributions (Note that these are spread throughout the Plan)
Requiring Authority	Unresolved Designations (8 June 2009) <i>Refer to Appendix 2</i>
Selwyn District Council	Township and Rural Volumes All SDC designations are not operative with the exception of : D 411 Rolleston Waste Water Treatment and Disposal D 412 Rolleston Resource Recovery Park D 413 Rolleston South Reserve D414 Rolleston Dog Park
Telecom	Township and Rural Volumes All Telecom designations are not operative



CERTIFICATE OF APPROVAL

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

The Council resolved on the 10th of June 2009 to approve those parts of the Selwyn District Plan relating to the Izone Industrial Park (Plan Change 5) would be made operative on the 22nd of June 2009. Provisions which are not yet operative are detailed on the following page.

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

Sealed with the Common Seal of the Selwyn District Council

in the presence of:

A handwritten signature in cursive script, appearing to read 'K Coe', written over a horizontal line.

Mayor
K Coe

A handwritten signature in cursive script, appearing to read 'P Davey', written over a horizontal line.

Chief Executive
P Davey



Dated at Rolleston this 10th day of June 2009

Variation	Plan Provisions Still Subject to Challenge (10 June 2009)
Variation 30 Financial Contributions	Township and Rural Volumes All Issues, Objectives, Policies, Methods and Anticipated Environmental Results that relate to Financial Contributions and Development Contributions (Note that these are spread throughout the Plan)
Requiring Authority	Unresolved Designations <i>Refer to Appendix 2</i>
Selwyn District Council	Township and Rural Volumes All SDC designations are not operative with the exception of : D 411 Rolleston Waste Water Treatment and Disposal D 412 Rolleston Resource Recovery Park
Telecom	Township and Rural Volumes All Telecom designations are not operative
Plan Changes	Plan Changes Still Subject to Challenge (10 June 2009)
Plan Change 6	Rural Volume Part B: Section B1.4 – Outstanding Natural Features and Landscapes Part C: Rule 1 – Earthworks; Rule 2 – Tree Planting and Removal of Heritage Trees; Rule 3 Buildings; Rule 5 – Utilities; Rule 10 - Subdivision

Method

District Plan Rules

- Car Parking
- Loading Facilities

Policy B2.1.7

Ensure the siting and design of vehicular accessways and road intersections avoids impairing the visibility of motorists or pedestrians to minimise traffic conflicts.

Explanation and Reasons

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

Method

District Plan Rule

- Distance to intersections

Policy B2.1.8

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

Explanation and Reasons

As land use changes, the volume and type of traffic on a road also changes. As roads get busier, they require different design standards to ensure safe and efficient traffic movements.

Methods

Information

- SDC Engineering Standards

District Plan Rules

- Subdivision
- Roads and Vehicular Accessways

Monitoring

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

Policy B2.1.9

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

Explanation and Reasons

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

New residential or business development in the Selwyn District also increases the volume of traffic using the District's main road network, particularly main roads between the Selwyn District and Christchurch City. Christchurch City is a major employment centre for residents of the Selwyn District. An estimated 4,000 to 5,000 people commute in private motor vehicles between the two areas (Barber 1999, p. 11). The Christchurch City Council staff have identified the following road links as areas where continued traffic increases will have adverse effects:

Halswell-Sabys Road and traffic moving through Hoon Hay into and out of the City; and Springs Road.

The City Council have also expressed concerns about continued increase of traffic along SH73 and SH1 between Christchurch City and Selwyn District. However, these roads are managed by Transit New Zealand.

Method

District Plan Policies

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

Policy B2.1.10

Assess the effects of allowing or disallowing residential growth in townships in Selwyn District on transport demand and promote land use patterns that will reduce the demand for transport.

Explanation and Reasons

Demand for transport and associated effects on: roads, energy use, and air quality, are effects of residential growth. Environment Canterbury has been urging territorial local authorities to consider the effects of allowing residential growth on transport demands – particularly commuting to Christchurch City to work using private motor vehicles. This is an effect that needs to be considered when rezoning land for residential growth. Conversely, territorial local authorities and Environment Canterbury must also consider the impact on transport demands and patterns of not allowing residential growth to occur where the market is wanting. For example, rather than encouraging people to live in Christchurch City, it may encourage these people to live in townships or on lifestyle blocks even further away from the City and to commute longer distances.

The Council is required to have regard to the Regional Land Transport Strategy (RLTS) under section 74(2)(b)(i) of the RMA in preparing its District Plan. This Strategy identifies Canterbury's

Township	Zone	Average Allotment Size Not Less Than
All <u>Townships</u>	Heritage Buildings listed in Appendix 3	Listed in Appendix 3. The <u>building</u> , curtilage and any other area needed to: <ul style="list-style-type: none"> - mitigate adverse effects; or - maintain the heritage values of the site
	Community Reserves, Community Facilities and <u>Point Strips</u>	No minimum area
All Living Zones	Calculating <u>Allotment</u> Sizes	<p>The average <u>allotment</u> size shall be calculated as a mean average (total area of allotments divided by the number of allotments).</p> <p>The total area and number of allotments used to calculate the mean shall exclude areas used exclusively for <u>access</u>, reserves or to house <u>utility structures</u>, or which are subject to a designation.</p> <p>Any <u>allotment</u> which is twice or more the size of the average <u>allotment</u> required in the zone, shall be calculated as being:</p> <p>2 x average <u>allotment</u> size – 10 m²; or as its actual size, if a covenant is placed on the Certificate of Title to prevent any further subdivision of that land.</p>
All <u>Townships</u>	<u>Allotment</u> sizes for Flats/Townhouses – Living 1	In any Living 1 zone, where two or more <u>dwelling</u> s have been erected on an <u>allotment</u> the average <u>allotment</u> size per <u>dwelling</u> shall be 0.5 x the average <u>allotment</u> size listed in this table for the Living 1 zone in that <u>township</u> .

12.1.4 Matters over which the Council has restricted the exercise of its discretion:

Access

- 12.1.4.1 If any allotment has access on to a State Highway or Arterial Road listed in Appendix 7:
- Any adverse effects, including cumulative effects, on traffic safety and traffic flow on the Strategic Road; and
 - The design and location of the vehicular accessway and vehicle crossing; and
 - Whether access to the allotment(s) can be obtained off another road which is not a Strategic Road either directly or by an easement across other land.

Water

- 12.1.4.2 The provision of water for firefighting; and
- 12.1.4.3 In relation to any new bore to provide a potable water supply:
- Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and
 - The need for the protection zone to be confined to within the boundaries of an allotment; and

- (c) Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.

Solid Waste Disposal

- 12.1.4.4 The appropriateness of the proposed facilities for solid waste collection or disposal, considering:
 - (a) The number of allotments; and
 - (b) The type of accommodation (permanent or holiday); and
 - (c) The distance to a public solid waste collection service or disposal facility.

Utility Cables

- 12.1.4.5 Whether any utility cables shall be laid underground.

Telephone and Power

- 12.1.4.6 Whether telecommunication and electricity connections shall be made available to any allotment; and, if not, the mechanism(s) used to alert prospective buyers of an allotment that these connections are not installed to.

Stormwater Disposal

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

On-Site Effluent Disposal

- 12.1.4.10 In the Living zones at Arthur's Pass, Coalgate, Dunsandel, Glentunnel, Hororata, Rakaia Huts, Sheffield and Waddington, Springfield and Whitecliffs:
 - (a) Whether any allotment is of an appropriate size and shape, and has appropriate ground conditions, to enable satisfactory on-site effluent treatment and disposal.

Note: *The consent authority shall use the requirements of the relevant regional plan and the New Zealand Building Code to measure when on-site effluent treatment and disposal is satisfactory.*

Roads, Reserves and Walkways/Cycleways

- 12.1.4.11 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and
- 12.1.4.12 The provision, location, coordination, layout and formation of any land required for reserves, which is to comply with the 'Criteria for Taking Land Instead of Cash' clause of the 'Reserves Specific Issues regarding

13 BUSINESS ZONE RULES — STATUS OF ACTIVITIES

13.1 STATUS OF ACTIVITIES

Note: Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.^{v30}

Permitted Activities — Status of Activities

13.1.1 The following activities shall be permitted activities in Business 1, 1A and 2 Zones:

13.1.1.1 Any activity which complies with all of the provisions of Rules 14 to 23 inclusive relating to permitted activities, and which is not listed in Rule 13.1.3, 13.1.4 or 13.1.5 as a controlled, discretionary or non-complying activity.

13.1.2 The following activities shall be permitted activities in the Business 3 Zone:

13.1.2.1 Any of the activities listed in (a) to (e) below subject to compliance with the conditions for permitted activities in Rules 14 to 23.

- (a) Tertiary education
- (b) Research
- (c) Support services ancillary to the operation of any education and/or research facility.
- (d) Quarantine facilities
- (e) Residential facilities limited to those existing at the time of public notification of this plan or limited to the operation of, or associated with any education and/or research facility.

Controlled Activities — Status of Activities

13.1.3 In those parts of the Business 2 Zone at Railway Road, Rolleston, as is depicted on the Outline Development Plans at Appendices 22 and 33, all of the following activities shall be controlled activities, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

- (a) Meat processing
- (b) Cement manufacture
- (c) Hot mix, asphalt paving manufacture
- (d) Glass or fibreglass manufacture
- (e) Foundry processes, electroplating works, melting of metal, steel manufacture and galvanising
- (f) Natural gas, oil or petroleum distillation or refining

- (g) Manufacture of hardboard, chipboard or particle board
- (h) Timber treatment
- (i) Thermal power generation
- (j) Any other industry using the combustion of coal, wood or any other bio-mass for space heating or as a source of energy.

13.1.4 Under Rule 13.1.3 the Council shall restrict the exercise of its discretion to:

13.1.4.1 The conditions for permitted activities in Rules 14 to 23.

13.1.4.2 Any potential nuisance effects arising from dust, odour, smoke and noise.

Discretionary Activities – Status of Activities

13.1.5 The following activities shall be discretionary activities in Business 1 and 1A Zones:

13.1.5.1 Any activity which is specified in Rules 14 to 23 as a discretionary activity.

13.1.5.2 Any of the activities listed in (a) to (c) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

(a) Generation of energy for distribution.

(b) Mineral exploration.

(c) Temporary storage of solid or liquid waste delivered or conveyed onto the site.

13.1.6 The following activities shall be discretionary activities in Business 2 Zones:

13.1.6.1 Any activity which is specified in Rules 14 to 23, as a discretionary activity.

13.1.6.2 Any of the activities listed in (a) to (g) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.

(a) Any activity that requires an offensive trade licence issued under the Health Act 1956.

(b) Audible bird-scaring devices

(c) Forestry

(d) Mineral exploration

(e) Processing, composting or disposal on to land of any organic matter

(This rule does not apply to the application of compost or organic fertilizers to fertilise gardens or land).

(f) Visitor accommodation

(g) Hospitality activities

16 BUSINESS ZONE RULES – BUILDINGS

16.1 BUILDINGS AND LANDSCAPING

Permitted Activities – Buildings and Landscaping

16.1.1 Except as provided in Rules 16.1.2 to 16.1.5 any principal building shall be a permitted activity if the area between the road boundary and the principal building is:

16.1.1.1 Paved or sealed; or

16.1.1.2 Planted in lawn; or

16.1.1.3 Landscaped with shrubs, bark chips or similar materials; or

16.1.1.4 For the purpose of screening in the Business 2 and 3 zones, landscaping methods listed in 16.1.1.1 to 16.1.1.3 are employed.

Note: *landscaping requirements apply to new activities established in a zone. The rules do not apply to existing activities which meet the criteria for existing users under section 10 of the Act.*

16.1.2 Any principal building in that part of the Business 2 Zone located at Railway Road, Rolleston as is shown on the Outline Development Plan at Appendix 22 shall be a permitted activity if the following standards are met:

16.1.2.1 The area between the common boundary of the Business 2 Zone and the Rural Zone, as depicted on the Outline Development Plan at Appendix 22, and the principal building shall be landscaped to the following standards:

- (a) The landscaping shall be planted along the Business 2 Zone side of the common boundary.
- (b) The landscaping shall achieve, once matured, a minimum width of 2.5 metres and a minimum height of 6.5 metres.
- (c) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (d) The landscaping shall consist of one or more of the following species:
 - Macrocarpa
 - Leyland cypress
 - Radiata pine

16.1.2.2 A landscaping strip of at least 3 metres width shall be provided along every road frontage in that part of the Business 2 Zone located at Railway Road, Rolleston, as depicted on the Outline Development Plan at Appendix 22. The landscaping shall meet the following standards:

- (a) The landscaping shall consist of only those species listed in Appendix 21. Planting for each allotment shall include:

- A minimum of two trees from Group A for every 10 metres of road frontage.
 - At least 35% of the required area shall be planted in species from Group C.
 - At least 10% of the required area shall be planted in species from Group D.
- (b) All plants shall be of the following maximum spacings:
- Group B – 1.5 metre centres;
 - Group C – 1.5 metre centres;
 - Group D – 700mm centres.
- (c) The landscaping planted shall be maintained and if dead, diseased or damaged shall be removed and replaced.
- (d) No fences or structures shall be erected within the 3 metre landscaping strip.

16.1.3 Any principal building in that part of the Business 2 Zone located south of Jones Road, Rolleston, as shown on the Landscape Development Plan at Appendix 28 shall be a permitted activity if the following standards are met:

16.1.3.1 The area between the common boundary of the Business 2 Zone and the railway reserve, as depicted on the Landscape Development Plan at Appendix 28, and the principal building shall be landscaped to the following standards:

- (a) A landscaping strip shall be established along the Business 2 Zone side of the common boundary to a depth of 10 metres.
- (b) Landscape planting, an irrigation system, and boundary fencing shall be undertaken in accordance with the Landscape Development Plan at Appendix 28.
- (c) The Cupressus hedge on the inner part of the landscape strip shall achieve, once matured, a minimum height of 2.5 metres.
- (d) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (e) No accessory buildings, fences, or structures shall be erected within the 10 metre landscape strip, except in accordance with the Landscape Development Plan at Appendix 28.

16.1.3.2 Before any principal building is erected on any parcel of land subject to Rule 16.1.3.1, all of the landscape planting, irrigation system, and fencing shown on the Landscape Development Plan at Appendix 28 on that allotment shall be completed.

16.1.4 Any principal building in that part of the Business 2 Zone located south of Jones Road and adjoining Hoskyns Road, Rolleston, as shown on the Business 2 Outline Development Plan (Hoskyns Road) Rolleston at Appendix 32 if the following standards are met:

16.1.4.1 The area between the common boundary of the Business 2 Zone and the railway reserve, as depicted on the Outline Development Plan at Appendix 32, and the principal building shall be landscaped to the following standards:

- A landscaping strip shall be established along the Business 2 Zone side of the common boundary to a depth of 5 metres.
- Landscape planting, an irrigation system and boundary (chain link and stock) fencing shall be undertaken in accordance with the Outline Development Plan at Appendix 32. Irrigation is to be provided for a minimum of 2 years following the establishment of the landscaping.
- The Lemonwood (*Pittosporum eugenoides*) hedge on the landscaping strip shall achieve, once matured, a minimum height of 3 metres
- The landscaping planted shall be maintained and if dead or diseased or damaged, shall be removed and replaced.
- Specimen trees shall be a minimum height of 2 metres at planting.
- The existing English Oaks (*Quercus robur*) at the eastern end of the site to be retained, maintained and secured within a fenced 5 metre wide compound extending from the end of the proposed landscape strip.
- No accessory buildings, fences, or structures shall be erected within the 5 metre landscape strip, except in accordance with the Outline Development Plan at Appendix 32.

16.1.4.2 Before any principal building is erected on any parcel of land subject to Rule 11.4.1, all of the landscape planting, irrigation system and fencing shown on the Outline Development Plan at Appendix 32 on that allotment shall be completed.

16.1.5 Any principal building in that part of the Business 2 Zone as is shown on the Outline Development Plan at Appendix 33 if the following standards are met:

16.1.5.1 A landscaping strip of at least 3 metres in width be planted along every road frontage of the site in accordance with (a) to (d) below.

- (a) The landscaping shall consist of only those species listed in Appendix 21. Planting for each allotment shall include:
 - A minimum of two trees from Group A for every 10 metres of road frontage.
 - At least 35% of the required area shall be planted in species from List C.
 - At least 10% of the required area shall be planted in species from List D.
- (b) All plants shall be of the following maximum spacings:
 - List B – 1.5 metre centres;
 - List C – 1.5 metre centres;
 - List D – 700mm centres.
- (c) The landscaping planted shall be maintained and if dead, diseased or damaged shall be removed and replaced.
- (d) No fences or structures shall be erected within the 3 metre landscaping strip.

Discretionary Activities – Buildings and Landscaping

- 16.1.6 Any principal building which does not comply with Rule 16.1.1 shall be a discretionary activity.

Non-Complying Activities – Buildings and Landscaping

- 16.1.7 Any principal building which does not comply with Rule 16.1.2 or 16.1.3 or 16.1.4 or 16.1.5 shall be a non-complying activity.

16.2 BUILDINGS AND CONTAMINATED LAND

Refer to Rule 22.1 – Activities and Contaminated Land.

16.3 BUILDINGS AND WATER SUPPLY

Permitted Activities – Buildings and Water Supply

- 16.3.1 In all Business zones the erection of any dwelling or principal building connected to a reticulated water supply shall be a permitted activity, provided that it complies with the current New Zealand Drinking Water Standards, except where it can be demonstrated that the use of the principal building in the Business 3 Zone does not require such a supply.

The requirement that connection be to a reticulated supply does not apply to the erection of a dwelling or principal building within the existing Business zone at Doyleston.

Non-Complying Activities – Buildings and Water Supply

- 16.3.2 Any activity which does not comply with Rule 16.3.1 shall be a non-complying activity.

16.4 BUILDINGS AND SEWAGE TREATMENT AND DISPOSAL

Permitted Activities – Buildings and Sewage Treatment and Disposal

- 16.4.1 In the Business zones at Castle Hill, Doyleston, Leeston, Lincoln, Prebbleton, Rolleston and Southbridge, the erection of any dwelling or principal building shall be a permitted activity provided that it is connected to a reticulated sewage treatment and disposal system, unless, in the case of a principal building other than a dwelling within the Business 3 Zone, the intended use of that building does not generate sewage.
- 16.4.2 In all other Business zones in the District, dwellings shall be permitted activities provided that they are serviced by on-site effluent treatment and disposal systems.

Notes

1. A discharge permit is required from Environment Canterbury to dispose of sewage on-site at Darfield.

2. If the Council and the community decide to install a reticulated sewage treatment and disposal system in an area presently unserved, under the Local Government Act 1974, the Council may require existing principal buildings to connect.

16.5 BUILDINGS AND SITE COVERAGE

Permitted Activities — Buildings and Site Coverage

- 16.5.1 The erection of any building in the Business 1A Zone at Castle Hill shall be a permitted activity if the site coverage does not exceed 50%.
- 16.5.2 In the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place, the following shall be permitted activities:
- 16.5.2.1 The erection of any building, or redevelopment, involving more than 2,500 square metres of gross leaseable floor area where the site coverage does not exceed 35%.
- 16.5.2.2 The erection of any building or redevelopment involving less than 2,500 square metres of gross leaseable floor area where the site coverage does not exceed 50%.

Restricted Discretionary Activities — Buildings and Site Coverage

- 16.5.3 Any activity that does not comply with Rule 16.5.2.1 shall be a restricted discretionary activity. The exercise of the discretion shall be limited to consideration of:
- 16.5.3.1 Any adverse effects of the building or redevelopment on the amenity of adjoining or nearby Living areas;
- 16.5.3.2 Any adverse effects from the visual appearance of the building or redevelopment, the extent and effectiveness of the proposed planting of trees in screening car parking areas and the visual appearance of the building/redevelopment from adjoining or nearby residences.

Non-Complying Activities — Buildings and Site Coverage

- 16.5.4 Any activity that does not comply with Rule 16.5.1 and 16.5.2.2 shall be a non-complying activity.

16.6 BUILDINGS AND BUILDING HEIGHT

Permitted Activities — Buildings and Building Height

- 16.6.1 Any building or structure which complies with the maximum height standards set out in Table C16.1 shall be a permitted activity.

Table C16.1 – Maximum Heights of Buildings and Structures

Zone	Building	Structure
Business 1 Zone	10 metres	25 metres
Business 1 Zone in Prebbleton (except Lots 1 and 2 DP 17591 and Lot 1 DP 13679)	8 metres (plus roof allowance)	25 metres
Lots 1 and 2, DP 17591 and Lot 1 DP 13679 in the Business 1 Zone at Prebbleton	10 metres (plus roof allowance)	25 metres
Business 1A Zone	8 metres	20 metres
Business 2 Zone	15 metres	25 metres
At that part of the Business 2 Zone at Railway Road, Rolleston, as is depicted on the Outline Development Plan at Appendix 22	15 metres	25 metres
Business 3 Zone	30 metres	30 metres

Notes:

Height for either a building(s) or structure(s) is measured vertically from the ground surface to the highest point of the building or structure, including any attachments.

The roof allowance permitted in the Business 1 Zone at Prebbleton provides for an additional 2 metres of building height where a pitched roof form is provided (see diagrams in Appendix 30).

Discretionary Activities – Buildings and Building Height

16.6.2 Any activity which does not comply with Rule 16.6.1 shall be a discretionary activity.

16.7 BUILDINGS AND BUILDING POSITION**Permitted Activities – Buildings and Building Position****Recession Planes**

16.7.1 Any building which complies with the relevant recession plane requirements set out in Appendix 11 shall be a permitted activity.

Note:

1. Recession Plane A – applies along any internal boundary adjoining any Living Zone or Rural Zone and along the common boundary of the Business 2 Zone located at Railway Road, Rolleston and the Rural Zone, as depicted on the Outline Development Plan at Appendix 22.
2. Recession Plane B – applies along any internal boundary NOT adjoining any Living Zone or Rural Zone) except along the common boundary of the Business

2 Zone located at Railway Road, Rolleston and the Rural Zone as depicted on the Outline Development Plan at Appendix 22 where recession plane A applies.

Setbacks from Boundaries

16.7.2 Any building which complies with the minimum setback distances from site boundaries as set out below shall be a permitted activity.

16.7.2.1 Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place with any other zone boundary and on the Rolleston Drive road boundary – 10 metres

16.7.2.2 Business 1A Zone

- Road Boundaries: 6 metres
- Internal Boundaries: 6 metres (only where adjoining Lots 1 & 2 DP 22544)

16.7.2.3 Business 2 Zone (excluding area at Rolleston that is depicted on the Outline Development Plan at Appendix 22 and 32 and that part which is depicted on the Landscape Development Plan at Appendix 28)

- Road Boundaries: 2 metres
- Internal Boundaries: 2 metres (where adjoining a Living Zone)

16.7.2.4 In that part of the Business 2 Zone at Rolleston as is depicted on the Outline Development Plan at Appendix 22

- Road Boundaries: 10 metres
- Internal Boundaries: 10 metres (only along the common boundary of the Business 2 Zone at Rolleston as shown on the Outline Development Plan at Appendix 22 and the Rural Zone)
- Within area Z on the Outline Development Plan attached at Appendix 22: 30 metres until the shelter planting reaches a height of 3 metres across its length. 10 metres thereafter.

16.7.2.5 In that part of the Business 2 Zone located south of Jones Road, Rolleston, as depicted on the Landscape Development Plan at Appendix 28:

- Road boundaries: 2 metres
- Internal boundaries: 10 metres (only along the common boundary of the Business 2 Zone and the railway reserve).

16.7.2.6 In that part of the Business 2 Zone located south of Jones Road and adjoining Hoskyns Road, Rolleston, as depicted on the Outline Development Plan at Appendix 32:

- Road boundaries: 2 metres
- Internal boundaries: 5 metres (only along the common boundary of the Business 2 Zone and the railway reserve).

16.7.2.7 Business 3 Zone

- Road Boundaries: 10 metres
- Internal Boundaries: 10 metres, (only where they adjoin a Living zone).

16.7.2.8 In that part of the Business 2 Zone as is shown on the Outline Development Plan at Appendix 33:

- Road Boundaries: 10 metres
- Internal Boundaries: 15 metres (only along the common boundary with land within a Rural Zone)

Restricted Discretionary Activities – Buildings and Building Position

16.7.3 Any activity which does not comply with Rule 16.7.1 shall be a restricted discretionary activity.

16.7.4 Under Rule 16.7.3 the Council shall restrict the exercise of its discretion to consideration of:

16.7.4.1 Any adverse effects of shading on any adjoining property owner, or on any road or footpath during winter.

16.7.5 Any activity which does not comply with Rules 16.7.2.2–16.7.2.8 shall be a restricted discretionary activity.

16.7.6 Under Rule 16.7.5 the Council shall restrict the exercise of its discretion to consideration of:

16.7.6.1 Road Boundaries

Any adverse effects on:

- (a) Roadscape; and
- (b) Landscaping potential; and
- (c) Shading of the adjoining road.

16.7.6.2 Internal Boundaries

Any adverse effects on:

- (a) Privacy; and
- (b) Outlook; and
- (c) Shading; and
- (d) Any other amenity values of the adjoining property.

Discretionary Activities – Buildings and Building Position

16.7.7 Any activity which does not comply with Rule 16.7.2.1 shall be a discretionary activity.

Notes

1. There are no building setback requirements for the Business 1 Zone.
2. There are no boundary setback requirements for structures in any of the Business Zones.

16.8 RELOCATED BUILDINGS

Permitted Activities — Relocated Buildings

- 16.8.1 The erection of any relocated building in the Business 1 Zone shall be a permitted activity if one or more of the following conditions are met:
- 16.8.1.1 The relocated building is an accessory building; or
 - 16.8.1.2 The building is relocated from one position to another within the same site; or
 - 16.8.1.3 The building is relocated on to a site for a temporary activity and is removed from the site within 2 days of the activity ceasing; or
 - 16.8.1.4 The building is relocated on to a site to provide temporary accommodation during a construction project on the site, and the building is removed from the site within the lesser time of 12 months; or when the construction work ceases.
 - 16.8.1.5 The building is being relocated within or between schools.

Note: Any relocated building at Castle Hill is also subject to the provisions of Rule 23.

Controlled Activities — Relocated Buildings

- 16.8.2 The erection of a relocated building which does not comply with Rule 16.8.1 shall be a controlled activity which shall not be notified and shall not require the written approval of affected parties.
- 16.8.3 The matters the Council has reserved control over are:
- 16.8.3.1 The timeframe proposed for having the building established on its new foundations; and
 - 16.8.3.2 The timeframe proposed for any exterior repair and upgrading works to be undertaken; and
 - 16.8.3.3 The standard to which the exterior of the building is to be finished; and
 - 16.8.3.4 Whether any bond is required to cover the cost of reinstatement works in relation to matters listed under Rules 16.8.3.1 to 16.8.3.3, and the type of bond.

Reasons for Rules

Landscaping

A common feature of urban areas is a tidy area between the house and road frontage. There is a 'market' incentive for property owners to keep this area tidy, as it can add value to their property. There is not, however, such a direct market incentive for some businesses and community facilities, to retain a tidy 'front yard'. The objective of Rule 16.1 is to ensure that activities

locating in the Business 1A, 2 and 3 Zones maintain at least a minimum standard of street appeal.

Water Supply

Every principal building, which may include a dwelling, is required to have a potable water supply for health reasons.

Doyleston is the only township in Selwyn District which does not have a reticulated public water supply at present. The low depth of the groundwater, the small population of the township, and the reticulated sewerage schemes means that on-site water supplies in Doyleston are satisfactory at present. However, the Council strongly encourages regular monitoring of those supplies. Extensions to the Business zone at Doyleston will require a reticulated water supply and may bring about the need to provide such a supply for the whole of the township.

(**Note:** Permits to drill bores and take water are issued by Environment Canterbury.)

Sewage Treatment and Disposal

The townships listed in Rule 16.4.1 either have a reticulated sewerage treatment and disposal system, or need such a system, to avoid adverse effects on groundwater and the environment. The Council is currently pursuing options for public reticulated sewerage treatment and disposal at Southbridge.

Rule 16.4 should not be interpreted as an indication that reticulated sewerage will not be needed in other townships in the future, such as Darfield. Environment Canterbury is responsible for issuing discharge permits to allow on-site effluent treatment and disposal. If, in the future, permits are no longer issued, reticulated sewerage may need to be provided.

Site Coverage

The site coverage rule is designed to establish and maintain a character of relative openness in the Business 1A Zone at Castle Hill, and at the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place as the primary entrance into Rolleston township.

Building Height

Rule 16.6 sets maximum height and bulk requirements for buildings and structures, to ensure they are in keeping with the visual character of townships. The permitted maximum height of buildings and structures is greater than that allowed for in the Living zones. This acknowledges that issues associated with the protection of sunlight and privacy to adjoining properties is less of an issue in industrial areas in comparison with residential areas. This rule differentiates between the height of buildings and other structures because of the differences in effects they will create on these urban areas.

For Castle Hill the maximum building height is the same as for the Living Zone. This is to recognise that the landscape qualities of this high location dictate that the maximum height of any buildings needs to be strictly controlled so to ensure that they do not become dominant landscape features.

Part of the amenity values of townships in Selwyn District is relatively low density of buildings and views across townships to rural areas, the Southern Alps/Kā Tiritiri o te Moana and Port Hills. Rule 16.6 helps to maintain those values by limiting the height of buildings and structures.

The Business 3 Zone at Lincoln provides for multi-storied building which is a distinctive character of the existing development in the area and therefore this scale of development should continue

to be provided for. Accordingly a 10 metre height control (except for Castle Hill) will permit the construction of a 2-3 storey building, depending on the roof pitch and any structures installed on the roof.

Building Position

Rule 16.7 is intended to give property owners maximum flexibility over the use of space on their properties while still providing protection for sunlight, privacy and outlook for any neighbouring properties in a Living or Rural zone. These requirements acknowledge that adjoining residential and rural properties have the potential to be adversely affected by developments undertaken within Business zones. Those effects are most suitably managed by ensuring that new buildings comply with the recession plane that is applicable to the Living and Rural zones.

In the Business 1A Zone at Castle Hill, a setback from any road frontage is to encourage the establishing of landscaping so as to assist in blending any development into the natural landscape of the area. A similar concept also applies at the Business 2 zone and the Business 3 zone to encourage a planted strip being created or maintained, along the road frontage.

For that part of the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place, a 10m setback from other zone boundaries and from the Rolleston Drive road frontage is required to encourage the establishment of landscaping and to maintain amenity. The setback (in conjunction with the site coverage requirement for the zone) is also to ensure a degree of openness, as the zone is located at the primary entrance into Rolleston Township, and is intended to provide for the Selwyn District Council's district headquarters, and for civic and community activities undertaken by the Council.

Utility structures are exempt from these requirements as they tend to be less bulky than buildings and therefore will not adversely affect adjoining properties or the road and any footpath.

Relocated Buildings

Generally, the district plan does not control the design and standard of buildings, except at Castle Hill. Buildings which are relocated in whole, or in parts, on new foundations and often require restoration work to repair minor damage. If relocated buildings are left sitting on blocks or unrepaired for long periods of time, they can detract from the amenity values of the area in which they have located. The rule does not apply to the Business 2 and 3 zones. The environment in the former is less sensitive in respect to visual effects, while the latter has expansive areas containing a large number of substantial buildings where visual affects are also likely to be less significant.

Rule 16.8 identifies minor activities involving relocated buildings for which resource consent is not required. Also set out are the matters the Council will consider for relocated buildings of a larger scale or of a permanent nature. The matters include the nature of reinstatement works, the time needed to complete them, and the mechanism to give Council the surety they will be completed.

The Council may not decline a controlled activity. It may be approved subject to conditions relating to the matters over which the Council has reserved control.

Note: The rule does not affect the ability of a subdivider to impose covenants on Certificate of Titles related to the style and age of buildings, or the relocation of buildings into their subdivision.

- 18.1.1.6 The utility is not used for the generation of energy, apart from the generation of energy for use on the same site, or to enable continued supply during emergencies, maintenance or repairs.

Note: this rule does not apply to solar, wind or petroleum based powered generators used to generate energy for use only on the site on which they are located.

- 18.1.1.7 Any pipe used for distribution of gas (manufactured or natural) does not exceed a gauge pressure of 2000 kilopascals, including household connections and compressors.

- 18.1.1.8 Any pipe to convey water, sewage or gas, is laid underground.

Restricted Discretionary Activities – Utilities Activities

- 18.1.2 Any activity which does not comply with Rule 18.1.1.5 shall be a restricted discretionary activity.

- 18.1.3 Under Rule 18.1.2 the Council shall restrict its discretion to:

- 18.1.3.1 Whether surrounding sites have overhead or underground cables;

- 18.1.3.2 If surrounding sites have overhead cables, the time frame with which they are likely to be replaced with underground cables;

- 18.1.3.3 Any physical or technical difficulties with laying cables underground to the site;

Discretionary Activities – Utilities Activities

- 18.1.4 Any activity which does not comply with Rules 18.1.1.4, 18.1.1.7 and 18.1.1.8 shall be a discretionary activity.

Non-Complying Activities – Utilities Activities

- 18.1.5 Any activity which does not comply with Rules 18.1.1.2, 18.1.1.3 and 18.1.1.6 shall be a non-complying activity.

18.2 HEIGHT AND SETBACKS – UTILITY BUILDINGS

Permitted Activities – Height and Setbacks – Utility Buildings

- 18.2.1 Erecting any utility building, or any addition or alterations to, or modification or demolition of any utility building which complies with all of the following conditions shall be a permitted activity.

- 18.2.1.1 The height of the utility building shall not exceed the following standards:

- (a) Business 1A Zone; 8m
- (b) Business 1 Zone; 10m
- (c) Business 2 Zone; 15m
- (d) Business 3 Zone; 25m

For Rule 18.2.1.1, the height of any building shall be measured from ground level at the base of the building, to the highest point on the building, but excluding any chimney, mast, aerial, or other structure which is attached to the outside of the building.

18.2.1.2 The setback of the utility building shall not be less than the following standards:

- (a) Business 1A Zone – 6m from a road boundary, or from the boundary of Lots 1 and 2 DP 22544.
- (b) Business 2 Zone (excluding the areas at Rolleston that are depicted on the Outline Development Plans at Appendices 22 and 33): 2m from a road boundary, or any boundary adjoining a Living Zone.
- (c) Business 2 Zone at Rolleston as is depicted on the Outline Development Plans at Appendices 22 and 33:
 - Road Boundaries: 10m
 - Internal Boundaries: 10m (only along the common boundary of the Business 2 Zone at Rolleston as shown on the Outline Development Plan at Appendix 22 and the Rural Zone).

Within area Z on the Outline Development Plan attached at Appendix 22: 30m until the shelter planting reaches a height of 3m across its length; and 10m thereafter.

- (d) Business 3 Zone: 10m from a road boundary or a Living Zone boundary.
- (e) In all Business Zones, the building shall be positioned so that it complies on a Living Zone boundary, with the recession plane angles in Appendix 11.

Restricted Discretionary Activities – Height and Setbacks – Utility Buildings

18.2.2 Any activity which does not comply with Rule 18.2.1.2 (a)–(d) shall be a restricted discretionary activity.

18.2.3 Under Rule 18.2.2 the Council shall restrict the exercise of its discretion to consideration of:

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

18.2.3.2 Road Boundary

Any adverse effects on:

- (a) Roadscape; and
- (b) Landscaping potential; and
- (c) Shading of the adjoining road.

Restricted Discretionary Activities – Landscape Management Alpine Villages (Arthur’s Pass and Castle Hill) – Utilities

- 18.4.2 Any activity which is not listed in Rules 18.4.1.1 to 18.4.1.5 shall be a restricted discretionary activity, which shall not be notified and shall not require the written approval of affected parties.
- 18.4.3 Under Rule 18.4.2 the Council shall restrict its discretion to:
- 18.4.3.1 The effects of the activity on the landscape values of the area.
 - 18.4.3.2 Whether the proposed activity reflects the design of any heritage buildings or general heritage values of the area.
 - 18.4.3.3 The cost to the applicant and practicality of modifying the proposed activity to better complement the landscape values of the area.
 - 18.4.3.4 Any compensatory works proposed to enhance the landscape values elsewhere in the village and the appropriateness of this work as a mitigation measure.
 - 18.4.3.5 For principal buildings erected, the appropriateness of the design of the building in relation to the ‘chalet or alpine theme’ of the village.

18.5 LANDSCAPING – UTILITY BUILDINGS

Permitted Activities – Landscaping Utility Buildings

- 18.5.1 Any utility building shall be a permitted activity if the following conditions are met:
- 18.5.1.1 The area between the road boundary and the utility boundary is:
 - (a) Paved or sealed; or
 - (b) Planted in lawn; or
 - (c) Landscaped with shrubs, bark chips or similar materials
 - (d) For the purpose of screening in the Business 2 and 3 zones, landscaping methods listed in (a)–(c) can be employed.
- 18.5.2 Any principal building in those parts of the Business 2 Zone located at Rolleston as is shown on the Outline Development Plans at Appendices 22 and 33 shall be a permitted activity if the following standards are met:
- 18.5.2.1 The area between the common boundary of the Business 2 Zone and the Rural Zone, as depicted on the Outline Development Plan at Appendices 22 and 33, and the principal building shall be landscaped to the following standards:
 - (a) Landscaping shall be planted along the Business 2 Zone side of the common boundary.
 - (b) The landscaping shall achieve, once matured, a minimum width of 2.5 metres and a minimum height of 6.5 metres.
 - (c) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.

- (d) The landscaping shall consist of one or more of the following species:
 - Macrocarpa
 - Leyland cypress
 - Radiata pine

18.5.2.2 A landscaping strip of at least 3 metres width shall be provided along every road frontage in those parts of the Business 2 Zone located at Railway Road, Rolleston and Hoskyns Road, Rolleston including the western side of Hoskyns Road as depicted on the Outline Development Plans at Appendices 22 and 33. The landscaping shall meet the following standards:

- (a) The landscaping shall consist of only those species listed in Appendix 21. Planting for each allotment shall include:
 - A minimum of two trees from Group A for every 10 metres of road frontage.
 - At least 35% of the required area shall be planted in species from Group C.
 - At least 10% of the required area shall be planted in species from Group D.
- (b) All plants shall be of the following maximum spacings:
 - Group B – 1.5 metre centres;
 - Group C – 1.5 metre centres;
 - Group D – 700mm centres.
- (c) The landscaping planted shall be maintained and if dead, diseased or damaged shall be removed and replaced.
- (d) No fences or structures shall be erected within the 3 metre landscaping strip.

Discretionary Activities – Landscaping – Utility Buildings

18.5.3 Any activity which does not comply with Rule 18.5.1 shall be a discretionary activity.

Reasons for Rules

Rule 18 manages effects of establishing, maintaining, upgrading and replacing utilities on the environment.

Many activities involving utilities are undertaken by requiring authorities, using designations. In these cases, the District Plan rules may not apply. However, it is still necessary to have rules in the Plan, because:

- (a) Not all utilities are managed by requiring authorities;
- (b) Often utilities are installed by private developers as part of subdivisions or land uses. Some utilities may vest in the Council. The Plan needs to have rules for the undertaking of these activities, so the Council can manage the standard of utilities which will vest in the Council;
- (c) If the rules in the District Plan allow activities as permitted activities, it may reduce the need for network utility operators to designate land; and

- (d) It is consistent with Part II and Section 32 of the Act to provide for activities which have only minor effects on the environment as permitted activities.

The Plan clarifies situations where the upgrading, maintenance and replacement of utilities can occur as of right, to provide legal certainty. The rules for the height and bulk of utility structures and building are specific to those activities, and rules applicable to other buildings do not apply in most cases. This reflects the specialised (and usually minor) scale of buildings and structures such as poles, masts and antenna associated with utilities. However the sensitivity of important landscapes and living environments is recognised in the thresholds rule set in the Plan. Rules 18.1.1.2 and 18.1.1.3 address potential effects from electromagnetic radiation and power frequency electric and magnetic fields. The rules are firmly based on recognised national standards concerning these effects.

Rules 18.1.1.4 and 18.1.1.5 concern cables and lines. The rules encourage undergrounding of such lines where this is a realistic expectation. New high voltage lines will require consent and assessment given their significant visual impacts, with particular regard to siting.

Rule 18.1.1.6 discourages on site energy production or treatment of solid waste (subject to specific exemptions).

Rule 18.1.1.7 provides for reticulated gas supplies of a scale appropriate to a residential or light industrial environment.

Rule 18.2 relates to utility buildings. It allows them to be at the same scale as buildings in Living Zones generally, but also recognising that they do not require as much surrounding space as dwellings. Setback and recession plane requirements are set in place to protect neighbours and any Living zone, from the bulk of utility buildings.

Rule 18.3 relates to utility structures which comprise very small buildings, or poles, masts, pylons and antenna. For operational efficiency these are allowed to be higher than buildings, but also require compliance with recession planes on Living Zone boundaries where a utility support structure has a “thick” profile of more than 500mm. The rules relate to the sensitivity of the receiving zone environment.

- 22.3.2.1 The take off and/or landing of aircraft shall be an ancillary use of the land and any facilities on the site and shall not be a main or predominant use of the land or any facilities on the site.

Non-Complying Activities — Activities and Aircraft Movements

- 22.3.3 Any take off and/or landing of aircraft which does not comply with Rule 22.3.2 shall be a non-complying activity.

Note: Airport is a defined term. Please refer to Part D.

22.4 ACTIVITIES AND NOISE

Permitted Activities — Activities and Noise

- 22.4.1 Any activity conducted on any day, except any residential activity, shall be a permitted activity, provided that the following noise limits are not exceeded with the time-frames stated.

In those parts of the Business 2 Zone at Rolleston as is depicted on the Outline Development Plans in Appendices 22 and 33:

- 22.4.1.1 Applying at the boundary of any site adjoining the Rural zone:

7.30 am – 8.00 pm 60dBA L10

8.00 pm – 7.30 am 40dBA L10

7.30 am – 8.00 pm 80dBA Lmax

8.00 pm – 7.30 am 65dBA Lmax

Business 1, 1A & 3 Zones:

- 22.4.1.2 Noise assessed within the boundary of any other site NOT within a Living zone or within the notional boundary of any dwelling within any Rural zone:

7.30am – 8.00pm 60 dBA L10

8.00pm – 7.30am 45 dBA L10

7.30am – 8.00pm 85 dBA Lmax

8.00pm – 7.30am 70 dBA Lmax

- 22.4.1.3 Noise assessed within a Living zone or within the notional boundary of any dwelling within any Rural zone:

7.30am – 8.00pm 55 dBA L10

8.00pm – 7.30am 40 dBA L10

7.30am – 8.00pm 85 dBA Lmax

8.00pm – 7.30am 70 dBA Lmax

Business 2 Zone:

- 22.4.1.4 Noise assessed within the boundary of any other Business 1, 1A or 3 Zone site:

7.30am – 8.00pm	65 dBA L10
8.00pm – 7.30am	45 dBA L10
7.30am – 8.00pm	85 dBA Lmax
8.00pm – 7.30am	70 dBA Lmax

22.4.1.5 Noise assessed within a Living zone or within the notional boundary of any dwelling within any Rural zone:

7.30am – 8.00pm	55 dBA L10
8.00pm – 7.30am	40 dBA L10
7.30am – 8.00pm	85 dBA Lmax
8.00pm – 7.30am	70 dBA Lmax

22.4.2 Rule 22.4.1 does not apply to the use of sirens or warning devices associated with emergency service facilities.

Discretionary Activities – Activities and Noise

22.4.3 Any activity that is not residential which does not comply with Rule 22.4.1 shall be a discretionary activity.

22.5 ACTIVITIES AND VIBRATION

Permitted Activities – Activities and Vibration

22.5.1 Vibration from any other source shall be a permitted activity if the maximum limits are not exceeded, provided that:

22.5.1.1 Activities likely to have regular vibration effects such as quarrying, mining or airports are not permitted in Business zones and will require resource consent.

Discretionary Activities – Activities and Vibration

22.5.2 Any activity which does not comply with Rule 22.5.1 shall be a discretionary activity.

22.6 ACTIVITIES AND LIGHT SPILL

Permitted Activities – Activities and Light Spill

22.6.1 The following activities shall be permitted activities:

22.6.1.1 Any fixed, exterior lighting if it is directed away from adjacent properties and roads.

- 22.6.1.2 Any other lighting if it does not exceed:
- (a) 3 lux spill (horizontal or vertical) on to any part of any adjoining property in a Living zone or within the notional boundary of any dwelling within any Rural zone; and
 - (b) 10 lux spill (horizontal or vertical) on to any part of any adjoining property within the same Business zone.
 - (c) 3 lux spill (horizontal or vertical) on to any part of any adjoining property in the Rural zone which has a common boundary with the Business 2 Zone at Railway Road, Rolleston as depicted on the Outline Development Plan at Appendix 22.
- 22.6.1.3 Lighting in the Business 2 Zone at Rolleston as depicted on the Outline Development Plan at Appendix 22 which is designed so that:
- (a) All outdoor lighting is shielded from above in such a manner that the light source is not visible from the outside of the Business 2 Zone at Railway Road and from adjacent properties.
 - (b) All fixed outdoor lighting is directed away from adjacent roads outside of the Business 2 Zone at Railway Road and from adjacent properties.
- 22.6.1.4 Any lighting in the Business 2 Zone at Hoskyns Road – North, Rolleston as depicted on the Outline Development Plan at Appendix 33 shall be designed so that:
- (a) All outdoor lighting shall be shielded from above in such a manner that the light source is not visible from any property within the Rural Zone.
 - (b) All fixed outdoor lighting shall be directed away from adjacent roads outside of the Business 2 Zone and from adjacent properties within the Rural Zone.

Discretionary Activities – Activities and Light Spill

- 22.6.2 Any activity which does not comply with Rules 22.6.1 shall be a discretionary activity.

22.7 ACTIVITIES AND THE OUTDOOR STORAGE OF MATERIALS AND GOODS

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

Screening and Dust

- 22.7.1 The outdoor storage of any materials or goods shall be a permitted activity if the following conditions are met:
- 22.7.1.1 Any outdoor storage area in a Business 1 Zone shall be screened from any road boundary of the site by a fence, wall or vegetation of at least 1.8m in height; and

- 22.7.1.2 Any outdoor storage area in a Business 1 Zone shall be screened from any internal boundary of the site which adjoins a site in another Business 1 Zone or a site in a Living zone, by a fence, wall, or vegetation of at least 1.8m in height; and
- 22.7.1.3 Any outdoor storage area in a Business 2 or 3 Zone shall be screened from any road boundary or internal boundary of the site which adjoins a site in a Living or Business 1 Zone, by a fence, wall or vegetation of at least 1.8m in height.
- 22.7.1.4 The screening referred to in Rules 22.7.1.1 to 22.7.1.3 shall be for the full length that the storage area is visible from the road.
- 22.7.1.5 Unconsolidated materials such as soil, coal, sawdust, powdered fertiliser are to be covered or otherwise secured from being blown by the wind.

Exemptions

- 22.7.2 Rules 22.7.1.1 to 22.7.1.4 shall not apply to:
 - 22.7.2.1 The storage of motor vehicles, caravans or campervans, trailers, or watercraft associated with residential activities on the site; or
 - 22.7.2.2 The display of merchandise for sale to the public, but does not include vehicles or other machinery intended for dismantling or scrapping; or
 - 22.7.2.3 The storage of materials for construction, repair or landscaping work on the same site, for up to 4 months in any 12 month period.

Discretionary Activities — Activities and the Outdoor Storage of Materials and Goods

- 22.7.3 Any activity which does not comply with Rule 22.7.1 shall be a discretionary activity.

22.8 ACTIVITIES AND TEMPORARY MILITARY TRAINING

Permitted Activities — Activities and Temporary Military Training

- 22.8.1 Temporary Military Training Activities shall be permitted activities provided that the following conditions are met:
 - 22.8.1.1 No permanent structures shall be constructed;
 - 22.8.1.2 No mechanical excavation shall be carried out, unless provided for in this Plan;
 - 22.8.1.3 The activity shall not exceed a period of 31 days;
 - 22.8.1.4 All ground disturbed by any military activity shall be restored to its previous state;
 - 22.8.1.5 No Temporary Military Training Activities shall occur in any areas identified on the Planning Maps as wāhi taonga, silent file areas, or mahinga kai sites;

- 22.8.1.6 Noise emissions occurring as a result of any Temporary Military Training Activity, when measured at the property boundary shall not exceed:

Time (Any Day)	Limits(dBA)	
	L₁₀	L_{max}
0630-0730	60	70
0730-1800	75	90
1800-2000	70	85
2000-0630	55	65

Controlled Activities – Activities and Temporary Military Training

- 22.8.2 Any Temporary Military Training Activity which does not comply with Rule 22.8.1 shall be a controlled activity.
- 22.8.3 Under Rule 22.8.2 the Council shall restrict the exercise of its discretion to consideration of:
- 22.8.3.1 Any disturbance caused by structures or earthworks;
 - 22.8.3.2 Any noise effects, with regard to the location and noise sensitivity of nearby activities;
 - 22.8.3.3 Any visual or traffic effects;
 - 22.8.3.4 The effect of activities over an extended period of time, having regard to 22.8.3.1 to 22.8.3.3 above.

22.9 DWELLINGS

Controlled Activities – Dwellings

- 22.9.1 The erection of any dwelling in a Business 2 Zone shall be a controlled activity if the following standard and term is met:
- 22.9.1.1 The dwelling is to be necessary for custodial or security purposes.
- 22.9.2 Any resource consent application made under Rule 22.9.1 shall not be notified and shall not require the written approval of affected parties.
- 22.9.3 Under Rule 22.9.1, the Council shall reserve control over the following matter:
- 22.9.3.1 The removal of, or other method to be used to dispose of, the dwelling in the event of it no longer being required for custodial or security purposes.

Discretionary Activities – Dwellings

- 22.9.4 Any dwelling which does not comply with Rule 22.9.1 shall be a discretionary activity.

22.10 DEVELOPMENT WITHIN THE BUSINESS 2 ZONE, ROLLESTON

Permitted Activities — Development within the Business 2 Zone, Rolleston

- 22.10.1 Development in the Business 2 Zone at Railway Road, Rolleston shall be a permitted activity provided that the following conditions are met:
- 22.10.1.1 All development is in general accordance with the Outline Development Plan at Appendix 22 (to the extent that this plan applies).
 - 22.10.1.2 Within area ZA on the Outline Development Plan attached at Appendix 21 a 30m landscaping strip is maintained. For the purposes of this rule, landscaping shall include the construction of an acoustic mound, and
 - (a) Area ZA shall be used for landscaping purposes only.
 - (b) The landscaping planted shall be maintained and if dead, diseased or damaged, shall be removed and replaced.

Discretionary Activities — Development within the Business 2 Zone, Rolleston

- 22.10.2 Any activity which does not comply with Rule 22.10.1 shall be a discretionary activity.

22.11 DEVELOPMENT WITHIN THE BUSINESS 1 ZONE AT ROLLESTON BOUNDED BY ROLLESTON DRIVE, STATE HIGHWAY 1 AND DICK ROBERTS PLACE

Permitted Activities — Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

- 22.11.1 Development in the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place shall be a permitted activity provided that the following conditions are met.

Outline Development Plan

- 22.11.1.1 All development in the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place is in general accordance with the Outline Development Plan at Appendix 29 (to the extent that this plan applies).

Access Restrictions

- 22.11.1.2 Vehicle access to the Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place is limited to only one crossing. That crossing shall connect to Rolleston Drive.

- 22.11.1.3 The vehicle access to the Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place zone is located approximately 300 metres from the strategic intersection of State Highway 1 and Rolleston Drive, and no less than 260 metres from the strategic intersection of State Highway 1 and Rolleston Drive, and generally in the position shown on Appendix 29.

Discretionary Activities — Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

- 22.11.2 Any activity which does not comply with Rules 22.11.1 shall be a discretionary activity.

22.12 RETAILING WITHIN THE BUSINESS 2 ZONE, ROLLESTON

Permitted Activities — Retailing within the Business 2 Zone, Rolleston

- 22.12.1 The following shall be a permitted activity:

- 22.12.1.1 Any retail activity undertaken from an allotment in the Business 2 Zone at Rolleston as depicted on the Outline Development Plans at Appendices 22 and 33 provided that it only occupies up to 20% of the gross floor area of building on that allotment or 2,000m², whichever is the lesser.

Discretionary Activities — Retailing within the Business 2 Zone, Rolleston

- 22.12.2 Any activity which does not comply with Rule 22.12.1.1 shall be a discretionary activity.

22.13 RETAILING WITHIN THE BUSINESS 1 ZONE AT ROLLESTON BOUNDED BY ROLLESTON DRIVE, STATE HIGHWAY 1 AND DICK ROBERTS PLACE

Non-Complying Activities: Retailing within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

- 22.13.1 Any retailing activity within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place shall be a non-complying activity.

Reasons for Rules

Contaminated Sites

Contaminated land contains certain substances at concentrations which may affect people's health or well-being. Effects may be through direct exposure, e.g. touching contaminated soil, or indirect exposure by being absorbed in drinking water or food grown on contaminated soil.

The activities listed in Rule 22.1.1 are activities which are most likely to expose people to either direct or indirect exposure to contaminated land. The Building Act 2004 can require certain mitigation measures to be put in place before a building is erected on contaminated land. However, this Act does not apply to activities that do not involve erecting a building (such as growing food crops) or activities ancillary to buildings, such as outdoor recreation.

Contaminated Site Register

The Council has a register of sites which may have contaminated land, because of past activities on the site. These sites should be tested prior to the activities listed in Rule 22.1.1 taking place. If a site is on the Council register, it will be noted on any LIM (Land Information Memorandum) issued for the site.

PLEASE NOTE – the register is not a comprehensive list. There are likely to be additional contaminated sites in the District which are not on the register, particularly if the activity in the past did not require to obtain any permit or licence.

Keeping of Animals

Some control over animals (excepting domestic pets) in the Business zones is needed because of the potential of being in close proximity of residential neighbours in the adjoining Living zone(s) and to protect the prevailing amenity values of Business zones.

The undertaking of intensive livestock production (factory farms) and the boarding, rearing and breeding of animals do, in most cases, have adverse environmental effects which are incompatible with anticipated environmental outcomes for business areas. They will also largely be incompatible with the range of activities that may be undertaken in the Business 1 and 1A zones, which tend to be more retail or commercial in nature. It is on this basis that any activity involving the boarding, rearing and breeding of animals is required to be assessed as a non complying activity. These activities may be allowed, depending on the scale of the particular activity and conditions upon which it is undertaken.

However for the Business 2 Zone, which is more industrial in nature, such activities need approval only as a discretionary activity. The need for a Resource Consent is on the basis that significant areas of this zone are in close proximity to a Living zone.

Special provision is made for the Business 3 Zone in Lincoln which focuses on the primary activities of education and research.

Aircraft Movements

An airport or other facilities for regular take off and landing of aircraft or helicopters is not compatible with the amenity values of the adjoining or nearby Living zones due to effects of aircraft noise, vibration and night lighting. It is therefore appropriate that any proposal to establish an airport (for example a helipad) be a non complying activity so controls can be imposed on establishing such facilities in the Business zones.

There are some instances, however, where the effects of aircraft taking off or landing can be tolerated for a short period of time. For example, if a helicopter is used to assist in construction work on a building. Rule 22.3 is designed to accommodate these ‘one off’ events without requiring a resource consent.

The rule also provides for the take off and landing of aircraft for emergency purposes or law enforcement. Section 342 of the Resource Management Act provides for emergency work but not law enforcement. The temporary and (hopefully) infrequent nature of this work and the importance it has to the health, safety and well-being of people and communities is considered to mitigate and outweigh any adverse effects on residential amenity values.

Noise

One of the general characteristics of the Business zones is their close proximity to residential areas (Living zones). In most situations there is a shared common boundary with a Living Zone. Residents in the Living zones expect to be able to enjoy a relatively quiet noise environment without being disturbed by constant and excessive noise from commercial and industrial-type activities within the Business zone areas. Also, the owners and/or workers within the Business zones should not be subjected to excessive outdoor noise levels arising from activities undertaken on adjoining or nearby properties also in the same zone.

Rule 22.4 sets the noise limits for permitted activities in the Business zones. The rules are largely based on existing sound levels generally being experienced in these industrial areas so the “noise environment” will not differ markedly with the implementation of these noise limits.

The lower day time noise limit for the Business 1 & Living zones (50 dBA) as opposed to that for the Business 2 Zone (55 dBA) acknowledges that the former zone is the commercial centre of the settlement where people tend to congregate and becomes the focus of public life. It is therefore appropriate that a lower noise limit applies to this zone so to ensure that the amenity levels are not unduly compromised. The same issues do not apply to the Business 2 Zone which are more industrial in nature and therefore do not engender themselves to be places where the public would want to congregate other than for business purposes.

In respect of the Business 3 Zone at Lincoln, the overall ambience of these education and research facilities means that the noise levels being the same as the Business 1 & 1A Zones is appropriate. The Business 3 Zone also shares a common boundary with a Living zone.

Irrespective of any rules in the Plan, there is a duty (under Section 16 of the Act) on all persons not to make ‘unreasonable noise’.

Emergency services may be located in business areas close to the communities they serve. In these situations it may be impractical from an operational sense for emergency sirens to comply with noise standards and still achieve their function in alerting the community of an emergency and they have therefore been given an exemption. The fact that such sirens operate on an infrequent rather than continuous basis in part mitigates potential noise effects. In all other aspects of the emergency service operation must still comply with Rule 22.3.

Vibration

Vibration is an adverse effect on the environment, especially in residential areas. Activities likely to have regular vibration effects such as quarrying, mining or airports are not permitted activities in the Business zones, therefore they need a resource consent.

Vibration limits are based on New Zealand Standards.

Light Spill

Light spill from activities into adjoining properties can disturb the sleep patterns of nearby residents and reduce their privacy. Activities undertaken on adjoining properties within the same Business zone could likewise be adversely affected. However any such effects would likely be of a lesser consequence due to the expected predominance of non residential activities undertaken in these zones. Rule 22.6 sets a maximum amount of light spill for permitted activities to avoid these effects.

Activities which have greater light spill may be allowed with the granting of a resource consent, if the light spill will not adversely affect adjoining properties.

Outdoor Storage

Rule 22.7 manages adverse effects on the amenity values from the outdoor storing goods and materials. These effects also include dust nuisance from the stockpiling unconsolidated excavated material. The visual effects in the Business zones pertain primarily when the property is viewed from the road rather than between neighbours.

With the internal boundaries of adjoining properties, whether they be residential or non residential, any issues associated with the shielding of outdoor storage areas is best dealt with by neighbours arriving at a solution that suits best both parties. Issues involving boundary fences between adjoining properties is dealt with in the Fencing Act which does not involve Council at the regulatory level.

However for the Business 2 Zone the Council believes that screening of storage areas is required only on sites located along Strategic Roads, Arterial Roads and where they are opposite a Living zone. These three situations are the more sensitive areas in terms of visual considerations for passing motorists and local residents respectively.

Temporary Military Training

Rule 22.8 provides for Temporary Military Training Activities. Such activities have some potential to create adverse environmental effects, but the nature of the activity is unique in terms of other land uses and is temporary in nature. The accompanying restrictions on duration, building, excavation, sensitive sites and noise are expected to mitigate any significant adverse effects on the environment.

Dwellings

One cause of potential reverse sensitivity effects is the location of dwellings in industrial areas of the District. Often these houses are originally established for custodial or security purposes but are subdivided and sold off when no longer required for that purpose. A problem arises if the new owner complains about the nature of existing operations in the area. To avoid the potential for reverse sensitivity effects, the Council shall provide for custodial accommodation in the Business 2 Zone as a controlled activity and for other houses as a discretionary activity. In terms of custodial houses, the Council shall reserve control over methods to remove or decommission the dwelling in the event of it no longer being required for custodial or security purposes.

Retailing within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

At the present point in time it is considered neither necessary nor appropriate to have additional retailing activities in that Business 1 Zone bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place in Rolleston, given that the existing Business 1 Zone within central Rolleston is not yet at capacity.

Development within the Business 1 Zone at Rolleston bounded by Rolleston Drive, State Highway 1 and Dick Roberts Place

The reasons for the Outline Development Plan, and the access restriction rule, are to establish and place restrictions on legal access for vehicles to the zone, and to identify those areas where access restrictions are imposed. This is to address any potential adverse traffic effects of the zone by limiting access to the zone to one point on Rolleston Drive, located approximately 300 metres, and not less than 260 metres, from the legal State Highway boundary.

Rolleston

- 24.1.3.10 In that part of the Business 2 Zone located south of Jones Road, Rolleston, as depicted on the Landscape Development Plan at Appendix 28, no subdivision of land shall take place until all of the landscape planting, irrigation system, and fencing shown on the Landscape Development Plan on that allotment is completed.
- 24.1.3.11 In the Business 2 Zone at Hoskyns Road – North, Rolleston as depicted on the Outline Development Plan at Appendix 33 road connections shall be provided to Hoskyns Road and the land to the west and north and a pedestrian link shall be provided to the adjacent Business 2 Zone to the west generally in accordance with those locations identified on the Outline Development Plan. The roads shall be constructed in general accordance with the road cross section examples also included in Appendix 33 (and where any conflict occurs with rule E13.3.1 these cross sections shall take precedence). Furthermore, lots created which abut Hoskyns Road in the locations shown on the Outline Development Plan at Appendix 33 should be designed in such a way that buildings will likely be encouraged to front onto and access onto Hoskyns Road.
- 24.1.3.12 In the Business 2 Zone at Hoskyns Road – North as is depicted on the Outline Development Plan at Appendix 33 the following street plantings shall be planted in the roads prior to vesting of the roads in the Council.
- (a) Boulevard Road:
- Planting in the median of the road.
 - A planting strip of 2 metres down each side of the road.
 - Planting shall consist of the species listed in Appendix 21 and shall be in accordance with the standards listed at Business Zone Rule 16.1.5.1.
- (b) Secondary roads:
- A planting strip of 2 metres down each side of the road.
 - Planting shall consist of the species listed in Appendix 21 and shall be in accordance with the standards listed at Business Zone Rule 16.1.5.1.
- 24.1.3.13 The area between the common boundary of the Business 2 Zone and the Rural Zone, as depicted on the Outline Development Plan at Appendix 33, and the principal building shall be landscaped to the following standards:
- (a) The landscaping shall be planted along the Business 2 Zone side of the common boundary.
- (b) The landscaping shall achieve, once matured, a minimum width of 2.5 metres and a minimum height of 6.5 metres.
- (c) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (d) The landscaping shall consist of one or more of the following species:
- Macrocarpa
 - Leyland cypress

Radiata pine

Kahikatea

24.1.3.14 Existing established hedgerows and vegetation located within the area indicated on the Outline Development Plan at Appendix 33 shall be retained until such time as the new planting required by Rule 24.1.3.13 achieves a minimum height of 3 metres.

24.1.3.15 In that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 at the time subdivision consent is sought for the creation of the 'Boulevard Road' the upgrading of Hoskyns Road as depicted on the 'Hoskyns Road Upgrade Plan' included at Appendix 33, which includes an off-road shared cycleway/pedestrian link, must be provided for as part of the works associated with that subdivision.

Note: *The detailing of the intersection between Hoskyns Road and the proposed 'boulevard road' should be designed with regard to integrating the external cycle/pedestrian link with pedestrian and cycle routes on the internal road system.*

24.1.3.16 In that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 at the time that the first subdivision consent is sought that application must include an allotment that is to be set aside for the purposes of an Amenity Hub. This allotment is to be a minimum of 1000m² and is to be located generally in accordance with one of the four locations identified on the Outline Development Plan at Appendix 33. The allotment shall be bounded on at least 50% of the length of its boundaries by public roads. The use of the allotment for the purpose of an Amenity Hub is to be secured by way of a consent notice being registered on the Certificate of Title for the allotment identified as the Amenity Hub site.

24.1.3.17 In that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 at the time subdivision consent is sought for any allotment that is to gain access to Hoskyns Road north of the proposed 'Boulevard Road' the upgrading of Hoskyns Road beyond that required by Rule 24.1.3.15 to the intersection with Maddisons Road as depicted on the 'Hoskyns Road Stage 2 Upgrade Plan' included at Appendix 33 must be provided for.

24.1.3.18 Any subdivision of land within that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 shall provide for the upgrading of the Hoskyns Road/Maddisons Road intersection in accordance with the Traffic Design Group drawing 7030-3-5A dated 02/12/2008 "Proposed Intersection" as included at Appendix 33 prior to any new certificates of title being issued for land within this area.

Table C24.1 - Allotment Sizes

Township	Zone	Allotment Size Not Less Than
All <u>Townships</u>	All Business Zones	No average <u>allotment</u> size except that in the Business 1 (Deferred) Zone at Prebbleton, the minimum <u>allotment</u> size shall be 4 ha. Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred business zoning, or following all necessary resource consents having been obtained for a method of treatment and <u>disposal</u> of sewage/stormwater from a particular area of land subject to a deferred business zoning, no average <u>allotment</u> size will apply.
All <u>Townships</u>	Heritage Buildings listed in Appendix 3	Listed in Appendix 3. The <u>building</u> , curtilage and any other area needed to: <ul style="list-style-type: none"> - mitigate adverse effects; or - maintain the heritage values of the site
All <u>Townships</u>	Community Reserves, Community Facilities and <u>Point Strips</u>	No minimum area

24.1.4 Matters over which the Council has restricted the exercise of its discretion:

Access

24.1.4.1 If any allotment has access on to a State Highway or Arterial Road listed in Appendix 7:

- Any adverse effects, including cumulative effects, on traffic safety and traffic flow on the Strategic Road; and
- The design and location of the vehicular accessway and vehicle crossing; and
- Whether access to the allotment(s) can be obtained off another road which is not a Strategic Road either directly or by an easement across other land.

Water

24.1.4.2 The provision of water for fire fighting; and

24.1.4.3 In relation to any new bore to provide a potable water supply:

- Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and
- The need for the protection zone to be confined to within the boundaries of an allotment; and
- Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.

Solid Waste Disposal

- 24.1.4.4 The appropriateness of the proposed facilities for solid waste collection or disposal, considering:
- (a) The number of allotments; and
 - (b) The type of accommodation (permanent or holiday); and
 - (c) The distance to a public solid waste collection service or disposal facility.

Utility Cables

- 24.1.4.5 Whether any utility cables shall be laid underground.

Telephone and Power

- 24.1.4.6 Whether telecommunication and electricity connections shall be made available to any allotment; and, if not, the mechanism(s) used to alert prospective buyers of an allotment that these connections are not installed to.

Stormwater Disposal

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

Roads, Reserves and Walkways/Cycleways

- 24.1.4.10 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and
- 24.1.4.11 The provision, location, coordination, layout and formation of any land required for reserves, which is to comply with the “Criteria for Taking Land Instead of Cash” clause of the “Reserves Specific Issues regarding Development Contributions Assessment” in the Development Contribution Policy of the 2006-2016 LTCCP; and^{V30}
- 24.1.4.12 The provision of footpaths, lighting and street furniture; and
- 24.1.4.13 Any landscaping and tree planting required in the road reserve, recreational reserves, and the margins of cycleways/walkways.

Note: The consent authority shall consider any relevant provisions in the district plan or the Council’s Engineering Standards (2000) where appropriate, in using its discretion under Rules 24.1.4.10 to 24.1.4.13.

Special Sites

- 24.1.4.14 For the subdivision of land which contains or adjoins any waterbody (excluding aquifers) any mitigation to protect the hydrological

characteristics and any ecological values of the waterbody (excluding aquifers).

- 24.1.4.15 If the land to be subdivided contains any place or item which is listed in Appendix 3 as a Heritage, Cultural or Ecological site, or in Appendix 2 as a Designation:
- (a) Any effects (adverse or beneficial) which subdividing the land may have on the values of the site, which are identified in the District Plan; and
 - (b) Any proposed mitigation measures to lessen any adverse effects on the site; and
 - (c) Whether public access to the site is desirable and, if so, how this may be improved as part of the subdivision; and
 - (d) Whether the size and shape of the allotment area is appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site or features on the site.

Size and Shape

- 24.1.4.16 The size and shape of allotments in accordance with Rules 24.1.3.5 and 24.1.3.6; and
- 24.1.4.17 The size and shape of allotments for the subdivision of a heritage building or site listed in Appendix 3.
- 24.1.4.18 Whether subdivision in the Business 2 Zone at Hoskyns Road – North, Rolleston, as depicted on the Outline Development Plan at Appendix 33 creates a lot or lots which are of a suitable size and dimension to facilitate the development of an Amenity Hub to serve the day to day needs of employees and is generally in one of the locations shown on the Outline Development Plan.

Utilities and Facilities

- 24.1.4.19 The design, siting, layout and construction of any roads, reserves, or other utilities or facilities which shall either:
- (a) Vest in Selwyn District Council as owner or manager; or
 - (b) Connect to any road, reserve or other utility which is owned, managed by or otherwise vested in Selwyn District Council; and
- 24.1.4.20 For other utilities and facilities:
- (a) The method(s) by which the operation, maintenance, repaired and any upgrades to those systems shall be managed; and
 - (b) The method(s) by which prospective purchasers of allotments are to be informed of any fiscal or managerial responsibilities they have for those services and facilities.

Note: The consent authority shall consider any relevant provisions in the district plan or the Council's Engineering Standards (2000) where appropriate, in using its discretion under Rule 24.1.4.19.

Construction of any Works

- 24.1.4.21 Any measures to mitigate potential adverse effects on people or other parts of the environment from all engineering works associated with preparing land, creating allotments, and installing associated utilities.

Fencing

- 24.1.4.22 Any measures to avoid or mitigate the potential adverse visual effects of 1.8 metre high (or higher) solid fencing being erected along road boundaries where subdivisions “back onto” roads.

Easements

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

High Voltage Transmission Lines

- 24.1.4.24 Where any part of any proposed allotment lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines, the means by which compliance with the New Zealand Code of Electrical Practice (NZCEP:34) may be achieved by likely activities on any such allotment.

Esplanade Reserves

- 24.1.4.25 Whether esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;
- 24.1.4.26 Whether any esplanade reserve will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in Appendix 12.

Prebbleton

- 24.1.4.27 In any Deferred Business zones at Prebbleton, no allotment has vehicular access directly onto Springs Road, except for:
- (a) a road or indicative road identified on an Outline Development Plan in Appendix 19; or
 - (b) any allotment(s) that are wholly contained within the Banham and Tapp Outline Development Plan in Appendix 19, and containing an existing dwelling that utilises an existing vehicular access onto Springs Road.

Rolleston

- 24.1.4.28 The extent to which failure to provide a pedestrian linkage identified in Appendix 23 will result in increased use of private motor vehicles within Rolleston;
- 24.1.4.29 The degree to which pedestrian and cycle access throughout Rolleston may be enhanced from an efficiency and amenity perspective through the provision of cycleways and walkways;

- 24.1.4.30 The need to provide linkages (road, cycle, walkways) to schools, business areas, community facilities and reserves to ensure that the town develops in an integrated manner;
- 24.1.4.31 The need to provide for pedestrian and cycle movement within the road reserve;
- 24.1.4.32 The extent to which failure to provide walkways/cycleways may result in a loss of opportunity to enable non-vehicular access by children to and between residential areas, schools and community facilities;
- 24.1.4.33 The need for local reserves;
- 24.1.4.34 The extent to which failure to provide walkways/cycleways may result in a loss of pedestrian safety and amenity;
- 24.1.4.35 The design guidelines contained in Appendix 23;
- 24.1.4.36 The extent to which a failure to conform with the roading pattern identified in Appendix 23 will adversely affect:
- (a) ease of access within and an efficient road network throughout Rolleston
 - (b) bus routes
 - (c) the ability of nearby landowners also to conform with the indicative roading layout and the degree to which access (actual or potential) to nearby properties may be changed or compromised.
- 24.1.4.37 The extent to which a failure to provide a linkage will adversely affect the future integration of Rolleston in terms of ease of vehicular and non-vehicular access to and between residential areas, business and community facilities.

Non-Complying Activities – Subdivision – General

24.1.5 The following activities shall be non-complying activities:

- 24.1.5.1 Any subdivision which is subject to Rule 24.1.1 and does not comply with 24.1.3.

24.2 SUBDIVISION – BOUNDARY ADJUSTMENTS

Note: If a boundary adjustment completed under 24.2 creates a land use activity which no longer complies with the district plan provisions for a permitted activity, a separate land use consent may be required for the land use activity.

Restricted Discretionary Activities – Subdivision – Boundary Adjustments

24.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms:

- 24.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and
- 24.2.1.2 No additional allotments are created as a result of the boundary adjustment; and
- 24.2.1.3 The area of any allotment after the boundary adjustment has not decreased the smallest allotment existing after the boundary adjustment by an area greater than 15% of that of the smallest allotment prior to the boundary adjustment (except where any such allotment is for the purpose of corner rounding or access to a road); and
- 24.2.1.4 Each allotment has legal access to a formed, legal road.

Note: If the subdivision complies with Rules 24.2.1.1 to 24.2.1.4, it shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in Rule 24.2.2.

24.2.2 Matters over which the Council has restricted the exercise of its discretion:

Access

- 24.2.2.1 If any allotment has access on to a Strategic Road listed in Appendix 7
- (a) Any adverse effects, including cumulative effects, on traffic safety or traffic flow on the Strategic Road; and
 - (b) Any alternative roads that may be used for access; and
 - (c) The design and siting of the vehicular accessway or vehicle crossing.

Water

- 24.2.2.2 In relation to any new bore to provide a potable water supply:
- (a) Whether the protection zone is located outside of the plume of influence of any sewage treatment and/or disposal system; and
 - (b) The need for the protection zone to be confined to within the boundaries of an allotment; and
 - (c) Any measures proposed to mitigate the potential for any adverse effects on the quality of the water supply.

Size and Shape

- 24.2.2.3 The proposed size and shape of the allotments altered by the boundary adjustment considering:
- (a) The actual or proposed use of the site; and
 - (b) The effects of adjoining land uses on the site; and
 - (c) Whether, as a result of the boundary adjustment, an allotment may be created which is too small to enable a dwelling to be erected on it as a permitted activity in the district plan and, if so, the mechanism used to inform any prospective purchaser of any such allotment.

Note: In using its discretion under Rule 24.2.2.3(c), the consent authority shall consider a dwelling of 150m² in gross floor area for compliance with District Plan rules.

Stormwater Disposal

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

Special Sites

- 24.2.2.7 If any allotment subject to the boundary adjustment contains or adjoins:
 - (a) Any waterbody (excluding aquifers); or
 - (b) Any site listed in Appendices 2 or 3; or
 - (c) A designation:
 - Any effects (adverse or beneficial) which the boundary adjustment may have on these values of the site, as identified in the District Plan; and
 - Any proposed mitigation measures to lessen any adverse effects on these values; and
 - Whether public access to the site is desirable and, if so, where and how this may be improved as part of the boundary adjustment; and
 - Whether the proposed size and shape of the allotments are appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site.

Utilities

- 24.2.2.8 Any new or upgraded utilities required to any allotment as a result of the boundary adjustment; and
- 24.2.2.9 Whether any utility cables shall be laid underground; and
- 24.2.2.10 The location, design, layout and construction of any utilities or facilities which are to vest in Selwyn District Council; or which are to connect into or work in conjunction with, utilities or facilities which are owned or managed by Selwyn District Council; and
- 24.2.2.11 For services and facilities which are not to vest in Selwyn District Council:
 - (a) The method(s) by which the operation, maintenance, repair and any upgrades to those systems shall be managed; and
 - (b) The method(s) by which prospective purchasers of any allotment are to be informed of any fiscal or managerial responsibilities they have for those utilities or facilities; and

- 24.2.2.12 Measures to avoid, remedy or mitigate any adverse effects of constructing or upgrading utilities or facilities on surrounding residents or other parts of the environment.

Easements

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

High Voltage Transmission Lines

- 24.2.2.14 Where any part of the lands in respect of which boundary adjustments are proposed lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines, the means by which compliance with the New Zealand Code of Electrical Practice (NZCEP:34) may be achieved by likely activities on any allotment all or part of which will lie within that corridor or distance.

Esplanade Reserves and Strips

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

Non-Complying Activities – Subdivision – Boundary Adjustments

- 24.2.3 The following activities shall be non-complying activities:

- 24.2.3.1 Any subdivision to adjust boundaries which does not comply with Rule 24.2.1 shall be a non-complying activity.

24.3 SUBDIVISION – ACCESS, RESERVE AND UTILITY ALLOTMENTS

Controlled Activities – Subdivision – Access, Reserve and Utility Allotments

- 24.3.1 Subdivision of land to create allotments used solely for:

- Access (including roads and esplanade reserves); or
- Esplanade strips; or
- Protection of sites with special ecological, cultural or heritage values, archaeological sites, or outstanding landscapes; or
- Utility structures and utility buildings;
- Stopbanks

shall be a controlled activity which need not be notified or served on the persons prescribed in regulations (except where any part on an allotment intended to be used for utility structures lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines. In that case, and subject to s94(2) of the Act, notice of the

application shall be served on the appropriate network utility operator). The exercise of discretion shall be restricted to consideration of the matters listed in Rule 24.3.2.

Subdivision of land to create allotments used solely for utility buildings and utility structures shall be a controlled activity, which shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in Rule 24.3.2.

24.3.2 Matters over which the Council has restricted the exercise of its discretion:

Access

24.3.2.1 Whether any allotment(s) created by the subdivision require(s) legal access to a legal, formed road; and

24.3.2.2 If legal access is to be to a Strategic Road listed in Appendix 7:

- (a) Any adverse effects, including cumulative effects, on traffic safety and flow; and
- (b) Whether access can be obtained of an alternative road; and
- (c) The design and siting of any vehicular accessway or vehicle crossing.

Size and Shape

24.3.2.3 The size and shape of any allotment created by the subdivision considering:

- (a) The proposed use of the site; and
- (b) Any adverse effects of surrounding land uses on the site.

Special Sites

24.3.2.4 For the subdivision of land which contains or adjoins any waterbody (excluding aquifers) the setting aside of esplanade strips or other methods to protect the hydrological characteristics and any ecological values of the waterbody (excluding aquifers).

24.3.2.5 If the land to be subdivided contains any place or item which is listed in Appendix 2 or 3 as a Heritage site or ecological site, or designation:

- (a) Any effects (adverse or beneficial) which subdividing the land may have on the values of the site identified in the District Plan; and
- (b) Any proposed mitigation measures to lessen any adverse effects on these values; and
- (c) Whether public access to the site is desirable and, if so, how this may be improved as part of the subdivision;
- (d) Whether the size and shape of the allotment area is appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site.
- (e) The results of any consultation with the New Zealand Historic Places Trust Pouhere Taonga.

Utilities

- 24.3.2.6 Whether any allotment created by the subdivision needs to be supplied with any utilities or services and, if so:
- (a) The standard of each utility service provided; and
 - (b) Whether any utility cables shall be laid underground; and
 - (c) The location, design, layout and construction of any utilities or facilities which are to vest in Selwyn District Council; or which are to connect into, or work in conjunction with utilities or facilities which are owned or managed by Selwyn District Council, and
 - (d) For services and facilities which are not to vest in Selwyn District Council:
 - The method(s) by which the operation, maintenance, repair and any upgrades to those systems shall be managed; and
 - The method(s) by which prospective purchasers of allotments are to be informed of any fiscal or managerial responsibilities they have for those services and facilities.

Easements

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

Point Strips

- 24.3.2.8 The creation of any 200mm wide allotment to deny access onto a particular road for traffic safety purposes.

High Voltage Transmission Lines

- 24.3.2.9 Where any part of any proposed allotment lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines, the means by which compliance with the New Zealand Code of Electrical Practice (NZCEP:34) may be achieved by likely activities on any such allotment.

Esplanade Reserves and Strips

- 24.3.2.10 Whether any esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;
- 24.3.2.11 Whether any esplanade strip will be created on any allotment to protect the natural character of the margins of any river, lake or stream listed in Appendix 12.

Reasons for Rules

Land is usually subdivided, in townships, to create new allotments to be sold as sites for new residential or business development. Subdivision has been the process used in New Zealand to ensure new allotments have appropriate facilities and features to house new buildings. The district plan continues to manage these effects at subdivision stage because:

- (a) The 'public' expectation is that if an allotment is purchased, it can be built on – especially in townships.
- (b) It is usually more efficient and effective to ensure utilities and facilities are installed when land is subdivided, rather than when each allotment is sold and built on, particularly reticulated services, roads and reserves.

Rule 24.1 identifies the facilities and other conditions necessary to ensure allotments in each township are suitable for building on. The plan recognises, in Rules 24.2 and 24.3 that some allotments are not subdivided to house new buildings. Rule 24.2 provides separate, less stringent conditions, for the alternation of boundaries between adjoining allotments, where no new allotments are created. The subdivisions provided for in Rules 24.1 and 24.2 are recognised as having more potential effects on the environment than those in Rule 24.3.

Rules 24.1 and 24.2 make subdivision a restricted discretionary activity if the activity complies with all relevant standards and terms. The resource consent application is not notified and does not require the written approval of affected parties. These rules are slightly different from the more common controlled activity for two reasons:

- (a) The consent authority has the discretion to decline 'inappropriate' proposals. Given that the subdivision rules offer increased flexibility for developers in the design and servicing of their subdivisions than was previously the case, this is considered necessary and reasonable.
- (b) A controlled activity is required, under the Act, to be approved. This sometimes resulted in an 'inappropriate' proposal being approved with conditions imposed that, in effect, meant the consent could not be given effect to in terms of the original application (that is, the consent authority was actually declining the application). A restricted discretionary classification avoids this situation.

Outline Development Plans are required in a number of circumstances where the area to be developed is large, or is in multiple ownership. The purpose of Outline Development Plans is to ensure coordinated development, particularly in terms of roading, pedestrian and cycle links; to improve subdivision design; to assist with staging of subdivision; identifying the location of green space and reserves and access points to the adjoining road network; avoidance of adverse effects; and the retention of any key natural features or physical infrastructure.

DEFINITIONS

INTRODUCTION

This section lists the meaning of underlined words used in this plan, in alphabetical order. Where reference is made to an interpretation provided in a particular Act, and is marked with an asterisk (*), the meaning is provided at the end of this section to assist readers.

Words and phrases defined in section 2 of the Act take the same meaning for the purposes of this Plan.

Any singular definition includes the plural and vice versa.

A

Access: means that area of land over which lawful vehicular and pedestrian access is obtained to a legal road.

Accessory building: means any building which is separate from the principal building or buildings on the site, the use of which is incidental to the use of the principal building or buildings on the site or to the use of a site. In respect of land used for a residential activity “accessory building” extends to include a sleepout (but not a family flat), garage or carport (whether freestanding or attached to any other building) shed, glasshouse, fence over 2 metres in height, swimming pool or similar structure. Accessory buildings also include implement sheds, storage sheds, and commercial glasshouses and packing facilities which generate less than 15 equivalent car movements/day (refer to the definition of Equivalent Car Movements Per Day).

Act: means the Resource Management Act 1991.

Agrichemical: means any substance or mixtures of substances, whether inorganic or organic, biological, man-made or naturally occurring, modified or in its original state, that is prepared or manufactured and used to eradicate or control flora and fauna. This includes any pesticide, herbicide, fungicide, insecticide, piscicide, vertebrate pest control chemical, or other biocide, or any genetically modified organism or animal remedy classified under the Hazardous Substances and New Organisms Act 1996 and the Agricultural Compounds and Veterinary Medicines Act 1997. For the avoidance of doubt, it does not include fertilisers or lime and other soil conditioners, or animal effluent.

Airport: means any land intended or designed, to be used, whether wholly or partly, for the landing, departure and movement of aircraft.

Allotment: has the same meaning as in section 218 of the Act. *

Amenity Hub: in relation to the Business 2 Zone means a recreation reserve and potentially associated development intended to serve the day to day recreation and convenience needs of employees. An Amenity Hub shall include a recreation reserve with a minimum area of 1000m². It may also include retail/service activities (such as but not limited to a bakery, café, dairy, takeaway bar, child care and learning centre, or fitness centre) that serve the day to day needs of employees within the surrounding area. Any such associated retail/service activity shall be located adjacent to or opposite, if separated by a road, the recreation reserve required.

Amenity Planting: means any tree or trees planted in the immediate vicinity of a house or principal building, primarily to provide shelter or aesthetic appeal. Amenity plantings include any woodlot, orchard or vineyard planted in close proximity to a house or principal building, primarily to supply the residents on-site. The total area of any woodlot, orchard or vineyard which is classed as amenity planting shall not exceed 4 ha.

Amenity Values: has the same meaning as defined in section 2 of the Act.

Antenna: means that part of a communication facility used for the transmission or reception of signals including the antenna mounting but not including any supporting mast, pole or similar structure. This definition includes any dish antenna.

Archaeological site: has the same meaning as in section 2 of the Historic Places Act 1993. *

B

Boarding of Animals: includes the use of any land or building for the boarding or care of animals which do not permanently reside on the site. It includes veterinary hospitals or clinics which provide overnight accommodation for ill or recuperating animals.

Boundary: includes any legally defined boundary of a site, allotment or property.

- **Internal boundary:** means any boundary of a site other than a road boundary
- **Road boundary:** means any boundary of a site with a legal road (formed or unformed) or any boundary which is contiguous to a boundary of a road designation.

Building: means any structure or part of any structure whether permanent, moveable or immovable, but does not include any of the following:

- Any scaffolding or falsework erected temporarily for maintenance or construction purposes.
- Any fence or wall of up to 2m in height.
- Any structure which is less than 10m² in area and 2m in height.
- Any vehicle, trailer, tent, caravan or boat which is moveable and is not used as a place of storage, permanent accommodation or business (other than the business of hiring the facility for its intended use).
- Any utility structure.

C

Contaminated Land: includes any land which contains hazardous substances at concentrations above recognised guidelines which pose or are likely to pose an immediate or long term risk to human health and/or the environment.

Commercial rearing: in relation to livestock means the breeding and/or rearing and sale of animals and birds for financial gain.

Community Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002. *

Comprehensive Residential Development: shall only apply to the Living 1A5 Zone in Prebbleton, and means 8 or more residential units, clustered, planned and designed in an integrated and comprehensive manner. Comprehensive residential development applies where all required land use and subdivision consents are submitted concurrently or where the required land use consent

for comprehensive residential development is submitted and approved prior to a subdivision consent being submitted for the same.

D

dBA: means A-frequency-weighted sound pressure level in decibels relative to a reference sound pressure of 20 micropascals. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Decibel (dB): is the term used to identify 10 times the logarithm to base 10 of the ratio of two like quantities proportional to intensity, power or energy. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Detention Centre or Prison: means land or buildings used in whole or in part for the assembly, corrective training, housing or incarceration of persons convicted of offences or on remand and includes (without limitation):

- A prison, corrective training institution or police jail establishment under the Penal Institutions Act 1952
- A “Habitation Centre” as defined in section 2 of the Criminal Justice Act 1985;
- A periodic detention centre established under section 126 (I) of the Criminal Justice Act 1985; or of, any like facility.

Development: for the purpose of determining development contributions, development means any subdivision or other development that generates a demand for reserves, network infrastructure, or community infrastructure but does not include the pipes or lines of a network utility operator.^{V30}

Development Contribution: has the same meaning as in section 197 of the Local Government Act 2002. ^{*V30}

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

Domestic pets: means any domesticated bird or animal bred, reared and/or kept on a site for the purposes of a pet or security; other than any donkey, pig, rooster or peacock.

Dwelling: means any building or buildings or any part of a building or buildings which is used as a self-contained area for accommodation or residence by one or more persons; where that area collectively contains: bathroom facilities, kitchen facilities and a sleeping/living area. The term dwelling includes a family flat up to 70m², except where the Plan has separate provisions that apply specifically to family flats.

A dwelling does not include any part of a farm building, business building or accessory building which contains bathroom or kitchen facilities which are used solely for the convenience of staff, or contract workers who reside off-site, or day visitors to the site; unless that building or part of a building is being used for overnight accommodation.

Where any buildings, building or part of a building on a site contains more than one set of bathroom facilities, kitchen facilities and a sleeping/living area such that they can be used as

self-contained residences by different households, then each separate set of facilities shall be deemed to be one dwelling.

E

Earthworks: include any disturbance to, or excavation, removal or deposition of, soil, earth, or any other mineral derived from the ground.

Educational Facility: includes any land, building or structure which is/are used for the provision of regular instruction or training of students by suitably qualified instructors and any ancillary activities, and includes any pre-school.

Elderly Residential Care: means any facility and associated ancillary services providing care for the elderly. For the purposes of Rule 10.14 (Elderly Residential Care – Living 1A Zone at Lincoln) it does not include hospital care, or similar, in a full nursing care licensed rest home.

Emergency Services: means facilities and activities utilised for the protection and safety of people and property in times of an emergency and shall include New Zealand Fire Service, New Zealand Police and St Johns Ambulance.

Equivalent Car Movements Per Day:

1 car to and from the property	= 2 equivalent car movements
1 truck to and from the property	= 6 equivalent car movements
1 truck and trailer to and from the property	= 12 equivalent car movements

Esplanade Strip: means a strip of land created by the registration of an instrument in accordance with section 232 of the Act for a purpose or purposes set out in section 229 of the Act.

F

Family Flat: means any dwelling up to 70m² in gross floor area, excluding garaging, which is located on the same site as an existing dwelling and the family flat is occupied by a member of the same immediate family as a person residing in the main dwelling on the site. A family flat may be attached to either the dwelling or an accessory building, or be free-standing.

Freestanding Sign: includes any sign which stands upright without having to be attached to any building, post or other structure and which can be readily moved.

G

Green Waste: includes any compostable vegetative material, including but not limited to: weeds and garden waste, spoiled crops and tree prunings.

Gross Floor Area: means the sum of the total area of all floors of any building. It shall be measured from the exterior faces of the exterior walls or from the centre line of any wall separating adjoining buildings.

Ground Level: means the level of the ground existing when works associated with any prior subdivision of the land were completed, but before filling or excavation for new building work on the land has commenced.

H

Hazardous Substance: includes, but is not limited to, any substance as defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. *

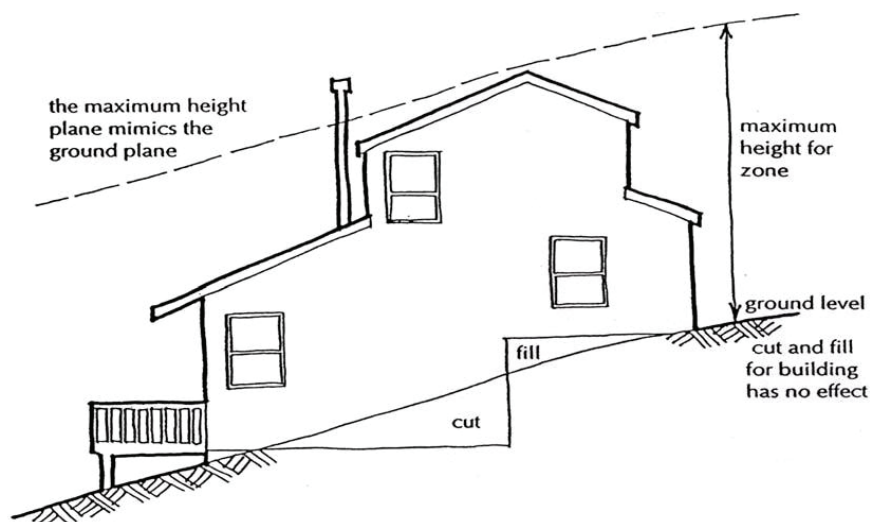
Height: in relation to any building or structure means the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point.

For the purpose of calculating height in any zone, no account shall be taken of any:

- Radio or television aerial provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2.5m.
- Chimney or flue not exceeding 1m in any direction.
- Utility, or part of a utility with a horizontal dimension less than 25mm.
- Lift shaft, plant room, water tank, air conditioning unit, ventilation duct and similar architectural features on any building in the Business zones provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2m.

Measurement of Height:

For the purpose of applying rules in relation to height, the following diagram may be used to understand the application of the height rule.



I

Improved Pasture: for the purposes of administering indigenous vegetation clearance rules, improved pasture shall mean an area of pasture where species composition and growth has clearly been modified and enhanced for livestock grazing by cultivation or topdressing and over-sowing, or direct drilling, and where exotic pasture species are obvious.

Indigenous Vegetation: means a plant community in which species indigenous to that part of New Zealand are important in terms of coverage, structure and/or species diversity. For these purposes, coverage by indigenous species or number of indigenous species shall exceed 30% of the total area or total number of species present, where structural dominance is not attained. Where structural dominance occurs (that is indigenous species are the tallest stratum and are visually conspicuous) coverage by indigenous species shall exceed 20% of the total area.

Industrial Activity: means any activity involving the production, processing, assembly, disassembly, packaging, servicing, testing, repair and/or warehousing of any materials, goods, products, machinery or vehicles, but excludes mining, mineral exploration and quarrying.

Intensive Livestock Production: means the use of land and buildings for the commercial rearing and management of livestock where the viability of that activity is not dependant upon the soil fertility of the land on which that activity is undertaken.

Internal Boundary: refer to Boundary.

K

Kitchen: means a room or indoor area, the principal purpose of which is the preparation and cooking of food. A kitchen will generally include a sink bench, and a means of cooking food such as a stove, gas or electric cooker, or microwave (or have the facilities for the installation of these).

L

L₁₀: means the L₁₀ exceedence level, in A-frequency-weighted decibels, which is equalled or exceeded ten percent of the total measurement time.

Lake: has the same meaning as defined in section 2 of the Act.

L_{dn}: means the night-weighted sound exposure level in dBA also known as the day-night average sound level and is the 24 hour sound exposure level in A-frequency weighted decibels (dBA) for any day with the period 10pm to 7am the following day “weighted” by 10 dB to represent the increased sensitivity of people to night-time noise. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Leq: means the sound level averaged over a stated time period which has the same A-weighted sound energy as the time varying sound during the same period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

L_{max}: means the maximum A-frequency-weighted sound level (dBA L_{max}) during a stated time period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

M

Mineral Exploration: has the same meaning as “exploration” in section 2 of the Crown Minerals Act 1991. *

Mining: has the same meaning as “mining” in section 2 of the Crown Minerals Act 1991. *

Monofill: Includes any landfill which is designed and operated to accept waste associated with one specific activity or form of waste. For the purposes of Rule VII, a monofill does not include any landfill which accepts hazardous waste.

N

Network Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002. *V30

Noise Limit: means a L10, Leq or Lmax sound level in A-frequency-weighted decibels that is not to be exceeded during a measurement sample time in a specific time-frame. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Noise Sensitive Activities: means any residential activity, educational facility, hospital or other land use activity, where the occupants or persons using such facilities may be likely to be susceptible to adverse environmental effects or annoyance as a result of noise from aircraft flying over its location.

Noticeboard: means a structure or device upon which notices can be placed or attached that are of community interest, which are intended to be read by people stopping at the noticeboard rather than by people passing by.

Notional Boundary: means a line 20m from any side of a rural dwelling or the legal boundary where this is closer to the dwelling.

P

Place of Assembly: means any land and building used for gathering of people. It does not include residential accommodation or places of work.

Plantation: means any group of trees planted on a site, whether intended to be harvested or not, which are not classed as amenity plantings or shelterbelts. A plantation may be comprised of exotic or indigenous species and includes but is not limited to: forests planted for harvesting, conservation, soil erosion control, pest or wilding tree management, and any orchard, vineyard or woodlot which does not comply with the definition of amenity planting.

Point Strip: means a strip of land adjoining the side or end of a road, the purpose of which is to prevent access to that road from land adjoining the point strip. Such a strip is usually (although not necessarily) about 200mm in width.

Principal Building: includes any building or buildings which is/are used as part of the primary activity or activities on the site. Principal buildings include dwellings but do not include accessory buildings.

Project: for the purpose of the land use rules for earthworks, the term 'project' includes all earthworks undertaken as part of, or ancillary to, the completion of one particular activity of the construction of a building or structure, whether that activity is undertaken or the building or structure is erected continuously or in discrete stages, and whether it occurs in one continuous area or is separated by land which is not disturbed by earthworks. For example: the construction of one road or track from destination (a) to (b) is one project, as is the disturbance of soil for geological surveys over an identified area.

Q

Quarrying: means to take, mine or extract, by whatever means any rock, stone, gravel or sand existing in its natural state in land. "To quarry" has a corresponding meaning.

R

Radio Communication Facility: means any transmitting or receiving devices such as aerials, dishes, antenna, cables, lines, wires and associated equipment/apparatus, as well as support structures such as towers, masts and poles, and ancillary buildings.

Recreational Facility or Recreational Activity: includes the use of any land, building or structure for the primary purpose of recreation or entertainment and is available to be used by members of more than one household.

Relocated Building: includes any building that is removed from one site and relocated to another site, in whole or in parts. It does not include any new building which is designed for, or intended to be used on, a site but which is erected off the site, in whole or in parts, and transported to the site.

Research: means the use of land and buildings for the purpose of scientific research, inquiry or investigation, product development and testing, and consultancy and marketing of research information; and includes laboratories, quarantines, pilot plant facilities, workshops and ancillary administrative, commercial, conferencing, accommodation and retail facilities.

Residential Activity: means the use of land and buildings for the purpose of living accommodation and ancillary activities. For the purpose of this definition, residential activity shall include:

- a) Accommodation offered to not more than five guests for reward or payment where the registered proprietor resides on-site
- b) Emergency and/or refuge accommodation
- c) Supervised living accommodation and any associated caregivers where the residents are not detained on the site

Residential Activity does not include:

- a) Travelling accommodation activities (other than those specified above)
- b) Custodial and/or supervised living accommodation where the residents are detained on site.

River: has the same meaning as defined in section 2 of the Act.

Road: shall have the same meaning as defined in section 315 of the Local Government Act 1974. *

Road Boundary: refer to Boundary.

S

Service Station: means any site where the dominant activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG and diesel) and may also include any one or more of the following:

- The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;
- Mechanical repair and servicing of motors (including motor cycles, caravans, motor boats, trailers);
- Warrant of fitness testing;
- The sale of other merchandise where this is an ancillary activity to the sale of the motor fuel and vehicle accessories;
- Truck stops.

Setback: means the minimum prescribed distance between the exterior face of the building and the boundaries of its site. The following intrusions are permitted into any setback area:

- a) Eaves being no more than 600mm wide.
- b) Any porch, windbreak, chimney, external stairway or landing being no more than 1.8m long and extending no more than 800mm into the setback area.
- c) Any utility structure attached to an existing building or structure located in a setback from a waterbody provided that it does not protrude more than 1.5m from that existing building or structure.

Shelterbelt: means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s). Shelterbelts are not more than 20 metres in width and are not clearfelled.

Sign: means any device or structure which is visible from any public space and is used to: identify any site or building; provide directions or information; or promote any goods, services, or forthcoming event. A sign does not include any window display, or property identification signs which do not exceed an area of 0.2 m² (including rural numbers, dairy company numbers, street/road numbers/property names and property owners' names as long as those property identifiers do not include any advertising).

Site: means an area of land or volume of space:

- Held in a single certificate of title, or
- Comprised of two or more adjoining certificates of title held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- For which a separate certificate of title could be issued without further consent of the Council.

Solid Waste: includes any material which is discarded as being spent, useless, worthless or in excess, and includes liquid or gaseous waste which is stored in containers.

Sound Exposure Level: means the A-frequency weighted sound pressure level in decibels which, if maintained consistent for a period of 1 second, would convey the same sound energy to the receiver as is actually received from a given noise event over the same period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Spiritual Activity: means land and/or buildings used for the public and/or private assembly of people primarily for worship, meditation, spiritual deliberation and ancillary community facilities of a non-commercial nature.

Strategic Road: means any road listed as a Strategic Road in Appendix 7.

Subdivision Consent has the meaning set out in section 87(b) of the Act.

Subdivision of Land and **to subdivide land** have the meanings set out in section 218 of the Act.

T

Telecommunication Facility: means any telecommunication line, telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of effecting telecommunication.

Telecommunication Line: means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, or intelligence of any nature by means of any electromagnetic system; and includes any pole, insulator, casing, fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor and also includes any part of a line.

Temporary Accommodation: includes the use of any building to house any person for residential or business activities on a site, while construction work is being undertaken on the site. Temporary accommodation may be provided for persons occupying the site on which construction work occurs, or for persons involved in the construction work.

Temporary Activity: includes any activity which occurs on any site for a period of not more than 15 consecutive hours in any one time and occurs on no more than 12 times in any 12 month period; or any activity which does not last longer than a total of 7 consecutive days in any one time and occurs on not more than 3 times at any one site in any 12 month period.

Temporary Military Training Activity: means a temporary activity undertaken for Defence Purposes. Defence purposes are those in accordance with the Defence Act 1990.

Temporary Sign: includes any sign erected to advertise an upcoming event of interest to the community, or any sign which advertises the products or services of a business or organisation which is associated with an activity on these sites on which the sign is erected. Any temporary sign shall not be erected on any site for more than 6 consecutive calendar months at any one time, or for a collective period of more than 6 calendar months in any 2 year period, except that for any school or church anniversary event the temporary sign may be displayed for up to 12 months prior to the event.

Tertiary Education: means the use of land and buildings for the purpose of facilitating tertiary education, training, development and instruction and/or related research and laboratories; and includes ancillary and accessory administrative, cultural, commercial, communal, conferencing, accommodation, retail and recreational facilities.

Township: means an urban area within the District that comprise a Living zone(s) and in some situations a Business zone(s).

U

Utility: includes the use of any structure, building or land for any of the following purposes;

- (a) The generation, transformation and/or transmission of energy;
- (b) Any telecommunication facility or telecommunication line;
- (c) Any radio communication facility;
- (d) The conveyance, storage, treatment or distribution of water for supply, including (but not limited to) irrigation and stockwater;
- (e) The drainage, reticulation or treatment of stormwater, waste water or sewage;
- (f) Transport infrastructure, including (but not limited to) roads, accessway, railways, airports and navigational aids;
- (g) Work to mitigate potential natural hazards, including (but not limited to) stopbanks, groynes and gabions;
- (h) Meteorological facilities for the observation, recording and communication of weather information.

Utility Building: includes any building or part of any building which is a utility or which is used principally to house or support a utility; and that building is 10m² or more in gross floor area, and greater than 2.5m in height.

Utility Structure: includes any device, equipment or other facility which is used principally to house or support a utility including any antenna, mast, pole or pylon; or any structure housing a utility which is less than 10m² in gross floor area, or less than 2.5m in height.

V

Vehicle Crossing: includes any formed vehicle entrance or exit point from any site on to any road, and includes that part of the road boundary across which the vehicle access is obtained and any culvert, bridge or kerbing.

Vehicle Movement: means a single motor vehicle journey to or from a particular site. “Vehicle trip” has the same meaning.

Vehicular Accessway: means that part of any site which is used to provide vehicular access into or through the site, but does not include a road within the meaning of section 315 of the Local Government Act 1974.

Visitor Accommodation: means the use of land and buildings for transient accommodation offered on a daily tariff, which may involve the sale of food and liquor to in-house guests.

W

Waterbody: means fresh water or geothermal water in a river, lake, stream, pond (but excluding any artificial pond), wetland, or aquifer, or any part thereof that is not located within the coastal marine area.

Wetland: has the same meaning as defined in section 2 of the Act. *

LEGISLATION REFERRED TO IN THE DEFINITIONS SECTION

Following are the sections of legislation referred to in the Definitions Section and marked by the asterisks (*). They do not form part of the Plan but have been included to be of assistance to readers.

Allotment: in section 218 of the Act.

“Means—

- (a) Any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—
 - (i) The subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
 - (ii) A subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
 - (b) Any parcel of land or building or part of a building that is shown or identified separately—
 - (i) On a survey plan; or
 - (ii) On a licence within the meaning of Part I of the Companies Amendment Act 1964; or
 - (c) Any unit on a unit plan; or
 - (d) Any parcel of land not subject to the Land Transfer Act 1952.
- (3) For the purposes of subsection (2), an allotment that is—
- (a) Subject to the Land Transfer Act 1952 and is comprised in one certificate of title or for which one certificate of title could be issued under that Act; or
 - (b) Not subject to that Act and was acquired by its owner under one instrument of conveyance—

shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land.

- [(4) For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.]

Archaeological site: in section 2 of the Historic Places Act 1993.

“Means any place in New Zealand that—

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

APPENDIX 2

DESIGNATIONS

Selwyn District Council Designations

Des No.	Authority Responsible	Site Name	Location	Legal Description and Area	Zone	Map No.	Status
D87	Selwyn District Council	Water Supply Well	Hoskyns Road, Kirwee	Pt Res 2416 (0.000 ha)	Liv 1	82	NOT OPERATIVE
D89	Selwyn District Council	Water Supply Well	Laird Place, West Melton	Pt RS 14812 (0.000 ha)	Liv 1	88	NOT OPERATIVE
D93	Selwyn District Council	Water Supply Well	Main South Road, Rolleston	Lot 1 DP 77689 (0.000 ha)	Liv X	98	NOT OPERATIVE
D94	Selwyn District Council	Water Supply Well	Wordsworth Street, Rolleston	Lot 135 DP 307 (0.101 ha)	Liv 1	100	NOT OPERATIVE
D95	Selwyn District Council	Water Supply Well	George Street, Rolleston	Lot 2 DP 22360 (0.033 ha)	Liv 1	100	NOT OPERATIVE
D99	Selwyn District Council	Water Supply Well	Ellesmere Junction Road, Springston	RS 38255 (0.000 ha)	Liv 1	109	NOT OPERATIVE
D100	Selwyn District Council	Water Supply Well	West Belt & Gerald Street, Lincoln	Pt RS 2724 (0.000 ha)	Bus 1	113	NOT OPERATIVE
D101	Selwyn District Council	Water Supply Well	Kildare Terrace, Lincoln	Res 3761 (0.000 ha)	Liv 1	113	NOT OPERATIVE
D102	Selwyn District Council	Water Supply Well	Millstream Drive, Lincoln	Lot 33 DP 36175 (0.000 ha)	Liv 1	114	NOT OPERATIVE
D104	Selwyn District Council	Water Supply Well	Tosswill Road, Prebbleton	Res 3996 (0.000 ha)	Liv 1	122	NOT OPERATIVE
D105	Selwyn District Council	Water Supply Well	Tosswill Road, Prebbleton	Res 3996 (0.000 ha)	Liv 1	122	NOT OPERATIVE
D106	Selwyn District Council	Water Supply Well (standby)	Hororata Dunsandel Road, Dunsandel	Lot 3 DP 42448 (0.000 ha)	Liv 1	91, 92	NOT OPERATIVE

Des No.	Authority Responsible	Site Name	Location	Legal Description and Area	Zone	Map No.	Status
D107	Selwyn District Council	Water Supply Well	Irvines Road & Tramway Road, Dunsandel	Lot 48 DP 59713 (0.024 ha)	Liv 2	94	NOT OPERATIVE
D109	Not allocated						
D 110	Not allocated						
D113	Not allocated						
D114	Selwyn District Council	Water Supply Well	Leeston and Lake Road, Leeston	Lot 1 DP 48137 (0.000 ha)	Bus 1	129	NOT OPERATIVE
D115	Selwyn District Council	Water Supply Well	Gallipoli Street & Selwyn Street, Leeston	Res 5017 (0.000 ha)	Liv 1	127	NOT OPERATIVE
D116	Selwyn District Council	Water Supply Well	Gallipoli Street & Selwyn Street, Leeston	Res 5017 (0.000 ha)	Liv 1	127	NOT OPERATIVE
D119	Selwyn District Council	Water Supply Well	High Street, Southbridge	Pt RS 4938 (0.000 ha)	Bus 1	131	NOT OPERATIVE
D120	Selwyn District Council	Swimming Pool	Greendale Road and Caradale Street, Darfield	RS 40649 (2241m ²)	Liv 1	120	NOT OPERATIVE
D124	Not allocated						
D132	Selwyn District Council	Sewage Treatment & Disposal Area	Sunshine Terrace, Arthur's Pass	Sec 3 SO 19698 (0.000 ha)	Liv 1	49	NOT OPERATIVE
D139	Not allocated						
D140	Selwyn District Council	Sewage Pumping Station	Leeston Road, Doyleston	Lot 1 DP 6098 (0.000 ha)	Liv 1	130	NOT OPERATIVE
D141	Not allocated						
D143	Selwyn District Council	Reservoir and Pumping Station	Hoskyns Road, Kirwee	RS 28280 (0.000 ha)	Liv 1	82	NOT OPERATIVE
D146	Selwyn District Council	Fire Station	Weedons Ross Road, West Melton	Lot 4 DP 20590 (0.1396 ha)	Liv 1	88	NOT OPERATIVE
D148	Selwyn District Council	Sewage Pumping Station	Gerald Street, Lincoln	Lot 5 DP 6070 (0.988 ha)	Liv 1A3		NOT OPERATIVE
D149	Selwyn District Council	Recreation Reserve	Springston Rolleston Road, Rolleston	Lot 1 DP 79578 (7.723 ha)	Liv 2A	104	NOT OPERATIVE

Des No.	Authority Responsible	Site Name	Location	Legal Description and Area	Zone	Map No.	Status
D150	Selwyn District Council	Primary School	Leeston Road, Springston	Pt Lot 7 DP 11913, Lots 24-26 DP16823 (1.5977 ha)	Liv 1	109	NOT OPERATIVE
D151	Selwyn District Council	Sewage Pumping Station	Edward Street, Lincoln	Lot 12 DP 25089 (0.001 ha)	Liv 1	114	NOT OPERATIVE
D152	Not allocated						
D154	Not allocated						
D155	Selwyn District Council	Sewage Pump Station	Tosswill Road, Prebbleton	Pt RS 1488 (0.000 ha)	Liv 1	124	NOT OPERATIVE
D156	Selwyn District Council	Water Supply Reservoir	Wordsworth Street, Rolleston	Pt RS 4831 (0.000 ha)	Liv 1	100	NOT OPERATIVE
D157	Selwyn District Council	Sewage Pumping Station	Goulds Road, Rolleston	Lot 101 DP 75160 (0.006 ha)	Liv 2A	106, 107	NOT OPERATIVE
D170	Selwyn District Council	Cemetery	Hoskyns Road, Kirwee	Res 2358 (4.047 ha)	Liv 1	82	NOT OPERATIVE
D179	Selwyn District Council	Cemetery	Springs Road, Prebbleton	Pt Res 194 (0.440 ha)	Liv X	123	NOT OPERATIVE
D182	Selwyn District Council	Recreation Reserve	Trelissick Loop & West Coast Road (SH 73), Castle Hill	Lots 1002 & 1003 DP 45980 (2.918 ha)	Liv 1A	50	NOT OPERATIVE
D183	Selwyn District Council	Recreation Reserve	North Terrace & West Coast Road, Darfield	Lot 5 & 6 DP 4637 (4.037 ha)	Liv 1	68	NOT OPERATIVE
D186	Selwyn District Council	Recreation Reserve	Leeston Dunsandel Road & Tramway Road, Dunsandel	Res 316 (4.046 ha)	Liv 1	92	NOT OPERATIVE
D190	Selwyn District Council	Recreation Reserve	High Street, Kirwee	Lot 42-47 DP 173 & Res 2416 (4.654 ha)	Liv 1	82	NOT OPERATIVE
D193	Selwyn District Council	Recreation Reserve	High Street, Leeston	Lot 31 & 32 DP 101, Lot 3-7, 14-18, 12-13 DP 1221, Pt RS 5482 5483 (5.693 ha)	Liv 1	129	NOT OPERATIVE

Des No.	Authority Responsible	Site Name	Location	Legal Description and Area	Zone	Map No.	Status
D197	Selwyn District Council	Recreation Reserve	Tosswill Road, Prebbleton	Res 3996, Pt RS 1488 & Pt RS 1742, Pt RS 2246 (11.382 ha)	Liv 1	124	NOT OPERATIVE
D199	Selwyn District Council	Recreation Reserve	Tennyson Street, Rolleston	Pt RS 4831 (8.594 ha)	Liv 1	100	NOT OPERATIVE
D413	Selwyn District Council	Rolleston South Reserve	Intersection of Brookside Road, Dunns Crossing Road and Lowes Road	Lot 10 DP 76250 (CB43D/964)	Liv 1B	13, 105, 102	OPERATIVE
D414	Selwyn District Council	Rolleston Dog Park (Foster Park Dog Exercise Area)	Intersection of Goulds Road and Springston-Rolleston Road	RS 40441 (CB15A/1473)	Liv 2	13, 104	OPERATIVE

Other Requiring Authorities

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
Airways Corporation of NZ Limited (AW)							
AW2	14	Secondary Surveillance Radar/VHF Transmitter Site	Navigational Aids	Cass Peak, Summit Hill Road, Port Hills	Rural Port Hills	Pt RS 35511 Block VII Halswell SD; ROW over Pt RS 35511 and Pt Block 4 DP 3125 SO9895. CT 33A/521 Area - 1148m ²	Part of facility is located in Christchurch City. Conditions relating to - Colouration and reflectivity Archaeological supervision during site works
Canterbury Regional Council							
CR1	26	Kowhai River – West	Soil Conservation and River Control	Springfield	Rural Outer Plains	RS 41051 Area - 40.5000ha	
CR2	26	Kowhai River – East	Soil Conservation and River Control	Springfield	Rural Outer Plains	RS 41052 Area - 19.2000ha	
CR3	12	Hawkins River	River Conservation	Bealey Road, Greendale	Rural Outer Plains	RS 2719 Area - 2.1245ha	
CR4	22	Waimakariri River	River Protection	Cooks Road, Courtenay	Rural Outer Plains	Pt Res 947 Area - 65.4919ha	
CR5	17	Waimakariri River	Soil Conservation and River Control	Old West Coast Road, Courtenay	Rural Outer Plains	Pt Res 178 Area - 47.1383ha	
CR6	17	Waimakariri River	River Protection	Ansons Road, Courtenay	Rural Outer Plains	Pt Res 947 Area - 74.9680ha	
CR7	12	Selwyn River	River Conservation	State Highway 1, Selwyn	Rural Outer Plains	Res 2706 Area - 12.7475ha	
CR8	18	Waimakariri River	Waimakariri River Protection	Halkett Road, Courtenay	Rural Outer Plains	Pt Res 1052 Area - 20.8412ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
CR9	9	Tai Tapu	Works Yard	Lincoln-Tai Tapu Road, Lincoln	Rural Inner Plains	Pt Lot 3 DP 1597 (part thereof) Area – 0.4760ha	
CR10	17/18	Waimakariri River Secondary Stopbanks	River Protection and Flood Control	Between the South Bank of the Waimakariri River and Old West Coast Road, between Cooks Road to the West and Thompsons Road to the East.	Rural Outer Plains	Lot 1 DP 306678 (34.53ha); Lot 2 DP 306678 (38.493ha); Lot 3 DP 306678 (34.687ha); Lot 4 DP 306678 (47.406ha); Lots 5, 6, 7, 8 DP 306678 & Lots 5, 6, 7 DP 72342 (346.8157ha); Lot 1 DP 70593 (85.143ha); Reserve 2615 (24.2814)and Lot 1 DP 33106 (7.0895ha) Total Area – 618.4456	
CR11	18	Waimakariri River Secondary Stopbanks	River Protection and Flood Control	Between the South Bank of the Waimakariri River and Old West Coast Road, between Thompsons Road to the West and Chattertons Road to the East.	Rural Inner Plains	Part Reserve 3542 (approx 350ha); Lot 1 DP 26437 (146.901ha); Part Lot 8 DP 24168 & Reserves 2464 & 2467 & Part Reserve 2466 (869.921ha); Lot 1 DP 59937 (277.35ha); Lot 2 DP 59937 (76.315ha); Lot 3 DP 59937 (0.023ha); Lot 4 DP 59937 (0.023ha); Lot 7 DP 59937 (0.023ha); and Lot 1 DP 41754 (0.372ha) Total Area – 1720.974ha (approximately)	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
Kordia Limited							
KL1	16	Aitkens Road, Hororata	Broadcasting, Telecommunications and Radio-communications facility, including associated structures, works and activities.	Aitkens Road, Hororata	Outer Plains	Lot 1 DP 301317 being a registered lease and part of Lot 1 RS 31802	Conditions relating to – 1. Structures 2. Radio frequency 3. Under grounding of power lines 4. Monitoring and reporting
Minister of Corrections							
MC1	13	Rolleston Prison and Periodic Detention Centre	Rolleston Prison	Walkers Road/Two Chain Road/Runners Road, Rolleston	Rural Outer Plains	Lots 2, 4 and 6 DP 67195, Sections 1 & 2 SO 14371 Area - 63.2957ha	
Minister of Education							
ME 1	68/72	Darfield High School	Secondary School	McLaughlins Road, Darfield	Liv 1	RS 39411 and Part RS 19215 Blocks VI and VII, Hawkins Survey District Area – 8.2820ha	
ME 2	68/77	Darfield Primary School	Primary School	Ross Street, Darfield	Bus 1	RS 40646, RS 40648 and PT RES 2551 Block VII, Hawkins Survey District Area – 1.768ha	Condition relating to – 1. Heritage trees on site
ME 3	92/94	Dunsandel Primary School	Primary School & Residence	Leeston Dunsandel Road, Dunsandel	Liv 2	PT RS 10945 (CT 414/141) Lot 1 DP 12065 Block VIII Selwyn Survey District Area – 2. 2984ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 4	127	Ellesmere College	Secondary School	Leeston Dunsandel Road, Leeston	Liv 1	SECT 1 SO 13993, SECT 2 SO 13993, SECT 1 SO 16950 and SECT 1 SO 16410 Leeston Settlement, Block XIV, Leeston Survey District Area – 8.2143ha	
ME5	61	Hororata Primary School	Primary School & Residence	Bealey Road, Hororata	Liv 1	Lot 1 DP 4181, Pt Lot 2 DP 6225, Block XII, Hororata Survey District Area – 2.8444ha	
ME 6	82	Kirwee Model Primary School	Primary School & Residence	School Lane, Kirwee	Liv 1	Lot 21 DP 434 Pt Lot 23 (CT Ref 77/95) and Lot 22 DP 434 Blocks VIII & XII Hawkins Survey District Area – 1.188ha	
ME 7	127	Leeston Primary School	Primary School	Selwyn Street, Leeston	Liv 1	RES 5289, RES 5288, RS 39797, PT RES 4596 and PT RS 5787 (CT 9B/810) Block XIV, Leeston Survey District Area - 2.4615ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 8	110	Lincoln Primary School & Lincoln High School	Primary & Secondary School	North Belt, Lincoln	Liv 1	Sect 1 SO 9402, PT RS 884 & 2223 (CT 645/37), SECT 1 SO 14155, SECT 1 SO 11445, SECT 2 SO 14155, SECT 1 SO 11046, Lot 1 & 2 DP 11516, Lot 1 DP 78085, Section 1 SO 382577 and Section 1 SO 9402 Block V, Halswell Survey District Area - 10.73ha	
ME 9	120	Prebbleton Primary School	Primary School & Residence	Blakes Road, Prebbleton	Liv 1	Pt Lot 1 DP 1767, Sec 1 and Sec 2 SO 18846, Block XIII, Christchurch Survey District Area - 1.9741ha	
ME 10	97/ 100	Rolleston Primary School	Primary School	Tennyson Street, Rolleston	Liv 1	Lot 1 DP 82982, SECT 2 SO 18874, SECT 1 SO 306161, Lot 1 DP 62062, SECT 1 SO 18874 Block III, Leeston Survey District Area - 2.9204ha	
ME11	103/ 104	Lowes Road New School	Education Purposes (Early Childhood and Primary School)	Lowes Road, Rolleston	Liv 1	Section 1 SO 346757 Area -3.3ha	Conditions relating to – 1. Total student role 2. Noise related conditions 3. Building setbacks 4. Maximum building heights 5. Minimum number of bicycle parks 6. Ministry to supply plans for works on the site

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 12	53	Sheffield Primary School	Primary School & Residence	Curve Road, Sheffield	Liv 1	Lot I DP 13984 Block XIII, Oxford Survey District Area – 2.4281ha	
ME 13	131	Southbridge Primary School	Primary School	Hastings Street, Southbridge	Liv 1 & Rural Outer Plains	PT RS 5861 (CT 406/293), Pt Lot 1 DP 18624, Lot 1 DP 80498, Lot 2 DP 17338, Lot 2 DP 18297 and PT Lot 1 DP 18297 Block I, Southbridge Survey District Area - 4.7904ha	Condition relating to – 1. Heritage trees on site
ME 14	109	Springston Primary School	Education Purposes (Early Childhood and Primary School)	Leeston Road, Springston	Liv 1	Part Lot 7 DP 11913, Lots 24, 25 and 26 DP 16823, Block VIII Leeston Survey District Area – 1.5977ha	
ME 15	125	Tai Tapu Primary School	Primary School	State Highway 75 and School Road, Tai Tapu	Liv 1A	Lot 2 DP 301911 Block VI, Halswell Survey District Area – 2.2600ha	Condition relating to – 1. Heritage trees on site
ME 16	88	West Melton Primary School	Primary School	Weedons Ross Road, West Melton	Liv 1	Pt RS 6600, Pt RS 6600 & Pt RS 6600, Block XI, Rolleston Survey District Total Area – 2.2317ha	
ME 17	13	Broadfield Primary School	Primary School & Residence	Robinsons Road, Broadfield	Rural Inner Plains	Pt RS 7582 Block IV, Leeston Survey District Area – 1.7503	
ME 18	13	Burnham Primary School	Primary School	Godley Road, Burnham	Rural Outer Plains	Res 4809, 4810, 4654, Pt RS 13523 Block II, Leeston Survey District Area – 2.1734ha	
ME 19	57	Glentunnel Primary School	Primary School and Residence	Homebush Road, Glentunnel	Rural Malvern Hills	Res 2279 Blk VIII Hororata SD Area – 3.2198ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 20	135	Greendale Primary School	Primary School and Residence	Greendale Road, Greendale	Rural Outer Plains	Pt Res 722 Block XIV, Hawkins Survey District Area - 0.8094	
ME 21	9	Greenpark Primary School	Primary School & Residence	Greenpark Road, Greenpark	Rural Outer Plains	PT RS 5750 & 5756 (CT 371/115) and PT RS 5750 & 5756 (CT371/116) Block IX, Halswell Survey District Area - 0.8094ha	
ME 22	14	Ladbrooks Primary School	Primary School & Residence	Barnes Road, Ladbrooks	Rural Inner Plains	Pt RS 2491 (0.8096ha), Pt Lot 2 DP 22896 (0.1608ha) Block I, Halswell Survey District Area - 0.9701ha	
ME 23	15	Lake Coleridge-Windwhistle Primary School	Primary School & Residence	Rakaia Gorge Road, Windwhistle	Rural Outer Plains	Pt Lot 12 DP 3317 Block VII, Fighting Hill Survey District Area - 0.8143ha	
ME 24	52	Springfield Primary School	Primary School	Tramway Road, Springfield	Rural Outer Plains	Lot 3 DP 9682 Block XII Kowai Survey District Area - 1.8413ha	
ME 25	13	Weedons Primary School	Primary School & Residence	Weedons Ross Road, Weedons	Rural Inner Plains	PT RS 9456 (CT Ref 396/146), PT RS 7569 (CT Ref 398/28) and PT Lot 2 DP 489 Block XV, Rolleston Survey District Area - 1.8437ha	

Minister of Police

MP1	49	Arthurs Pass Police Station	Police Station and Residence	State Highway 73, Arthurs Pass	Liv 1	Sec 2 SO 19698, Block VI, Bealey Survey District Area - 0.1604ha	
MP2	69	Darfield Police Station	Police Station and Residence	14-16 North Terrace , Darfield	Liv 1	Part Res 2978, Block XII, Town of Darfield Area - 0.2023ha	Condition relating to – 1. Heritage building on site
MP3	127	Leeston Police Station	Police Station and Residence	Cnr Station and Cunningham Streets, Leeston	Liv 1	Lot 3 DP 58296, SO 17386, Block XIV, Leeston Survey District Area - 0.1842ha	
MP4	113	Lincoln Police Station	Police Station and Residence	30 Gerald Street, Lincoln	Liv 1	Lots 1 (0.0953ha), 2 (0.0515ha) and 3 (0.0568ha) DP 78484, Block V, Halswell Survey District Total Area – 0.2036ha	
MP5	100	Rolleston Police Station	Police Station and Residence	69-75 Tennyson Street, Rolleston	Bus 1	Lot 609 DP 77468, Block III, Rolleston Survey District Area - 0.2000ha	

Minister of Social Services and Employment

MS1	13	Te Puna Wai o Tuhinapo	Youth Justice Residential Centre	Runners Road, Rolleston	Rural Outer Plains	Pt RS 1636, SO 2510 Area - 8.6370ha	Conditions relating to – 1. Buildings 2. Occupancy 3. Community liaison 4. Security 5. Noise 6. Landscaping 7. Lighting 8. Archaeological discovery 9. Rooding 10. Dust
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Minister of Defence

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
DE1	13	Burnham Military Camp	Defence Purposes – Burnham Military Camp	Main South Road, Burnham Road and Two Chain Road, Burnham	Rural Outer Plains	<p>Pt Res 1160 and 1636, Blocks II and III, Leeston Survey District – NZ Gazette Reserves and Other Lands Disposal and Public Bodies Empowering Act 1932</p> <p>Res 1159, Block II, Leeston Survey District – NZ Gazette 1950, page 755</p> <p>Res 1176, Block II, Leeston Survey District – NZ Gazette 1952, page 1865</p> <p>RS 41213 Block II, Leeston Survey District – NZ Gazette 1980, page 1041</p> <p>Total Area - 441ha (approximately)</p>	
DE2	16	Glentunnel Ammunition Storage Depot	Defence Purposes – Ammunition Storage Depot	Turnballs Road, Glentunnel	Rural Malvern Hills	<p>Pt Lot 3 and Lot 4 DP 9454, RS 18933, RS 2478, Pt RS 19013, Pt RS 19967, Pt RS 20454, and Pt RS 20455. All Certificate of Title Volume 537 folio 154 – NZ Gazette 1989 page 1618</p> <p>Pt Lot 3 DP 4099 – NZ Gazette 1992 page 3277</p> <p>Adjoining or passing through part Lot 3, DP 4099 and Pt Lot 3 DP 9454, RS 40017 and RS 8980 – NZ Gazette 1993 page 2092</p> <p>Total Area - 301.0977ha (approximately)</p>	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
DE3	18	West Melton Rifle Range	Defence Purposes – Military Training Area	Range Road, West Melton	Rural Inner Plains	Part Res 947, Res 2470, Res 1247, RS 14152 and Res 1050, Blocks VI and VII, Rolleston Survey District – NZ Gazette 1943 page 676, 1945 page 1553 Adjoining or passing through Res 2470 and Pt Res 947, Blocks VI and VII, Rolleston Survey District – NZ Gazette 1983, page 3323 Total Area - 413.9096ha (approximately)	
DE4	13	Weedons Depot and Communications Site	Defence Purposes – Depot and Communications	Jones Road, Weedons	Rural Inner Plains	RS 9186, RS 10892, RS 10573, and RS 14322, Block XVI, Rolleston Survey District – NZ Gazette 1964, page 1656 Total Area - 42.4262ha (approximately)	
New Zealand Railways Corporation							
RC1	Various	Main South Line and Midland Line	Railway	Throughout Selwyn District	Various	Various	
Orion New Zealand Limited							
OR1	110	Lincoln Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Boundary Road, Lincoln	Liv 1	Lot 3 DP 21227 Area – 1012m ²	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
OR2	102	Rolleston Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Corner of Burnham School and Dunns Crossing Roads, Rolleston	Liv 2	Lot 1 DP 22656 Area - 1012m ²	
OR3	21	Annat Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Tramway Road, Annat	Rural Outer Plains	Lot 1 DP 43536 Area - 0.1590ha	
OR4	7	Bankside Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	South Two Chain Road, Bankside	Rural Outer Plains	Lot 1 DP 45743 Area - 0.1600ha	
OR5	8	Brookside Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Corner of Buckleys and Branch Drain Roads, Brookside	Rural Outer Plains	RS 38240 Area - 1446m ²	
OR6	75	Darfield Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Corner of Clintons and McLaughlins Roads, Darfield	Rural Outer Plains	Lot 1 DP 40904 Area - 0.0736ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
OR7	4	Hills Road Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Hills Road, Leeston	Rural Outer Plains	Lot 1 DP 33798 Area - 0.0404ha	
OR8	9	Motukarara Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Fiddlers Road, Motukarara	Rural Inner Plains	Part Res 959 Area - 1153m ²	
OR9	13	Springston Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Shands Rd / Rolleston Rd / Lincoln Rd, Springston	Rural Outer Plains	RS 40051 Area - 1.0354ha	
OR10	13	Weedons Substation	The reception, transformation from transmission voltage to distribution voltage, and distribution of electrical power and energy	Weedons Ross Road, Weedons	Rural Inner Plains	Lot 1 DP 49211 Area - 0.1679ha	
Telecom New Zealand Limited							
TE1	69	Darfield Exchange and Line Depot		28-32 North Terrace, Darfield	Liv 1	Sec 2 SO 17951 & Secs 1, 2 & 3 Block XIV Darfield Township, Block VII Hawkins Survey District Area - 3093m ²	NOT OPERATIVE
TE2	92	Dunsandel Exchange		Corner of Browns and Kanes Roads, Dunsandel	Liv 1	Lot 5 DP 27096, Block VIII, Selwyn Survey District Area - 850m ²	NOT OPERATIVE

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
TE3	57	Glentunnel Exchange		Homebush Road, Glentunnel	Liv 1	Pt Res 1331, Block VIII, Hororata Survey District Area - 278m ²	NOT OPERATIVE
TE4	61	Hororata Exchange		Hobbs Street, Hororata	Liv 1	Sec 1 SO 5031, Block XII Hororata Survey District Area - 928m ²	NOT OPERATIVE
TE5	84	Kirwee Exchange		Courtney Road, Kirwee	Liv 1	Pt Res 1301, Blocks XII, Hawkins Survey District Pt Res 4576 Area - 565m ²	NOT OPERATIVE
TE6	127	Leeston Exchange		Station Street, Leeston	Bus 1	Pt Res 3784, Sec B SO 17993 Area - 1072m ²	NOT OPERATIVE
TE7	113	Lincoln Exchange		Lytelton Street, Lincoln	Bus 1	Pt RS 2724, Sec B SO 17980, Block V, Halswell Survey District Area - 1149m ²	NOT OPERATIVE
TE8	97	Rolleston Exchange		Tennyson Street, Rolleston	Liv 1	Lot 1 DP 28343, Rolleston Township Area - 1011m ²	NOT OPERATIVE
TE9	53	Sheffield Exchange		Duke Street, Sheffield	Liv 1	Lot 1 DP 55927, Block XIII, Oxford Survey District Area - 1012m ²	NOT OPERATIVE
TE10	131	Southbridge Exchange		High Street, Southbridge	Bus 1	Pt RS 3344 & 4041 Area - 435m ²	NOT OPERATIVE
TE11	125	Tai Tapu Exchange		Christchurch Akaroa Main Road/State Highway 75, Tai Tapu	Liv 1A	Sec 1 SO 9682, Block VI, Halswell Survey District Area - 791m ²	NOT OPERATIVE
TE12	49	Arthurs Pass Rural Radio Station	Telecommunications Purposes	West Coast Road/State Highway 73, Arthurs Pass	Rural High Country	Railway Lease No. 42116 Grid Reference - S59/060275 Area - 10m ²	NOT OPERATIVE

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
TE13	135	Bealey Spur Radio Station	Telecommunications Purposes	Cloudesley Road, Bealey Spur	Rural High Country	Pt Res 3286, Crown Land, Block XV, Bealey Spur District Grid Reference - S66/115176 Area - 400m ²	NOT OPERATIVE
TE14	13	Burnham Exchange	Telecommunications Purposes	Godley Road, Burnham	Rural Outer Plains	Pt RS 13523 Area - 276m ²	NOT OPERATIVE
TE15	9	Greenpark Exchange	Telecommunications Purposes	Hudsons Road, Greenpark	Rural Outer Plains	Pt Lot 2 DP 13693, Block IX, Halswell Survey District Area - 278m ²	NOT OPERATIVE
TE16	19	Lake Coleridge Exchange	Telecommunications Purposes	Algidous Road, Lake Coleridge	Rural High Country	Pt RS 30100, Pt Lot 1 DP 6605, Block IX, Coleridge Survey District Grid Reference - S74/032780 Area - 1936m ²	NOT OPERATIVE
TE17	16	Lowmount Microwave Station	Telecommunications Purposes	Whitecliffs Road, Malvern Hills	Rural Malvern Hills	Pt RS 40216 with Interest in ROW over RS 40216 Grid Reference - S74/274629 Area - 2023m ²	NOT OPERATIVE
TE18	9	Motukarara Exchange	Telecommunications Purposes	Christchurch Akaroa Main Road/State Highway 75, Motukarara	Rural Inner Plains	Pt Sec 15B Rabbit Island Settlement, Block XIV, Halswell Survey District Area - 217m ²	NOT OPERATIVE
TE19	21	Springfield Land Mobile System	Telecommunications Purposes	West Coast Road/State Highway 73, Springfield	Rural Outer Plains	Pt RS 9075, 9178 & 20918, Block XII, Kowhai Survey District Grid Reference - S74/379796 Area - 717m ²	NOT OPERATIVE
TE20	135	Springston Exchange	Telecommunications Purposes	Lincoln - Leeston Road, Springston South	Rural Outer Plains	Pt RS 7260, Block VIII, Leeston Survey District Area - 275m ²	NOT OPERATIVE

New Zealand Transport Agency

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
TR1	Various	State Highways 1, 73, 75 and 77	State Highway	<p>SH1: From the intersection of SH1 with the centerline of the Rakaia River. Note: there is a short section of SH1 south of Marshs Road that is within Christchurch City.</p> <p>SH73: From the Dawsons Road / SH 73 intersection to the summit of Arthurs Pass.</p> <p>SH75: From the centerline of the Halswell River (Halswell River Bridge RP 0/8.35) to the centerline of the Halswell River (Motukarara Culvert RP 14/9.52)</p> <p>SH77: From the centerline of the Rakaia River (Rakaia Gorge Bridge) to the SH 73 / SH 77 intersection.</p>	Various	Various	
TR2	97/98/100	State Highway 1	Road Widening	Rolleston Township, from north of Hoskyns Road to south of Elizabeth Street	Inner Plains	Various	Variable width (see Map*)
TR3	13/99	State Highway 1	Road Widening	South of Elizabeth Street, Rolleston, to Selwyn River Bridge	Inner Plains / Outer Plains	Various	Variable on southern side of SH1. 15m on northern side of SH1. (see Map*)
TR4	13/135	State Highway 1	Road Widening	SH1 North of Rolleston	Inner Plains	Various	10m on the northern side of SH 1 (see Map*)

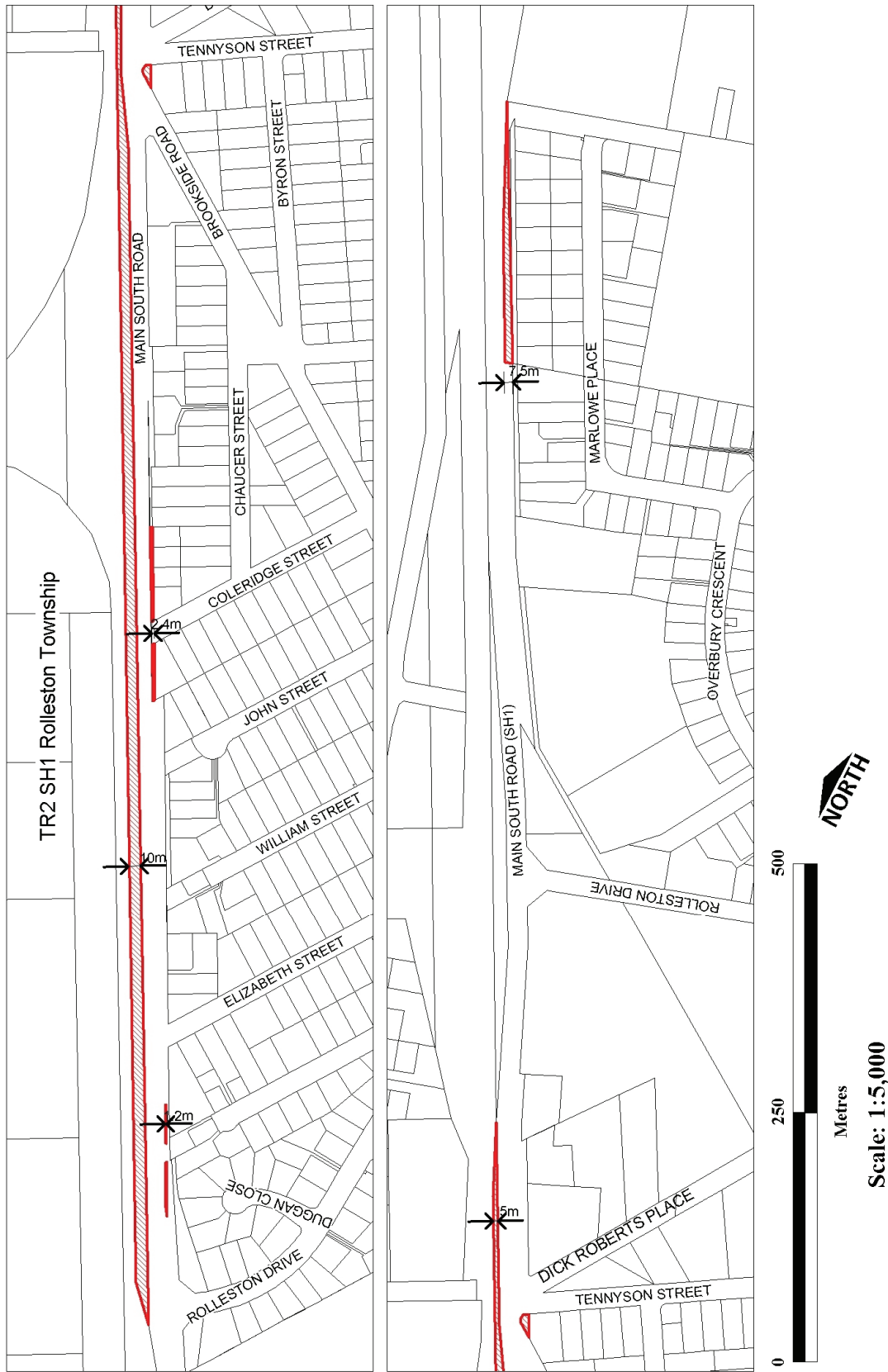
***See Maps at the end of this appendix.**

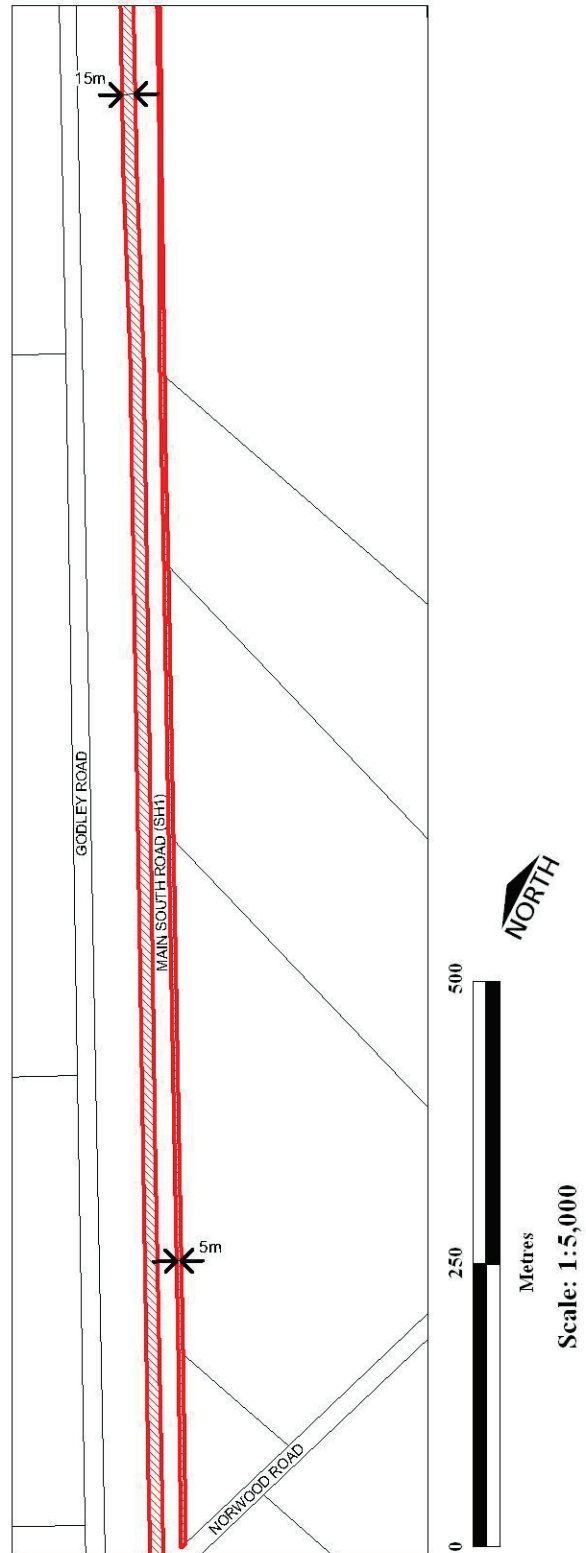
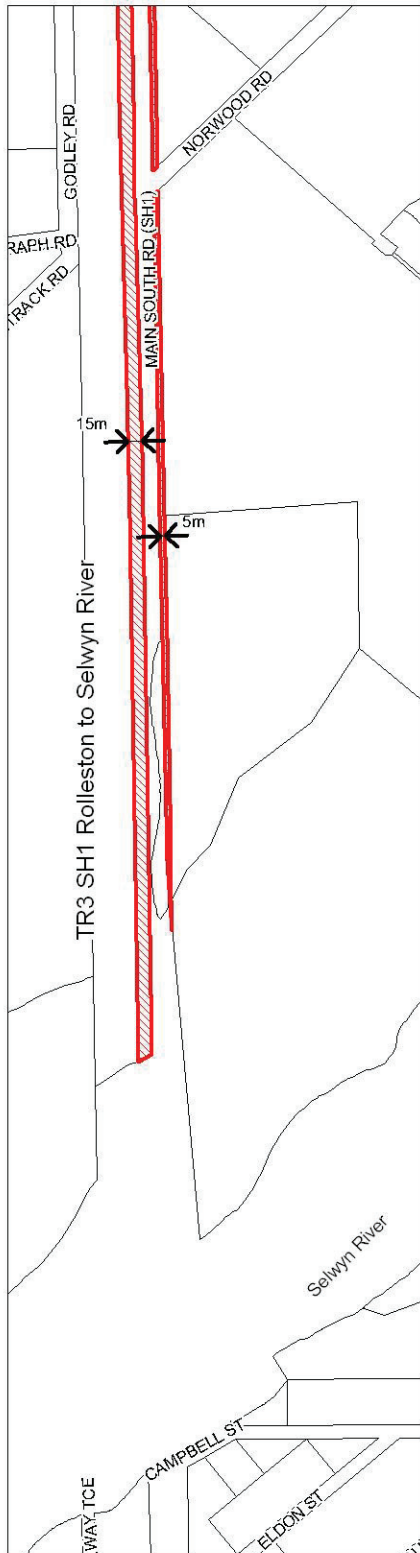
Transpower New Zealand Ltd

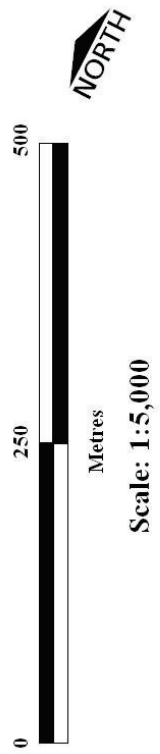
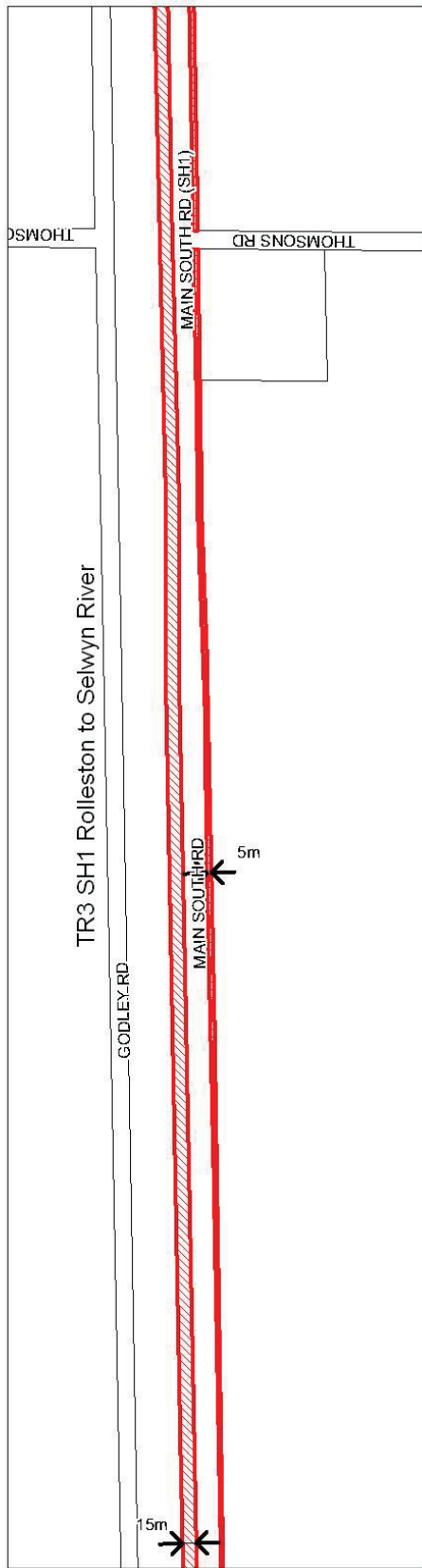
Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
TP1	51	Coleridge Outdoor Switchyard	Electricity Outdoor Switchyard	Hummocks Road, Lake Coleridge	Rural High Country	Pt RS 30100 and Pt Lot 1 DP 6605, Block XIII, Coleridge Survey District, on SO Plan 19017 Area - 1847m ²	
TP2	49	Arthurs Pass Substation	Electricity Substation	West Coast Road State Highway 73, Arthurs Pass	Rural High Country	Leased railway land described as Lot 28 on Plan LO 33063 with a right of access. Area - 2040m ²	
TP3	29	Castle Hill Substation	Electricity Substation	West Coast Road State Highway 73, Castle Hill	Rural High Country	Sec 1 on SO Plan 16500, with a ROW over Pt Run 256, Block XVI Harper Survey District Area - 2275m ²	
TP4	16	Hororata Substation	Electricity Substation	Bealey Road, Hororata	Rural Outer Plains	Sec 1 SO 5371 (2.4255ha); Sec 1 SO Plan 14311 (1.2912ha); Sec 1 SO Plan 7452 (6057m ²); and Sec 2 SO Plan 7452 (7082m ²) Total Area - 5.0306ha	
TP5	13	Springston Substation	Electricity Substation	Weedons Road, Springston	Rural Outer Plains	Sec 1 SO 11203 Area - 2.0128ha	

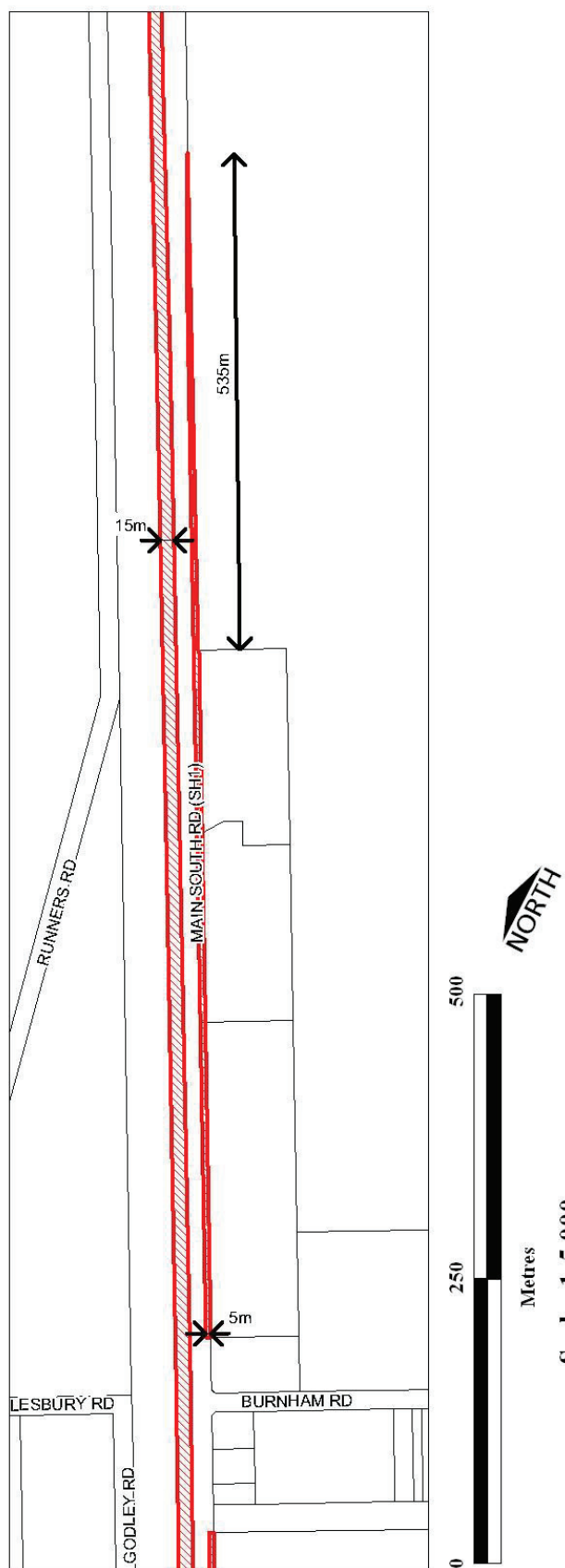
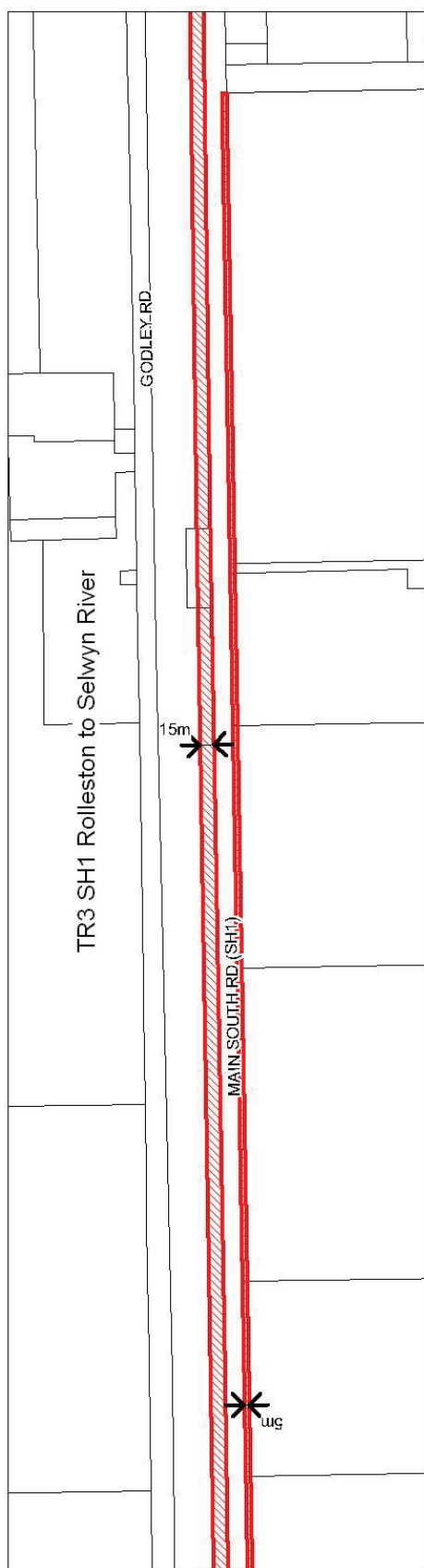
New Zealand Transport Agency Road Widening Designation Maps

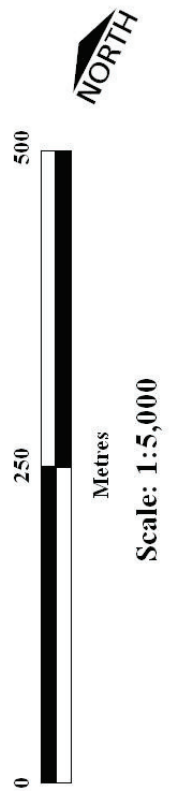
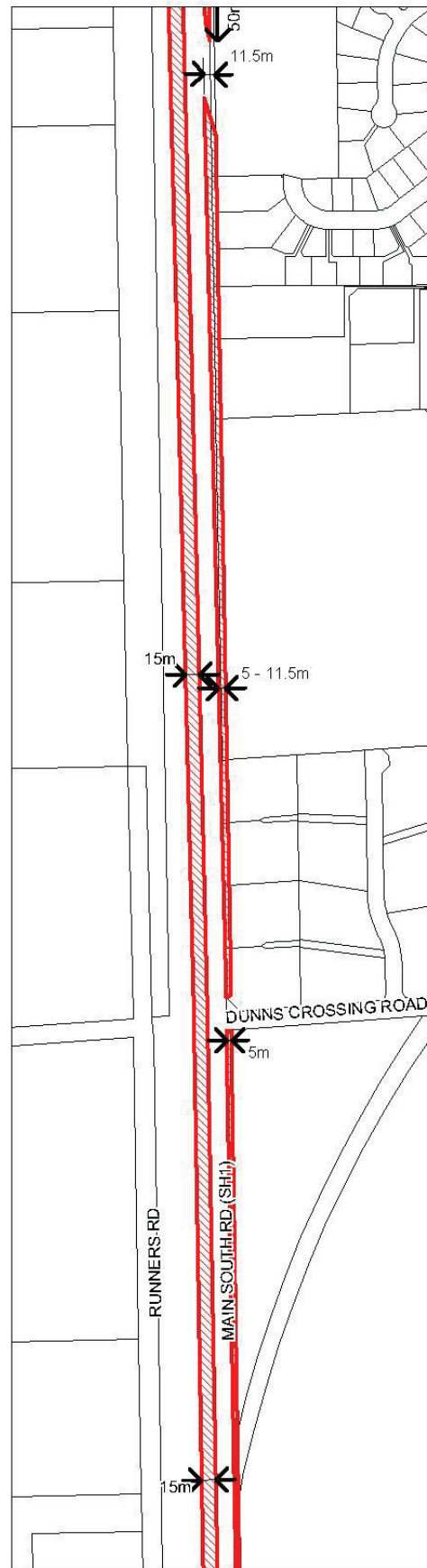
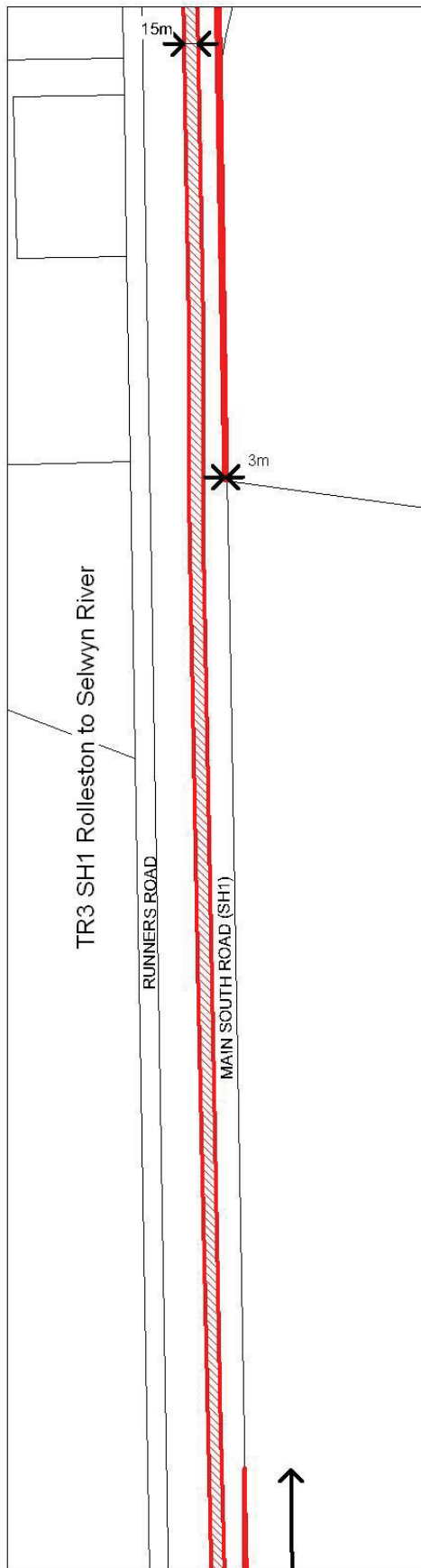
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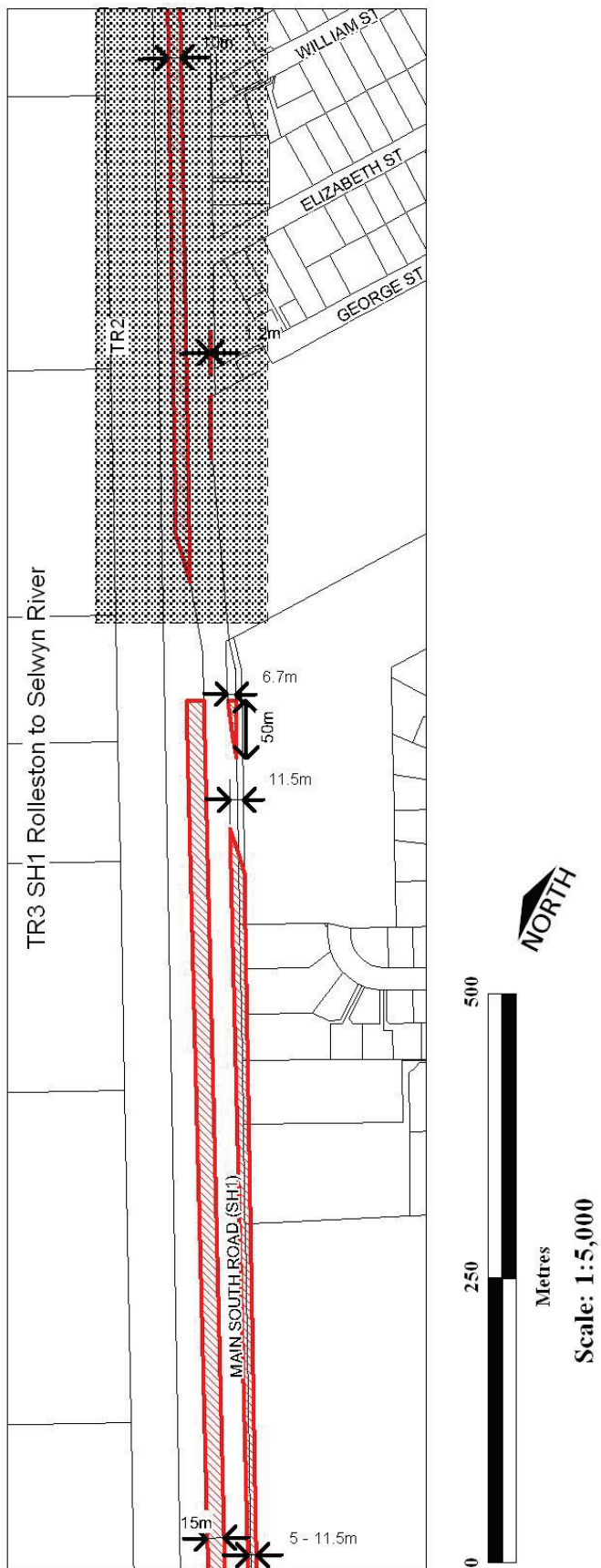


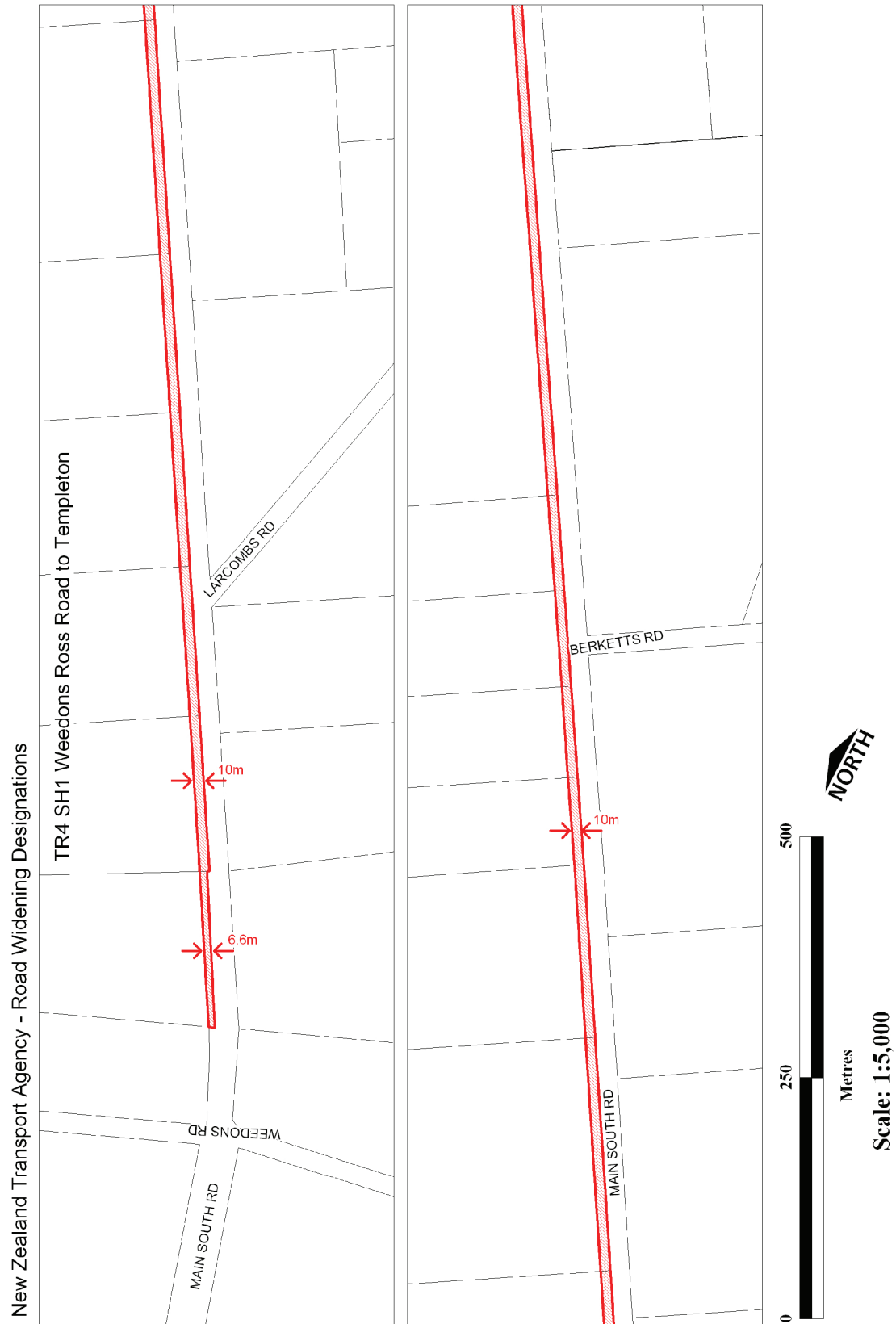






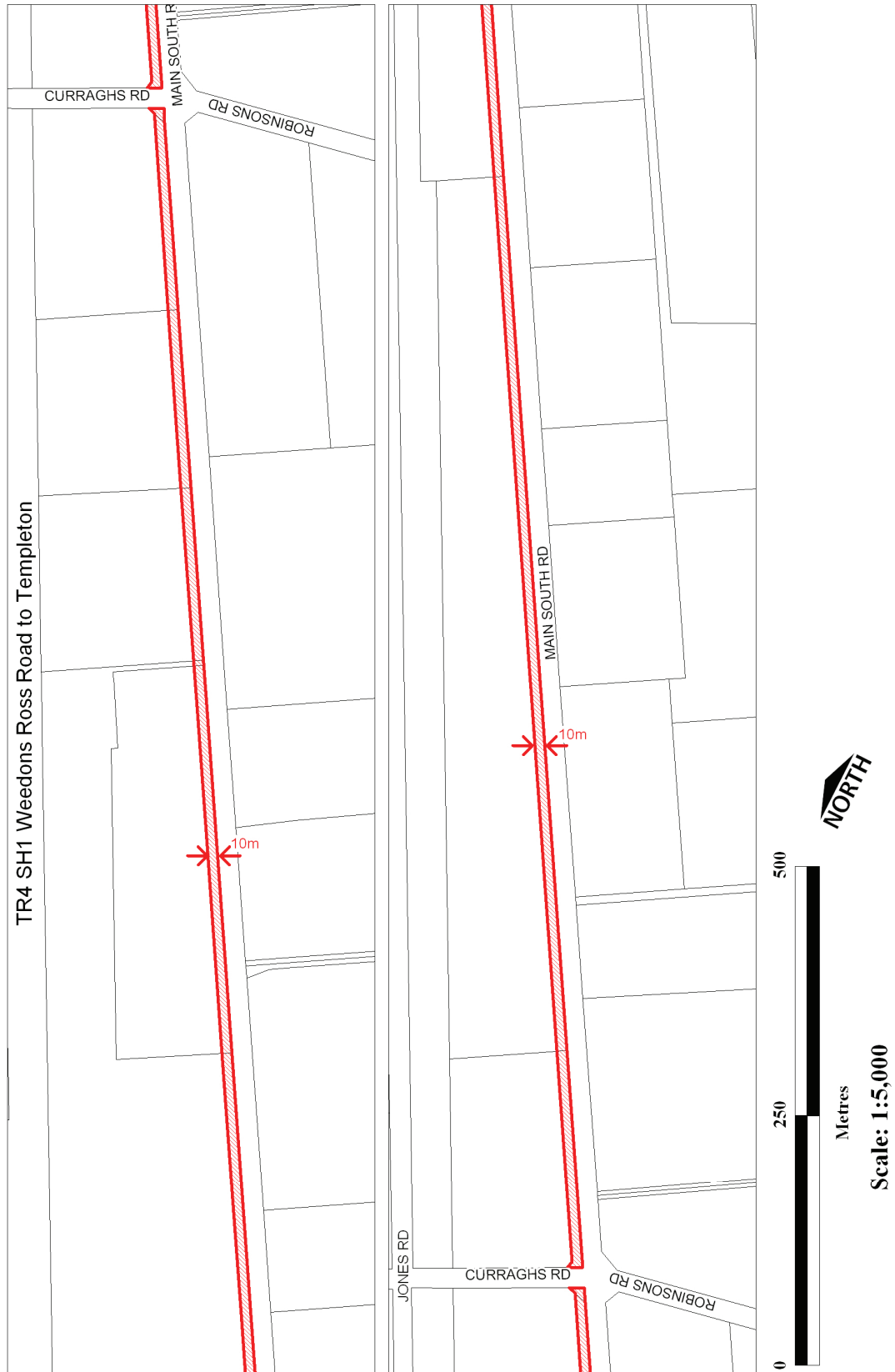


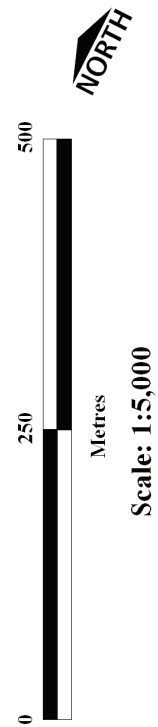
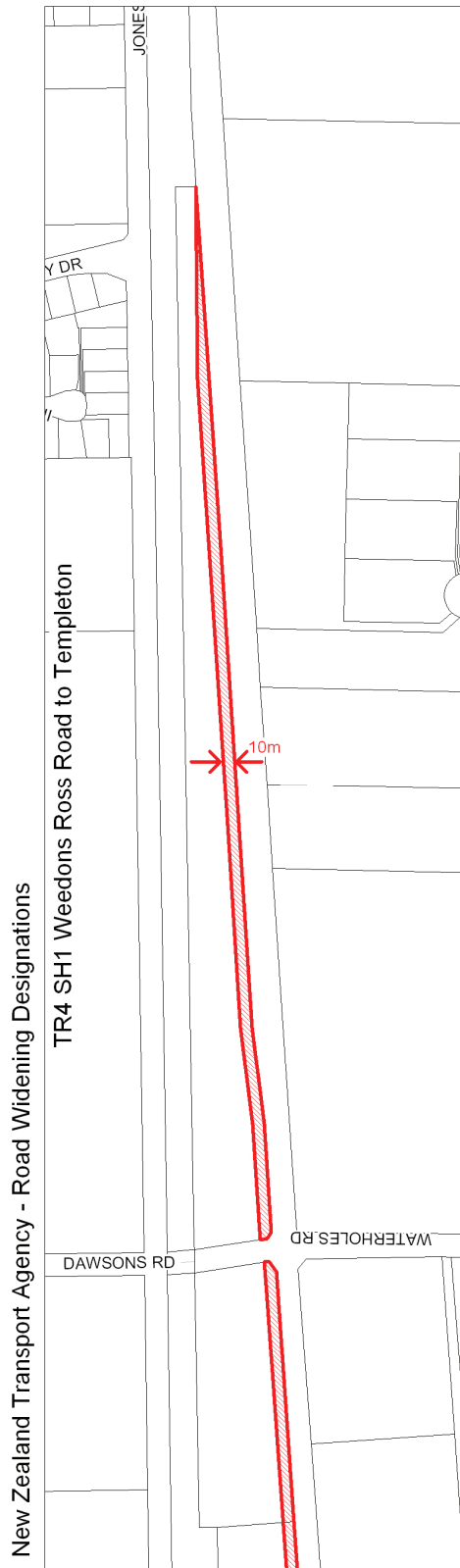




New Zealand Transport Agency - Road Widening Designations

TR4 SH1 Weedons Ross Road to Templeton





APPENDIX 21

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

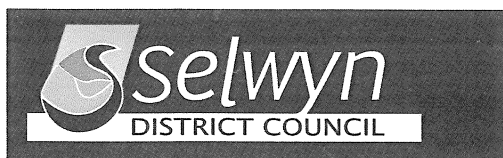
Group A Higher canopy trees with an ultimate height of 6.0m to 10.0m		
Abbreviation	Scientific Name	Common Name
Pl.r	Plagianthus regius	Ribbonwood/Manatu
Ho.se.	Hoheria sextylosa	Lacebark/Houhere
Co.a	Cordyline australis	Cabbage Tree/Ti kouka
Po.t.	Podocarpus totara	Totara
Qr	Quercus robur	English Oak
Group B Medium canopy trees with an ultimate height of 4.0m to 6.0m		
Abbreviation	Scientific Name	Common Name
Pi.t	Pittosporum tenuifolium	Kohuhu
Pi.e.	Pittosporum eugenoides	Lemonwood/Tarata
Do.v.	Dodonaea viscosa	Akeake
So.m	Sophora microphylla	Kowhai
Ku.e	Kunzea ericoides	Kanuka
Ps.c.	Pseudopanax crassifolius	Lancewood/Horoeka
Ps.a.	Pseudopanax arboreus	Fivefingers/Puakao
Group C Shrub canopy of 1.0m to 4.0m in height		
Abbreviation	Scientific Name	Common Name
Gr.l.	Griselinia littoralis	Broadleaf
Co.lu.	Coprosma lucida	Shining Karamu
Co.ro.	Coprosma robusta	Karamu
Co.pr.	Coprosma propinqua	Mingimingi
Co.v.	Coprosma virescens	Mikimiki

Mu.a.	Muehlenbeckia astonii	Pohuehue
Co.cot.	Corokia cotoneaster	Korokio
He.sa.	Hebe salicifolia	Koromiko
He.st	Hebe stricta	Koromiko
Ol.o.	Olearia odorata	Scented Shrub Daisy
Ph.t.	Phormium tenax	Flax/Harakeke
Co.ri	Cortaderia richardii	Toetoe
Le.s.	Leptospermum scoparium	Tea Tree/Manuka

Group D

Ground covers

Abbreviation	Scientific Name	Common Name
Ca.f.	Carex flagellifera	Tussock/Sedge
Ch.c	Chionochloa conspicua	Tussock/Hunangamoho
As.f.	Astelia fragrans	Bush Flax (green form)/Kakaha
An.l.	Anemanthele lessoniana	Orizopsis/Windgrass
Po.c.	Poa cita	Silver Tussock
Li.i	Libertia ixioides	New Zealand Iris/Mikoikoi
Di.n.	Dianella nigra	Turututu



CERTIFICATE OF APPROVAL

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

Council resolved on the 27th of May 2009 to make the parts of the Selwyn District Plan relating to rules and definitions relating to non-residential and non-rural activities in the Rural Zone (Variation 29) operative. In addition, the New Zealand Transport Agency has issued decisions relating to two of their road widening designations for State Highway 1, the effect of which makes these designations operative. Provisions which are not yet operative are detailed on the following page.

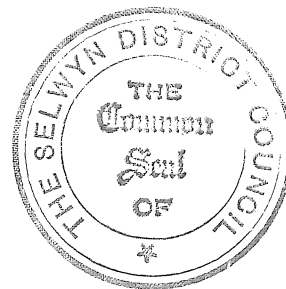
This resolution was made in accordance with Clauses 17(2) and 20 of Schedule 1 of the Resource Management Act 1991.

Sealed with the Common Seal of the Selwyn District Council

in the presence of:

A handwritten signature in dark ink, appearing to read 'K. Coe', written over a horizontal line.

Mayor
K Coe

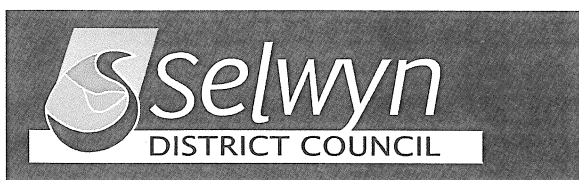


A handwritten signature in dark ink, appearing to read 'P. Davey', written over a horizontal line.

Chief Executive
P Davey

Dated at Rolleston this 29th day of May 2009

Variation	Plan Provisions Still Subject to Challenge (25 August 2008)
Variation 30 Financial Contributions	Township and Rural Volumes All Issues, Objectives, Policies, Methods and Anticipated Environmental Results that relate to Financial Contributions and Development Contributions (Note that these are spread throughout the Plan)
Requiring Authority	Unresolved Designations (8 June 2009) <i>Refer to Appendix 2</i>
Selwyn District Council	Township and Rural Volumes All SDC designations are not operative with the exception of : D 411 Rolleston Waste Water Treatment and Disposal D 412 Rolleston Resource Recovery Park D 413 Rolleston South Reserve D414 Rolleston Dog Park
Telecom	Township and Rural Volumes All Telecom designations are not operative



CERTIFICATE OF APPROVAL

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

The Council resolved on the 10th of June 2009 to approve those parts of the Selwyn District Plan relating to the Izone Industrial Park (Plan Change 5) would be made operative on the 22nd of June 2009. Provisions which are not yet operative are detailed on the following page.

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

Sealed with the Common Seal of the Selwyn District Council

in the presence of:

A handwritten signature in cursive script, appearing to read 'K Coe', written over a horizontal line.

Mayor
K Coe

A handwritten signature in cursive script, appearing to read 'P Davey', written over a horizontal line.

Chief Executive
P Davey



Dated at Rolleston this 10th day of June 2009

Variation	Plan Provisions Still Subject to Challenge (10 June 2009)
Variation 30 Financial Contributions	Township and Rural Volumes All Issues, Objectives, Policies, Methods and Anticipated Environmental Results that relate to Financial Contributions and Development Contributions (Note that these are spread throughout the Plan)
Requiring Authority	Unresolved Designations <i>Refer to Appendix 2</i>
Selwyn District Council	Township and Rural Volumes All SDC designations are not operative with the exception of : D 411 Rolleston Waste Water Treatment and Disposal D 412 Rolleston Resource Recovery Park
Telecom	Township and Rural Volumes All Telecom designations are not operative
Plan Changes	Plan Changes Still Subject to Challenge (10 June 2009)
Plan Change 6	Rural Volume Part B: Section B1.4 – Outstanding Natural Features and Landscapes Part C: Rule 1 – Earthworks; Rule 2 – Tree Planting and Removal of Heritage Trees; Rule 3 Buildings; Rule 5 – Utilities; Rule 10 - Subdivision

Method

District Plan Rules

- Waive or reduce resource consent processing fees

PORT HILLS

Policy B1.4.5

Recognise the Port Hills as an Area of Outstanding Natural Landscape, and protect the following features:

- (a) The visibility of prominent landforms – ridges, spurs, rocky outcrops and volcanic dykes.
- (b) The summit and its outcrops such as Gibraltar Rock, and Cooper’s Knob, which form part of the ‘Ring of Seven Ladies.’

Policy B1.4.6

Avoid locating any dwelling, any other large structure or building, or any exotic plantation, shelterbelt or amenity planting^{PC6} in the area from 30.46m vertically below the Summit Rd to the summit of the Port Hills unless it must be located in that area and cannot reasonably be located elsewhere.

Policy B1.4.7

Restrict subdivision and development of land for residential purposes within the Port Hills Area, recognising that such activities are more appropriate on the lower slopes (below 160m above sea level).

Policy B1.4.8

Keep residential density and site coverage with buildings at a low level which maintains the predominance of vegetation cover and the sense of low levels of human occupation and building development, which are characteristic of the Port Hills in Selwyn District.

Policy B1.4.9

Ensure any building or structure erected on the Port Hills and any associated access, utilities or other infrastructure, is designed, sited, landscaped and finished in exterior materials which:

- Blend in with the surrounding landscape; and
- Maintain the visibility of prominent landforms listed in Policy B1.4.5, as viewed from any public road; and
- Avoid or mitigate any adverse effects on openness, visual coherence or legibility of the landscape.^{PC6}

Policy B1.4.10

Recognise exotic plantations as part of the land uses on the Port Hills and, wherever practical, encourage these plantations to be:

- (a) Planted in patterns which reflect the contours of the landscape;**
- (b) Planted in places which do not screen the visibility of the landforms listed in Policy B1.4.5, as viewed from any public road; and**
- (c) Interspersed with other land uses and vegetation cover.**

Policy B1.4.11

Avoid, remedy or mitigate adverse visual effects associated with earthworks in the Port Hills Area by ensuring that:

- (a) Earthworks are limited in volume; and**
- (b) The site is, to the greatest extent practicable, recontoured and replanted to the same state as surrounding land either when earthworks cease or at the end of appropriate stages (in the case of a large-scale operation).**

Explanation and Reasons

The Port Hills area within Selwyn District has been identified as an Area of Outstanding Landscape. This classification reflects a combination of the geomorphology of the Port Hills (its volcanic origins), its prominent position as a backdrop to the Plains and to Christchurch City, and the predominantly rural land uses on the Port Hills within Selwyn District. The rural land uses help maintain the visibility of geomorphic features such as ridges, spurs, dykes and outcrops, and help make the area popular for outdoor recreation. The Port Hills also has significant landscape values for tāngata whenua, particularly the summit and rocky outcrops, ridges and spurs. Gibraltar Rock and Cooper's Knob form part of a ring of rocky outcrops known by local rūnanga as The Ring of Seven Ladies.

Policy B1.4.5 identifies the Port Hills as an Area of Outstanding Landscape and lists those features of the Port Hills which contribute most to these values. Policies B1.4.6 to B1.4.11 describe the activities and effects which are appropriate and inappropriate to maintain the landscape values of the Port Hills.

The Port Hills is not a pristine natural landscape. Māori and Europeans have occupied the area and vegetation cover has been modified for cultivation and pastoral farming. More recently, land uses have diversified to include residential developments with a rural lifestyle, outdoor recreation and exotic plantations. Policies B1.4.6 to B1.4.11 recognise that all these activities may be appropriate or inappropriate on the Port Hills, depending on the number, scale and nature of these activities. The policies address effects of erecting houses (dwellings), other large structures or buildings, earthworks and tree planting.

Policy B1.4.6 recognises and protects the special landscape values of the summit of the Port Hills. The area between the Summit Road and the summit is the most visible part of the Port Hills landscape from the Plains and Christchurch. It is an area which is much used for recreation. The summit and ridgelines are important landforms for tāngata whenua. Mountains and hills are part of their ancestry or whakapapa, and erecting structures on the summit of a hill or mountain is inappropriate. Policy B1.4.6 does not allow for large structures, buildings or exotic plantations in that area from 30.46 metres vertically below the Summit Road to the summit. This policy reflects the tenor of the Summit Road (Canterbury) Protection Act 2001, but acknowledges, as does that Act, that there may be circumstances in which exceptions are appropriate.

Policies B1.4.7, B1.4.8 and B1.4.9 deal with effects of buildings and structures on the Port Hills, generally. Policies B1.4.7 and B1.4.8 acknowledge that there will be a demand for subdivision and erecting houses (dwellings) within the Port Hills in the future. Policy B1.4.7 recognises that this activity may more appropriately occur in that area shown on the planning maps as the Lower Slopes (the area below the 160m contour). The Lower Slopes is an area slightly less prized for its recreational and landscape values than the Upper Slopes (the area above the 160m contour). Residential subdivision and development on the Port Hills within the Christchurch City has occurred largely below that contour. The policy does recognise that there may be some sites in the Upper Slopes where the visual effects of erecting a dwelling may be minor. The rules are tougher in this area, and allow for public notification of any resource consent application.

While there is some scope for further subdivision for residential purposes on the Port Hills, Policy B1.4.8 seeks to keep residential density and building site coverage generally, at a low level. The current low level of building development on the Port Hills in Selwyn District is a major contributor to its landscape and recreational values. Policy B1.4.8 should be read in conjunction with Policy B4.1.1, which sets a residential density standard for the Port Hills.

Policy B1.4.9 is to manage the design and siting of all large buildings and structures on the Port Hills to try and mitigate adverse visual effects. Policy B1.4.9 is not intended to prevent houses and other buildings from being erected on the Port Hills, provided they are designed and sited in sympathy with the surrounding landscape. The policy relates to both buildings and any associated access, utilities and infrastructure. Often roads or vehicular accessways, power pylons and similar features can have a greater visual effect on the landscape than the building they serve. The policy is implemented by a rule which manages the reflectance value of the exterior finish of buildings. The reflectivity of a surface can determine how prominent a structure or building looks, more so than hue or colour. In some cases, a finish with a high reflectance value may be appropriate, for example, where the building is screened or the material is a natural stone which is appropriate for the area.

Policy B1.4.10 applies to planting of exotic plantations on the Port Hills. As with Policy B1.4.9, Policy B1.4.10 is not intended to prevent exotic plantations on the Port Hills. Rather the policy is to manage the location and pattern of planting to reduce the visual effects of the plantation on landscape values. In particular, the policy encourages plantations to be planted in patterns that follow landforms, rather than rectangular shapes which cut across or dominate landforms, and in patterns which do not screen prominent features listed in Policy B1.4.5. Policy B1.4.10 does recognise that these patterns of planting may not always be practical to achieve, eg where there are sites which are unsuitable for planting for other reasons, where there is difficulty with access to sites or property boundaries which cut across landforms.

Policy B1.4.11 manages the effects of earthworks in the Port Hills Area. Earthworks have the potential adversely to affect the outstanding natural landscape values of the Port Hills as well as having impacts upon land stability, sedimentation, soil productivity and habitats. District Plan provisions will ensure that effects on landscape values are avoided, remedied or mitigated by limiting the volume of earthworks and requiring site rehabilitation where appropriate. The 'Land and Vegetation Management Plan – Part II: Earthworks and Vegetation Clearance on the Port Hills', administered by the Canterbury Regional Council, contains specific provisions to manage those effects of earthworks that have to do with soil conservation and the use or diversion of water – in particular those pertaining to slope stability, soil erosion, sedimentation, water quality and alterations to watercourses. Additional consents may be required from that Council.

Methods

Regional Rules

- Earthworks on the Port Hills

District Plan Rules

- Earthworks
- Buildings
- Residential density
- Utilities and other structures
- Tree planting
- Subdivision

Summit Road (Canterbury) Protection Act 2001

CANTERBURY PLAINS AND TE WAIHORA/LAKE ELLESMERE

Policy B1.4.12

Recognise that the land between the Christchurch City and a line extending from West Melton to Tai Tapu is identified in the RPS as providing a significant 'rural' landscape in contrast with the 'urban' landscape of the City.

Explanation and Reasons

Objective 3 and Policy 5 of Chapter 12 of the RPS identify land lying between Christchurch City and a line from West Melton to Tai Tapu as a 'rural' landscape that provides an important contrast to the 'urban' landscape of the City. The RPS states that this land should remain in "rural or recreational" uses.

There are a number of townships within and bordering the area so identified in the RPS. Policies in this volume dealing with residential density and the growth of townships and policies in the Townships volume on township growth are relevant to this issue. These are relevant matters to be considered in any plan change that seeks to rezone land within or bordering on the identified area for Living or Business purposes.

Policy 1.4.13

- (a) Recognise Te Waihora/Lake Ellesmere and its margins as an Outstanding Natural Feature; and**
- (b) Ensure that any structures, earthworks or tree planting located along the margins of the lake, or any structure located across the surface of the lake do not detract from its natural character or the views across the lake or from the lake across the Plains; and**
- (c) Control the clearance of existing areas of indigenous vegetation and wetlands, and encourage the restoration and enhancement of these areas in and around the vicinity of the lake.**

Policy B1.4.14

Avoid locating any structure or removing rock from the rocky outcrop at Motukarara which is shown on the planning maps as a landmark for tāngata whenua.

Explanation and Reasons

Te Waihora/Lake Ellesmere is an Outstanding Natural Feature and the views from the lake across the Plains and from the lake edge across the water, have been identified as Outstanding Landscapes in the shared values approach for the District Plan. Te Waihora/Lake Ellesmere and its surrounding wetlands is a site of immense cultural importance to Te Rūnanga o Ngāi Tahu and Te Taumutu Rūnanga. Maintaining or enhancing the natural character of the lake and its margins is important to local rūnanga.

Policies B1.4.13 (a) and (b) recognise these values and manages the activities which are most likely to affect them, structures and tree planting in the margins of the lake and structures extending across the surface of the lake. Policies B1.4.13 (a) and (b) do not prevent these activities from occurring, provided they are appropriately designed and sited to maintain the natural character of the lake and these views. Policies B1.4.13 (a) and (b) should be read in conjunction with policies in Part B Section 1.3 – Water, to maintain the natural character of waterbodies. The policy is implemented by District Plan rules for activities in the margins of waterbody and structures which extend across the surface of waterbodies. Section 13 of the RMA controls structures in the beds of lakes and rivers.

Policy B1.4.13 (c) recognises the importance of indigenous vegetation and wetlands to the ecosystem functioning and natural character of the Lake. Policy B1.4.13 (c) should be read in conjunction with the policies in Part B, Section 1.2 Vegetation and Ecosystems.

Policy B1.4.14 applies to a site which has been identified as a landmark of significance to Te Taumutu Rūnanga. The rocky outcrop at Motukarara once formed an island within Te Waihora/Lake Ellesmere. The quarrying or removal of rock from this feature or erecting any structure on this feature is an inappropriate use.

Methods

District Plan Policies

- Riparian margins

District Plan Rules

- Earthworks
- Tree Planting
- Buildings
- Utilities and Other Structures
- Activities
- Clearance of Indigenous Vegetation

MALVERN HILLS

Policy B1.4.15

Recognise the following Areas of Outstanding Landscape and Outstanding Natural Features within the Malvern Hills area, as shown on the Planning Maps:

- **The upper slopes of the Russell Range;**
- **The south face of Flagpole Hill;**

- The ridge of the Rockwood Range;
- The rock outcrops at Glenroy.

Policy B1.4.16

Avoid locating dwellings or other large buildings, structures or utilities in the Areas of Outstanding Landscape in the Malvern Hills, unless the building or structure must be located in that area.

Policy B1.4.17

Where a building or structure must be located in an Area of Outstanding Landscape under Policy B1.4.16:

- Ensure the building or structure and any associated access, utilities or other infrastructure, is designed, sited, landscaped and finished in exterior materials which minimise the visual effects on the landscape.

Policy B1.4.18

Avoid locating plantations (exotic or indigenous) in the Areas of Outstanding Landscape in the Malvern Hills, unless it is the only practical option to manage soil erosion or the spread of plant pests on that land.

Policy B1.4.19

If a plantation is planted under Policy B1.4.18, ensure it is planted to reflect landform patterns and shapes and maintain the landscape values of the area as much as practical.

Policy B1.4.20

Avoid, remedy or mitigate any adverse effects associated with earthworks in Outstanding Natural Features and Landscapes by ensuring that:

- Earthworks are limited in volume; and
- The site is recontoured and replanted to the same state as surrounding land either when the operation ceases, or at the end of appropriate stages for a large-scale operation.

Explanation and Reasons

The Malvern Hills is used in the Plan to describe the foothills. The area is shown on the planning maps. It comprises both rolling downs and higher peaks. Policy B1.4.15 identifies the Areas of Outstanding Natural Features and Landscapes within the Malvern Hills, identified through the 'shared values' approach for the District Plan. There are also sites within the Malvern Hills which have significant landscape values for tāngata whenua, including the south face of Flagpole Hill. Mountains and hills generally are important landscape features for tāngata whenua. They are part of the ancestry of tāngata whenua, their whakapapa, and erecting structures on the hilltops or the summit of mountains is inappropriate.

Policies B1.4.16 to B1.4.20 manage activities within the Areas of Outstanding Landscape.

Policy B1.4.16 manages houses (dwellings) and other large buildings and structures. These objects should be avoided in Areas of Outstanding Landscape unless the building or structure

must be located in that area, that is, there is no alternative site where it can be located and serve its purpose. Where a building or structure must be located in the Area of Outstanding Landscape, Policy B1.4.17 requires the building and any associated access, utilities or other infrastructure, to be designed and sited to mitigate any adverse visual effects. The policy applies to associated activities such as access and infrastructure because roads, power pylons or other utilities can have greater visual effects than the building or structure they serve. Policy B1.4.16 is implemented by a rule which requires a resource consent for larger structures and buildings in Areas of Outstanding Landscape. The policy and rule do not apply to accessory buildings and other structures which are less than 40m² in gross floor area, less than 4m in height and have a reflectance value on exterior finishes of 37% or less.

Policy B1.4.18 applies to plantations. Plantation forestry (exotic or indigenous) should be avoided in the Areas of Outstanding Landscapes in the Malvern Hills. These areas are valued for the prominence and visibility of the landforms, which are likely to be adversely affected if the area is planted in trees and these landforms are no longer visible. Policy B1.4.18 contains an exception, where plantation forestry is the only practical method to manage soil erosion or the spread of plant pests in these areas.

Policy B1.4.20 manages earthworks in Areas of Outstanding Natural Features and Landscapes. The policy does not encourage earthworks, but recognises that they may be necessary in Areas of Outstanding Natural Features and Landscapes. In addition, the Council must be satisfied that any adverse visual effects will be adequately avoided, remedied or mitigated. This includes effects from the earthworks operation and the rehabilitation of the site once earthworks cease. Where large-scale earthworks are occurring, such as quarrying, site rehabilitation is to occur in stages as each area is worked, rather than at the end of the entire operation. This policy reduces the duration and extent of any adverse visual effects.

HIGH COUNTRY

Policy B1.4.21

Recognise and protect the Areas of Outstanding Landscape in the high country, shown on the Planning Maps, and the following Outstanding Natural Features and sites with landscape significance to tāngata whenua:

- **Moana Rua/Lake Pearson and St Bernard Hill**
- **Ribbonwood Fan**
- **Red Hill and Red Lakes**
- **Torlesse Range**
- **Fighting Hill**
- **Woolshed Hill**
- **Gorge Hill, Prebble Hill and Flock Hill formation**
- **Castle Hill.**

Explanation and Reasons

The Areas of Outstanding Landscape in the high country are shown on the planning maps. They encompass large areas of unimproved or lightly improved tussocklands, conversation areas, lakes, wetlands, river valleys, areas with unusual geomorphic features and areas which have landmark or other cultural significance to tāngata whenua. The areas listed in Policy B1.4.21 are all included within the Areas of Outstanding Landscape, but have been listed in the policy to

highlight that they have other significant values too. Moana Rua/Lake Pearson and St Bernard Hill, the Ribbonwood Fan, Red Hill and Red Lakes and the Torlesse Range were all identified as Outstanding Natural Features, using the shared values approach for the District Plan. The Torlesse Range is also a significant landmark for some local rūnanga Fighting Hill, Woolshed Hill, the formation of Gorge Hill, Pebble Hill and Flock Hill, and Castle Hill are also significant landmarks for local rūnanga.

The Planning Maps also show areas marked as Forestry Exclusion Areas. These areas are excluded from the Areas of Outstanding Landscape, because they are areas where more intensive pasture improvements, structures and buildings, earthworks or other activities may be appropriate landscape changes, but where exotic plantations may have adverse effects on the landscape. Rather than limiting other uses of that land by classifying it as Areas of Outstanding Landscape, the Plan has confined the restrictions to the one land use which may be inappropriate in those areas (Policies B1.4.25 and B1.4.26). For other land uses in the Forestry Exclusion Areas, the policies and rules for the high country, generally (Policies B1.4.30 to B1.4.32) apply.

Policies B1.4.22 to B1.4.29 identify activities and effects which are appropriate and inappropriate in Areas of Outstanding Landscape. Policies B1.4.30 to B1.4.32 apply to land in the high country which is not within the Areas of Outstanding Landscape.

Policy B1.4.22

Recognise pastoralism, outdoor recreational activities and associated pasture improvements, shelter belts and small-scale earthworks and structures, as appropriate activities in Areas of Outstanding Landscape in the high country.

Explanation and Reasons

The Areas of Outstanding Landscape in the high country are areas which are dominated by brown tussocklands or indigenous scrub or forest. Much of the land in the Areas of Outstanding Landscape in the high country is not a pristine, natural landscape (except for Arthur's Pass National Park and some reserve areas). It has been occupied by Māori and Europeans. The original vegetation cover has been altered by fires and pastoralism, and the area contains some improved pasture, shelter belts, small structures and earthworks associated with activities such as pastoralism, outdoor recreation and access tracks. These uses and features are part of the Areas of Outstanding Landscape in the high country and are appropriate activities within them. In many areas continued grazing or some other form of land management is necessary to manage the spread of plant pests and to retain a predominantly tussock vegetation cover.

Policy B1.4.23

Avoid locating dwellings or other large buildings, structures or utilities in the Areas of Outstanding Landscape in the high country unless:

- **The building or structure must be located in that area to serve its purpose; or**
- **The building or structure is associated with an activity in the Area of Outstanding Landscape and there is no suitable site outside the Area of Outstanding Landscape.**

Policy B1.4.24

Where a building or structure must be located in an Area of Outstanding Landscape under Policy B1.4.23, ensure the building or structure and any associated access, utilities or other infrastructure, is designed and sited to blend in with the landscape and be as visually unobtrusive as possible.

Explanation and Reasons

The Areas of Outstanding Landscape contain very few buildings or structures, other than those associated with outdoor recreational activities on the site and some utilities. Policy B1.4.23 identifies houses (dwellings) and other, larger buildings and structures as generally inappropriate uses in the Areas of Outstanding Landscape. These areas are valued because of the absence of larger structures or buildings. This absence of buildings and structures makes the landscape appear as if it is untouched or unmodified by humans and adds to the sense of wilderness or isolation from human settlement or occupation.

The Areas of Outstanding Landscapes in the high country are large and Policy B1.4.24 recognises that in some cases erecting structures or buildings may be necessary. For example, to enable a network utility to pass through the area or as part of an activity in the area such as facilities for a skifield. Where there is no alternative site for the building or structure outside the Areas of Outstanding Landscape it may be erected within the area, provided the Council is satisfied that it is designed and positioned in a way which minimises the extent to which it is visible in the landscape. Policy B1.4.23 is implemented by a rule which requires a resource consent for larger structures and buildings in Areas of Outstanding Landscape. The policy and rule do not apply to accessory buildings and other structures which are less than 40m² in gross floor area, less than 4m in height and have a reflectance value on exterior finishes of 37% or less.

Policy B1.4.25

Control forestry planting in the high country generally and avoid exotic tree planting in the Areas of Outstanding Landscape and the Forestry Exclusion Areas in the high country, unless it is the only practical option to manage soil erosion, wilding tree spread or the spread of plant pests on that site.

Policy B1.4.26

If an exotic plantation is planted under Policy B1.4.25, ensure it is planted to reflect landform patterns and shapes and maintain the landscape values of the area as much as practical.

Policy B1.4.27

Allow indigenous plantations, planted to enhance the landscape values in Areas of Outstanding Landscape, provided that:

- (a) Indigenous species are planted which may be found naturally occurring in the area; and**
- (b) The indigenous plantation is designed and sited to complement the landforms in the area and does not dominate the tussock lands or screen views of Areas of Outstanding Landscape as viewed from any public road.**

Policy B1.4.28

Recognise Fighting Hill as a site which has special landmark significance to tāngata whenua and as a site which is susceptible to plant pests, and encourage future management of that site which accommodates the interests of both the landholder and tāngata whenua, wherever practical.

Explanation and Reasons

Policies B1.4.25 to B1.4.27 apply to plantations. Exotic plantations should be avoided in the Areas of Outstanding Landscapes in the high country. These areas are valued for the prominence and visibility of the landforms and the dominance of brown tussock cover, with some pasture improvement. These features of the landscape are likely to be adversely affected if large areas are planted in exotic trees. Policy B1.4.25 contains an exception, where plantation forestry is the only practical method to manage soil erosion or the spread of wilding trees or other plant pests in these areas.

Policy B1.4.27 applies to indigenous plantations. Planting indigenous tree species for the purposes of enhancing the landscape (or managing soil erosion or plant pest problems) may be appropriate in some parts of the Areas of Outstanding Landscape. Policy B1.4.22 recognises that the landscapes within these areas, although outstanding, are not pristine natural landscapes and therefore some landscape enhancement may be appropriate. The location, design and extent of any such planting is managed to ensure it maintains or enhances the landscape values of the area. Indigenous plantations which are planted to enhance the landscape values of the area should not be clear-felled.

Policy B1.4.28 applies specifically to Fighting Hill. Fighting Hill is a landmark of significance to tāngata whenua and ideally local rūnanga would prefer that the area is not planted in exotic forestry. However, Fighting Hill is also an area which is susceptible to the spread of plant pests such as gorse and some form of tree planting may be a practical way to manage that area. Policy B1.4.28 does not preclude tree planting at Fighting Hill and suggests that any change in the current pastoral land uses on Fighting Hill should be managed considering both its landmark values to tāngata whenua and the need of the landholder to have a practical and inexpensive method to manage plant pests on the site.

Policy B1.4.29

Avoid, remedy or mitigate any adverse effects associated with earthworks in Outstanding Natural Features and Landscapes ensuring that:

- (a) Earthworks are limited in volume;**
- (b) The site is recontoured and replanted to the same state as surrounding land either when the operation ceases, or at the end of appropriate stages for a large-scale operation.**

Explanation and Reasons

Policy B1.4.29 manages earthworks in Outstanding Natural Features and Landscapes. The policy does not encourage earthworks, but recognises that they may be necessary as part of roads or other permitted activities in Outstanding Natural Features and Landscapes. Limestone is already mined from areas in Porters Pass and Castle Hill and shingle is quarried from various sites for both private use and the maintenance of metalled roads. The policies and rules provide for these activities, but the Council must be satisfied that any adverse visual effects will be adequately avoided, remedied or mitigated. This includes both effects from the earthworks operation and the rehabilitation of the site once earthworks cease. Where large-scale earthworks are occurring, such as quarrying, site rehabilitation is to occur in stages, as each area is worked, rather than at the end of the entire operation. This policy reduces the duration and extent of any adverse visual effects.

HIGH COUNTRY GENERAL

Policy B1.4.30

Recognise the surrounding high country area as a backdrop to the Areas of Outstanding Landscape and maintain the rural character of that area by:

- (a) Keeping residential density and site coverage with buildings, at a low level which maintains the predominance of vegetation cover and the sense of sparse and isolated pockets of human settlement which is characteristic of the high country.**
- (b) Encourage new dwellings and other principal buildings to be located in clusters in the high country, preferably in existing clusters, where practical. Where this is impractical, ensure the location of any new building node is managed in accordance with Policy B1.4.24.**
- (c) Encouraging new buildings and structures to be constructed from material with low reflectance values.**
- (d) Wherever practical, encouraging plantations to be planted to reflect landform patterns and shapes; and generally in quantities which maintain the predominance of a pastoral landscape.**

Policy B1.4.31

Encourage buildings, earthworks, shelterbelts and plantations to be designed and sited to maintain the panoramic views of the Upper Waimakariri Basin from along SH 73 and the Midland Railway.

Policy B1.4.32

Keep the area identified on the planning maps at the southern end of Moana Rua/Lake Pearson free of structures and plantations (exotic or indigenous) to maintain the view of the lake from SH 73.

Explanation and Reasons

Policy B1.4.30 manages activities in the high country generally, to maintain its existing rural character. Structures, buildings and exotic plantations are part of the character of the area, now. They are likely to increase in the future as more land is removed from Pastoral Leases as part of tenure review and the owners of the freehold land diversify land uses. The policies do not prevent the erection of houses, other buildings or the planting of exotic plantations in the high country area. Rather they manage how these activities are undertaken.

The policies for dwellings and other buildings seek to maintain the predominance of vegetation cover and the low level of building development which is such a hallmark of the high country landscape. This is achieved by managing the density of building, the location of new areas of building development and the reflectivity of the exterior finishes of buildings and structures. The reflectivity of a building or structure affects how visible or prominent it appears. Policy B1.4.30(c) and the Plan rules do not apply to the repairing, replacing or repainting of existing buildings and structures which are already finished in highly reflective tones.

Policy B1.4.30(a) should be read in conjunction with Policy B4.1.1 which sets a residential density standard for the Malvern Hills. Policies in Part B, Section 3.4 manage the effects of buildings and

structures on the character of the rural area, generally. Policy B3.4.2, manages the types of activities which can locate in the high country, to retain the special amenity values associated with its remoteness from metropolitan areas and associated activities.

Policy B1.4.30(b) manages the location of dwellings and other principal buildings in the high country, generally. The policy encourages new buildings to be clustered together (in accordance with Policy B4.1.2) to retain the character of small, isolated settlement in the high country. Where practical, new buildings are encouraged to be located in an existing building node. Building node is defined in Part D of the Plan and includes an area of existing buildings such as the farm homestead, workers accommodation, woolshed and other main buildings. The policy recognises that it may not be practical to locate all new buildings adjoining existing building nodes. For example, holiday homes or visitor accommodation which is desirable to be located away from the farm buildings for the privacy of both residents and visitors, or the establishment of a new property. In these cases, a single dwelling on an allotment of 120 hectares or greater may be erected as a permitted activity (no resource consent required). The location of a cluster of dwellings requires a resource consent for a discretionary activity. The purpose of the rule is to ensure the site is appropriate for residential uses. Under Policy B1.4.30(c) this includes an assessment of the visual impacts of the new building node, in accordance with Policy B1.4.24.

Policy B1.4.30(d) manages the shape or pattern of plantations (both exotic and indigenous). When plantations are planted in shapes that reflect the contours of the landscape, they may better retain the landscape values of the area, than if they are planted in rectangular shapes that cut across or dominate the landscape. Similarly, planting an entire hillside in trees may better maintain the distinctness of the ridgelines and skyline, than planting part of the hillside. Policy B1.4.30(d) recognises that planting to reflect landforms may not always be practical, e.g. where there are sites which are unsuitable for planting for other reasons, where there is difficulty with access to sites or property boundaries which cut across landforms.

Policy B1.4.30(d) also manages the quantity of exotic plantations in the high country. The purpose of the policy and rule is not to allocate a set amount of forestry per property. Rather it is to manage the cumulative effects of exotic plantations on the landscape values of the high country, to ensure the predominance of the pastoral landscape is maintained. Large-scale exotic plantations are appropriate land uses in the high country, provided they are balanced with the retention of areas in a pastoral landscape. Other effects of plantations are managed through policies in Part B, Section 1.2 –Vegetation and Ecosystems and Part B, Section 1.3 – Water.

Policies B1.4.31 and B1.4.32 apply to specific sites which are outside the Areas of Outstanding Landscape, but which are managed to help maintain the views of Areas of Outstanding Natural Features and Landscapes, from SH 73 and the Midland Railway. SH 73 is the main road from Christchurch to the West Coast and the Midland Railway is the railway from Christchurch to the West Coast. Both are popular tourist routes. The properties along this route have the potential to earn revenue from visitor accommodation and other tourism related activities and several properties are involved in these activities.

Policy B1.4.31 manages the positioning of buildings, shelterbelts and plantations on land alongside SH 73. The purpose of the policy and rule is to retain expansive or panoramic views from SH 73 and the Midland Railway, together with the visual effects of earthworks in the two corridors where these views exist. The policy is implemented by a rule which requires a minimum setback for buildings, plantations and shelterbelts planted parallel to the road, from the road boundary. The policy and rule does not prevent activities from locating closer than the setback (a resource consent is required), provided the activity will not affect the views from SH 73 or the railway. An activity may not affect the views from SH 73 or the railway in an area where the view is already enclosed by plantings or structures. Alternatively, a structure or trees may interrupt the view for a short interval, but an expansive or panoramic view is maintained each side of the structure or trees.

The policy is also implemented by standards for buildings and earthworks. A resource consent is needed in order to assess the visual impact of activities which breach the standards, in order to maintain the quality of the views from the highway and railway.

Policy B1.4.32 applies to an area of land at the southern end of Moana Rua/Lake Pearson. The area is not included in the Area of Outstanding Landscape because it is the view through the site, rather than the site itself, which is outstanding. The site is an area of improved pasture which is part of the more intensive farming operation on the Station and contains the Station airstrip. However, the area does not contain any structures or trees at present. Keeping the area free of structures or trees will retain the existing, view of Moana Rua/Lake Pearson from SH 73.

Methods

District Plan Policies

- Residential Density
- Rural Character & Amenity Values
- Wilding Tree Spread

District Plan Rules

- Earthworks
- Tree Planting
- Buildings
- Utilities and Other Structures
- Activities

OUTSTANDING NATURAL FEATURES AND LANDSCAPES – ANTICIPATED ENVIRONMENTAL RESULTS

The following outcomes should result from implementing Section B1.4:

- Activities on land in Areas of Outstanding Natural Features and Landscapes have only minor visual effects.
- Most structures and buildings are located on the Lower Slopes of the Port Hills.
- The area from the Summit Road to the Summit is kept free of buildings, other structures or plantations.
- The expansive views across the Outer Plains and the mosaic or patchwork quilt landscape are maintained.
- The distinction between the more intensely settled Inner Plains and the Outer Plains increases.
- The margins of Te Waihora/Lake Ellesmere look natural.
- The higher peaks of the Russell Range, the south face of Flagpole Hill and the ridge of the Rockwood Range remain free of structures and trees.
- The Areas of Outstanding Natural Features and Landscapes in the high country retain their natural and open character, with a dominance of natural landforms and features and predominance of pasture and tussock cover, indigenous vegetation, and are free of intrusive structures, buildings, earthworks and exotic plantings.

- Land uses diversify in the high country but the landscape remains predominantly pastoral, with a dominance of natural landforms and features, and with few, isolated and dispersed clusters of buildings.

OUTSTANDING NATURAL FEATURES AND LANDSCAPES — MONITORING

See Part E, Appendix 1.

- 1.3.1.2 Any other earthworks which do not raise the mean average level of the land subject to the earthworks or reduce the storage capacity of surface water ponding areas.

Note: For the purposes of Rule 1.3.1.2, the level of the land is measured as the mean average level above mean sea level, over the area on which any earth is disturbed, removed or deposited.

Restricted Discretionary Activities – Earthworks and Natural Hazards – Flood Areas

- 1.3.2 Any earthworks undertaken within any area shown on the Planning Maps as a flood area which do not comply with Rule 1.3.1 shall be a restricted discretionary activity .
- 1.3.3 Under Rule 1.3.2, the Council shall restrict its discretion to the consideration of:
- 1.3.3.1 The potential effects of the earthworks on creating or exacerbating flooding on the site;
 - 1.3.3.2 The potential effects of the earthworks on creating or exacerbating flooding on other properties, by diverting floodwaters or by increasing the level of floodwater on lower lying properties;
 - 1.3.3.3 Any positive effects which may offset any adverse effects.

1.4 EARTHWORKS AND OUTSTANDING LANDSCAPE AREAS

Permitted Activities – Earthworks and Outstanding Landscape Areas

- 1.4.1 The following earthworks shall be a permitted activity in areas shown on the Planning Maps as areas of Outstanding Landscape in the Malvern Hills and High Country:
- 1.4.1.1 The maintenance and repair of existing roads or tracks;
 - 1.4.1.2 Post holes;
 - 1.4.1.3 The installation of underground telecommunication lines and ancillary structures; or
 - 1.4.1.4 Any other earthworks where the volume of earth disturbed, removed or deposited does not exceed 150m³ per project;
- 1.4.2 Within the Port Hills Area, the following earthworks shall be a permitted activity:
- 1.4.2.1 The maintenance and repair of existing fence lines;
 - 1.4.2.2 The maintenance and repair of existing farm vehicle roads and tracks;
 - 1.4.2.3 Digging offal pits;
 - 1.4.2.4 Forming stock water ponds, provided that no more than 30m³ of earth is disturbed, removed or deposited, and the pond is no more than 50m² in surface area; or

- 1.4.2.5 Any other earthworks which shall not exceed 20m³ in any five year period within a site.^{PC6}

Discretionary Activities – Earthworks and Outstanding Landscape Areas

- 1.4.3 Earthworks which do not comply with Rule 1.4.1 or 1.4.2 shall be a discretionary activity.

1.5 EARTHWORKS AND HERITAGE TREES

Permitted Activities – Earthworks and Heritage Trees

- 1.5.1 Any earthworks which meet the following condition shall be a permitted activity:

- 1.5.1.1 The earthworks are set back 5 metres from the dripline of any heritage tree listed in Appendix 4;

Note: Rule 1.5.1 applies to earthworks undertaken in proximity to a heritage tree, but not related to the heritage tree.

Restricted Discretionary Activities – Earthworks and Heritage Trees

- 1.5.2 Any earthworks undertaken within 5m of the dripline of any heritage tree listed in Appendix 4 shall be a restricted discretionary activity.

- 1.5.3 Under Rule 1.5.2, the Council shall restrict its discretion to consideration of:

- 1.5.3.1 Any potential effects of the earthworks on the tree and its root structure, and the stability of the ground and the depth of the water table around the tree, and

- 1.5.3.2 Any positive effects which may offset any adverse effects.

1.6 EARTHWORKS AND SETBACKS, VOLUME AND SITE REHABILITATION

Permitted Activities – Earthworks and Setbacks, Volume and Site Rehabilitation

- 1.6.1 Any earthworks which meet the following conditions shall be a permitted activity:

- 1.6.1.1 The earthworks are set back at least 20m from the edge of any waterbody (excluding aquifers):
- (a) unless the earthworks are those undertaken within a road reserve and are for the purpose of installing underground network utility infrastructure; or
 - (b) except that for rivers the following earthworks are subject to a reduced setback of 5m:

- (i) 100m² (area) per 1000 metres in any continuous 5 year period; and
- (ii) 40m³ (volume) per 1000 metres in any continuous 5 year period; or
- (iii) any earthworks which has been granted resource consent for a discretionary or non-complying activity from the Canterbury Regional Council; or
- (iv) maintenance of existing fencelines, existing vehicle tracks and existing crossings.

Notes

For the purposes of Rule 1.6.1.1, the edge of any lake or wetland is measured from:

- *The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or*
- *If the lake or wetland level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.*

For the purpose of Rule 1.6.1.1(b)(i) and (ii), river means:

- *Any continually flowing body of freshwater; or*
- *Any intermittently flowing body of freshwater within a defined bed, excluding ephemeral rivers.*

The edge of any other waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as — “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks.”

The exceptions provided for in Rule 1.6.1.1 are designed to allow a degree of day to day farming activities such as some tracking, construction of fence lines and like activities.

1.6.1.2 The earthworks do not exceed:

- (a) A vertical cut face where no more than 5% of the total vertical cut is over 2m; and
- (b) A maximum volume of 5000m³ per project.

Notes

1. *Rule 1.6.1.2(b) does not apply to earthworks associated with forming tracks, provided the track is not more than 10m wide. Rule 1.6.1.2(a) does apply to forming tracks no more than 10m wide.*
2. *Rule 1.6.1.2 does not apply to earthworks in the area shown on the Planning Maps as the Existing Development Area for Terrace Downs, if the earthworks are for the creation of golf courses, water holding or channelling structures and building platforms. The reason for the exemption is to carry over a provision of the Terrace Downs plan change under the previous District Plan – refer to the provisions in Appendix 21.*

1.6.1.3 When the earthworks cease, the site is:

- (a) Filled and recontoured to the same state as the surrounding land; and

- (b) Replanted with vegetation which is the same as, or of similar species to, that which existed on the site prior to the earthworks taking place, except that where the site was vegetated with any plant pest, the site may be replanted with other species.

Note: Rule 1.6.1.3 does not apply to earthworks associated with the preparation of building sites, roads or tracks or sites prepared for planting trees or other crops.

1.6.1.4 Any stockpiling of earth, soil or other material within 100m of any dwelling, other than a dwelling erected on the same property as the earthworks, is to be kept moist and consolidated.

1.6.1.5 In any area within 300m of either side of SH 73 (between Porters Pass and Arthurs Pass) or the Midland Railway (from the Waimakariri Gorge to Arthurs Pass) any earthworks are limited to:

- (a) The maintenance and repair of existing tracks and roads;
- (b) Post holes;
- (c) The installation of underground telecommunication lines and ancillary structures; or
- (d) Any other earthworks provided that the volume of earth disturbed, removed or deposited does not exceed 150m³ per project.

Restricted Discretionary Activities — Earthworks and Setbacks, Volume and Site Rehabilitation

1.6.2 Any earthworks which do not comply with Rule 1.6.1.4 shall be a restricted discretionary activity.

1.6.3 Under Rule 1.6.2, the Council shall restrict its discretion to consideration of:

1.6.3.1 Any potential dust nuisance caused by the stockpiled material;

1.6.3.2 The effectiveness of any proposed mitigation measures; and

1.6.3.3 The need for monitoring and review conditions on the consent.

1.6.4 Any earthworks which do not comply with Rule 1.6.1.5 shall be a restricted discretionary activity.

1.6.5 Under Rule 1.6.4, the Council shall restrict its discretion to consideration of:

1.6.5.1 The visual effects, both immediate effects and the impact on the panoramic views of the Upper Waimakariri Basin from SH 73 or the Midland Railway.

2 RURAL RULES — TREE PLANTING AND REMOVAL OF HERITAGE TREES

Notes

1. Any earthworks associated with tree planting or harvesting must comply with Rule 1 – Earthworks.
2. Plantations on the Plains must comply with Rule 9.13 – Vehicle Movements.
3. Removal of indigenous vegetation must comply with Rule 9.21 – Clearance of Indigenous Vegetation and Indigenous Plant Species.
4. The burning of vegetation is managed through regional rules. Therefore, Environment Canterbury should be contacted.
5. PERMITTED ACTIVITIES do not require a resource consent. OTHER ACTIVITIES do require a resource consent.

2.1 SHELTERBELTS AND AMENITY PLANTING

Permitted Activities — Shelterbelts & Amenity Planting

- 2.1.1 The planting of any trees for amenity planting, shelterbelts or visual screening shall be a permitted activity if all of the following conditions are met:
- 2.1.1.1 In the areas shown on the Planning Maps as the High Country, the following tree species are not planted:
- Lodgepole pine (*Pinus contorta*)
 - Scots pine (*Pinus sylvestris*)
 - Corsican pine (*Pinus nigra*)
 - Douglas fir (*Pseudotsuga menziessi*)
 - Mountain pine (*Pinus mugo/unaciata*)
- 2.1.1.2 In the area shown on the Planning Maps as the High Country, the tree(s) are not located within any area also shown on the Planning Maps as an Area of Outstanding Landscape or a Forestry Exclusion Area.
- 2.1.1.3 In the area shown on the Planning Maps as the High Country, any shelterbelt planted on land adjoining SH 73 or the Midland Railway is either:
- (a) A maximum of two rows in width and planted perpendicular to the road boundary; or
 - (b) Set back a minimum distance of 300m from the road boundary;
- 2.1.1.4 The tree(s) are planted at least:
- (a) 20m from the edge of any waterbody listed in Appendix 17; and
 - (b) 10m from the edge of any other waterbody (excluding aquifers).

Note: For the purposes of Rule 2.1.1.4, the edge of any lake or wetland is measured from:

The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or

If the lake level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.

The edge of any other waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as- “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks.”

2.1.1.5 No tree shades:

- (a) Any part of the carriageway of any road between 1000 and 1400 hours (inclusive) on the shortest day of any calendar year; and
- (b) Any property under different ownership between 1000 and 1400 hours (inclusive) on the shortest day of any calendar year;

2.1.1.6 No tree is planted so that on maturity it encroaches within the line of sight for any railway crossing or road intersection, as shown in Appendix 11;

2.1.1.7 Any tree is planted and maintained so that it does not encroach within the height restrictions for West Melton Airfield or Hororata Domain, as shown in Appendix 19;

2.1.1.8 In any area listed in Appendix 5 and shown on the Planning Map as a Silent File Area, any disturbance of soil or earth by the tree planting(s) is limited to disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks;

2.1.1.9 In any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or a Wāhi Taonga Management Area, the tree planting(s) do not involve the disturbance, damage to, removal or destruction of any object, artefact or other symbol of pre-European settlement, occupation or use of that site;

2.1.1.10 In the area shown on the Planning Maps as the Port Hills, the tree(s) are not located within the Summit Road Protection Area as defined in Appendix 24.^{PC6}

Restricted Discretionary Activities — Shelterbelts & Amenity Planting

2.1.2 Planting any tree species which does not comply with Rule 2.1.1.1 shall be a restricted discretionary activity.

2.1.3 Under Rule 2.1.2, the Council shall restrict its discretion to consideration of:

2.1.3.1 The potential for wilding spread from the species planted on that site;

2.1.3.2 The effectiveness of any proposed wilding management plan;

- 2.1.3.3 The design and siting of any amenity plantings, shelterbelts or visual screening in the High Country (outside the area of Outstanding Landscape) to:
- (a) Reflect and complement the landform patterns and shapes of the landscape; and
 - (b) Maintain a landscape where plantations are carefully negotiated with existing land uses, so as to avoid a continuously forested landscape; and
 - (c) Maintain panoramic views of the Upper Waimakariri Basin from SH 73, where these views exist by ensuring plantations are setback from the road, Midland Railway Line and plantation blocks are spaced to maintain views between them.
- 2.1.3.4 Whether the area contains any “Significant Ecological sites” worthy of protection under the criteria listed in Appendix 12, and if so,
- (a) Whether the plantation may affect the site; and
 - (b) How the site may be protected.
- 2.1.3.5 Any potential adverse effects of planting the area on any rainfed wetland or tarn and how those effects may be mitigated.
- 2.1.3.6 Approval of a fire management plan.
- 2.1.3.7 Any positive effects which may offset any adverse effects.
- 2.1.3.8 Any monitoring or review conditions.

Note: *In using its discretion under Rule 2.1.3., the Council will consider the recommendations in N.J. Ledgard & E.R. Langer (1999) “Wilding Prevention – Guidelines for Minimising the Risk of Unwanted Wilding Spread from New Plantings of Introduced Conifers”, where appropriate.*

- 2.1.4 Planting any tree in a position which does not comply with Rule 2.1.1.4 shall be a restricted discretionary activity.
- 2.1.5 Under Rule 2.1.4 the Council shall restrict its discretion to consideration of the effects of the proposed planting as to shading.
- 2.1.6 Any tree planting which does not comply with Rule 2.1.1.5 shall be a restricted discretionary activity.
- 2.1.7 Under Rule 2.1.6 the Council shall restrict its discretion to consideration of:
- 2.1.7.1 The effects of the proposed shelterbelt on restricting views of the Upper Waimakariri Basin from SH 73 or the Midland Railway including (but not limited to);
 - (a) Whether expansive views either side of the shelterbelt would remain;
 - (b) Whether the shelterbelt will screen the view of any lake, Silent File area, Wāhi Taonga Site, Wāhi Taonga Management Area, Mahinga Kai Site, or any area of Outstanding Landscape.
 - 2.1.7.2 The length of the shelterbelt;

- 2.1.7.3 The need to provide effective stock or crop shelter; and
- 2.1.7.4 Any positive effects which may offset any adverse effects.
- 2.1.8 Any activity which does not comply with Rule 2.1.1.8 or 2.1.1.9 shall be a restricted discretionary activity.
- 2.1.9 Under Rule 2.1.8 the Council shall restrict its discretion to all of the following matters:
 - 2.1.9.1 Any inappropriate disturbance or other potential adverse effects on any site of significance within a Silent File area, as advised by local runanga;
 - 2.1.9.2 Any damage to, destruction or removal of, any object, remnant or artefact contained within a Wāhi Taonga Site or Wāhi Taonga Management Area, as advised by local runanga;
 - 2.1.9.3 Any potential costs to the landholder of not being able to undertake the proposed activity on that site;
 - 2.1.9.4 Any alternative options available to undertake the activity in another form or on another site and the costs and practicality of these options;
 - 2.1.9.5 Any positive effects which may offset any adverse effects; and
 - 2.1.9.6 Any monitoring or review conditions.

Discretionary Activities – Shelterbelts & Amenity Planting

- 2.1.10 Any shelterbelt or amenity planting that does not comply with Rule 2.1.1.2 shall be a discretionary activity if any one of the following standards and terms is met:
 - 2.1.10.1 The shelterbelt or amenity planting is planted for landscape enhancement or beautification, using indigenous species which are found in that area;
 - 2.1.10.2 The shelterbelt or amenity planting is planted for soil conservation purposes;
 - 2.1.10.3 The shelterbelt or amenity planting is planted to manage the spread of wilding trees or exotic plant pests and the applicant has demonstrated that there is no practical alternative management option for that site;
 - 2.1.10.4 The planting is a shelterbelt and is located within a Forestry Exclusion Area; or
 - 2.1.10.5 The planting is amenity planting and is located within an area of Outstanding Landscape in the High Country.
- 2.1.11 Any activity which does not comply with Rule 2.1.1.3 shall be a discretionary activity.

Non-Complying Activities – Shelterbelts & Amenity Planting

- 2.1.12 Any activity which does not comply with Rule 2.1.1.6, 2.1.1.7, 2.1.1.10 or 2.1.10 shall be a non-complying activity.^{PC6}

2.2 PLANTATIONS

Permitted Activities – Plantations

- 2.2.1 The planting or harvesting of any plantation shall be a permitted activity if all of the following conditions are met:
- 2.2.1.1 The plantation is not located in the areas shown on the Planning Maps as the Port Hills, Malvern Hills or the High Country;
 - 2.2.1.2 In any area listed in Appendix 5 and shown on the Planning Maps as a Silent File Area, any disturbance of soil or earth by the plantation is limited to the disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks;
 - 2.2.1.3 In any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or a Wāhi Taonga Management Area, the plantation does not involve the disturbance, damage to, removal or destruction of any object, artefact or other symbol of pre-European settlement, occupation or use of that site;
 - 2.2.1.4 Any tree is planted at least:
 - (a) 20m from the edge of any waterbody listed in Appendix 17; and
 - (b) 10m from the edge of any other waterbody (excluding aquifers)]

Provided that Rules 2.2.1.4(a) and 2.2.1.4(b) do not apply to any trees planted for the purpose of bank stabilisation or prevention of soil erosion.
 - 2.2.1.5 No tree shades:
 - (a) Any part of the carriageway of any road between 1000 and 1400 hours (inclusive) on the shortest day of any calendar year; and
 - (b) Any property under different ownership between 1000 and 1400 hours (inclusive) on the shortest day of any calendar year.
 - 2.2.1.6 No tree of the plantation is planted so that on maturity it encroaches within the line of sight for any railway crossing or road intersection, as shown in Appendix 11; and
 - 2.2.1.7 Any plantation is planted and maintained so that it does not encroach within the height restrictions for West Melton Airfield or Hororata Domain, as shown in Appendix 19.

Restricted Discretionary Activities – Plantations

- 2.2.2 The planting or harvesting of plantations in areas shown on the Planning Maps as the Port Hills, Malvern Hills or High Country shall be a restricted discretionary activity if all of the following standards and terms are met:
- 2.2.2.1 The plantation is not located within any area shown on the Planning Maps as an Area of Outstanding Landscape, excluding the Port Hills^{PC6}, or a Forestry Exclusion Area in the High Country; and

2.2.2.2 In the area shown on the Planning Maps as the High Country, trees planted do not include any of the following species:

- Lodgepole pine (*Pinus contorta*)
- Scots pine (*Pinus sylvestris*)
- Corsican pine (*Pinus nigra*)
- Douglas fir (*Pseudotsuga menziessi*)
- Mountain pine (*Pinus mugo/unaciata*)

2.2.3 Under Rule 2.2.2 the Council shall restrict its discretion to consideration of:

2.2.3.1 The design and siting of any plantation on the Port Hills to:

- (a) Maintain the uninterrupted skyline of the summit of the Port Hills as viewed from the Summit Road or any road on the Plains;
- (b) Avoid screening views of existing landforms and natural features, including^{PC6} Gibraltar Rock and Cooper's Knob from the Summit Road or any road on the Plains;
- (c) Avoid screening views from the Summit Road;
- (d) Reflect and complement the landform patterns and shapes of the landscape and the avoidance of artificial or unnatural lines;^{PC6}
- (e) Maintain diversity in the vegetation cover on the Port Hills, by encouraging plantations to be interspersed with other land uses, where practical;
- (f) Avoid, remedy or mitigate the potential for scarring of the landscape from earthworks and harvesting activities;
- (g) Avoid or mitigate any potential effects on indigenous vegetation and waterways;
- (h) Provide for the re-vegetation of any earthworks;
- (i) Avoid, remedy or mitigate the scale and extent of the proposed plantation where there are effects on amenity values, including any cumulative effects taking into consideration existing or consented plantations on an adjoining site;
- (j) To avoid, remedy or mitigate the visibility of any tracks or roads required for the management or harvesting of the plantation, having regard to existing contours.^{PC6}

2.2.3.2 The design and siting of any plantation on the Malvern Hills to:

- (a) Maintain the distinctiveness of the skyline and ridges of the Malvern Hills;
- (b) Avoid screening the rocky outcrops at Glenroy or the volcanic ridge from Mt Misery to Windwhistle, as viewed from any road; and
- (c) Reflect and complement the landform patterns and shapes of the landscape;

2.2.3.3 The design and siting of any plantation in the High Country (outside the area of Outstanding Landscape) to:

- (a) Reflect and complement the landform patterns and shapes of the landscape;

- (b) Maintain a landscape where plantations are carefully integrated with existing land uses, so as to avoid any semblance of continuous afforestation; and
 - (c) Maintain panoramic views of the Upper Waimakariri Basin from SH 73, where these views exist, by ensuring plantations are setback from the road and plantation blocks are spaced to maintain views between them.
- 2.2.3.4 Whether the area contains any “Significant Ecological sites” worthy of protection under the criteria listed in Appendix 12; and if so,
 - (a) Whether the plantation may affect the site; and
 - (b) How the site may be protected;
- 2.2.3.5 Any potential adverse effects of planting the area on any rain fed wetland or tarn on the site and how those effects may be mitigated;
- 2.2.3.6 Any measures to mitigate potential soil erosion from earthworks associated with access tracks or harvesting;
- 2.2.3.7 Any effects of the proposed mode and route of transport, and any improvements required to the road network to allow access into and out of the site for planting or harvesting trees.
- 2.2.3.8 The timing and conditions for replanting or rehabilitating the site and surrounding area once the plantation is harvested, and any staging of the site rehabilitation for harvesting a large plantation;
- 2.2.3.9 Approval of a fire management plan;
- 2.2.3.10 Any positive effects which may offset any adverse effects; and
- 2.2.3.11 Any monitoring or review conditions.
- 2.2.4 Any plantation which does not comply with Rule 2.2.2.2 shall be a restricted discretionary activity.
- 2.2.5 Under Rule 2.2.4, the Council shall restrict its discretion to consideration of:
 - 2.2.5.1 All of the matters listed in 2.2.3.1 to 2.2.3.11;
 - 2.2.5.2 The potential for wilding spread from the particular species planted; and
 - 2.2.5.3 The effectiveness of any proposed wilding management plan.

Note: Under Rule 2.2.4 the Council retains its discretion to identify affected parties or require notification of the resource consent application, pursuant to sections 93, 94, 94A, 94B, 94C and 94D of the Act. In using its discretion the Council shall consider the recommendations in N.J. Ledgard and E.R. Langer (1999) “Wilding Prevention – Guidelines for Minimising the Risk of Unwanted Wilding Spread from New Plantings of Introduced conifers”, where appropriate.
- 2.2.6 Any activity which does not comply with Rules 2.2.1.2 or 2.2.1.3 shall be a restricted discretionary activity.
- 2.2.7 Under Rule 2.2.6, the Council shall restrict its discretion to the consideration of:

- 2.2.7.1 Any inappropriate disturbance or other potential adverse effects on any site of significance within a Silent File area, as advised by local runanga;
 - 2.2.7.2 Any damage to, destruction or removal of, any object, remnant or artefact contained within a Wāhi Taonga Site or Wāhi Taonga Management Area, as advised by local runanga;
 - 2.2.7.3 Any potential costs to the landholder of not being able to undertake the proposed activity on that site;
 - 2.2.7.4 Any alternative options available to undertake the activity in another form or on another site and the costs and practicality of these options;
 - 2.2.7.5 Any positive effects which may offset any adverse effects; and
 - 2.2.7.6 Any monitoring or review conditions.
- 2.2.8 Any plantation which does not comply with Rule 2.2.1.5 shall be a restricted discretionary activity.
- 2.2.9 Under Rule 2.2.8 the Council shall restricts its discretion to consideration of effects of the proposed planting as to shading.

Discretionary Activities – Plantations

- 2.2.10 Any plantation which does not comply with Rule 2.2.2.1 shall be a discretionary activity if any one of the following standards and terms is met:
- 2.2.10.1 The plantation is planted for landscape enhancement or beautification, using indigenous species which are found in that area, and will not be harvested;
 - 2.2.10.2 The plantation is planted for soil conservation purposes and will not be harvested; or
 - 2.2.10.3 The plantation is planted to manage the spread of wilding trees or exotic plant pests and the applicant has demonstrated that there is no practical alternative management option for that site.
- 2.2.11 Any plantation which does not comply with Rule 2.2.1.4 shall be a discretionary activity.

Non-Complying Activities – Plantations

- 2.2.12 Any plantation which does not comply with Rule 2.2.1.6 shall be a non-complying activity.
- 2.2.13 Any plantation which does not comply with Rule 2.2.1.7 shall be a non-complying activity.
- 2.2.14 Any plantation located within an area of Outstanding Landscape, excluding the Port Hills^{PC6}, or a Forestry Exclusion Area in the High Country which does not comply with Rule 2.2.10 shall be a non-complying activity.
- 2.2.15 Any plantation located within the Summit Road Protection Areas defined in Appendix 24 shall be a Non-Complying Activity.^{PC6}

2.3 HERITAGE TREES

Permitted Activities — Heritage Trees

- 2.3.1 The removal of any part of any heritage tree listed in Appendix 4 shall be a permitted activity if one of the following conditions is met:
- 2.3.1.1 The activity is annual pruning; or
 - 2.3.1.2 The activity is removal of a dead, diseased or damaged tree or part of a tree that is dead, diseased or damaged.

Restricted Discretionary Activities — Heritage Trees

- 2.3.2 The removal any heritage tree which does not comply with Rule 2.3.1 shall be a restricted discretionary activity.
- 2.3.3 Under Rule 2.3.2, the Council shall restrict its discretion to consideration of:
- 2.3.3.1 The reason why the tree has heritage value, the uniqueness of those values and whether those values can be retained if the tree is replaced;
 - 2.3.3.2 The condition of the tree;
 - 2.3.3.3 Whether the tree poses any danger to people or property or is causing shading of a dwelling or road;
 - 2.3.3.4 Any alternative options to removing the tree and the cost and practicality of any alternatives; and
 - 2.3.3.5 Any positive effects which may offset any adverse effects.

2.4 MAHINGA KAI

Permitted Activities — Mahinga Kai

- 2.4.1 In any area listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai Site, any damage to, or removal of, indigenous vegetation shall be a permitted activity, provided that it is limited to that undertaken by tāngata whenua for mahinga kai purposes.

Restricted Discretionary Activities — Mahinga Kai

- 2.4.2 Any activity which does not comply with Rule 2.4.1 shall be a restricted discretionary activity.
- 2.4.3 Under Rule 2.4.2, the Council shall restrict its discretion to consideration of:
- 2.4.3.1 Any adverse effects of the proposed activity on any Mahinga Kai Site, as advised by local runanga.

Cross-References

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
2.2	Plantations	1.1, 1.2, 1.4, 1.5, 2.1, 4.2	1.1.2, 1.2.1 and 1.2.2, 1.4.1, 4.2.1,	1.1.4, 1.2.2 and 1.2.3 1.4.1 to 1.4.3, 1.4.6, 1.4.10, 1.4.13, 1.4.15, 1.4.18, 1.4.19, 1.4.21, 1.4.22, 1.4.25 to 1.4.28, 1.4.30 to 1.4.32, 4.2.1
2.3	Heritage Trees	3.3	3.3.2	3.3.8 and 3.3.9
2.4	Mahinga Kai	3.3	3.3.1	3.3.2, 3.3.3(b) and 3.3.5

Reasons for Rules

Rule 2 manages potential effects from amenity tree planting, shelterbelts, plantations and removal of heritage trees. The District Plan has rules to manage these effects because they have effects which occur on other property or on other parts of the environment. They are not usually direct costs to the person planting the trees.

The rules allow amenity tree planting, shelterbelts and visual screening as permitted activities (no resource consent needed) in most parts of the Rural Zone, subject to conditions. The conditions relate to: shading on roads and adjoining properties; ensuring that planting positions protect the natural character of the edge of waterbodies protecting Wāhi Tapu and Mahinga Kai Sites, and Wāhi Tapu Management and Silent File Areas; avoiding wilding tree spread, and protecting landscape values in the High Country. Council will waive the resource consent processing fees for applications for amenity planting or shelterbelts under rules 2.1.10 or 2.1.11. The waiver includes the deposit and all additional costs up until the release of the Council's decision.

The rules allow plantations as a permitted activity (no resource consent needed) on the Plains, subject to similar conditions as those for shelterbelts, amenity planting and visual screening. On hill and high country (including the Port Hills) plantations require a resource consent. The consent is non-notified and does not need the written approval of affected parties, provided the plantation complies with standards and terms, designed to avoid effects on other people's property such as shading and wilding spread. In those cases, there is no need for the resource consent to be notified because there are no effects on other people. The effects which are permissible on other parts of the environment (such as landscape values and waterbodies) are already specified in the Plan policies, which have been through a public process. The Council and the resource consent applicant work together to address the effects which are listed as matters of discretion in Rule 2.2.3. These matters are specific to the individual sites, so are managed through a resource consent process, rather than as conditions by which activities are permitted.

With respect to the Summit Road Protection Area of the Port Hills, the rules do not encourage any tree planting, for amenity, shelter-belt or plantation purposes. This Protection Area is recognised for its high scenic values and views which may be lost through the planting of trees.^{PC6}

Resource consent is also required for plantations on Wāhi Tapu and Mahinga Kai sites, and in Wāhi Taonga Management and Silent File areas. The local runanga will be considered an affected party to allow for their input on how the runanga may be affected.

Where a plantation does not comply with the standards and terms for a restricted discretionary activity, it is either a discretionary activity or a non-complying activity. In these cases, the Council may notify the resource consent application or seek written approval from affected parties, because the plantation may affect other people's property or be contrary to the policies in the Plan.

The one area in the District where plantations are not encouraged is in the area of Outstanding Landscape in the High Country. This area is valued as a tussock landscape with limited pasture improvement. The Plan policies are to manage this area as a pastoral landscape. The rules do provide for plantations in this area as a discretionary activity if they comprise indigenous species planted for landscape enhancement; or are plantations planted for soil conservation or to manage the spread of wilding trees or other exotic plant pests.

Rule 2.3 manages the removal of trees which are listed in Appendix 4 as having special heritage values. The rule allows these trees to be pruned or removed if they are dead or diseased as a permitted activity (no resource consent needed). Removing the tree for any other reason requires a resource consent for a restricted discretionary activity. In this instance, the Plan policies recognise that trees may need to be removed in some cases, for example where they pose a danger to people or property, or cause excessive shading.

An explanation of the tāngata whenua sites and areas is given in the reasons for the Earthworks Rules.

3.2 BUILDINGS AND OUTSTANDING LANDSCAPE AREAS

Permitted Activities — Buildings and Outstanding Landscape Areas

- 3.2.1 Erecting any building or any additions or alterations to, or modification or demolition of, any building shall be a permitted activity if all of the following conditions are met:
- 3.2.1.1 In the areas shown on the Planning Maps as the Port Hills Area and as the Areas of Outstanding Landscape in the Malvern Hills and the High Country, no building has:
- (a) A maximum gross floor area exceeding 40m²;
 - (b) A maximum height exceeding 4m; and
 - (c) A maximum reflectance exceeding 37%;

Notes

For Rule 3.2.1.1(b), maximum height is measured from the ground surface to the top of the highest point on the building, and includes any mast aerial or other structure protruding above the framework of the building.

For Rule 3.2.1.1(c), reflectance applies to the exterior surfaces of the building, excluding any spouting, window frames or glass. The reflectance value of any exterior finish is measured using the reflectance value for the colour recorded on the paint chart for that paint. If the colour used does not have a reflectance value recorded on the paint chart, the Council shall determine its reflectance value using the reflectance value recorded on the paint chart for a paint finish of the same colour.

Restricted Discretionary Activities — Buildings and Outstanding Landscape Areas

- 3.2.2 Any building which does not comply with Rule 3.2.1 shall be a restricted discretionary activity if all of the following standards and terms are met:
- 3.2.2.1 The building is within the Lower Slopes of the Port Hills Area (as identified in the Planning Maps) or
- 3.2.2.2 In the areas shown on the Planning Maps as areas of Outstanding Landscape in the Malvern Hills and the High Country:
- (a) The building is associated with an activity which is located within the area of Outstanding Landscape; and
 - (b) The building cannot effectively serve that activity if it is located on a site outside the area of Outstanding Landscape.
- 3.2.3 Under Rule 3.2.2, the Council shall restrict its discretion to consideration of:
- 3.2.3.1 The design of the building including height, size/scale, external finish, colour and reflectance value;
- 3.2.3.2 The appropriateness of the building site having regard to geotechnical conditions and site stability;

- 3.2.3.3 The visibility of the building from public viewing points, having regard to the accessibility of the viewing point;
- 3.2.3.4 The extent to which the building, and if a dwelling, any associated cartilage may:
- (a) dominate or detract from openness, visual coherence, legibility or integrity of the landscape;
 - (b) include earthworks or new planting to assist in mitigation of any adverse landscape effects;
 - (c) use topography or vegetation to assist in mitigation or containment of visual effects;
 - (d) break the skyline or interrupt the form of any ridges, hills or prominent slopes;
 - (e) be visually prominent in an area characterised by high natural values;
 - (f) affect the amenity values of adjoining properties.
- 3.2.3.5 Whether the landscape has further capacity to absorb change having regard to existing and consented development on adjoining sites and in the locality, and any benefits that can be obtained from clustering buildings.
- 3.2.3.6 Whether the proposal creates opportunities to protect open space, indigenous vegetation or nature conservation values.
- 3.2.3.7 The design and siting of any access to the building, and the visibility of that access, including any contrast with natural contours and the proposed revegetation of any earthworks.
- 3.2.3.8 The siting of any utilities installed to serve the building, including whether any water storage tanks, cables or pipes are to be placed underground.
- 3.2.3.9 Any monitoring or review conditions.^{PC6}

Non-Complying Activities — Buildings and Outstanding Landscape Areas

- 3.2.4 Any building which does not comply with Rule 3.2.2. shall be a non-complying activity.

3.3 BUILDINGS AND STATE HIGHWAY 73 (SH 73) AND THE MIDLAND RAILWAY CORRIDOR

Permitted Activities — Buildings and State Highway 73 (SH 73) and the Midland Railway Corridor

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

- 3.3.1.1 In the areas shown on the Planning Maps as the High Country, no building on land within a distance of 300m of SH 73 or the Midland Railway has
- (a) A maximum gross floor area exceeding 40m²; and
 - (b) A maximum height exceeding 4m; and
 - (c) A maximum reflectance exceeding 37%.

Notes

For Rule 3.3.1.1(b), maximum height is measured from the ground surface to the top of the highest point on the building, and includes any mast aerial or other structure protruding above the framework of the building.

For Rule 3.3.1.1(c), reflectance applies to the exterior surfaces of the building, excluding any spouting, window frames or glass. The reflectance value of any exterior finish is measured using the reflectance value for the colour recorded on the paint chart for that paint. If the colour used does not have a reflectance value recorded on the paint chart, the Council shall determine its reflectance value using the reflectance value recorded on the paint chart for a paint finish of the same colour.

Restricted Discretionary Activities – Buildings and State Highway 73 (SH 73) and the Midland Railway Corridor

- 3.3.2 Any building that does not comply with Rule 3.3.1 shall be a restricted discretionary activity.
- 3.3.3 Under Rule 3.3.2, the Council shall restrict its discretion to consideration of:
- 3.3.3.1 The effects of the proposed building on restricting views of the Upper Waimakariri Basin from SH 73 or the Midland Railway including (but not limited to):
- (a) Whether expansive views, uncluttered by man made structures, either side of the building would remain;
 - (b) Whether the building will screen the view of any Lake, Silent File Area, Wāhi Taonga Site, Wāhi Taonga Management Area, Mahinga Ka Site, or any area of Outstanding Landscape.
- 3.3.3.2 The visual impact of the building on the views from SH 73 or the Midland Railway.

3.4 BUILDINGS AND RURAL CHARACTER

Permitted Activities – Buildings and Rural Character

- 3.4.1 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:
- 3.4.1.1 In the areas shown on the Planning Maps as the High Country or the Malvern Hills (outside the areas shown as Areas of Outstanding Landscape), the exterior finish of any dwelling or other principal building has a maximum reflectance value of 37%, except for buildings which are clad in unpainted corrugated iron;

Note

For Rule 3.4.1, reflectance applies to the exterior surfaces of the building, excluding any aerial or satellite dish on a dwelling, spouting, window frames or glass. The reflectance value of any exterior finish is measured using the reflectance value for the colour recorded on the paint chart for that paint. If the colour used does not have a reflectance value recorded on the paint chart, the Council shall determine its reflectance value using the reflectance value recorded on the paint chart for a paint finish of the same colour.

Discretionary Activities Buildings and Rural Character

- 3.4.2 Erecting any building or any part of a building which does not comply with Rule 3.4.1 shall be a discretionary activity.

3.5 BUILDINGS AND CONTAMINATED LAND

Permitted Activities – Buildings and Contaminated Land

- 3.5.1 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:

- 3.5.1.1 No dwelling or building designed for or used as a recreational facility or an educational facility is erected on a site which is contaminated.

Restricted Discretionary Activities – Buildings and Contaminated Land

- 3.5.2 Erecting any dwelling or any building designed for or used as a recreational facility or an education facility on any site which is contaminated shall be a restricted discretionary activity.

- 3.5.3 Under Rule 3.5.2, the Council shall restrict its discretion to consideration of:

- 3.5.3.1 The effectiveness of any proposed mitigation measures that reduce the risk of any adverse effects on people or the environment from contaminated land;
- 3.5.3.2 The effectiveness of any mitigation measures proposed to reduce the risk of effects on people or to remove or contain the area of contaminated land;
- 3.5.3.3 Any effects on the environment or other people resulting from any mitigation measures, including where any contaminated soil removed from the site will be disposed to and how;
- 3.5.3.4 Any positive effects which may offset any adverse effects; and
- 3.5.3.5 Any monitoring or review conditions.

3.6 BUILDINGS AND SILENT FILE AREAS, WĀHI TAONGA SITES, WĀHI TAONGA MANAGEMENT AREAS AND MAHINGA KAI SITES

Permitted Activities – Buildings and Silent File Areas, Wāhi Taonga Sites, Wāhi Taonga Management Areas and Mahinga Kai Sites

- 3.6.1 Erecting any building or any additions or alterations to, or modification or demolition of, any building shall be a permitted activity if all of the following conditions are met:
- 3.6.1.1 In any area listed in Appendix 5 and shown on the Planning Maps as a Silent File Area, any earthworks associated with the building is limited to the disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks.
 - 3.6.1.2 In any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or a Wāhi Taonga Management Area, the building does not involve the disturbance, damage to, removal or destruction of any object, artefact or other symbol of pre-European settlement, occupation or use of that site.
 - 3.6.1.3 In any area listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai Site, any damage to or removal of indigenous vegetation is limited to that undertaken by tāngata whenua for mahinga kai purposes.

Restricted Discretionary Activities – Buildings and Silent File Areas, Wāhi Taonga Sites, Wāhi Taonga Management Areas and Mahinga Kai Sites

- 3.6.2 Any activity which does not comply with Rule 3.6.1 shall be a restricted discretionary activity.
- 3.6.3 Under Rule 3.6.2, the Council shall restrict its discretion to all of the following matters:
- 3.6.3.1 Any inappropriate disturbance or other potential adverse effects on any site of significance within a Silent File area, as advised by local runanga;
 - 3.6.3.2 Any damage to, destruction or removal of any object, remnant or artefact contained within a Wāhi Taonga Site or Wāhi Taonga Management Area, as advised by local runanga;
 - 3.6.3.3 Any adverse effects of the proposed activity on any Mahinga Kai Site, as advised by local runanga;
 - 3.6.3.4 Any potential costs to the landholder of not being able to undertake the proposed activity on that site;
 - 3.6.3.5 Any alternative options available to undertake the activity in another form or on another site and the costs and practicality of these options;
 - 3.6.3.6 Any positive effects which may offset any adverse effects; and
 - 3.6.3.7 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; consequential to ^{v30}

Non-Complying Activities — Buildings and Access to Parking

- 3.9.3 Any activity which does not comply with Rule 3.9.1.1(b) or 3.9.2.1 shall be a non-complying activity.

3.10 BUILDINGS AND RESIDENTIAL DENSITY

Permitted Activities — Buildings and Residential Density

- 3.10.1 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:

- 3.10.1.1 The minimum land area required to erect any dwelling:

- (a) Complies with the minimum land area per dwelling shown in Table C3.1; and
- (b) Is held in one, separately saleable allotment which is the same allotment on which the dwelling(s) are to be erected.

Table C3.1 — Minimum Land Area to Erect One Dwelling

Area (on Planning Maps)	Legal Description	Land Area
Existing Development Areas		
1. Bealey Spur	Sec 1-31 Blk 1 Town of Bealey	800m ² minimum
2. Edendale	Lots 7, 8, 10 and 11 DP 309872	0.5ha minimum and 0.6ha average. Maximum of 10 dwellings within this total land area.
	Lots 1-6 and 9 DP 309872 Lot 1 DP 78394 Lots 25-27 DP 60236 Lots 33-39 DP 60236 Lots 28 and 32 DP 60237 Lots 6-11 DP 56677 Lots 1 and 2 DP 79016 Lots 1-3 and 12-34 DP 56676	1ha minimum
	On any allotment created prior to 1 August 2002	0.5ha minimum
3. Yorktown	RS 6469	1ha minimum
4. Greendale	Lots 1-12 DP 83022	1ha minimum

Area (on Planning Maps)	Legal Description	Land Area
5. Johnsons Road	Lots 1-2 DP 67896 Lots 26-27 DP 35999 Lots 1-2 DP 76478 Lots 1-2 DP 68662 Lots 1-2 DP 71918 Lots 2-21 DP 51844 Lot 2 DP 69647	0.5ha minimum and 0.8ha minimum average
6. Jowers Road	Lots 1-18 DP 47759	0.5ha minimum and 0.8ha minimum average
7. Kingcraft Drive	Lot 12 DP 68384 Lots 1-2 DP 65969 Lots 1-3 DP 62576 Lots 8-11 DP 56097	1ha minimum
8. Raven Drive	Lots 1-13 DP 68384	1.3ha minimum and 1.9ha minimum average
9. Rocklands	Lots 4, 7, 8, 14-18 and 24 DP 62101 Lot 1 DP 76238 Lot 26 DP 78490 Lots 1-2 DP 68312 Lots 6, 9, 10-13 and 19 DP 78490 Lot 1 DP 79666	1ha minimum and 1.8ha minimum average
10. Devine Acres	Part RS 3646 and RS 8133	0.5ha minimum
11. Railway Corner	Lots 40-44 DP 336 Lot 1 and Pt Lot 2 DP 16210 RS 7260X and Sec 1 SO 20279	2000m ² minimum
In Other Areas		
Port Hills Lower Slopes	-	40ha minimum
Port Hills Upper Slopes	-	100ha minimum
Inner Plains	-	4ha minimum
Outer Plains	-	20ha minimum
Malvern Hills	-	20ha minimum
High Country	-	120ha minimum

The minimum average land areas for the Existing Development Areas at Johnsons Road, Raven Drive, and Rocklands are applied as mean average land areas.

Notes

Rule 3.10.1 does not apply to:

- The areas shown on the Planning Maps as the Existing Development Areas for Terrace Downs and Grasmere - refer to the provisions in Appendix 21 (Terrace Downs) or Appendix 22 (Grasmere).
- Papakaiinga housing erected in accordance with Appendix 7.
- Additions to or replacement of any existing, lawfully established dwelling.
- Any building erected on a site for a temporary activity on the site which shall be removed from the site within two days of the activity ceasing.
- Any building erected on a site to provide temporary accommodation during the time a construction project is taking place on the site and which shall be removed from the site within the lesser time period of 12 calendar months or the construction project ceasing.

For clustering of dwellings on small existing allotments, see Rule 3.10.3.

Dwelling is defined in Part D. It includes a house and a family flat up to 70m² in gross floor area.

- 3.10.2 Any dwelling on any allotment which does not comply with Rule 3.10.1 shall be a permitted activity if all of the following conditions are met:
- 3.10.2.1 The allotment is a separately saleable allotment with a continuous area of not less than 4 hectares; and
 - 3.10.2.2 The allotment has been bought, sold or created by subdivision within the ten years immediately preceding notification of the Rural Volume of the Proposed District Plan (that is on or after 12 September 1991 but before 12 September 2001) or a subdivision consent has been granted to create the allotment within this timeframe and that subdivision consent has not lapsed.

Controlled Activities – Buildings and Residential Density

- 3.10.3 Any dwelling on a separately saleable allotment with a continuous area of not less than 4 hectares, located within the Lower Slopes of the Port Hills and created by subdivision prior to the (insert date at which this plan change is notified).
- 3.10.4 Under Rule 3.10.3 the Council shall restrict its consideration to:
- 3.10.4.1 The design of the dwelling including height, size/scale, external finish, colour and reflectance value;
 - 3.10.4.2 The appropriateness of the building site having regard to geotechnical conditions and site stability;
 - 3.10.4.3 The visibility of the dwelling and its curtilage from public viewing points;
 - 3.10.4.4 The design and siting of any access to the dwelling, including the visibility of the access, any contrast with natural contours and the proposed re-vegetation of any earthworks;
 - 3.10.4.5 The siting of the dwelling in relation to the natural landform, and in particular whether the dwelling would break the skyline or the form of any ridges, hills or prominent slopes;
 - 3.10.4.6 The visibility of any utilities required to service the dwelling;

- 3.10.4.7 **Landscape planting and earthworks that assist in mitigation of any adverse landscape effects.**^{PC6}

Restricted Discretionary Activities – Buildings and Residential Density

3.10.5 Erecting any dwelling on an allotment which does not comply with Rule 3.10.1 shall be a restricted discretionary activity if all of the following standards and terms are met:

- 3.10.5.1 The site is not an area shown on the Planning Maps as the Inner Plains or an Existing Development Area;
- 3.10.5.2 The balance area of land required to comply with the minimum area under Rule 3.10.1, Table C3.1, is:
- (a) Included within the area of land subject to the subdivision consent application; or
 - (b) Subject to a mechanism (as a condition of the consent) to prevent the erection of any dwelling on that land;
- 3.10.5.3 The balance amount of land which is needed to comply with the residential density standard set out in Table C3.1 is not used to erect any dwelling or other principal building;
- 3.10.5.4 The balance area of land (which is to be kept free of any dwelling or other principal building), adjoins the allotment on which the dwelling is to be erected, along at least one property boundary;
- 3.10.5.5 The balance area of land needed to comply with the minimum area in Rule 3.10.1, Table C3.1 does not include:
- (a) the bed of any lake or river;
 - (b) any legal road;
 - (c) land which is vested in any form of reserve; or
 - (d) any other land which, due to its legal tenure, could not be used to erect a dwelling;

Note

Rule 3.10.5.5 does not apply to land which is identified within the District Plan as an area of Outstanding Landscape, and which (if not for the District Plan provisions) could have a dwelling erected on it. Nor does it apply to land held in pastoral lease.

- 3.10.5.6 The total number of dwellings which may be erected on any one allotment or on any separate but adjoining allotments under Rule 3.10.3 does not exceed:
- (a) Five in that area shown on the Planning Maps as the High Country;
 - (b) Three in other areas.

Note: Rule 3.10.5.6 applies to dwellings provided for under Rule 3.10.5, and not to dwellings erected on adjoining allotments which comply with the minimum allotment sizes under Rule 3.10.1.

3.10.5.7 In the area shown on the Planning Maps as the High Country, any dwelling is erected within an existing building node.

3.10.6 Under Rule 3.10.5, the Council shall restrict its discretion to consideration of:

3.10.6.1 The allotment on which any dwelling is to be erected is of a suitable size and shape to avoid adverse effects on surrounding properties. Such effects include (but are not limited to): effects from the zones of influence of wells or on-site effluent treatment and disposal systems; and potential 'reverse sensitivity' effects with activities on surrounding sites;

3.10.6.2 The maximum number of small allotments which may be located together, under this rule;

3.10.6.3 Any effects of access from the allotment on the safety and efficiency of the road network, including cumulative effects from several allotments, and whether a shared vehicular accessway is appropriate for more than one allotment;

3.10.6.4 The shape of the balance land to be kept free of dwellings, to maintain the 'open space' around the dwellings;

3.10.6.5 Within the area shown on the Planning Maps as the Port Hills, whether the location of any allotment on which a dwelling may be erected is consistent with Rule 3.2.2.2;

3.10.6.6 Whether the mechanism proposed to ensure that the balance is free of any dwelling is appropriate, considering:

- (a) The applicant's understanding of the restrictions placed on future uses of the land;
- (b) Whether the mechanism is a condition by which the consent is granted;
- (c) Enforceability of the condition;
- (d) Any administration costs to the Council; and
- (e) The ease with which any future buyer of the land can be made aware that a dwelling cannot be erected on the land;

Note: In relation to Rule 3.10.6.6, see the Council's Pamphlet for more information on the types of mechanisms.

3.10.6.7 Any positive effects which may offset any adverse effects.

Discretionary Activities – Buildings and Residential Density

3.10.7 Any activity which does not comply with Rule 3.10.3.7 shall be a discretionary activity if the following standard and term is met:

3.10.7.1 The maximum number of dwellings erected is 5 per property (excluding existing dwellings established prior to 1 August 2001).

Non-Complying Activities – Buildings and Residential Density

3.10.8 Any activity which does not comply with Rules 3.10.5.1 to 3.10.5.6 shall be a non-complying activity unless the activity complies with Rule 3.10.2.

- 3.10.9 Any activity which does not comply with Rule 3.10.7 shall be a non-complying activity.
- 3.10.10 Any activity which does not comply with Rule 3.10.2 shall be a non-complying activity unless it complies with Rule 3.10.5 as a restricted discretionary activity

3.11 BUILDINGS AND SITE COVERAGE

Permitted Activities – Buildings and Site Coverage

- 3.11.1 Erecting any building or any additions or alterations to, or modification or demolition of, any building shall be a permitted activity if all of the following conditions are met:
- 3.11.1.1 The maximum area of any allotment covered by buildings shall be:
- (a) 35% or 500m² whichever is the lesser, for allotments less than 1ha in area.
 - (b) 5% for all other allotments.

Notes:

Rule 3.11.1 does not apply to any of the following activities:

- The areas shown on the Planning Maps as the Existing Development Areas for Terrace Downs or Grasmere – refer to the provisions in Appendix 21 (Terrace Downs) or Appendix 22 (Grasmere).
- Papakainga housing erected in accordance with Appendix 7.
- Tunnel houses, hay barns, stock yards or any other building which does not have a built in floor.
- New buildings or additions to existing buildings which are used for intensive livestock farming, provided the intensive livestock farming operation was established on that site prior to 08 September 2001.
- Any building erected on a site for a temporary activity on the site which is removed from the site within two days of the activity ceasing.
- Any building erected on a site to provide temporary accommodation during the time a construction project is taking place on the site which is removed from the site within the lesser time period of 12 calendar months or the construction project ceasing.
- New buildings or additions to existing buildings on schools.

Discretionary Activities – Buildings and Site Coverage

- 3.11.2 Any building which does not comply with Rule 3.11.1 shall be a discretionary activity.

3.12 BUILDINGS AND BUILDING HEIGHT

Permitted Activities – Buildings and Building Height

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

- 3.12.1.1 That, except where Rule 3.7.1 specifies a lower height, the maximum height of any building does not exceed:
- (a) 8m for any building designed or used for human occupation; or
 - (b) 12m for any other building, except grain silos, where height shall not exceed 25m.

Notes:

1. For Rule 3.12.1, the height of any building shall be measured from ground level at the base of the building, to the highest point on the building, but excluding any chimney, mast, aerial, or other structure which is attached to the outside of the building
2. For the height of structures attached to buildings, see Rule 5.3 (Utilities).
3. Rule 3.12.1 does not apply to the areas shown on the Planning Maps as the Existing Development Areas for Terrace Downs or Grasmere - refer to the provisions in Appendix 21 (Terrace Downs) or Appendix 22 (Grasmere).

Discretionary Activities – Buildings and Building Height

- 3.12.2 Any building or part of any building which does not comply with Rule 3.12.1 shall be a discretionary activity.

3.13 BUILDINGS AND BUILDING POSITION

Permitted Activities – Buildings and Building Position

- 3.13.1 Erecting any building or any additions or alterations to, or modification or demolition of, any building shall be a permitted activity if all of the following conditions are met:
- 3.13.1.1 Any building complies with the relevant setbacks from property boundaries and road boundaries as shown in Table C3.2:

Table C3.2 – Setbacks from Boundaries

Property Size	Building Type	Setbacks		
		Property Boundary	Arterial Road or Strategic Road	Other Road
Less than 1ha (<1ha)	Garage or <u>Accessory</u>	3m	10m	10m
	<u>Dwelling</u> or <u>Principal Building</u>	3m	20m	10m
Greater than 1ha (>1ha)	Garage or <u>Accessory</u>	5m	10m	10m
	<u>Dwelling</u> or <u>Principal Building</u>	5m	20m	10m
Any Size	Building housing Animals	30m	30m	30m

Notes:

1. The 30 metre setback for buildings housing animals does not apply to any building used as part of intensive livestock production.
 2. Refer to Rule 9 Activities for rules relating to intensive livestock production.
- 3.13.1.2 No building is positioned so that it encroaches into the line of sight for any railway crossing as shown in Appendix 11.
- 3.13.1.3 Any building is positioned so that it complies, at the property boundaries, with the relevant recession plane angles in Appendix 16;
- 3.13.1.4 Any building is setback a minimum distance of:
- (a) 100m from the edge of any lake or any wetland which adjoins a lake; and
 - (b) 20m from the edge of any waterbody listed in Appendix 17 other than a lake; and
 - (c) 10m from the edge of any other waterbody (excluding aquifers).

Notes

For the purposes of Rules 3.13.1.4(a) and 3.13.1.4(c), the edge of any lake or wetland is measured from:

The edge of the space of water which the lake or wetland covers at its annual highest level without exceeding its margin; or

If the lake or wetland level is controlled by artificial means, the space of land which the waters of the lake or wetland cover at its maximum permitted operating level.

For the purposes of Rules 3.13.1.4(b) and 3.13.1.4(c) the edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as- “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks.”

- 3.13.1.5 Any sensitive activity is setback a minimum distance of 300m from any existing lawfully established intensive farming activity, except for any sensitive activity located in the Living 2A Zone at the intersection of Shands and Blakes Roads, Prebbleton and legally described as Lots 1, 2 and 10 DP 54204 and Lot 1 DP 21798 where a setback of a minimum distance of 150m from the existing Tegel Foods Ltd poultry operation located on Lot 1 DP 53738 is required.

The separation distance shall be measured from the edge of any permanent building, enclosure or yard in which the intensive farming activity occurs or is permitted by a rule in the Plan (or a resource consent) to the position of the new sensitive activity.

Restricted Discretionary Activities – Buildings and Building Position

- 3.13.2 Any sensitive activity which does not comply with Rule 3.13.1.5 shall be a restricted discretionary activity.
- 3.13.3 Under Rule 3.13.2 the Council shall restrict its discretion to consideration of:

- 3.13.3.1 The potential for reverse sensitivity effects on the existing intensive farming activity;
- 3.13.3.2 The effectiveness of any proposed mitigation measures to address potential reverse sensitivity effects;
- 3.13.3.3 Any positive effects which may offset any adverse effects; and
- 3.13.3.4 Any monitoring or review conditions.

Discretionary Activities – Buildings and Building Position

- 3.13.4 Any building or part of any building, other than a garage or accessory building, which does not comply with Rule 3.13.1.1 shall be a discretionary activity.
- 3.13.5 Any building which does not comply with Rule 3.13.1.2 or 3.13.1.3 shall be a discretionary activity.
- 3.13.6 Except as provided in Rule 3.13.7, any building other than a dwelling or other principal building which does not comply with Rule 3.13.1.4 shall be a discretionary activity.

Non-Complying Activities – Buildings and Building Position

- 3.13.7 Any dwelling or other principal building which does not comply with Rule 3.13.1.4 shall be a non-complying activity.

3.14 BUILDINGS AND NIGHT LIGHTING

Permitted Activities – Buildings and Night Lighting

- 3.14.1 Erecting any building or any additions or alterations to, or modification or demolition of, any building shall be a permitted activity if any outdoor lighting on any building complies with Rule 9.18.

3.15 RELOCATED BUILDINGS

Permitted Activities – Relocated Buildings

- 3.15.1 Any relocated building which meets any one of the following conditions shall be a permitted activity:
 - 3.15.1.1 The relocated building is a garage or other accessory building; or
 - 3.15.1.2 The relocated building is being shifted from one site to another site within the same property; or
 - 3.15.1.3 The relocated building is for a temporary activity on the site and will be removed from the site within two days of the activity ceasing; or
 - 3.15.1.4 The relocated building is to provide temporary accommodation during the time a construction project is taking place on the site and will be

removed from the site within the lesser time period of 12 calendar months or the construction project ceasing.

3.15.1.5 The building is being relocated within or between schools.

Note: *Relocated building is defined in Part D of the Plan. It does not include a new building designed or intended to be used on the site but which is erected off-site and transported to the site in whole or parts.*

Controlled Activities — Relocated Buildings

3.15.2 Erecting any relocated building on a site which does not comply with Rule 3.15.1 shall be a controlled activity.

3.15.3 Any resource consent application made under Rule 3.15.2 shall not be notified and shall not require the written approval of affected parties.

3.15.4 Under Rule 3.15.2, the Council shall reserve control over all of the following matters:

3.15.4.1 The time period within which the building will have its new foundations laid or covered;

3.15.4.2 The time period to repair any damage to the exterior of the building;

3.15.4.3 The standards to which the exterior of the building will be finished and the time period for completing this work;

3.15.4.4 Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond;

3.15.4.5 Any monitoring conditions.

3.16 HERITAGE BUILDINGS

Permitted Activities — Heritage Buildings

3.16.1 The maintenance of any building structure or site which is listed in Appendix 3 shall be a permitted activity. For the purposes of this rule the term “maintenance” means:

3.16.1.1 Replacement of any materials which do not form part of the original heritage features of the building, structure, or site;

3.16.1.2 The replacement of any materials which form part of the original heritage values of the buildings, structure, or site, provided that these materials are of the same or similar appearance and character as the original material;

3.16.1.3 Any repainting of existing painted surfaces;

3.16.1.4 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

- 3.16.2 Any addition to, or alteration or modification of, any building or any part of any building which is listed in Appendix 3 as a Heritage Building shall be a restricted discretionary activity.
- 3.16.3 Under Rule 3.16.2, the Council shall restrict its discretion to consideration of:
- 3.16.3.1 The heritage value(s) of the listed building, and the extent to which it has already been modified by additions or alterations;
 - 3.16.3.2 Whether the proposed additions, alterations or modifications will adversely affect the heritage values of the building;
 - 3.16.3.3 Any positive effects of the additions, alterations or modifications on the heritage values of the building, including (but not limited to): any restoration or enhancement of heritage features or values; works which improve the efficiency or desirability of the building for ongoing use; and any proposal to provide public access to the heritage building;
 - 3.16.3.4 The costs to the applicant or owner of not allowing the modifications, additions or alterations to the building;
 - 3.16.3.5 Any alternative options which may better maintain the heritage values of the building and the relative costs of the alternatives;
 - 3.16.3.6 Any other works the applicant has undertaken or proposes to undertake to maintain or enhance heritage values on the site or elsewhere in the District and the appropriateness of such works as a mitigation measure; and
 - 3.16.3.7 Any monitoring or review conditions.

Discretionary Activities – Heritage Buildings

- 3.16.4 Any demolition or removal of any building or part of any building which is listed in Appendix 3 (except any building or part of any building which is listed as “Category 1” under the HPT Category in Appendix 3) as a Heritage Building shall be a discretionary activity.

Non-Complying Activities – Heritage Buildings

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

Cross-References

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any

person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
3.1	Natural Hazards	3.1	3.1.1 and 3.1.2	3.1.2 to 3.1.5
3.2	Outstanding Landscape Areas	1.4, 3.4	1.4.1 3.4.1	1.4.1 to 1.4.5, 1.4.7 to 1.4.9, 1.4.13, 1.4.15, 1.4.17, 1.4.20 to 1.4.21, 1.4.23, 1.4.24, 1.4.27, 1.4.29 and 1.4.30. 3.4.1 to 3.4.3 and 3.4.5.
3.4	Rural Character	3.4	3.4.2	3.4.1 to 3.4.6
3.5	Contaminated Land	1.1	1.1.1 and 1.1.2	1.1.2 to 1.1.3
3.6	Silent File Areas, Wahi Taonga Sites, Wahi Taonga Management Areas and Mahinga Kai Sites	3.3	3.3.1	3.3.2, 3.3.3, 3.3.5 and 3.3.9
3.7	West Melton Airfield and Hororata Domain – Height Restrictions	2.1	2.1.1 and 2.1.3	2.1.17
3.8	Christchurch International Airport – Noise Insulation	2.1	2.1.3	2.1.20
3.9	Access and Parking	2.1	2.1.1	2.1.2 to 2.1.4, 2.1.6 to 2.1.8 and 2.1.16
3.10	Residential Density	1.1, 1.4, 3.4, 4.1	1.1.1, 1.4.1, 3.4.1 and 3.4.2, 4.1.1 and 4.1.2,	1.1.8, 1.4.8, 1.4.11, 1.4.12, 1.4.20 and 1.4.30 3.4.3 and 3.4.4 4.1.1 to 4.1.7
3.11	Site Coverage	1.3, 1.4, 3.4	1.3.1, 1.4.1 3.4.1 and 3.4.2	1.3.1, 1.4.8, 1.4.11, 1.4.12, 1.4.20 and 1.4.30 3.4.3 and 3.4.4.
3.12	Building Height	3.4	3.4.1 and 3.4.2	3.4.3 and 3.4.5
3.13	Building Position	1.3, 1.4, 2.1, 3.1, 3.4	1.3.1, 1.3.2, 1.4.1, 2.1.1 and 2.1.2, 3.1.1, 3.4.1 and 3.4.2	1.3.2 and 1.3.4 to 1.3.8. 1.4.13 2.1.3, 2.1.4, 2.1.6 and 2.1.14 3.1.2 and 3.1.5, 3.4.3, 3.4.15 and 3.4.16
3.14	Night Lighting	3.4	3.4.1	3.4.9 and 3.4.10

Rule Numbers	Topic	Part B, Section	Objectives	Policies
3.15	Relocated Buildings	3.4	3.4.1 and 3.4.2	3.4.17
3.16	Heritage Buildings	3.3	3.3.2	3.3.7 to 3.3.9

Reasons for Rules

Rule 3 manages the effects of buildings on adjoining property and other parts of the environment. District Plan rules are necessary to address these effects because they are not addressed in other legislation, and do not usually affect the people who own or occupy the building. Therefore, they are not matters people tend to consider when buying or erecting a building.

The rules manage the effects of buildings on: adjoining properties and surrounding land uses; roads; waterbodies; landscapes and rural character; natural hazards; and cultural and heritage values. Rule 3 has the following structure: areas where buildings have special rules (Rules 3.1 to 3.8); rules that apply to certain types of buildings which are erected anywhere in the Rural zone (Rules 3.15 and 3.16); and rules that apply to any building which is erected in any part of the Rural zone (Rules 3.9 to 3.14). Rule 3 does not apply to structures which do not fall within the definition of buildings (see Part D). Utility structures and other structures are managed under Rule 5.

The provisions are slightly different for the Port Hills. The area defined as Outstanding Landscape on the Port Hills excludes those areas at the base of the hills where existing and intensive built development has occurred. With the exception of these limited areas, any residential development on the Port Hills requires resource consent where density is reduced below 40ha on the Lower Slopes and 100ha on the Upper Slopes. The purpose of establishing these relatively stringent thresholds for residential density is to trigger resource consents for the siting and design of houses to reduce potential adverse visual effects, whilst recognising that there may be some sites within the Port Hills where a dwelling could be erected with only minor visual effects. The more liberal density standard for the Lower Slopes is however intended to encourage development to locate in this area. The Plan provisions aim to protect the area located between the summit and a distance of 30.46m vertically below the Summit Road. This approach is similar to the existing protection given under the Summit Road (Canterbury) Protection Act 2001.^{PC6}

Rule 3.1 identifies areas where dwellings and other principal buildings should not be erected as a permitted activity because of potential flooding unless where indicated identified floor levels are met. The rules apply to dwellings and principal buildings, because these buildings are the ones likely to contain valuable assets which are not easily moved beyond reach of floodwaters. The rules do not apply to accessory buildings such as hay barns and implement sheds. In the Waimakariri Flood Category A area, seaward of the Coastal Hazard Line, and between any waterbody and any stopbank, floodwaters move at such a velocity that buildings are prone to both inundation and scouring of foundations. Therefore, dwellings and principal buildings are non-complying activities in these areas. They are strongly discouraged. The activity is not a prohibited activity due to the coarseness of the mapping, which means some land may be included in the flood areas (particularly around the edges) where the flood risk is minor. Flooding in the area covered by the Lower Plains and the Lake Ellesmere/Te Waihora flood areas, includes areas which are at risk from flooding based on the best available information. These areas may be subject to one or more forms of flooding, including ponding, stormwater, windlash and overland flow. Therefore, dwellings and principal buildings may be allowed if the building is appropriately designed or raised to reduce the risk of inundation or the level of damage from inundation, otherwise they are restricted discretionary activities (need resource consent). Specific consideration is required where development is proposed in close proximity to a stopbank due to the greater risk of damage to property and potential loss of human life from increased water velocity associated with a stopbank breach.

Rule 3.2 addresses buildings in the Areas of Outstanding Landscapes shown on the Planning Maps. These areas have been identified as having very special landscape values (see Part B Section 1.4). The landscapes they contain have been modified by human activities, particularly by the clearance of indigenous scrub or forest, but they remain mostly free of large structures or buildings. The rules allow very small structures or buildings, such as tramping huts or water tanks, as permitted activities, provided they are finished in materials with low reflectivity values. The Plan allows larger buildings to be erected in these areas if they need to be located there, for example, a skifield development. These buildings require a resource consent, and the Council maintains discretion over the location, siting and design of the building and associated infrastructure. Buildings which do not need to locate in an area of Outstanding Landscape, such as a house which could be located on a property outside the area of Outstanding Landscape, are non-complying activities and are discouraged from locating there.

The provisions are slightly different for the Port Hills. The Port Hills landscape has been subject to greater levels of residential development than the areas in the Malvern Hills and High Country. The Plan provisions allows for low level residential development on the Port Hills but controls the siting, design and density of houses and other buildings, to reduce potential visual effects. The Plan provisions protect the area located between the summit and a distance of 30.46m vertically below the Summit Road. This approach is similar to the existing protection given under the Summit Road (Canterbury) Protection Act 2001. The Plan policies recognise that there may be some sites within the Upper Slopes where a dwelling could be erected with only minor visual effects. However, most residential development is encouraged to locate in the Lower Slopes. Erecting houses in the Upper Slopes is therefore a discretionary activity and may be publicly notified. Erecting houses within the Lower Slopes is a restricted discretionary activity, to manage design and siting, and resource consent applications are non-notified.

Rule 3.4 recognises the role of rural areas surrounding areas of Outstanding Landscape in providing a quality backdrop. The rules manage the reflectivity of new buildings, to help maintain the appearance of a pre-dominance of vegetation cover in these areas. The rules for residential density (Rule 3.10), site coverage (Rule 3.11) and tree planting (Rule 2) also help to maintain the 'rural character' of these areas.

Rule 3.5 manages activities on contaminated land, where there is a likelihood that people will come into contact with the land. Consequently, the rule applies to erecting dwellings and buildings associated with recreational or educational facilities. Rule 9 has corresponding rules for activities on contaminated land. The rule does not prevent these activities from occurring if the applicant can demonstrate that: there is no risk of harm to people from coming into contact with contaminated land; the facilities and associated activities are designed so that people will not come into contact with contaminated land; any mitigation measures do not impact on the wider environment; or the contaminated land is removed. Contaminated land is defined in Part D. Please note – the Council records, on LIMs, those sites which it recommends be tested for contaminated land due to past land uses. This recommendation does not mean the site is contaminated (see Part B, Section 1.1).

Rule 3.6 manages the effects of erecting buildings in Silent File and Wāhi Taonga Management Areas, and on Wāhi Taonga and Mahinga Kai Sites. Activities which may disturb these areas and sites require a resource consent, so the Council can assess whether the activity will affect any culturally important site, as advised by local runanga. The Council has a policy to consider reducing or waiving resource consent processing fees for activities in such areas (see Part B, Section 3.3). For further information on these areas and sites, refer to the Reasons for the Earthworks Rules.

Rule 3.7 manages the effects of tall buildings and other structures within the height restriction areas around West Melton airfield and Hororata Domain. Height restrictions apply to land which lies underneath the approach paths to the runway. Any breach of the height restrictions is a non-complying activity. The approach paths need to be clear of obstacles to ensure aircraft can take off or land safely. The height restrictions are shown in Appendix 19. They are drafted to

accommodate the current use of the existing runways at both airfields. Height restrictions affect the range of land uses able to occur on surrounding properties. Therefore, any further restrictions on building height to accommodate further use of these airfields, would need to be considered alongside any proposal to increase use of either airfield.

Rule 3.8 requires certain buildings used for noise-sensitive activities which are within the 55 dBA L_{dn} Air noise contour lines shown on the planning maps, to be adequately insulated against aircraft noise in accordance with Appendix 20.

Rules 3.9 to 3.13 manage the effects on adjoining property or other parts of the environment of erecting any building in the Rural zone. Some areas are exempt from these rules. They are existing development proposals which have been approved by plan changes in the past and are either fully or partially developed. The Council must recognise these plan changes where the development has proceeded, under section 85 of the RMA. The areas are only exempt from the rules if they proceed in accordance with rules from the original plan change.

Rule 3.10 sets the maximum residential density standards for houses (dwellings) in each part of the Rural zone. Dwelling is defined in Part D of the Plan. Part B, Section 4.1 explains how the density figures are derived and the reasons for controlling residential density in rural areas. Compliance with the Residential density standards may be achieved in one of two ways:

- (a) By erecting a dwelling on an allotment which is as large or larger than the minimum area specified in Table C3.1; or
- (b) By erecting a dwelling on a smaller allotment and using a mechanism to keep the balance land around the allotment free of dwellings or other principal buildings.

The reason for having the two options is to ensure more efficient use of land, by not forcing people to buy or sell more land than they want to when erecting a house, while still managing overall residential density in the Rural zone. A resource consent is required for the second option. The reason is so the Council can ensure that the proposal to retain the balance of land as 'open space' is legally enforceable. The second option is not available in the Inner Plains area. The reason for this is because residential density in this area is higher such that each house requires an allotment of 4 hectares to avoid adverse effects on adjoining properties, and to avoid creating new villages due to the potential number of houses on small allotments which could be created at a residential density of 1 house per 4 hectares. Creating new villages is contrary to the Plan's policies for residential growth. For this same reason Rule 3.10.3.6 limits the number of houses which can be clustered together. The numbers and conditions reflect current residential patterns in the Rural area. The Council has a pamphlet called "Building a House in the Rural Area", which provides more information on how to use these rules.

Rule 3.11 manages the effects of site coverage. This term refers to the area of any allotment which may be covered in buildings. The reason for the rule is to maintain the predominance of vegetation cover in the Rural zone. This is 'vital' to distinguishing rural areas from townships. The rule applies to allotments rather than to properties, so that if part of a property is sold, buildings will still comply with the site coverage rules. The site coverage rules relate to property size, to allow efficient use of small properties in the Rural zone.

The rule contains exemptions for buildings which do not have built in floors, as such buildings are characteristic of the Rural zone. There is an exemption for existing intensive livestock farms, because most farms will not comply with the site coverage rule. There are a limited number of these properties, so the potential for cumulative effects on residential density is limited. The Plan also exempts papakāinga housing because such housing is unlikely to be able to comply. Provision for papakāinga housing on Māori land is part of the Council's duties under section 6(e) of the Act (see Part B, Sections 3.3 and 4.1). Papakāinga housing may occur, under the Plan, on Māori land at Taumutu, therefore the cumulative effects of this exemption on overall residential density is likely to be minor. An exception is provided for schools recognising the nature and extent of existing activities on school sites.

Rule 3.12 manages building height in the Rural zone. The Plan restricts building height as it is considered that multi-storeyed buildings are not 'in keeping' with the character of the Rural zone. The Plan also has a policy to avoid multi-stored buildings in the western part of the District, as this area contains more known active faultlines and epicentres for earthquakes. The rule allows greater heights for buildings which are not occupied by people, because some tall structures are typically part of the rural area. Dwellings are accordingly restricted to 8m and other buildings to 12m in height, except that grain silos are allowed to a maximum height of 25m given their limited distribution and functional requirements.

Rule 3.13 manages the position of buildings in relation to property boundaries, road boundaries, railway crossings, lakes and waterbodies (excluding aquifers), and existing intensive farming activities. The reasons for the rules are to:

- manage the effects of: shading adjoining properties; road works and the cleaning of waterbodies; and to allow maintenance strips for the trimming of hedges, road works and the cleaning of waterbodies;
- manage such potential effects as road traffic noise, safety from vehicles leaving the carriageway and amenity issues;
- maintain good visibility at railway crossings;
- maintain the natural character of the edge of lakes and rivers;
- maintain the panoramic views of the Upper Waimakariri Basin along SH 73; and
- reduce the potential for reverse sensitivity effects on existing intensive farming activities.

The setback distances for property boundaries relate to property size so as to allow efficient use of smaller properties in the Rural zone. Buildings may be allowed within the setback distances specified in these rules, as a discretionary activity, except for Rule 3.13.1.2 – railway crossings; Rule 3.13.1.4 – waterbodies; and Rule 3.13.1.5 – intensive farming activities. Encroaching the line of sight at railway crossings is a non-complying activity, because of the importance of maintaining lines of sight for traffic safety. Similarly, dwellings and other principal buildings are discouraged from locating closer to the edge of waterbodies than the setback distances, due to the effects of larger buildings and their associated activities on the natural character of the margins of these waterbodies. The setbacks also provide some minimal protection from inundation and bank instability. Reverse sensitivity effects can arise when a new activity establishes near an existing intensive farm and then the occupiers of the new 'sensitive activity' complain about the effects generated by the existing land use. Establishing a new 'sensitive activity' within 300m of an existing intensive farming activity is a restricted discretionary activity to allow an assessment of potential reverse sensitivity effects on the intensive farm. The 300m buffer distance does not apply to that part of the Living 2A Zone at the intersection of Shands and Blakes Roads, Prebbleton and legally described as Lots 1, 2 and 10 DP 54204 and Lot 1 DP 21798 in respect of the existing Tegel Foods Ltd poultry operation located on Lot 1 DP 53738 as the Council is satisfied that other methods have effectively addressed any reverse sensitivity effects.

Rule 3.15 manages relocated buildings. Relocated buildings are defined in Part D of the Plan. Such buildings are allowed, but a resource consent is required for dwelling and principal buildings which are relocated from one property to another. The reason is to ensure that the relocated building is set on foundations and any damage to the exterior of the building is repaired within a specified timeframe. The Plan rules do not prevent people relocating buildings per se. The Council recognises that the design of buildings is a matter of personal taste and relocated buildings can be an efficient alternative to a new building. If a developer wishes to exclude relocated buildings from a proposed subdivision, there are mechanisms to do this outside of the District Plan.

Rule 3.16 manages additions or alterations to, and demolition of, heritage buildings. The buildings listed in Appendix 3 have been identified as having important heritage values. The

process and criteria used to identify these buildings is outlined in Part B, Section 3.3. General cleaning and maintenance of these buildings does not require a resource consent but additions and alterations do. The Plan policies allow for additions and alterations because they are necessary to provide for their ongoing use and retention. The policies require alterations and additions to maintain or enhance the heritage values of the building, where practical. Demolition of heritage buildings also requires a resource consent. Demolition is not encouraged, although Plan policies recognise that in some cases there may be no practical, affordable alternative. The demolition or removal of listed buildings having a Category 1 classification under the HPT system is a non-complying activity recognising the particular significance of such buildings.

5.6 OUTSTANDING LANDSCAPE AREAS – UTILITY BUILDINGS

Permitted Activities – Outstanding Landscape Areas – Utility Buildings

- 5.6.1 In the areas shown on the Planning Maps as the Port Hills Area and as Outstanding Landscape Areas in the Malvern Hills and the High Country, any utility building which complies with the following conditions shall be a permitted activity:
- 5.6.1.1 A maximum gross floor area not exceeding 40m²;
 - 5.6.1.2 A maximum height not exceeding 4m; and
 - 5.6.1.3 A maximum reflectance not exceeding 37%.

Restricted Discretionary Activities – Outstanding Landscape Areas – Utility Buildings

- 5.6.2 Any building which does not comply with Rule 5.6.1 shall be a restricted discretionary activity if all of the following standards and terms are met:
- 5.6.2.1 The building is within the Lower Slopes of the Port Hills Area (as identified in the Planning Maps);
 - 5.6.2.2 In the areas shown on the Planning Maps as areas of Outstanding Landscape in the Malvern Hills and the High Country:
 - (a) The building is associated with an activity which is located within the area of Outstanding Landscape; and
 - (b) The building cannot effectively serve that activity if it is located on a site outside the area of Outstanding Landscape.
- 5.6.3 Under Rule 5.6.2, the Council shall restrict its discretion to consideration of:
- 5.6.3.1 The design of the building including height, size/scale, external finish, colour and reflectance value;
 - 5.6.3.2 The appropriateness of the building site having regard to geotechnical conditions and site stability;
 - 5.6.3.3 The visibility of the building from public viewing points, having regard to the accessibility of the viewing point;
 - 5.6.3.4 The extent to which the building or structure may:
 - (a) dominate or detract from openness, visual coherence, legibility or integrity of the landscape;
 - (b) include earthworks or new planting to assist in mitigation of any adverse landscape effects;
 - (c) use topography or vegetation to assist in mitigation or containment of visual effects;

- (d) break the skyline or interrupt the form of any ridges, hills or prominent slopes;
- (e) be visually prominent in an area characterised by high natural values;
- (f) affect the amenity values of adjoining properties.

5.6.3.5 Whether the landscape has further capacity to absorb change having regard to existing and consented development on adjoining sites and in the locality, and any benefits that can be obtained from clustering buildings or structures;

5.6.3.6 Whether the proposal creates opportunities to protect open space, indigenous vegetation or nature conservation values;

5.6.3.7 The design and siting of any access to the building or structure, and the visibility of that access, including any contrast with natural contours and the proposed revegetation of any earthworks;

5.6.3.8 The siting of any utilities installed to serve the building, including whether any water storage tanks, cables or pipes are to be placed underground;

5.6.3.9 Any monitoring or review conditions.^{PC6}

Discretionary and Non-Complying Activities – Outstanding Landscape Areas – Utility Buildings

- 5.6.4 Any activity which does not comply with Rule 5.6.2.1 shall be a non-complying activity.
- 5.6.5 Any building which does not comply with Rule 5.6.2.2 shall be a non-complying activity.

5.7 RURAL CHARACTER – UTILITY BUILDINGS

Permitted Activities – Rural Character – Utility Buildings

- 5.7.1 In any areas shown on the Planning Maps as the High Country or the Malvern Hills (outside the areas shown as Areas of Outstanding Landscape), any utility building which complies with the following condition shall be a permitted activity:
 - 5.7.1.1 The exterior finish of any utility building has a reflectance value not exceeding 37%, except for buildings which are clad in unpainted corrugated iron.

Discretionary and Non-Complying Activities – Rural Character – Utility Buildings

- 5.7.2 Erecting any utility building or any part of a utility building which does not comply with Rule 5.7.1 shall be a discretionary activity.

5.8 NATURAL HAZARDS – UTILITY STRUCTURES

Permitted Activities – Natural Hazards – Utility Structures

- 5.8.1 In any area shown on the Planning Maps as a flood area, any utility structure which is not located in a position or designed in such a way that it would:
- 5.8.1.1 Divert, or displace, any floodwater; or
 - 5.8.1.2 Impede or alter the existing drainage pattern of the land;
- Shall be a permitted activity.

Restricted Discretionary Activities – Natural Hazards – Utility Structures

- 5.8.2 Any activity which does not comply with Rule 5.8.1 shall be a restricted discretionary activity.
- 5.8.3 Under Rule 5.8.2, the Council shall restrict its discretion to consideration of:
- 5.8.3.1 Any potential risk of the utility structure being inundated and the extent of any potential flood damages;
 - 5.8.3.2 The effectiveness of any mitigation measures proposed to reduce the risk of inundation or extent of flood damages
 - 5.8.3.3 Any effects of the utility structure or any proposed flood mitigation measures, on diverting or displacing floodwaters on to other property or increasing the potential level of floodwater on other properties;
 - 5.8.3.4 Any other effects of any proposed mitigation measures on the environment;
 - 5.8.3.5 Any positive effects which may offset any adverse effects;
 - 5.8.3.6 Any monitoring or review conditions.

5.9 NATURAL HAZARDS – UTILITY BUILDINGS

Permitted Activities – Natural Hazards – Utility Buildings

- 5.9.1 Any new utility building which is not erected in any of the following areas shall be a permitted activity:
- 5.9.1.1 Any area shown on the Planning Maps as the Waimakariri Flood Category A area;
 - 5.9.1.2 Seaward of the Coastal Hazard 1 Line as shown on the Planning Maps;
 - 5.9.1.3 Between any waterbody and any stopbank designed to contain floodwater from that waterbody; and

- 5.9.1.4 The area shown on the Planning Maps as the Lower Plains flood or ponding areas; unless a minimum building floor level 300m above a 2% Annual Exceedence Probability (AEP) hazard event is identified;
- 5.9.1.5 The area shown on the Planning Maps as the Lake Ellesmere/Te Waihora flood area, unless a minimum building floor level of 3m above mean sea level (Lyttleton Datum 1937) is identified.

Note: *The Proposed Regional Coastal Environment Plan prohibits habitable buildings with floor areas in excess of 25m², including any extensions or alterations, seaward of the Hazard 1 line. If the Prohibited status remains once the Regional Plan is operative, then no consents will be granted for these activities.*

Refer to Council pamphlet "Building a House in the Rural Zone" in respect to Rules 5.9.1.4 or 5.9.1.5.

Restricted Discretionary Activities – Natural Hazards – Utility Buildings

- 5.9.2 Erecting any new utility building on any site in the areas stated in Rules 5.9.1.4 and 5.9.1.5, which does not have a minimum floor level which complies with Rules 5.9.1.4 and 5.9.1.5 shall be a restricted discretionary activity.
- 5.9.3 Under Rule 5.9.2, the Council shall restrict its discretion to consideration of:
- 5.9.3.1 The potential risk of the dwelling or other principal building being inundated and the extent of any flood damages; including its proximity to any adjacent stopbank where in the case of overtopping, breach or failure of a stopbank, the depth and velocity of that event (i.e. depth (m) x velocity (ms⁻¹) > 1) shall be taken into account.
 - 5.9.3.2 The effectiveness of any mitigation measures proposed to reduce the risk of inundation or extent of flood damages;
 - 5.9.3.3 Any effects of the dwelling or other principal building or the proposed flood mitigation measures on diverting or displacing floodwaters on to other property or increasing the potential level of floodwater on other properties;
 - 5.9.3.4 Any other effects of any proposed mitigation measures on the environment;
 - 5.9.3.5 Any positive effects which may offset any adverse effects; and
 - 5.9.3.6 Any monitoring or review conditions.

Discretionary and Non-Complying Activities – Natural Hazards – Utility Buildings

- 5.9.4 Erecting any new utility building on any site in the areas listed in Rules 5.9.1.1 to 5.9.1.3 shall be a non-complying activity.

5.10 SILENT FILE AREAS, WĀHI TAONGA SITES, WĀHI TAONGA MANAGEMENT AREAS, MAHINGA KAI SITES – UTILITY STRUCTURES

Permitted Activities – Silent File Areas, Wāhi Taonga Sites, Wāhi Taonga Management Areas, Mahinga Kai Sites – Utility Structures

- 5.10.1 Any utility structure which meets the following conditions shall be a permitted activity:
- 5.10.1.1 Within any area listed in Appendix 5 and shown on the Planning Maps as a Silent File Area, any earthworks associated with any utility structure is limited to the disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks;
 - 5.10.1.2 Within any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or a Wāhi Taonga Management Area, the construction, maintenance, etc of any utility structure does not involve the disturbance, damage to, removal or destruction of any object, artefact or other symbol of pre-European settlement, occupation or use of that site; and.
 - 5.10.1.3 Within any area listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai site, any damage to, or removal of, indigenous vegetation associated with the construction, maintenance, etc of any utility structure is limited to that undertaken by tāngata whenua for mahinga kai purposes.

Restricted Discretionary Activities – Silent File Areas, Wāhi Taonga Sites, Wāhi Taonga Management Areas, Mahinga Kai Sites – Utility Structures

- 5.10.2 Any activity which does not comply with Rules 5.10.1.1 to 5.10.1.3 shall be a restricted discretionary activity.
- 5.10.3 Under Rule 5.10.2, the Council shall restrict its discretion to the following matters:
- 5.10.3.1 Any inappropriate disturbance or other potential adverse effects on any site of significance within a Silent File Area, as advised by local runanga;
 - 5.10.3.2 Any damage to, destruction or removal of, any object, remnant or artefact contained within a Wāhi Taonga Site or Wāhi Taonga Management Area, as advised by local runanga; or
 - 5.10.3.3 Any adverse effects of the proposed activity on any Mahinga Kai site, as advised by local runanga;
 - 5.10.3.4 Any potential costs to the landholder of not being able to undertake the proposed activity on that site;
 - 5.10.3.5 Any alternative options available to undertake the activity in another form or on another site and the costs and practicality of these options;
 - 5.10.3.6 Any positive effects which may offset any adverse effects; and
 - 5.10.3.7 Any monitoring or review conditions.

5.11 SILENT FILE AREAS, WĀHI TAONGA SITES, WĀHI TAONGA MANAGEMENT AREAS, MAHINGA KAI SITES – UTILITY BUILDINGS

Permitted Activities – Silent File Areas, Wāhi Taonga Sites, Wāhi Taonga Management Areas, Mahinga Kai Sites – Utility Buildings

- 5.11.1 Any utility building which meets the following conditions shall be a permitted activity:
- 5.11.1.1 In any area listed in Appendix 5 and shown on the Planning Maps as a Silent File Area, any earthworks associated with the building is limited to the disturbance of soil over areas and to depths where that soil has been previously disturbed by cultivation, planting (trees, pasture or crops), building or earthworks.
 - 5.11.1.2 In any area listed in Appendix 5 and shown on the Planning Maps as a Wāhi Taonga Site or a Wāhi Taonga Management Area, the construction, maintenance etc of the building does not involve the disturbance, damage to, removal or destruction of any object, artefact or other symbol of pre-European settlement, occupation or use of that site.
 - 5.11.1.3 In any area listed in Appendix 5 and shown on the Planning Maps as a Mahinga Kai site, any damage to or removal of indigenous vegetation associated with the construction, maintenance, etc of any utility building is limited to that undertaken by tāngata whenua for mahinga kai purposes.

Restricted Discretionary Activities – Silent File Areas, Wāhi Taonga Sites, Wāhi Taonga Management Areas, Mahinga Kai Sites – Utility Buildings

- 5.11.2 Any activity which does not comply with Rules 5.11.1.1 to 5.11.1.3 shall be a restricted discretionary activity
- 5.11.3 Under Rule 5.11.2, the Council shall restrict its discretion to all of the following matters:
- 5.11.3.1 Any inappropriate disturbance or other potential adverse effects on any site of significance within a Silent File Area, as advised by local runanga;
 - 5.11.3.2 Any damage to, destruction or removal of any object, remnant or artefact contained within a Wāhi Taonga Site or Wāhi Taonga Management Area, as advised by local runanga;
 - 5.11.3.3 Any adverse effects of the proposed activity on any Mahinga Kai site, as advised by local runanga;
 - 5.11.3.4 Any potential costs to the landholder of not being able to undertake the proposed activity on that site;
 - 5.11.3.5 Any alternative options available to undertake the activity in another form or on another site and the costs and practicality of these options;
 - 5.11.3.6 Any positive effects which may offset any adverse effects; and
 - 5.11.3.7 Any monitoring or review conditions.

5.12 WEST MELTON AIRFIELD AND HORORATA DOMAIN – UTILITY STRUCTURES AND UTILITY BUILDINGS

Permitted Activities – West Melton Airfield and Hororata Domain – Utility Structures and Utility Buildings

- 5.12.1 Any utility structure or utility building which 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 shall be a permitted activity.

Note: For Rule 5.12.1, 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 – West Melton Airfield and Hororata Domain – Utility Structures and Utility Buildings

- 5.12.2 Any utility structure or utility building or any part of any utility structure or utility building which does not comply with Rule 5.12.1 shall be a non-complying activity.

5.13 WATERBODY SETBACKS – UTILITY STRUCTURES AND UTILITY BUILDINGS

Permitted Activities – Waterbody Setbacks – Utility Buildings

- 5.13.1 Any utility building which is setback at least the following minimum distances shall be a permitted activity:

- 5.13.1.1 100m from the edge of any lake or any wetland which adjoins a lake; and
- 5.13.1.2 20m from the edge of any waterbody listed in Appendix 17 other than a lake; and
- 5.13.1.3 10m from the edge of any other waterbody (excluding aquifers).

Note: For the purposes of Rule 5.13.1.1 the edge of any lake is measured from:

- The edge of the space of water which the lake covers at its annual highest level without exceeding its margin; or
- If the lake level is controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.

For the purposes of Rules 5.13.1.2 to 5.13.1.3 the edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as- “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks.”.

Permitted Activities — Waterbody Setbacks – Utility Structures

- 5.13.2 Any utility structure which is setback at least the following minimum distances shall be a permitted activity:
- 5.13.2.1 100m from the edge of any lake; and
 - 5.13.2.2 20m from the edge of any waterbody listed in Appendix 17 other than a lake; and
 - 5.13.2.3 10m from the edge of any other waterbody (excluding aquifers).

Discretionary Activities — Waterbody Setbacks – Utility Structures and Utility Buildings

- 5.13.3 Any activity which does not comply with Rule 5.13.1 or 5.13.2 shall be a discretionary activity.

5.14 HERITAGE BUILDINGS – UTILITY STRUCTURES AND UTILITY BUILDINGS

Permitted Activities — Heritage Buildings – Utility Structures and Utility Buildings

- 5.14.1 The maintenance of any utility building, structure or site listed in Appendix 3 shall be a permitted activity. For the purposes of this rule the term “maintenance” means:
- 5.14.1.1 Replacement of any materials which do not form part of the original heritage features of the building, structure, or site;
 - 5.14.1.2 The replacement of any materials which form part of the original heritage values of the buildings, structure, or site, provided that these materials are of the same or similar appearance and character as the original material;
 - 5.14.1.3 Any repainting of existing painted surfaces;
 - 5.14.1.4 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 – Utility Structures

- 5.14.2 Any activity which involves the addition to, or alteration or modification of, any utility structure listed in Appendix 3 as a Heritage Site shall be a restricted discretionary activity.
- 5.14.3 Under Rule 5.14.2, the Council shall restrict its discretion to consideration of:

- 5.14.3.1 The heritage value(s) of the utility structure or site, and the extent to which it has already been modified by additions or alterations;
- 5.14.3.2 Whether the proposed additions, alterations or modifications will adversely affect the heritage values of the utility structure or site;
- 5.14.3.3 Any positive effects of the additions, alterations or modifications on the heritage values of the utility structure or site, including (but not limited to): any restoration or enhancement of heritage features or values; works which improve the efficiency or desirability of the utility structure for ongoing use; and any proposal to provide public access to the heritage utility structure or site.

Discretionary and Non-Complying Activities – Heritage Buildings – Utility Structures

- 5.14.4 Any demolition or removal of any utility structure or site, or any part of any utility structure or site, listed in Appendix 3 (except as set out under Rule 5.14.5 below) shall be a discretionary activity.
- 5.14.5 Any demolition or destruction of any utility structure or part of any utility structure which is listed as “Category 1” under the HPT Category in Appendix 3 as a Heritage Building shall be a non-complying activity.

Restricted Discretionary Activities – Heritage Buildings – Utility Buildings

- 5.14.6 Any activity which involves the addition to, or alteration or modification of, any building or any part of any building listed in Appendix 3 as a Heritage Building shall be a restricted discretionary activity.
- 5.14.7 Under Rule 5.14.6, the Council shall restrict its discretion to consideration of:
 - 5.14.7.1 The heritage value(s) of the listed building, and the extent to which it has already been modified by additions or alterations;
 - 5.14.7.2 Whether the proposed additions, alterations or modifications will adversely affect the heritage values of the building;
 - 5.14.7.3 Any positive effects of the additions, alterations or modifications on the heritage values of the building, including (but not limited to): any restoration or enhancement of heritage features or values; works which improve the efficiency or desirability of the building for ongoing use; and any proposal to provide public access to the heritage building;
 - 5.14.7.4 The costs to the applicant or owner of not allowing the modifications, additions or alterations to the building;
 - 5.14.7.5 Any alternative options which may better maintain the heritage values of the building and the relative costs of the alternatives;
 - 5.14.7.6 Any other works the applicant has undertaken or proposes to undertake to maintain or enhance heritage values on the site or elsewhere in the District and the appropriateness of such works as a mitigation measure; and

5.14.7.7 Any monitoring or review conditions.

Discretionary Activities – Heritage Buildings – Utility Buildings

5.14.8 Any demolition or removal of any building or part of any utility building which is listed in Appendix 3 (except any building or part of any building which is listed as “Category 1” under the HPT Category in Appendix 3) as a Heritage Building shall be a discretionary activity.

Non-Complying Activities – Heritage Buildings – Utility Buildings

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

Reasons for Rules

Rule 5 manages effects of establishing, maintaining, upgrading and replacing utilities on the environment. These rules should be read in conjunction with Rule 1 – Earthworks and Rule 3 – Buildings. Cross references to other relevant rules are provided at the beginning of Rule 5.

Many activities involving utilities are undertaken by requiring authorities, using designations. In these cases, the District Plan rules may not apply. However, it is still necessary to have rules in the Plan, because:

- (a) Not all utilities are managed by requiring authorities;
- (b) Often utilities are installed by private developers as part of subdivisions or land uses. Some utilities may vest in the Council. The Plan needs to have rules for the undertaking of these activities, so the Council can manage the standard of utilities which will vest in the Council;
- (c) If rules in the District Plan allow activities as permitted activities, it may reduce the need for network utility operators to designate land; and
- (d) It is consistent with Part II and section 32 of the Act to provide for activities which have only minor effects on the environment as permitted activities.

The Outstanding Landscapes of the Port Hills, Malvern Hills and High Country are equally managed with only very small buildings and utility structures provided for as a permitted activity. In relation to the Port Hills, utilities are a restricted discretionary activity in the Lower Slopes of the Port Hills and a non-complying activity in the Upper Slopes. This is consistent with the rule structure for dwellings, where the Plan provides for a more lenient housing density within the Lower Slopes to encourage development to this part of the Port Hills and to maintain relatively open Upper slopes.^{PC6}

Rules 5.1 and 5.1.2.2 address potential effects from electromagnetic radiation and power frequency electric and magnetic fields. The rules are firmly based on recognised national standards concerning these effects.

Rule 5.1.2.3 concerns cables and lines. The rules encourage undergrounding of such lines where this is a realistic expectation. New high voltage lines will require consent and assessment given their potentially significant visual impacts, with particular eye to siting.

Rule 5.1.2.4 discourages on-site energy production (subject to specific exemptions) because of potential adverse effects of such activities.

Rule 5.1.2.5 provides for small scale drainage and irrigation facilities which would not raise issues in respect to wider effects on water resources, where resource consent would be required.

Rule 5.1.2.6 provides for reticulated gas supplies of a scale appropriate to a residential or light industrial environment.

Rule 5.2 relates to utility buildings. It allows them to be of the same scale as rural buildings generally, but also recognising that functionally they do not require as much surrounding space as dwellings. Setback and recession plane requirements are set in place to protect neighbours and any adjoining Living zone from the bulk of utility buildings.

Rule 5.3 relates to utility structures which comprise very small buildings, or poles, masts, pylons and antenna. For operational efficiency these are allowed to be higher than buildings, but also require compliance with recession planes on Living zone boundaries where a utility support structure has a “thick” profile of more than 500 mm.

Rule 5.4 requires that telecommunication or radiocommunication towers (but not their attached fittings) be finished in colours which are (or weather to) shades which will not be visually obtrusive in the rural environment.

Rules 5.5 and 5.6 address buildings in the Areas of Outstanding Landscapes shown on the Planning Maps. These areas have been identified as having very special landscape values (see Part B Section 1.4). The landscapes they contain have been modified by human activities, particularly by the clearance of indigenous scrub or forest, but they remain mostly free of large structures or buildings. The rules allow very small structures or buildings, such as tramping huts or water tanks, as permitted activities, provided they are finished in materials with low reflectivity values. The Plan allows larger buildings to be erected in these areas if they need to be located there, for example, a skifield development. These buildings require a resource consent, and the Council maintains discretion over the location, siting and design of the building and associated infrastructure. Buildings which do not need to locate in an area of Outstanding Landscape, such as a house which could be located on a property outside the area of Outstanding Landscape, are non-complying activities and are discouraged from locating there.

The provisions are slightly different for the Port Hills. The Port Hills landscape has been subject to greater levels of residential development than the areas in the Malvern Hills and High Country. The Plan provisions allows for low level residential development on the Port Hills but controls the siting, design and density of houses and other buildings, to reduce potential visual effects. The Plan provisions protect the area located between the summit and a distance of 30.46m vertically below the Summit Road. This approach is similar to the existing protection given under the Summit Road (Canterbury) Protection Act 2001. The Plan policies recognise that there may be some sites within the Upper Slopes where a dwelling could be erected with only minor visual effects. However, most residential development is encouraged to locate in the Lower Slopes. Erecting houses in the Upper Slopes is therefore a non-complying activity and may be publicly notified. Erecting houses within the Lower Slopes is a restricted discretionary activity, to manage design and siting, and resource consent applications are non-notified.

Rule 5.7 recognises the role of rural areas surrounding areas of Outstanding Landscape in providing a quality backdrop. The rules manage the reflectivity of new buildings, to help maintain the appearance of a pre-dominance of vegetation cover in these areas. The rules for residential density (Rule 3.10), site coverage (Rule 3.11) and tree planting (Rule 2) also help to maintain the ‘rural character’ of these areas.

Rules 5.8 and 5.9 identify areas where dwellings and other principal buildings should not be erected as a permitted activity because of potential flooding unless where indicated identified floor levels are met. The rules apply to dwellings and principal buildings, because these buildings are the ones likely to contain valuable assets which are not easily moved beyond reach of floodwaters. The rules do not apply to accessory buildings such as hay barns and implement

sheds. In the Waimakariri Flood Category A area, seaward of the Coastal Hazard Line, and between any waterbody and any stopbank, floodwaters move at such a velocity that buildings are prone to both inundation and scouring of foundations. Therefore, dwellings and principal buildings are non-complying activities in these areas. They are strongly discouraged. The activity is not a prohibited activity due to the coarseness of the mapping, which means some land may be included in the flood areas (particularly around the edges) where the flood risk is minor. Flooding in the area covered by the Lower Plains and the Lake Ellesmere/Te Waihora flood areas, includes areas which are at risk from flooding based on the best available information. These areas may be subject to one or more forms of flooding, including ponding, stormwater, windlash and overland flow. Therefore, dwellings and principal buildings may be allowed if the building is appropriately designed or raised to reduce the risk of inundation or the level of damage from inundation, otherwise they are restricted discretionary activities (need resource consent). Specific consideration is required where development is proposed in close proximity to a stopbank due to the greater risk of damage to property and potential loss of human life from increased water velocity associated with a stopbank breach.

Rules 5.10 and 5.11 manage the effects of erecting buildings in Silent File and Wāhi Taonga Management Areas, and on Wāhi Taonga and Mahinga Kai sites. Activities which may disturb these areas and sites require a resource consent, so the Council can assess whether the activity will affect any culturally important site, as advised by local runanga. The Council has a policy to consider reducing or waiving resource consent processing fees for activities in such areas (see Part B, Section 3.3). For further information on these areas and sites, refer to the Reasons for the Earthworks Rules.

Rule 5.12 manages the effects of tall buildings and other structures within the height restriction areas around West Melton airfield and Hororata Domain. Height restrictions apply to land which lies underneath the approach paths to the runway. Any breach of the height restrictions is a non-complying activity. The approach paths need to be clear of obstacles to ensure aircraft can take off or land safely. The height restrictions are shown in Appendix 19. They are drafted to accommodate the current use of the existing runways at both airfields. Height restrictions affect the range of land uses able to occur on surrounding properties. Therefore, any further restrictions on building height to accommodate further use of these airfields, would need to be considered alongside any proposal to increase use of either airfield.

Rule 5.14 manages additions or alterations to, and demolition of, heritage buildings. The buildings listed in Appendix 3 have been identified as having important heritage values. The process and criteria used to identify these buildings is outlined in Part B, Section 3.3. General cleaning and maintenance of these buildings does not require a resource consent but additions and alterations do. The Plan policies allow for additions and alterations because they are necessary to provide for their ongoing use and retention. The policies require alterations and additions to maintain or enhance the heritage values of the building, where practical. Demolition of heritage buildings also requires a resource consent. Demolition is not encouraged, although Plan policies recognise that in some cases there may be no practical, affordable alternative. The demolition or removal of listed buildings having a Category 1 classification under the HPT system is a non-complying activity recognising the particular significance of such buildings.

- 9.3.1.4 Visitor accommodation, retail sales and other business activities any of which are ancillary to or associated with activities listed in Rules 9.3.1.1, 9.3.1.2 or 9.3.1.3;
- 9.3.1.5 Transport networks;
- 9.3.1.6 Mining and other industrial activities which involve the use or extraction of natural resources found in the area;
- 9.3.1.7 Education and research activities associated with the natural resources in the area or appreciation of the physical surroundings;
- 9.3.1.8 Residential activities and home based occupations and;
- 9.3.1.9 Community facilities, including schools;
- 9.3.1.10 In all areas, temporary military training activities.

Note: Refer to Appendix 21, 22 or 23 for conditions, standards and matters of control/discretion which apply to specific activities in the areas shown on the Planning Maps as the Existing Development Areas for Terrace Downs, Grasmere and Rocklands. These are existing development areas in the High Country and Port Hills.

Non-Complying Activities — Activities in the Port Hills, Malvern Hills and High Country

- 9.3.2 Any activity in the areas shown on the Port Hills, Malvern Hills and High Country, and which is not listed in Rule 9.3.1 shall be a non-complying activity.

9.4 SCALE OF NON-RESIDENTIAL AND NON-RURAL ACTIVITIES

Permitted Activities — Scale of Activities

- 9.4.1 Any activity which is not a rural activity or a residential activity shall be a permitted activity if the following conditions are met:
 - 9.4.1.1 The maximum area of any site covered by building(s), loading, storage and waste areas used for any other activity on the site does not exceed 100m² and no more than two full-time equivalent persons are employed in undertaking any other activity on the site; or
 - 9.4.1.2 The activity is undertaken by either an approved tertiary education provider (as defined in the Education Act 1989) or a Crown Research Institute involving the use of land or buildings for the purpose of growing or rearing of crops or livestock and associated monitoring of the environment for research and education purposes but excluding conferencing, accommodation, recreation and retail activities.

Note: Rule 9.4.1 does not apply to any temporary activity, Rural Based Industrial Activity or any Other Industrial Activity (where Rule 9.5.1 and 9.2.2 apply), or Utilities (where rules in Part C Rule 5 Utilities apply).

Discretionary Activities — Scale of Activities

9.4.2 Any activity which does not comply with Rule 9.4.1 shall be a discretionary activity.

9.5 RURAL BASED INDUSTRIAL ACTIVITIES

Permitted Activities — Rural Based Industrial Activities

9.5.1 Any rural based industrial activity shall be a permitted activity if the following conditions are met:

9.5.1.1 The maximum area of any site covered by any building(s), loading, storage and waste areas used for any rural based industrial activity on the site shall be 100m².

9.5.1.2 No more than two full-time equivalent persons are employed in undertaking the activity on the site.

Note: Rule 9.5.1 does not apply to any temporary activity.

Discretionary Activities — Rural Based Industrial Activities

9.5.2 Any activity which does not comply with Rule 9.5.1 shall be a discretionary activity if one of the following standards and terms are met:

9.5.2.1 The site is located within the Outer Plains, as shown on the Planning Maps; or

9.5.2.2 Any building and/or operations expansion or addition associated with the poultry processing plant of Brinks South Island, 1310–1312 Main South Road, Weedons that occurs within land parcels Lot 1 and/or Lot 2 DP 20292; or

9.5.2.3 Any upgrading of the existing on-site irrigation waste disposal associated with the poultry processing plant of Brinks South Island, Main South Road, Weedons that occurs within land parcels Lot 4 DP 22430 and/or Lot 2 DP 83245; or

9.5.2.4 Any building and/or operations expansion or addition associated with the feedmill of Feedco Canterbury, 162 Selwyn Road, Broadfield that occurs within land parcel Lot 2 DP 61860.

Non-Complying Activities — Rural Based Industrial Activities

9.5.3 Any activity which does not comply with Rule 9.5.1 or 9.5.2 shall be a non-complying activity.

9.6 ACTIVITIES AND CONTAMINATED LAND

Permitted Activities: Activities and Contaminated Land

- 9.6.1 Any activity on land which is contaminated shall be a permitted activity provided that none of the following activities are undertaken on that land:
- 9.6.1.1 Erecting any dwelling or undertaking residential activities;
 - 9.6.1.2 The use of land for educational activities or erecting any educational facilities;
 - 9.6.1.3 Outdoor recreation activities; and
 - 9.6.1.4 Growing or rearing of food crops or livestock;

Restricted Discretionary Activities — Activities and Contaminated Land

- 9.6.2 Any activity which does not comply with Rule 9.6.1 shall be a restricted discretionary activity.
- 9.6.3 Under Rule 9.6.2, the Council shall restrict its discretion to consideration of:
- 9.6.3.1 The effectiveness of any proposed mitigation measures that reduce the risk of any adverse effects on people or the environment from contaminated land;
 - 9.6.3.2 The effectiveness of any mitigation measures proposed to reduce the risk of effects on people or to remove or contain the area of contaminated land;
 - 9.6.3.3 Any effects on the environment or other people resulting from any mitigation measures, including where any contaminated soil removed from the site will be disposed to and how;
 - 9.6.3.4 Any positive effects which may offset any adverse effects; and
 - 9.6.3.5 Any monitoring or review conditions.

9.7 ACTIVITIES ON THE SURFACE OF WATERBODIES

Permitted Activities — Activities on the Surface of Waterbodies

- 9.7.1 Any activity on the surface of any waterbody shall be a permitted activity if all of the following conditions are met:
- 9.7.1.1 The use of motorised craft on the surface of any of the following lakes: Blackwater; Catherine; Evelyn; Georgina; Grasmere; Hawdon; Henrietta; Ida; Letitia; Lillian; Marymere; Moana Rua/Pearson; Red Lakes; Rubicon; Sarah; Selfe; or Vagabonds Inn, is limited to one of the following uses:

- (a) Emergency search and rescue work; or
- (b) Law enforcement;

9.7.1.2 Any use of motorised craft on the surface of any waterbody for overnight accommodation is limited to one night on any waterbody, in any one month period;

Notes:

Rule 9.7.1.2 does not apply to overnight accommodation on craft on any waterbody in emergency weather conditions or where the craft has mechanical problems.

For erecting structures across the surface of waterbodies, see Rule 5 – Utilities.

Non-Complying Activities – Activities on the Surface of Waterbodies

9.7.2 Any activity on the surface of a waterbody which does not comply with Rule 9.7.1 shall be a non-complying activity.

9.8 ACTIVITIES AND THE KEEPING OF ANIMALS

Permitted Activities – Activities and the Keeping of Animals

9.8.1 The keeping of animals shall be a permitted activity if all of the following conditions are met:

- 9.8.1.1 Any keeping of animals does not include:
 - (a) The boarding of animals, including catteries and kennels; and
 - (b) Intensive livestock production;

9.9 ACTIVITIES AND THE BOARDING OF ANIMALS

Restricted Discretionary Activities – Activities and the Boarding of Animals

9.9.1 Any activity which involves the boarding of animals shall be a restricted discretionary activity if all of the following standards and terms are met:

- 9.9.1.1 Any building or compound is setback a minimum distance of 50m from any property boundary;
- 9.9.1.2 Any building or compound is setback a minimum distance of 30m from any road boundary; and
- 9.9.1.3 Any building or compound used for the boarding of animals is set back a minimum distance of 200m from the nearest boundary of: any Living zone; or any Existing Development Area, as shown on the Planning Maps.

- 9.9.2 Under Rule 9.9.1, the Council shall restrict its discretion to consideration of:
- 9.9.2.1 Any potential nuisance effects from noise, traffic, odour or inadequate animal containment on surrounding properties;
 - 9.9.2.2 The effectiveness of any proposed mitigation measures to reduce effects of noise, traffic, odour or inadequate animal containment on surrounding properties;
 - 9.9.2.3 Any positive effects which may offset any adverse effects; and
 - 9.9.2.4 Any monitoring or review conditions.

Discretionary Activities – Activities and the Boarding of Animals

- 9.9.3 Any activity which does not comply with Rule 9.9.1 shall be a discretionary activity.

9.10 ACTIVITIES AND INTENSIVE LIVESTOCK FARMING

Controlled Activities – Activities and Intensive Livestock Farming

Expansion of Existing Intensive Piggery Production Activity

- 9.10.1 The expansion of any existing intensive piggery production activity shall be a controlled activity if all of the following standards and terms are met:
- 9.10.1.1 That the applicant has obtained an air discharge consent or if no consent is required a Certificate of Compliance from the Canterbury Regional Council, covering the discharge of odour from the proposed expanded piggery.
 - 9.10.1.2 The proposed expansion would result in a nil increase in overall odour emission rate from the site. The applicant shall provide an assessment from a suitably qualified expert which demonstrates the nil increase in overall odour emission rate from the site. The assessment shall consider relevant New Zealand and international odour emission rate information and research for the piggery industry. The Council may appoint its own suitably qualified expert (the expert is to be agreed to with the applicant) to peer review the assessment provided by the applicant to confirm compliance with this standard.
 - 9.10.1.3 The increase in the number of stock pig units (SPUs) shall not exceed 50% of the existing SPUs, where SPU is to be calculated from existing stock numbers as per Table C9.1 below.

Table C9.1 – Standard SPU multipliers for different classes of pig

	Definition	SPU Factor
Gilt	24-30 weeks	1.8
Boar	100-300kg	1.6
Gestating sow	160-230kg	1.6

	Definition	SPU Factor
Lactating sow	160-230kg	2.5
Sucker	0-4 weeks	0.1
Weaner	4-10 weeks	0.5
Grower	10-16 weeks	1.0
Finisher	16-24 weeks	1.6
Heavy Finisher	Over 24 weeks	1.8

9.10.1.4 The applicant has prepared a management plan to deal with activities that have the potential to produce an offensive or objectionable odour. This management plan shall address the following:

- (a) Management of shed
- (b) Effluent collection and storage systems
- (c) Manure application to land systems
- (d) Carcass disposal system
- (e) Landscaping and building design
- (f) The keeping of monitoring and maintenance records
- (g) Performance review process
- (h) Any consultation with the local community and the operation of a complaints system.

9.10.2 In considering any application for a resource consent under Rule 9.10.1 the Council shall, in granting consent and in deciding whether to impose conditions, exercise its control over the following matters:

- 9.10.2.1 Any adverse effects from odour, dust, noise or traffic on surrounding properties;
- 9.10.2.2 The effectiveness of any proposed mitigation measures incorporated into the management plan to address potential adverse effects;
- 9.10.2.3 The location of buildings to avoid, remedy or mitigate potential adverse odour effect associated with any relocation of the odour emission source to another part of the site;
- 9.10.2.4 Any positive effects which may offset any adverse effects;
- 9.10.2.5 Any monitoring or review conditions.

Restricted Discretionary Activities – Activities and Intensive Livestock Farming

9.10.3 The establishment of any new site for intensive livestock production or the expansion of any existing intensive livestock production activity shall be a restricted discretionary activity, unless it is a controlled activity under 9.10.1.

- 9.10.4 Under Rule 9.10.3 the Council shall restrict its discretion to consideration of:
- 9.10.4.1 Any adverse effects from odour, dust, noise or traffic on surrounding properties;
 - 9.10.4.2 The effectiveness of any proposed mitigation measures to address potential adverse effects;
 - 9.10.4.3 Any positive effects which may offset any adverse effects; and
 - 9.10.4.4 Any monitoring or review conditions.

9.11 ACTIVITIES AND NEW OR EXPANDED DAIRY FARMS

Permitted Activities — Activities and New or Expanded Dairy Farms

- 9.11.1 The establishment of, or any extension to, any dairy farm is on land shall be a permitted activity where the following conditions are met:
- 9.11.1.1 All dairy cows are excluded from all land within 10m from any waterbody (excluding aquifers).
 - 9.11.1.2 It is on land which is adjoining to that of the milking shed.

Notes:

Dairy farm means all the land used to support a dairy milking platform but excludes separate off-farm land areas used to graze dry dairy cows.

Rule 9.11.1.1 applies to the conversion of new land to dairying and for both grazing and droving of dairy cows; it does not include land which is used for grazing beef herds.

For Rule 9.11.1.2 expanding dairy farms include dairy farms which are expanding through an increase in herd numbers or an increase in land area.

Rule 9.11.1.2 does not apply to land which is used for grazing dry herds.

Adjoining is defined in Part D of the Plan and includes any land which is separated by a road, easement, water race or drain.

Where stock access is across a State Highway, Transit must be consulted.

- 9.11.2 All dry dairy cows on separate off-farm land areas shall be excluded from any waterbody.

Restricted Discretionary Activities — Activities and New or Expanded Dairy Farms

- 9.11.3 Any new or expanded dairy farm or off-farm dairy grazing activity that does not comply with Rules 9.11.1.1 or 9.11.2 shall be a restricted discretionary activity.
- 9.11.4 Under Rule 9.11.3 the Council shall restrict its discretion to consideration of:
- 9.11.4.1 The effect on natural character and indigenous biodiversity;

- 9.11.4.2 Any mitigation measures to prevent or reduce animal access to the waterbody or its riparian margin.
- 9.11.5 The establishment of any new dairy farm or any extension to an existing dairy farm which does not comply with Rule 9.11.1.2 shall be a restricted discretionary activity.
- 9.11.6 Under Rule 9.11.5 the Council shall restrict its discretion to consideration of:
- 9.11.6.1 The proposed method to move dairy cows between grazing areas and milking sheds;
- 9.11.6.2 Traffic safety;
- 9.11.6.3 Any positive effects which may offset any adverse effects; and
- 9.11.6.4 Any monitoring or review conditions.

9.12 ACTIVITIES AND CARPARKING, VEHICLE CROSSINGS, ACCESS AND EGRESS

Permitted Activities — Carparking, Vehicle Crossings, Access and Egress

- 9.12.1 The activity shall comply with the rules for carparking, vehicle crossings, vehicle access and egress set out in Rule 4, and Appendix 10 for specific provisions applying to State Highways to be a permitted activity.

Default Activity — Carparking, Vehicle Crossings, Access and Egress

- 9.12.2 Any activity which does not comply with Rule 9.12.1 shall have the status set out in Rules 4.4 to 4.6 for the rules(s) with which it does not comply.

9.13 ACTIVITIES AND VEHICLE MOVEMENTS

Permitted Activities — Activities and Vehicle Movements

- 9.13.1 Any activity which does not exceed the following maximum number of vehicle movements shall be a permitted activity:
- 9.13.1.1 Road Unformed:
- (a) For any commercial or industrial related activity where access is required off an unformed and un-maintained road, excluding normal farming activities: Nil.
- (b) For any individual property access off an unformed and un-maintained road: 15 equivalent car movements per day (ecm/d) per site.
- 9.13.1.2 Road Formed and Sealed:
- (a) Arterial and Strategic Roads (as identified in Appendix 9): 30 ecm/d per site averaged over any one week period).

- (b) Local and Collector Roads: 60 ecm/d per site (averaged over any one week period).

9.13.1.3 Road Formed and Unsealed:

- (a) 60 ecm/d per site (averaged over any one week period).

Note:

1. Rule 9.13.1 does not apply to vehicle movements between sites within a property; relocating of premises; or any other temporary activity.
2. For the purposes of Rule 9.13.1.2, Local roads are those roads which are not listed in Appendix 9 as Strategic Roads, Arterial Roads, or Collector Roads.
3. Rule 9.13.1 does not apply to the areas shown on the Planning Maps as the Existing Development Areas for Terrace Downs and Grasmere – refer to the provisions in Appendix 21 (Terrace Downs) or Appendix 22 (Grasmere).
4. Rule 9.13.1 does not apply to existing plantations.

Restricted Discretionary Activities – Activities and Vehicle Movements

9.13.2 Any activity which does not comply with Rule 9.13.1 shall be a restricted discretionary activity.

9.13.3 Under Rule 9.13.2, the Council shall restrict its discretion to consideration of:

- 9.13.3.1 Any works required to the road to upgrade it to the standards set out in the Council's Engineering Design Guidelines 2001;
- 9.13.3.2 Any potential adverse effects of traffic on the amenity values of surrounding residents and on other uses of the road, including (but not limited to) stock droving;
- 9.13.3.3 The position and design of any vehicle crossing or vehicle access and egress;
- 9.13.3.4 Any positive effects which may offset any adverse effects; and
- 9.13.3.5 Any monitoring or review conditions.

9.14 ACTIVITIES AND AIRCRAFT MOVEMENTS

Permitted Activities – Activities and Aircraft Movements

9.14.1 The following aircraft movements are permitted:

- 9.14.1.1 Taking off and landing which is associated with:
 - (a) Emergency, fire control or law enforcement work; or
 - (b) Seasonal farming work such as topdressing, spraying, stock management, fertiliser application, frost mitigation, or associated activities; or
 - (c) The operation of military aircraft.

9.14.1.2 Other aircraft movements, provided that:

- (a) The noise produced at any notional boundary in the Rural Zone or at the boundary of any Living Zone is no more than 50 dBA Ldn; and
- (b) Where the airstrip or helipad is located within 1 km of the nearest boundary of any Living zone, there are no more than 14 flights (28 aircraft movements) / week on any one property except that on any five days in any continuous six month period, an unlimited number of flights is permitted.

For the purposes of this rule:

- Aircraft noise may be averaged over periods of seven consecutive days and the averaged value shall not exceed 50 dBA Ldn, and in any case the limit shall not be exceeded by more than double the sound exposure limit (i.e. 3 dBA Ldn terms) on any one day. Daily sound exposure values shall be averaged on an arithmetic basis.
- The notional boundary shall not be measured from any residential activity which exists on the same property as the aircraft movements.

Discretionary Activities — Activities and Aircraft Movements

- 9.14.2 The use of any land or establishing any facilities for taking off or landing or aircraft which does not comply with Rule 9.14.1 shall be a discretionary activity.

9.15 ACTIVITIES AND AUDIBLE BIRD SCARING DEVICES

Permitted Activities — Activities and Audible Bird Scaring Devices

- 9.15.1 Any activity shall be a permitted activity provided that the following rules are met:

9.15.1.1 The use of any air horn, siren or amplified sound occurs:

- (a) During daytime; and
- (b) For a maximum period of 2 seconds at any one time and for not more than 10 such times in any one hour; and
- (c) No impulsive noise event shall exceed 65 dBA SEL;

9.15.1.2 The use of any other audible bird scaring device complies with the following daytime noise limits:

- (a) No impulsive noise event shall exceed 65 dBA SEL; and
- (b) The number of noise events shall not exceed 18 in any one hour period;

9.15.1.3 The use of any other audible bird scaring device complies with the following sunset and sunrise noise limits:

- (a) No impulsive noise event shall exceed 60 dBA SEL; and
- (b) The number of impulsive noise events shall not exceed 3 in any one hour period.

9.15.1.4 The use of any other audible bird scaring device complies with the following night-time noise limits:

- (a) No device shall be operated to exceed 40 dBA Leq (10 min).

9.15.1.5 For the purposes of Rule 9.15.1:

- (a) An audible bird-scaring device includes any firearm used for this purpose.
- (b) 'Daytime' is measured as 1 hour after sunrise to 1 hour before sunset. 'Sunset' is measured as 1 hour before sunset to 1 hour after sunset. 'Night-time' is measured as 1 hour after sunset to 1 hour before sunrise. 'Sunrise' is measured as 1 hour before sunrise to 1 hour after sunrise.
- (c) Sound shall be measured in accordance with the provisions of NZS 6801:1999 Acoustics-Measurement of Environmental Sound.
- (d) The measurement location shall be at any point within any Living zone or Business zone or within the notional boundary of any dwelling, rest home, hospital, Papakainga housing or educational facility on another property.

Note: The times for sunrise and sunset are those printed in The Press newspaper each day.

Restricted Discretionary Activities: Activities and Audible Bird Scaring Devices

9.15.2 Any use of any audible bird scaring device which does not comply with Rule 9.15.1 shall be a restricted discretionary activity.

9.15.3 Under Rule 9.15.2, the Council shall restrict its discretion to consideration of:

- 9.15.3.1 Any adverse effects of noise or disturbance on surrounding residents and activities;
- 9.15.3.2 The effectiveness of any proposed mitigation measures to reduce those effects;
- 9.15.3.3 The availability, effectiveness and cost of alternative bird scaring mechanisms;
- 9.15.3.4 Any positive effects which may offset any adverse effects; and
- 9.15.3.5 Any monitoring or review conditions.

9.16 ACTIVITIES AND NOISE

Permitted Activities — Activities and Noise

9.16.1 Except as provided in 9.16.3 below, any activity shall be conducted so as to comply with the noise limits and within the time frames stated in the following tables in order to be a permitted activity:

Table C9.2 – Maximum noise limits at any Living Zone boundary.

Hours	Noise Limit
7.30am – 8.00pm	55 dBA L ₁₀
	85 dBA L _{max}
8.01pm – 7.29am	40 dBA L ₁₀
	70 dBA L _{max}

Table C9.3 – Noise limits assessed at the notional boundary of any dwelling, rest home, hospital, or classroom in any educational facility except where that dwelling, rest home, hospital or classroom is located within a Living zone.

Hours	Noise Limit
7.30am – 8.00pm	60 dBA L ₁₀
	85 dBA L _{max}
8.01pm – 7.29am	45 dBA L ₁₀
	70 dBA L _{max}

Notes:

Rule 9.14 applies to take off or landing of aircraft.

Rule 9.15 applies to noise from audible bird scaring devices.

Discretionary Activities – Activities and Noise

9.16.2 Any activity which does not comply with Rule 9.16.1 shall be a discretionary activity.

Exemptions and Special Provisions Relating to Noise Limits

General Exemptions

9.16.3 Noise limits in any part of the Plan shall not apply:

9.16.3.1 In any area to activities of a limited duration required by normal primary production activities including agriculture, horticulture, aquaculture, forestry and fishing, provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act 1991.

For the purposes of Rule 9.16.3.1, “activities of a limited duration” means: Activities which are temporary and/or intermittent in nature, such as crop harvesting, crop irrigation, general use of farm machinery or crop protection devices (other than audible bird scarers). Such uses may occur on a limited number of days in a year, a limited number of hours in a day or a limited number of days in a week or month.

9.16.3.2 In any part of the District where the noise source is a warning device used by emergency services.

- 9.16.3.3 In any part of the district used for residential activities of a normal domestic nature including recreational activities, such as sporting events, that do not involve powered motor sport, powered aviation, gunfire or amplified music.
- 9.16.3.4 Where any residential activity exists on the same site, or a site owned by the same owner, as a noise source being assessed.
- 9.16.3.5 Where the activity is a temporary military training activity and complies with the following provisions:

Any temporary military training activity in any area of the District shall be conducted so as to ensure the noise limits in the Table C9.4 below are not exceeded at any point within the boundary of any Living or Business zone or at any point within the notional boundary of any dwelling, rest home hospital, or educational facility classroom in the Rural zone. Within the Burnham Military Camp defence area no noise limits in the Plan apply.

Table C9.4 –Noise limits for Temporary Military Training activities:

Time on any day	Leq dBA	L90 dBA	L _{max} dBA
0630-0730	60	45	70
0730-1800	75	60	90
1800-2000	70	55	85
2000-0630 the following day	55	45	70

Provided the limits for impulsive noise arising from any use of explosives, explosives simulators, ammunition, munitions or pyrotechnics at any time, shall not exceed 120 dBC (peak).

Notes:

The term “dBC (peak)” means the peak C-frequency weighted sound level. “Peak” is non-rms value and is quite different to L_{max} cited elsewhere in this standard.

Provided also that the above noise limits shall not apply on up to four occasions in any period of 12 months where any exhibition or demonstration of military activities is open to the public and held between the hours of 10.00 am and 5.00 pm.

Permitted Activities – Blasting

- 9.16.4 The following limits shall apply to blasting:
- 9.16.4.1 Vibration from any site due to blasting shall not exceed a peak particle velocity of 5mm/sec measured in the frequency range 3-12 Hz at the notional boundary of any dwelling, rest home, hospital or educational facility classroom.
- 9.16.4.2 Airblast overpressure from blasting on any land or in water shall not exceed a peak sound pressure level of 115 dBA at the notional boundary of any dwelling, rest home, hospital or educational facility classroom.

Permitted Activities — Watercraft

9.16.5 The following limits shall apply to powered watercraft:

9.16.5.1 Powered watercraft shall be fitted with effective mufflers during all movement under power on water and shall not exceed the following noise limits assessed at any point within the notional boundary of any dwelling on any day:

7.00 am to 9.00 pm Sound Exposure Level (SEL) 85 dBA

9.00 pm to 7.00 am the following day Sound Exposure Level (SEL) 78 dBA

9.16.5.2 No moving craft shall emit noise in excess of a Sound Exposure Level of 90 dBA in any single drive-by measured at any stationary point more than 25m from the line of travel of the craft.

9.16.5.3 On four occasions in any 12 month period, the noise limit may be unrestricted for any portion of waterbody for the purposes of an approved special event.

Permitted Activities — Other Exemptions

9.16.6 Rule 9.16.1 does not apply to the following activities:

9.16.6.1 Noise from any motor vehicle or any mobile machinery (including farm machinery and stationary equipment not fixed to the ground).

9.16.6.2 Audible bird scaring devices.

9.16.6.3 Any temporary activity which operates between the hours 7.00am and 9.00pm excluding seasonal harvesting activities.

9.16.6.4 Hail cannons.

9.16.6.5 The use of sirens associated with emergency services.

9.17 ACTIVITIES AND BLASTING AND VIBRATION

Permitted Activities —Activities and Blasting and Vibration

9.17.1 Any activity which involves blasting and/or vibration shall be a permitted activity if all of the following conditions are met:

9.17.1.1 Any activity which involves noise vibration from blasting complies with AS 2187.2-1993 Explosives – Storage, Transport and Use, Part 2 Use of Explosives, and ANZECC guidelines;

9.17.1.2 Except for blasting, any activity which involves vibration from any other source complies with New Zealand Standard 2631:1985-89 Parts 1-3.

Discretionary Activities — Activities and Blasting and Vibration

9.17.2 Any activity which does not comply with Rule 9.17.1 shall be a discretionary activity.

9.18 ACTIVITIES AND GLARE

Permitted Activities — Activities and Glare

9.18.1 Except in the area shown on the Planning Maps as the West Melton Observatory Lighting Area, any activity which involves lighting shall be a permitted activity provided that the activity has a maximum light spill not exceeding:

9.18.1.1 10-lux spill on to any part of any adjoining property which is located in a Business zone and which does not contain a dwelling; and

9.18.1.2 3-lux spill on to any part of any other adjoining property or any road reserve.

9.18.2 In the area shown on the Planning Maps as the West Melton Observatory Lighting Area:

9.18.2.1 Any outdoor lighting is shielded so that any light spill is directed at an angle below 90° from the vertical; or alternatively, the activity for which outdoor night lighting is required shall not operate between the hours of 10.00 pm and 6.00 am, except to conclude a specific recreation or sporting event or similar activity which was in progress prior to 10.00 pm.

9.18.2.2 There is no light spill from any activity on to any adjoining property or the road reserve; or alternatively, the illumination of the activity complies with Rule 9.18.1.2 and the activity for which outdoor night lighting is required shall operate only between the hours of 10.00 pm and 6.00 am except to conclude a specific recreation or sporting event or similar activity which was in progress prior to 10.00 pm.

Notes:

Rule 9.18. does not apply to:

- *Lights on any motor vehicle or any machinery used to undertake harvesting or any other seasonal outdoor activity;*
- *Any outdoor lighting associated with a temporary activity; or*
- *Any outdoor lighting which cannot meet these requirements but complies with other legislation.*

Discretionary Activities — Activities and Glare

9.18.3 Any activity which does not comply with Rule 9.18.1 or 9.18.2 shall be a discretionary activity.

9.19 ACTIVITIES AND DUST

Permitted Activities — Activities and Dust

9.19.1 Any stockpiling activity shall be a permitted activity provided that stockpiling of any soil, coal, sawdust, powdered fertiliser or any other unconsolidated material outdoors within 100m of a dwelling (other than a dwelling on the same property as the stockpiled material), is either:

9.19.1.1 Covered; or

9.19.1.2 Consolidated; or

9.19.1.3 Otherwise secured to mitigate windblown dust on to adjoining properties.

Discretionary Activities — Activities and Dust

9.19.2 Any stockpiling of material which does not comply with Rule 9.19.1 shall be a discretionary activity.

9.20 ACTIVITIES AND TEMPORARY MILITARY TRAINING

Permitted Activities — Activities and Temporary Military Training

9.20.1 Temporary Military Training Activities shall be permitted activities provided that the following conditions are met:

9.20.1.1 No permanent structures shall be constructed;

9.20.1.2 No mechanical excavation shall be carried out, unless provided for in this Plan;

9.20.1.3 The activity shall not exceed a period of 31 days;

9.20.1.4 All ground disturbed by any military activity shall be restored to its previous state;

9.20.1.5 No Temporary Military Training Activities shall occur in any areas identified on the Planning Maps as Wāhi Taonga, Silent File Areas, or Mahinga Kai Sites;

9.20.1.6 Noise emissions occurring as a result of any Temporary Military Training Activity, when measured at the property boundary shall not exceed-

Time on (any day)	Limits (dBA)	
	L ₁₀	L _{max}
0630-0730	60	70
0730-1800	75	90
1800-2000	70	85

Time on (any day)	Limits (dBA)	
	L ₁₀	L _{max}
2000-0630	55	65

Controlled Activities — Activities and Temporary Military Training

- 9.20.2 Any Temporary Military Training Activity which does not comply with Rule 9.20.1 shall be a controlled activity.
- 9.20.3 Under Rule 9.20.2 the Council shall restrict the exercise of its discretion to consideration of:
- 9.20.3.1 Any disturbance caused by structures or earthworks;
 - 9.20.3.2 Any noise effects, with regard to the location and noise sensitivity of nearby activities;
 - 9.20.3.3 Any visual or traffic effects;
 - 9.20.3.4 The effect of activities over an extended period of time, having regard to 9.20.3.1 – 9.20.3.3 above.

9.21 ACTIVITIES AND CLEARANCE OF INDIGENOUS VEGETATION AND INDIGENOUS PLANT SPECIES

Note:

These rules are an interim measure to protect potential areas of significant conservation value until the notification of a variation (or plan change) addressing indigenous vegetation. These interim rules and any appendices, definitions and methods that are specific only to these rules are to be reconsidered as part of the variation process. The Council undertakes to review these rules with a view to notifying a variation (or plan change) by 28 February 2009.

There are rules both for the clearance of areas containing indigenous vegetation which covers plant communities as defined in the Plan and for the clearance of individual threatened indigenous plant species. Rules 9.21.1.1 and 9.21.1.2 apply down to the level of individual plants; Rules 9.21.1.3 to 9.21.1.6 apply to indigenous vegetation communities as defined. The effect of the definition of indigenous vegetation is that it is permitted to clear indigenous species if the area to be cleared does not meet the criteria contained in the definition of indigenous vegetation and as long as none of the individual plants to be destroyed are listed in Appendix 13 or Appendix 14.

Permitted Activities — Activities and Clearance of Indigenous Vegetation and Indigenous Plant Species

- 9.21.1 The clearance of indigenous vegetation and indigenous plant species shall be a permitted activity provided that all of the following conditions are met:
- 9.21.1.1 The indigenous plant species are not listed in Appendix 13 (Schedule of Threatened and Uncommon Plants);

- 9.21.1.2 For clearance of indigenous plant species on the Canterbury Plains, the species is not contained in Appendix 14 (Schedule of Regionally Significant Plants on the Canterbury Plains);
- 9.21.1.3 The indigenous vegetation is not located above 900m above mean sea level;
- 9.21.1.4 The indigenous vegetation is not located in a naturally occurring wetland;
- 9.21.1.5 The indigenous vegetation clearance does not exceed 100m² per hectare in any continuous 3 year period within a distance of 20m of any lake, any naturally occurring wetland or any river or stream; and
- 9.21.1.6 No clearance of indigenous vegetation shall exceed:
 - (a) 5,000m² in area on any site in any continuous period of three years, except where the vegetation clearance is carried out within an area of improved pasture; or
 - (b) 500m² in area in any continuous period of three years, where the indigenous vegetation has a closed canopy over that area and the average height of that canopy is greater than or equal to 3m; or
 - (c) 500m² in area of matagouri (in one continuous block of indigenous vegetation), in any continuous period of three years, where the average height of the canopy of the matagouri is greater than or equal to 1.5m; or;
 - (d) 1,000m² of Chionochloa spp (tall tussock) in any continuous period of three years, except where this occurs as a secondary component within an area of improved pasture.

For the purposes of this standard:

Improved pasture shall mean an area of pasture where species composition and growth has clearly been modified and enhanced for livestock grazing by cultivation or top-dressing and over-sowing, or direct drilling, and where exotic pasture species are obvious;

The canopy height is to be determined over each area of 1 hectare, where the vegetation is greater than 1 hectare in area or over the lesser area where the area of vegetation is less than 1 hectare.

9.21.2 Rule 9.21.1 does not apply to the following:

- 9.21.2.1 Vegetation which was planted for harvesting, shelter belt or amenity purposes;
- 9.21.2.2 Indigenous vegetation which is an understorey within a plantation forest, or indigenous vegetation which is an area within a plantation forest where, during the previous or current rotation, either seedlings did not strike or trees were wind thrown; or indigenous vegetation which is to be cleared to re-establish access tracks previously used for planting, maintenance or harvesting of a plantation forest.
- 9.21.2.3 Re-establishment of access tracks previously used for planting, maintenance or harvesting of a forestry activity;

9.21.2.4 Maintenance of existing utilities (including irrigation infrastructure), tracks, drains, structures, roads, fire breaks and fence lines but not their extension;

9.21.2.5 Clearance of land planted in exotic species but containing sparsely distributed wetland plants.

Discretionary Activities – Activities and Clearance of Indigenous Vegetation and Indigenous Plant Species

9.21.3 Any activity which does not comply with Rule 9.21.1.4, 9.21.1.5 or 9.21.1.6 shall be a discretionary activity.

Non-Complying Activities – Activities and Clearance of Indigenous Vegetation and Indigenous Plant Species

9.21.4 Any activity which does not comply with Rule 9.21.1.1, 9.21.1.2, 9.21.1.3 or 9.21.1.4 shall be a non-complying activity.

Cross Referencing

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
9.2	Listed Activities	1.1, 1.3, 2.1, 2.3, 3.4	1.1.1 and 1.1.2, 1.3.1, 2.1.1, 2.3.2, 3.4.1 and 3.4.2	1.1.1, 1.3.4, 2.1.1 to 2.1.7, 2.1.5 to 2.1.8, 3.4.1 to 3.4.4, 3.4.18 to 3.4.20
9.3	Activities in the Port Hills, Malvern Hills and High Country	3.4	3.4.1 and 3.4.2	3.4.2 and 3.4.3
9.4	Scale of Non-residential and Non-rural Activities	3.4	3.4.1 and 3.4.2	3.4.2 to 3.4.4
9.5	Rural Based Industrial Activities	3.4	3.4.1 and 3.4.2	3.4.3 and 3.4.4
9.6	Contaminated Land	1.1	1.1.1 and 1.1.2	1.1.1 to 1.1.3
9.7	Activities on the Surface of Waterbodies	1.3, 2.3, 3.4	1.3.2, 2.3.2, 3.4.1	1.3.12, 2.3.4, 3.4.3

Rule Numbers	Topic	Part B, Section	Objectives	Policies
9.8, 9.9, 9.10	Animals (Keeping of Animals, Boarding of Animals and Intensive Livestock Farming)	2.1, 3.4	2.1.1, 3.4.1 and 3.4.2	2.1.1 to 2.1.8, 3.4.1 to 3.4.3, 3.4.11, 3.4.12, 3.4.14, 3.4.18 to 3.4.20
9.12	Carparking, Vehicle Crossings, Access and Egress		See Part C - Rule 4 - Roading	
9.13	Vehicle Movements	2.1, 3.4	2.1.1, 3.4.1 and 3.4.2	2.1.1 to 2.1.3, 3.4.1, 3.4.3, 3.4.18 to 3.4.20
9.14	Aircraft Movement	2.1, 3.4	2.1.1 and 2.1.2, 3.4.1 and 3.4.2	2.1.17, 3.4.1, 3.4.3, 3.4.9, 3.4.11, 3.4.13
9.15	Audible Bird Scaring Devices	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.11, 3.4.12
9.16	Noise	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.11
9.17	Blasting and Vibration	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.13
9.18	Glare	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.9, 3.4.10
9.19	Dust	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.4

Reasons for Rules

Rule 9 manages effects of activities on the environment, where those activities are not addressed by more specific rules in Rules 1 to 8, or Rule 10. District Plan rules are needed to manage potential effects of activities on adjoining properties or other parts of the environment, which are not direct costs to the person undertaking the activity.

Rule 9.2.1 lists activities which are discretionary activities, whether they comply with the rules for permitted activities or not. These activities are usually appropriate in the Rural Zone, but have the potential for effects on surrounding properties or the environment, which therefore need to be managed through a resource consent process so that effects on surrounding properties and amenity values can be considered and affected parties identified.

Rule 9.2.2 lists activities which are non-complying activities, whether they comply with the rules for permitted activities or not. The effects associated with other types of industrial activities (i.e. those that are not defined as “rural based” industrial activities) are considered to be generally inappropriate in all parts of the Rural zone, except for industrial activities involving the use or extraction of natural resources in the Port Hills, Malvern Hills and High Country and those operating as a home based occupation given their size and operational constraints. While there is a degree of acceptance for rural-based industrial activities within parts of the rural area, other types of industry may result in significant adverse visual effects, increased traffic generation and noise, and a reduction in rural outlook and openness. As such, it is appropriate that these types of industrial activities are directed to locate within Business 2 Zones, unless significant adverse effects can be avoided.

Rule 9.3 manages the type of activities which can occur on the Port Hills and Malvern Hills and High Country and provides for temporary military training activities throughout the Rural Zone. Generally, both the Township and Rural Volumes of the Plan manage the effects of activities,

rather than the activities themselves. This rule is an exception. The reason is that the Port Hills, the Malvern Hills and High Country have special recreational and amenity values, including a sense of remoteness and isolation from townships. These values are derived from the sparseness of settlement and the absence of commercial and industrial activities typical of townships. To help retain these special values, the Plan requires activities on the Port Hills and the Malvern Hills and in the High Country to be activities associated with the use, protection or enjoyment of the natural resources in the area. Permitted activity status is appropriate for temporary military training activities undertaken by the NZ Defence Force because they are not able to be designated due to their temporary nature and variable location. Potential effects associated with temporary activities include use of hazardous substances, noise and discharges and soil disturbances. These are controlled by permitted activity rules, other than noise (temporary military training activity are exempt from the noise rules).

Rule 9.4 manages the effects of non-rural and non-residential activities in the rural area, including business and community activities but excluding rural based industrial activities and other industrial activities (which are covered under Rules 9.5.1 and 9.2.2 respectively. The rule allows for small scale business and community activities to establish as a permitted activity in the Rural Zone, however resource consent will be required (as a discretionary activity) where the scale exceeds the permitted standards. The Plan recognises that the rural area accommodates a variety of activities, however the scale, nature and intensity of some business and community activities may not maintain rural character or the quality of the environment. Activities that do not comply with the permitted activity rules may still be able establish in rural areas, if any significant adverse effects on the amenity and character of the receiving environment can be adequately avoided remedied or mitigated.

Rule 9.5 manages the effects of rural-based industrial activities. The effects associated with small scale rural-based industrial activities are considered to be appropriate in all rural areas, however where these activities are of medium to large scale there is a potential for their effects to impact on visual amenity, rural outlook, spaciousness and quietness. However, the potential adverse effects of medium to large scale rural-based industrial activities may be avoided by locating in a Business 2 zone or in the Rural (Outer Plains) Zone where larger allotment sizes and lower population densities provide greater opportunity for internalising adverse effects. The smaller allotment size and higher population density of the Rural (Inner Plains) Zone means that medium to large scale industrial activities may not be able to locate in this area without generating significant adverse amenity effects.

Rule 9.6 manages effects of activities on contaminated land where there is a likelihood that people may come into contact with the land directly or absorb contaminants through food or drinking water. Consequently, the rule applies to residential, education and outdoor recreational activities, and to the growing or rearing of food crops or livestock. There are corresponding rules for erecting buildings associated with these activities. The rules do not prevent these activities from occurring on contaminated sites, provided that: there is no risk of adverse effects on people; the activity and site are designed so that people do not come into contact with the contaminated land; any mitigation measures do not impact on the wider environment; or the contaminated soil is removed. Contaminated land is defined in Part D of the Plan. Please note- the Council records, on LIMs, those sites which it recommends be tested for contaminated land due to past land uses. This recommendation does not mean that the site is contaminated (see Part B, Section 1.1).

Rule 9.7 manages effects of activities on the surface of water. The lakes listed in Rule 9.7.1 are small and isolated. Due to their isolation in the High Country, they have high ecological values and high amenity values because they (and their margins) are relatively undisturbed by people, and unmodified by structures. Due to their small size, these lakes may not be able to absorb the wake from motorised craft travelling at high speeds, without effects on the lake margins, amenity values and sense of tranquillity. The Plan encourages the small lakes in the District to be managed so that recreational activities maintain their ecological and amenity values. The recreational use of motorised craft is encouraged to locate on larger lakes in the District.

Moana Rua/Lake Pearson

The use of Moana Rua/Lake Pearson for jet-skiing, water-skiing and jet-boating has been an issue in the District for several years. In October 1999 the Department of Conservation called for public submissions on a proposal to make Moana Rua/Lake Pearson a wildlife refuge. As a result of this process, the Department of Conservation decided there was insufficient information to conclude that motorised craft were adversely affecting wildlife, particularly Crested Grebe nesting on the lake. The Department therefore introduced a research programme and management plan for Moana Rua/Lake Pearson, including a voluntary ban on motorised craft on the lake between October and November. The Council is satisfied that the Department of Conservation has undertaken a thorough assessment of the issue and will continue to support and assist the Department in this matter.

Rules 9.8, 9.9 and 9.10 manage activities involving the keeping of animals. The boarding of animals and intensive livestock farming are not permitted activities because of potential nuisance effects on surrounding properties. These activities are appropriate activities in the Rural Zone, however, resource consent is required to ensure any potential nuisance effects are adequately mitigated. The Council has adopted this option rather than specifying minimum setback distances for intensive livestock farms from property boundaries. The reason is that the recommended setbacks for pigs and poultry are so large that many operations will not comply. In many cases, such large setbacks are not needed, as nuisance effects from intensive livestock farming may relate to how the activity is managed rather than its size. Large setback distances may result in an inefficient use of land if they are not necessary.

Rule 9.12 and Rule 9.13 address effects of traffic generation on the safety and efficiency of the road network and the amenity values of residents. Rule 9.12.1, through cross referencing to Rule 4, requires all carparking from any activity to be on-site or on land adjoining the site, rather than on the road reserve. Rule 9.13 manages the volume of traffic an activity may generate as a permitted activity. The reason for the rule is not to prevent activities which generate higher volumes of traffic from occurring in the Rural Zone. Rather, it is to ensure that the road is of sufficient standard to accommodate the additional traffic volume safely. Therefore, the rules apply on unformed, unsealed and sealed Local Roads. Roads formed to a higher standard should be able to accommodate additional vehicle numbers from a single activity without requiring specific upgrades.

The rule also allows the Council to consider effects of additional traffic on nearby residents and other road users. Residents and other road users on Local Roads may not be used to large volumes of traffic. Other activities such as stock driving may occur quite frequently and may not be managed by Council bylaws. On Collector and Arterial roads and Strategic Roads, residents and other road users should expect, and be used to, higher volumes of traffic.

Rule 9.14 manages potential effects on surrounding residents from noise and vibration from the take-off or landing of aircraft. The occasional take-off or landing of aircraft for activities such as topdressing, spraying, and recreational flying are part of the rural environment. The Rural zone is also an appropriate area to establish airports and helipads for more frequent flying, due to the large land areas and low residential density compared with townships. Consequently, the rule allows for 'one off' or irregular and infrequent take-off and landing of aircraft as a permitted activity. The rule also allows for more regular and small-scale use of properties for taking-off and landing as a permitted activity, subject to conditions relating to hours of operation and distance from Living zones. More frequent movements requires a resource consent for a discretionary activity, so that potential effects on surrounding properties can be assessed and managed. The operation of military aircraft are also exempted from the controls on taking off and landing of aircraft. Such aircraft are used for emergency and law enforcement work, but also for training purposes.

Emergency services may be located in rural areas close to the communities they serve. In these situations it may be impractical from an operational sense for emergency sirens to comply with

noise standards and still achieve their function in alerting the community of an emergency and they have therefore been given an exemption. The fact that such sirens operate on an infrequent rather than continuous basis in part mitigates potential noise effects. In all other aspects of the emergency service operation must still comply with Rule 9.14.

Rule 9.15 manages potential noise and disturbance from the use of audible bird-scaring devices on surrounding residents and other activities. The use of audible bird-scaring devices has increased in the District in the last few years. Often these areas are also areas where residential density is relatively high for the Rural Zone. The Council has received complaints about noise and disturbance from these devices. The Council established a working party with a variety of interest groups, including residents and users. The Working Party established rules which allow for effective use of audible bird-scaring devices, while mitigating noise and disturbance effects on surrounding residents. The conditions in these rules are derived from the Working Party's recommendations.

Rules 9.16 and 9.17 provide general rules for the effects of noise and vibration on surrounding residents and other activities.

Rule 9.18 manages glare from outdoor lighting. Rule 9.18.1 is a general rule applying to the rural area. Rule 9.18.2 is a specific rule applying to activities within the area shown on the Planning Maps as the Observatory Lighting Area. This area is where nightglow from outdoor lighting at night will significantly affect the operation of the West Melton Observatory. The Observatory is a valuable community asset and the Council considers the rules are reasonable as they do not impose any more significant cost on landowners than standard forms of night lighting. The rule is intended to allow for effective night lighting in this area, while reducing potential nightglow. This is achieved by requiring night lighting to be shielded to direct any light spill downwards on to the surface being illuminated. The rule contains exceptions for temporary activities and activities where lighting may not be able to be shielded for safety or other legal requirements.

Rule 9.19 manages potential dust nuisance caused by stockpiling of unconsolidated material outdoors. Dust is generated by many natural sources in the rural area which cannot be avoided. River beds and cultivated land are examples. However, the stockpiling of unconsolidated material in close proximity to dwellings is a dust source which can be mitigated.

Rule 9.20 provides for temporary military training activities. Such activities have some potential to create adverse environmental effects, but the nature of the activity is unique in terms of other land uses and is temporary in nature. The accompanying restrictions on duration, building, excavation, sensitive sites and noise are expected to mitigate any significant adverse effects on the environment.

Rules 9.5.2.2 to 9.5.2.4 recognise the existence of specific established rural based industrial activities (an existing poultry processing plant and feedmill) that have been part of the local rural environment for a number of years. Effects associated with these established rural based industrial activities, such as noise, odour, dust and traffic, are an anticipated and generally accepted part of this local rural environment. However, there are a number of smaller land parcels in close proximity to these existing rural based industrial activities that may be adversely affected by expansion or additions to current operations, building or activity on site. Where expansion of activities and/or operations can be confined to an area where adverse effects can be readily and expediently internalised to that area, it is appropriate for that expansion to be subject to a resource consent application to ensure that any potential for adverse effects on the environment are avoided, remedied or mitigated. Where this can not be demonstrated, the Council has the ability to decline any such expansion.

Note: The Proposed Regional Coastal Environment Plan prohibits habitable buildings with floor areas in excess of 25m², including any extensions or alterations, seaward of the Hazard 1 line. If the Prohibited status remains once the Regional Plan is operative, then no consents will be granted for these activities.

10.3 SUBDIVISION IN OUTSTANDING LANDSCAPE AREAS

Restricted Discretionary Activities — Subdivision in Outstanding Landscape Areas

- 10.3.1 Any subdivision of land which does not comply with Rule 10.1.1.2 shall be a restricted discretionary activity.
- 10.3.2 Under Rule 10.3.1, the Council shall restrict its discretion to consideration of:
- 10.3.2.1 All the matters listed in Rule 10.1.2;
 - 10.3.2.2 The capacity of the landscape to absorb change having regard to existing geomorphologic features, building development and the landscape and amenity values in the locality.^{PC6}
 - 10.3.2.3 Any effects of the proposed subdivision on the landscape values of the area, including (but not limited to) whether the proposed allotment boundaries follow the physical boundaries of natural features or changes in the landscape, where practical;
 - 10.3.2.4 Any positive effects which may offset any adverse effects; and
 - 10.3.2.5 Any condition on the subdivision consent requiring a consent notice or other mechanism to be placed on the Certificate of Title for any allotment created, to alert prospective purchasers that erecting any dwelling or other principal building within an area of Outstanding Landscape is not a permitted activity.

10.4 SUBDIVISION ON SPECIAL SITES (HERITAGE AND CULTURAL).

Restricted Discretionary Activities — Subdivision on Special Sites (Heritage and Cultural)

- 10.4.1 Any subdivision of land which does not comply with Rule 10.1.1.3 shall be a restricted discretionary activity.
- 10.4.2 Under Rule 10.4.1, the Council shall restrict its discretion to consideration of:
- 10.4.2.1 All of the matters listed in Rule 10.1.2.
 - 10.4.2.2 Any adverse effects of the proposed subdivision on:
 - (a) Any heritage or archaeological site; or
 - (b) Any Silent File area, Wāhi Taonga site, Wāhi Taonga Management Area or Mahinga Kai site, as advised by local Runanga; or

- (c) Any significant ecological site;

10.4.2.3 The effects considered under Rule 10.4.2.2 include (but are not limited to):

- (a) Any effects of the subdivision of land on the site, including separating the site between allotments which may result in separate ownership or management of the site;
- (b) Effects on access to the site and whether any restrictions on access to the site may detract from or help maintain its values;
- (c) Alternative boundaries for the new allotments created which may better maintain the site in one allotment or access to the site, if access is desirable;
- (d) Any condition on the subdivision consent requiring a consent notice or other mechanism to be placed on the Certificate of Title for any allotment created, to alert prospective purchasers that activities involving heritage or archaeological sites, trees or buildings, or cultural sites, may require a resource consent application under the Plan, or in the case of an archaeological site, consent of the New Zealand Historic Places Trust Pouhere Taonga; and
- (e) Any positive effects which may offset any adverse effects.

10.5 SUBDIVISION – INTENSIVE LIVESTOCK PRODUCTION ACTIVITIES

Restricted Discretionary Activities – Subdivision – Intensive Livestock Production Activities

- 10.5.1 Any subdivision of land which does not comply with Rule 10.1.1.4 shall be a restricted discretionary activity.
- 10.5.2 Under Rule 10.5.1 the Council shall restrict its discretion to consideration of:
 - 10.5.2.1 All the matters listed in Rule 10.1.2;
 - 10.5.2.2 The potential for reverse sensitivity effects on the existing intensive livestock production activity;
 - 10.5.2.3 The effectiveness of any proposed mitigation measures to address potential reverse sensitivity effects.
 - 10.5.2.4 Any positive effects which may offset any adverse effects; and
 - 10.5.2.5 Any condition on the subdivision consent requiring a consent notice or other mechanism to be placed on the Certificate of Title for any allotment created, to alert prospective purchasers that establishing a sensitive activity within 300m of an intensive livestock production activity is not a permitted activity.

10.6 SUBDIVISION AND ROAD ACCESS

Restricted Discretionary Activities — Subdivision and Road Access

- 10.6.1 Any subdivision of land which does not comply with Rule 10.1.1.5 shall be a restricted discretionary activity if all of the following standards and terms are met:
- 10.6.1.1 the allotment has access to a legal road (whether formed or unformed) and
 - 10.6.1.2 that access is not obtained by crossing a railway line.
- 10.6.2 Under Rule 10.6.1, the Council shall restrict its discretion to consideration of:
- 10.6.2.1 All of the matters listed in Rule 10.1.2.
 - 10.6.2.2 For access on to a Strategic Road:
 - (a) Whether the access will adversely affect the safe and efficient flow of traffic along the Strategic Road, including any cumulative effects of multiple vehicular accessways on to the Strategic Road;
 - (b) The number, design and siting of any vehicular accessway(s) or vehicle crossing(s);
 - (c) Whether the allotments created can be designed to have legal access on to an alternative legal road other than a Strategic Road, and whether this alternative access is appropriate;
 - 10.6.2.3 For access on to an unformed or unmaintained road:
 - (a) The standard to which the road, any vehicular accessway, and any vehicle crossing will be formed or maintained to serve the activity;
 - (b) Who will be responsible for forming or maintaining the road to the required standard; and
 - 10.6.2.4 Any positive effects which may offset any adverse effects.

Non-Complying Activities — Subdivision and Road Access

- 10.6.3 Any subdivision of land which does not comply with Rule 10.6.1 shall be a non-complying activity.

10.7 SUBDIVISION – VEHICULAR ACCESSWAYS AND VEHICLE CROSSINGS

Discretionary Activities — Subdivision – Vehicular Accessways and Vehicle Crossings

- 10.7.1 Any subdivision of land which does not comply with Rule 10.1.1.6 shall be a discretionary activity.

10.8 SUBDIVISION AND TRANSMISSION LINES

Restricted Discretionary Activities — Subdivision and Transmission Lines

- 10.8.1 Any subdivision of land which does not comply with Rule 10.1.1.8 shall be a restricted discretionary activity.
- 10.8.2 The Council shall restrict the exercise of its discretion to the following matters:
- 10.8.2.1 Location of building platforms: the extent of separation between building platforms and existing lines, taking into account the requirements of the NZECP:34 (New Zealand Electrical Code of Practice for Electrical Safety Distance) or any subsequent code of practice.
- 10.8.2.2 Within 20 metres of the centreline of a transmission line:
- (a) Subdivision design: the degree to which the subdivision design, including the location of roads and reserves recognises and provides for existing electricity lines so that reasonable access to the lines is maintained.
 - (b) Location of proposed vegetation and tree planting: the extent of separation between the location of proposed trees and existing lines, taking into account the likely mature height of the trees, and whether they have a potential to interfere with the lines.
 - (c) Extent and mode of earthworks: whether appropriate safeguards are in place to avoid contact with or flashovers from the lines, and effects on the stability of support structures.

Note: Consultation with Transpower New Zealand Limited is advised when considering construction within 20 metres of a high voltage electricity transmission line. The New Zealand Electrical Code of Practice NZECP:34 contains restrictions on the location of structures and activities in relation to the lines.

10.9 SUBDIVISION AND ESPLANADE RESERVES OR STRIPS

Restricted Discretionary Activities — Subdivision and Esplanade Reserves or Strips

- 10.9.1 Any subdivision of land creating allotments of less than 4 hectares which does not comply with Rule 10.1.1.9 in relation to land adjoining rivers and lakes listed in Appendix 17, or any other subdivision of land adjoining a lake with an area of 8 hectares or more, or a river with a bed of average width of 3 metres or more where the lake or river involved is not listed in Appendix 17 shall be a restricted discretionary activity.
- 10.9.2 The Council shall restrict its discretion to the following matters:
- 10.9.2.1 Whether a reserve or strip of lesser width than that set out in Appendix 17 is sufficient to protect the silent file areas or to protect conservation values, to enable public access, or to enable public recreational use.

- 10.9.2.2 Whether the non-provision of public access to or along an esplanade reserve or strip adjoining a waterbody listed in Appendix 17 is necessary in order to ensure compatibility with conservation values, or whether the non provision of an access strip to an esplanade reserve or strip can be justified because of the availability of alternative access to the esplanade reserve or strip.
- 10.9.2.3 Whether an esplanade strip is necessary to protect the natural character or silent file areas of land adjoining any river or lake other than those listed in Appendix 17. In such cases, there shall be no public access.
- 10.9.2.4 The extent to which the “Criteria for Taking Land instead of Cash” clause of the “Reserves – Specific Issues regarding Development Contributions Assessment” in the Development Contribution Policy of the 2006-2016 LTCCP will meet the needs of present and future generations.^{V30}

10.10 SUBDIVISION OF LOTS SMALLER THAN THE MINIMUM SIZE

Restricted Discretionary Activities – Subdivision of Lots Smaller than the Minimum Size

Note:

1. Rule 10.10 applies to the subdivision of land where the allotments created may have a dwelling erected on them. Rule 10.10 may also be used for the subdivision of an allotment(s) which contains a dwelling(s). It may be used to provide for alternative subdivision layouts (e.g. clustering) to those provided for under Rule 10.1.1.11.
2. People wishing to subdivide land under Rule 10.10.1 are strongly advised to read the Council's pamphlet on subdividing land and erecting houses in the Rural Zone.

10.10.1 Any subdivision of land which does not comply with Rule 10.1.1.11 shall be a restricted discretionary activity if:

10.10.1.1 Any allotment created is located outside the area shown on the Planning Maps as the Inner Plains;

10.10.1.2 The balance area of land needed to comply with the minimum area in Rule 10.1.1.11, Table C10.1, does not include:

- (a) The bed of any lake or river;
- (b) Any legal road;
- (c) Land which is vested in any form of reserve; or
- (d) Any other land which, due to its legal tenure, could not be used to erect a dwelling;

Note: Rule 10.10.1.2 does not apply to land classified in the District Plan as an area of Outstanding Landscape which (if not for the District Plan provisions) could have had a dwelling erected on it. Nor does it apply to land held in pastoral lease.

10.10.1.3 The balance area of land required to comply with the minimum area under Rule 10.1.1.11, Table C10.1, adjoins the allotment on which a dwelling may be erected, along at least one property boundary;

- 10.10.1.4 The balance area of land required to comply with the minimum area under Rule 10.1.1.11, Table C10.1, is:
- (a) included within the area of land subject to the subdivision consent application, and is subject to a mechanism (as a condition of the consent) to prevent the erection of any dwelling on that land; or
 - (b) not included within the area of land subject to the subdivision consent application, and is subject to a Memorandum of Encumbrance or other mechanism to prevent the erection of any dwelling on that land.

10.10.2 Under Rule 10.10.1, the Council shall restrict its discretion to consideration of:

10.10.2.1 All the matters listed in Rule 10.1.2.

10.10.2.2 Whether any allotment on which a dwelling(s) is to be erected is of a suitable size and shape to avoid adverse effects on surrounding properties. Such effects include (but are not limited to): effects from the zones of influence of wells or on-site effluent treatment and disposal systems; and potential 'reverse sensitivity' effects with activities on surrounding sites;

10.10.2.3 The maximum number of small allotments which may be located together under this rule, having regard to Rule 3.10.3.6;

10.10.2.4 Any effects of access from the allotment on the safety and efficiency of the road network, including cumulative effects from several allotments, and whether a shared vehicular accessway is appropriate for more than one allotment;

10.10.2.5 The shape and location of the balance land to be kept free of dwellings;

10.10.2.6 Within the area shown on the Planning Maps as the Port Hills, the location of any allotment on which a dwelling may be erected, having regard to Rule 10.3.2.2;

10.10.2.7 For Rule 10.10.1.4, whether the mechanism proposed to ensure that the land is free of any dwelling is appropriate considering:

- (a) The applicant's understanding of the restrictions placed on future uses of the land;
- (b) Whether the mechanism is a condition by which the consent is granted;
- (c) Enforceability of the condition;
- (d) Any administration costs to the Council; and
- (e) The ease with which any future buyer of the land can be made aware that a dwelling cannot be erected on the land; and

Note: *In relation to Rule 10.10.2.7, see the Council's Pamphlet for more information on the types of mechanisms available.*

10.10.2.8 Any positive effects which may offset any adverse effects.

Non-Complying Activities — Subdivision of Lots Smaller than the Minimum Size

- 10.10.3 Any subdivision of land which does not comply with Rule 10.10.1 shall be a non-complying activity, unless it complies with Rule 10.11.

10.11 SUBDIVISION AND BOUNDARY ADJUSTMENTS

Controlled Activities — Subdivision and Boundary Adjustments

- 10.11.1 The subdivision of land by the altering of boundaries between allotments shall be a controlled activity provided all of the following standards and terms are met:
- 10.11.1.1 The allotments subject to the boundary adjustment shall adjoin one another.
 - 10.11.1.2 There shall be no increase in the number of allotments created as a result of the boundary adjustment.
 - 10.11.1.3 No allotment shall be created which is smaller than the smallest allotment existing prior to the boundary adjustment.
 - 10.11.1.4 The boundary adjustment shall not result in any increase in the potential number of dwellings which may be erected on any allotment subject to the boundary adjustment, in compliance with Rule 3.10 than the number which could have been erected on that allotment prior to the boundary adjustment.
- 10.11.2 Any boundary adjustment which complies with Rule 10.11.1 shall not be notified and shall not require the written approval of affected parties.
- 10.11.3 The Consent Authority shall retain its control over all of the following matters:
- 10.11.3.1 All those matters listed in Rule 10.1.2.
 - 10.11.3.2 The mechanism(s) which shall be used to ensure the boundary adjustment does not increase the potential number dwellings able to be erected on any allotment subject to the boundary adjustment.

Non-Complying Activities — Subdivision and Boundary Adjustments

- 10.11.4 Any boundary adjustment which does not comply with Rule 10.11.1 shall be a non-complying activity, unless it complies with one of the rules for subdivision under Rules 10.1 to 10.10, in which case the activity shall be assessed under that rule.

Cross Referencing

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-

referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
10.2	Flood Areas	3.1	3.1.1	3.1.2 to 3.1.4, 3.1.8
10.3	Outstanding Landscape Areas	1.4	1.4.1	1.4.1 to 1.4.3, 1.4.5 to 1.4.32.
10.4	Special Sites (Heritage and Cultural)	3.3	3.3.1 and 3.3.2	3.3.2 to 3.3.4, 3.3.7, 3.3.8
10.6	Road Access	2.1	2.1.1	2.1.3, 2.1.4
10.7	Vehicular Access and Vehicle Crossings	2.1	2.1.1	2.1.1, 2.1.2, 2.1.5 to 2.1.7
10.8	Transmission Lines	2.2	2.2.1 and 2.2.2	2.2.1 to 2.1.3
10.9	Esplanade Reserves or Strips	1.3, 2.3	1.3.2, 2.3.2	1.3.11, 2.3.5 and 2.3.6
10.10	Lots Smaller than the Minimum Size	4.1	4.1.1 to 4.1.3	4.1.1 to 4.1.7, 4.1.11 and 4.1.12

Reasons for Rules

Rule 10 manages the subdivision of land. Subdivision has the meaning set out in section 218 of the RMA, and includes unit titles, cross leases and the leasing of any building or part of any building for a period of 35 years or more. District councils may control subdivision under the RMA (section 31(2)) and the subdivision of land requires a resource consent unless the activity is a permitted activity under the Plan (section 11).

Subdivision, per se, has few effects on the environment. However, subdivision is a precursor to other activities, particularly the erecting of dwellings. There is a popular expectation amongst New Zealanders that if they buy an allotment, they should be able to erect a house on it.

Any subdivision of land requires a resource consent under this Plan. The Plan manages subdivision for three reasons:

- To ensure that any allotment created is in an appropriate location, of an appropriate size and shape, and has appropriate legal access and connections to utilities, for its intended purpose;
- To ensure that any subdivision does not result in land uses which are non-complying with the Plan or which will affect adjoining properties due to the size of the allotment on which the activity is taking place being reduced.
- To ensure that where allotments are created that are not of a sufficient size to enable a house to be erected on the allotment, that an appropriate mechanism is used to alert prospective buyers of the allotment.

Rule 10.1 lists standards and terms by which a subdivision is a controlled activity. The minimum allotment size is the same as the minimum allotment size to erect a dwelling as a permitted

activity, under Rule 3.10 of the Plan. The rules provide for subdivisions which cannot comply with Rule 10.1, including subdivision of allotments smaller than the minimum size, as restricted discretionary activities or discretionary activities, where they comply with standards and terms.

Rule 10.1.1.4 The 300 metre buffer distance does not apply to that part of the Living 2A Zone at the intersection of Shands and Blakes Roads, Prebbleton and legally described as Lots 1, 2 and 10 DP 54204 and Lot 1 DP 21798 in respect of the existing Tegel Foods Ltd poultry operation located on Lot 1 DP 53738 as the Council is satisfied that other methods have effectively addressed any reverse sensitivity effects.

Rule 10.8 addresses the establishment of rural lots and building sites close to high voltage transmission lines. The rule requires subdivision within a 20 metre corridor parallel to such lines to be subject to a restricted discretionary activity application. This enables access to these lines for maintenance to be protected if necessary, and to ensure tree planting, building and earthworks, do not compromise the lines. It also enables matters of public safety and health to be addressed.

Rule 10.10 provides for dwellings on allotments smaller than the minimums stated in Rule 10.1.1.11, provided that the balance area of land needed to comply with the minimum is kept free of dwellings. This may be done using several methods, for example, by placing some form of Covenant over part of the land, or by placing a Consent Notice over the whole allotment, to prevent dwellings being erected. The land subject to these mechanisms may be farmed, forested or otherwise used, and can be bought or sold separately from the allotment on which the dwelling is erected, but it cannot have a dwelling erected on it. The reason for this rule is to allow people to erect houses on small allotments, while still maintaining low residential density in the Rural zone. Large minimum allotment sizes can result in inefficient land uses. For example, where a person has to sell or buy more land than they want in order to reside in the rural area; or where a person buys a farm and requires the land but not the house. Large minimum allotment sizes can also be awkward if people wish to have the dwelling in separate ownership from the rest of the property, for business or family reasons.

The rule does not stipulate the method to be used to keep the balance area of land free of dwellings. Different methods may be appropriate in different cases. The rule does require the method be enforced as a condition on the subdivision or land use consent, if the land to be kept free of dwellings is part of the allotment which is to be subdivided. The Council retains its discretion to determine whether the method nominated by the applicant is appropriate. (For erecting dwellings on existing allotments, see Rule 3.10)

Rule 10.10 also provides for a dwelling on a smaller allotment in the situation where land which is not subject to the subdivision is used to comply with the minimum allotment areas in Rule 10.1.1.11. This may occur where a person owns several allotments, or has purchased the 'development rights' from an adjoining property owner, and uses his/her land to provide the additional minimum area needed. In these cases, the application needs to include a Memorandum of Encumbrance or some other mechanism to be registered on the other allotment as part of the resource consent application. It will be a condition of the subdivision or land use consent that the proposal be carried out in accordance with the application which is submitted (including the proposed Memorandum of Encumbrance or other mechanism).

The Council has produced a pamphlet to help explain how these rules work and their advantages and disadvantages. Applicants are strongly advised to refer to it.

Rule 10.10 does not apply to land within the area shown on the Planning Maps as the Inner Plains. The minimum allotment size in the Inner Plains is 4 hectares. Council believes that residential density in this area is sufficiently high to require each dwelling to have 4 hectares. It is considered that 4 hectares allotments will avoid adverse effects of on-site effluent treatment and disposal on groundwater, and potential 'reverse sensitivity' effects on rural activities; and maintain a rural character that is distinct from townships (see Part B, Section 4.1).

Rule 10.11 provides for boundary adjustments. The boundary adjustment provisions provide an easier mechanism for the boundaries to be adjusted between existing allotments. Boundary adjustments can be useful for rationalising boundaries or selling properties between neighbours. They can also be useful for rationalising the allotments within one property, for example, to reorganise a property made up of several small allotments into a more rational mix that better suits the management of the property.

Rule 10.1.1.11 which controls the minimum allotment size for subdivision does not apply to boundary adjustments, which provides some flexibility to adjust existing small allotments. It also provides an alternative mechanism to Rule 10.10 for creating smaller allotments for house sites. However, Rule 10.11.1.4 manages residential density, by ensuring the boundary adjustment provisions cannot be used to create additional potential house sites at a higher level than those allowed by the residential density rules set out in Rule 3.10.

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Radio Communication Facility: means any transmitting or receiving devices such as aerials, dishes, antenna, cables, lines, wires and associated equipment/apparatus, as well as support structures such as towers, masts and poles, and ancillary buildings.

Recreational Facility: includes the use of any land, building or structure for the primary purpose of recreation or entertainment and is available to be used by members of more than one household.

Relocated Building: includes any building that is removed from one site and relocated to another part, in whole or in parts. It does not include any new building which is designed for, or intended to be used on, a site but which is erected off the site, in whole or in parts, and transported to the site.

Research: means the use of land and buildings for the purpose of scientific research, inquiry or investigation, product development and testing, and consultancy and marketing of research information; and includes laboratories, quarantines, pilot plant facilities, workshops and ancillary administrative, commercial, conferencing, accommodation and retail facilities.

Residential Activity: means the use of land and buildings for the purpose of living accommodation and ancillary activities. For the purpose of this definition, residential activity shall include:

- a) Accommodation offered to not more than five guests for reward or payment where the registered proprietor resides on-site;
- b) Emergency and/or refuge accommodation; and
- c) Supervised living accommodation and any associated caregivers where the residents are not detained on the site.

'Residential Activity' does not include:

- (a) Travelling accommodation activities (other than those specified above); and
- (b) Custodial and/or supervised living accommodation where the residents are detained on the site.

Restaurant: means any land and/or buildings, or part thereof, principally used for the sale of meals or light refreshments to the general public and the consumption of those meals or light refreshments on the premises. Such premises may be licensed under the Sale of Liquor Act 1989.

Riparian Margin/Zone: means a strip of land of varying width adjacent to a waterbody which contributes to the natural functioning, quality and character of the waterbody, the land margin and their ecosystems.

Road: shall have the same meaning as defined in section 315 of the Local Government Act 1974.
*

Road Boundary: refer to Boundary.

Rural Activity: means the use of land or building(s) for the purpose of growing or rearing of crops or livestock, including forestry, viticulture and horticulture and intensive livestock production and may include a dwelling.

S

Sensitive Activity: includes any of the following activities:

- Residential Activity;
- Travelling Accommodation;
- Community Facility;
- Recreational Facility or Recreational Activity;
- Place of Assembly;
- Restaurant;
- Educational Facility;
- Camping Ground Facility;

but excludes Temporary Accommodation.

Shelterbelt: means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s). Shelterbelts are not more than 20 metres in width and are not clearfelled.

Sign: means any device or structure which is visible from any public space and is used to: identify any site or building; provide directions or information; or promote any goods, services, or forthcoming event. A sign does not include any window display, or any property identification signs which do not exceed an area of 0.2 m² (including rural numbers, dairy company numbers, street/road numbers/property names and property owners' names as long as those property identifiers do not include any advertising).

Silent File Area: includes any land which is listed in Appendix 5 and shown on the Planning Maps as a Silent File Area.

Site: means the area of land on which a particular activity and any ancillary activities by a person or party is/are undertaken. A site may include all or part of an allotment or more than one allotment.

Skyline: means the ridgelines of any mountain or hill range which are silhouetted against the sky and which do not have any other hill, mountain or mountain range behind them which is higher.

Solid Waste: includes any material which is discarded as being spent, useless, worthless or in excess, and includes liquid or gaseous waste which is stored in containers.

Sound Exposure Level: means the A-frequency weighted sound pressure level in decibels which, if maintained consistent for a period of 1 second, would convey the same sound energy to the receiver as is actually received from a given noise event over the same period. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound.

Strategic Road: includes any road listed as a Strategic Road in Appendix 9.

Stopbank: means an embankment constructed for the purpose of preventing flooding.

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 4	127	Ellesmere College	Secondary School	Leeston Dunsandel Road, Leeston	Liv 1	SECT 1 SO 13993, SECT 2 SO 13993, SECT 1 SO 16950 and SECT 1 SO 16410 Leeston Settlement, Block XIV, Leeston Survey District Area – 8.2143ha	
ME5	61	Hororata Primary School	Primary School & Residence	Bealey Road, Hororata	Liv 1	Lot 1 DP 4181, Pt Lot 2 DP 6225, Block XII, Hororata Survey District Area – 2.8444ha	
ME 6	82	Kirwee Model Primary School	Primary School & Residence	School Lane, Kirwee	Liv 1	Lot 21 DP 434 Pt Lot 23 (CT Ref 77/95) and Lot 22 DP 434 Blocks VIII & XII Hawkins Survey District Area – 1.188ha	
ME 7	127	Leeston Primary School	Primary School	Selwyn Street, Leeston	Liv 1	RES 5289, RES 5288, RS 39797, PT RES 4596 and PT RS 5787 (CT 9B/810) Block XIV, Leeston Survey District Area - 2.4615ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 8	110	Lincoln Primary School & Lincoln High School	Primary & Secondary School	North Belt, Lincoln	Liv 1	Sect 1 SO 9402, PT RS 884 & 2223 (CT 645/37), SECT 1 SO 14155, SECT 1 SO 11445, SECT 2 SO 14155, SECT 1 SO 11046, Lot 1 & 2 DP 11516, Lot 1 DP 78085, Section 1 SO 382577 and Section 1 SO 9402 Block V, Halswell Survey District Area - 10.73ha	
ME 9	120	Prebbleton Primary School	Primary School & Residence	Blakes Road, Prebbleton	Liv 1	Pt Lot 1 DP 1767, Sec 1 and Sec 2 SO 18846, Block XIII, Christchurch Survey District Area – 1.9741ha	
ME 10	97/ 100	Rolleston Primary School	Primary School	Tennyson Street, Rolleston	Liv 1	Lot 1 DP 82982, SECT 2 SO 18874, SECT 1 SO 306161, Lot 1 DP 62062, SECT 1 SO 18874 Block III, Leeston Survey District Area - 2.9204ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME11	103/104	Lowes Road New School	Education Purposes (Early Childhood and Primary School)	Lowes Road, Rolleston	Liv 1	Section 1 SO 346757 Area –3.3ha	Conditions relating to – 1. Total student role 2. Noise related conditions 3. Building setbacks 4. Maximum building heights 5. Minimum number of bicycle parks 6. Ministry to supply plans for works on the site
ME 12	53	Sheffield Primary School	Primary School & Residence	Curve Road, Sheffield	Liv 1	Lot I DP 13984 Block XIII, Oxford Survey District Area – 2.4281ha	
ME 13	131	Southbridge Primary School	Primary School	Hastings Street, Southbridge	Liv 1 & Rural Outer Plains	PT RS 5861 (CT 406/293), Pt Lot 1 DP 18624, Lot 1 DP 80498, Lot 2 DP 17338, Lot 2 DP 18297 and PT Lot 1 DP 18297 Block I, Southbridge Survey District Area - 4.7904ha	Condition relating to – 1. Heritage trees on site
ME 14	109	Springston Primary School	Education Purposes (Early Childhood and Primary School)	Leeston Road, Springston	Liv 1	Part Lot 7 DP 11913, Lots 24, 25 and 26 DP 16823, Block VIII Leeston Survey District Area – 1.5977ha	ME 14

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 15	125	Tai Tapu Primary School	Primary School	State Highway 75 and School Road, Tai Tapu	Liv 1A	Lot 2 DP 301911 Block VI, Halswell Survey District Area – 2.2600ha	Condition relating to – 1. Heritage trees on site
ME 17	13	Broadfield Primary School	Primary School & Residence	Robinsons Road, Broadfield	Rural Inner Plains	Pt RS 7582 Block IV, Leeston Survey District Area – 1.7503	
ME 18	13	Burnham Primary School	Primary School	Godley Road, Burnham	Rural Outer Plains	Res 4809, 4810, 4654, Pt RS 13523 Block II, Leeston Survey District Area – 2.1734ha	
ME 19	57	Glentunnel Primary School	Primary School and Residence	Homebush Road, Glentunnel	Rural Malvern Hills	Res 2279 Blk VIII Hororata SD Area – 3.2198ha	
ME 20	135	Greendale Primary School	Primary School and Residence	Greendale Road, Greendale	Rural Outer Plains	Pt Res 722 Block XIV, Hawkins Survey District Area – 0.8094	
ME 21	9	Greenpark Primary School	Primary School & Residence	Greenpark Road, Greenpark	Rural Outer Plains	PT RS 5750 & 5756 (CT 371/115) and PT RS 5750 & 5756 (CT371/116) Block IX, Halswell Survey District Area - 0.8094ha	
ME 22	14	Ladbrooks Primary School	Primary School & Residence	Barnes Road, Ladbrooks	Rural Inner Plains	Pt RS 2491 (0.8096ha), Pt Lot 2 DP 22896 (0.1608ha) Block I, Halswell Survey District Area – 0.9701ha	
ME 23	15	Lake Coleridge-Windwhistle Primary School	Primary School & Residence	Rakaia Gorge Road, Windwhistle	Rural Outer Plains	Pt Lot 12 DP 3317 Block VII, Fighting Hill Survey District Area - 0.8143ha	

Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
ME 24	52		Springfield Primary School	Tramway Road, Springfield	Rural Outer Plains	Lot 3 DP 9682 Block XII Kowai Survey District Area – 1.8413ha	
ME 25	13	Weedons Primary School	Primary School & Residence	Weedons Ross Road, Weedons	Rural Inner Plains	PT RS 9456 (CT Ref 396/146), PT RS 7569 (CT Ref 398/28) and PT Lot 2 DP 489 Block XV, Rolleston Survey District Area - 1.8437ha	
Minister of Police							
MP1	49	Arthurs Pass Police Station	Police Station and Residence	State Highway 73, Arthurs Pass	Liv 1	Sec 2 SO 19698, Block VI, Bealey Survey District Area - 0.1604ha	
MP2	69	Darfield Police Station	Police Station and Residence	14-16 North Terrace , Darfield	Liv 1	Part Res 2978, Block XII, Town of Darfield Area - 0.2023ha	Condition relating to – 1.Heritage building on site
MP3	127	Leeston Police Station	Police Station and Residence	Cnr Station and Cunningham Streets, Leeston	Liv 1	Lot 3 DP 58296, SO 17386, Block XIV, Leeston Survey District Area - 0.1842ha	
MP4	113	Lincoln Police Station	Police Station and Residence	30 Gerald Street, Lincoln	Liv 1	Lots 1 (0.0953ha), 2 (0.0515ha) and 3 (0.0568ha) DP 78484, Block V, Halswell Survey District Total Area – 0.2036ha	
MP5	100	Rolleston Police Station	Police Station and Residence	69-75 Tennyson Street, Rolleston	Bus 1	Lot 609 DP 77468, Block III, Rolleston Survey District Area - 0.2000ha	

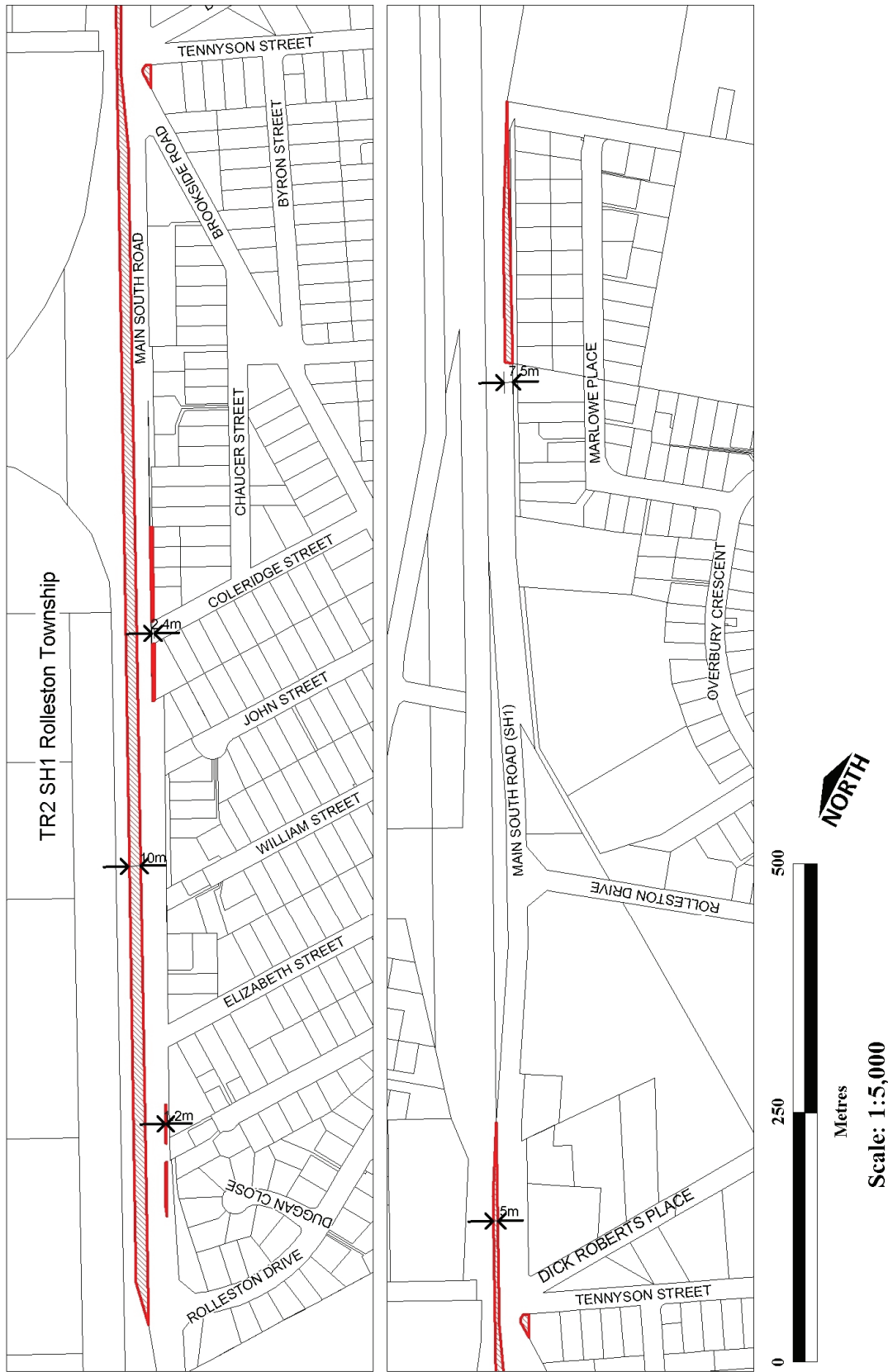
Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
Minister of Social Services and Employment							
MS1	13	Te Puna Wai o Tuhinapo	Youth Justice Residential Centre	Runners Road, Rolleston	Rural Outer Plains	Pt RS 1636, SO 2510 Area - 8.6370ha	Conditions relating to – 1. Buildings 2. Occupancy 3. Community liaison 4. Security 5. Noise 6. Landscaping 7. Lighting 8. Archaeological discovery 9. Rooding 10. Dust
Minister of Defence							
DE1	13	Burnham Military Camp	Defence Purposes – Burnham Military Camp	Main South Road, Burnham Road and Two Chain Road, Burnham	Rural Outer Plains	Pt Res 1160 and 1636, Blocks II and III, Leeston Survey District – NZ Gazette Reserves and Other Lands Disposal and Public Bodies Empowering Act 1932 Res 1159, Block II, Leeston Survey District – NZ Gazette 1950, page 755 Res 1176, Block II, Leeston Survey District – NZ Gazette 1952, page 1865 RS 41213 Block II, Leeston Survey District – NZ Gazette 1980, page 1041 Total Area - 441ha (approximately)	

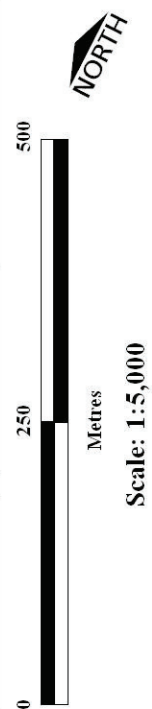
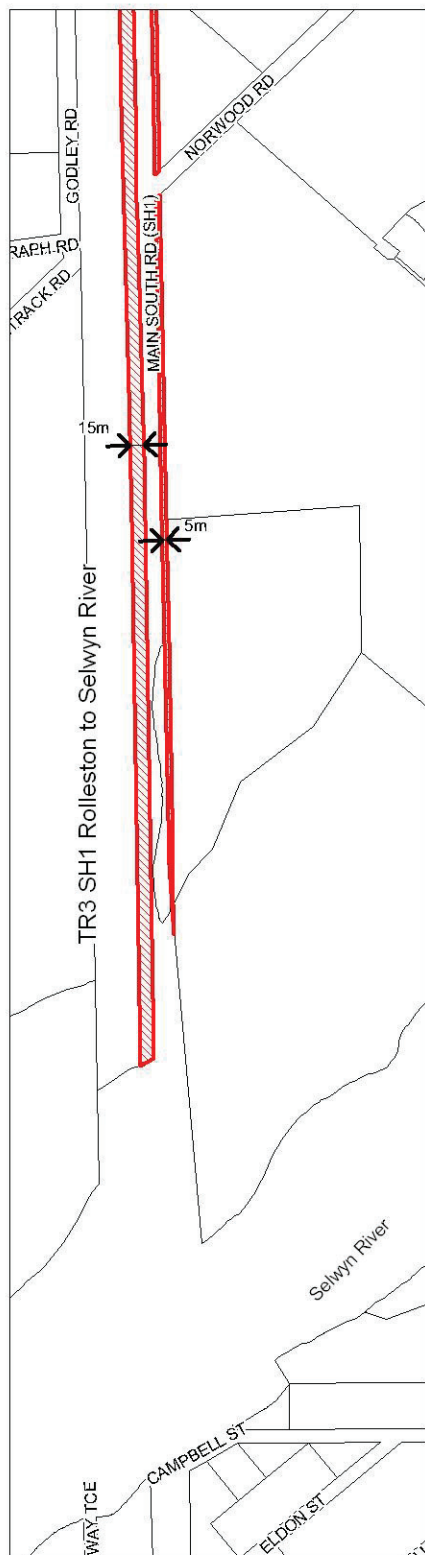
Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
New Zealand Transport Agency							
TR1	Various	State Highways 1, 73, 75 and 77	State Highway	<p>SH1: From the intersection of SH1 with the centerline of the Rakaia River. Note: there is a short section of SH1 south of Marshs Road that is within Christchurch City.</p> <p>SH73: From the Dawsons Road / SH 73 intersection to the summit of Arthurs Pass.</p> <p>SH75: From the centerline of the Halswell River (Halswell River Bridge RP 0/8.35) to the centerline of the Halswell River (Motukarara Culvert RP 14/9.52)</p> <p>SH77: From the centerline of the Rakaia River (Rakaia Gorge Bridge) to the SH 73 / SH 77 intersection.</p>	Various	Various	
TR2	97/98/100	State Highway 1	Road Widening	Rolleston Township, from north of Hoskyns Road to south of Elizabeth Street	Inner Plains	Various	Variable width (see Map*)
TR3	13/99	State Highway 1	Road Widening	South of Elizabeth Street, Rolleston, to Selwyn River Bridge	Inner Plains / Outer Plains	Various	Variable on southern side of SH1. 15m on northern side of SH1. (see Map*)

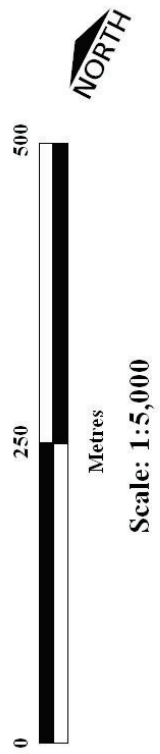
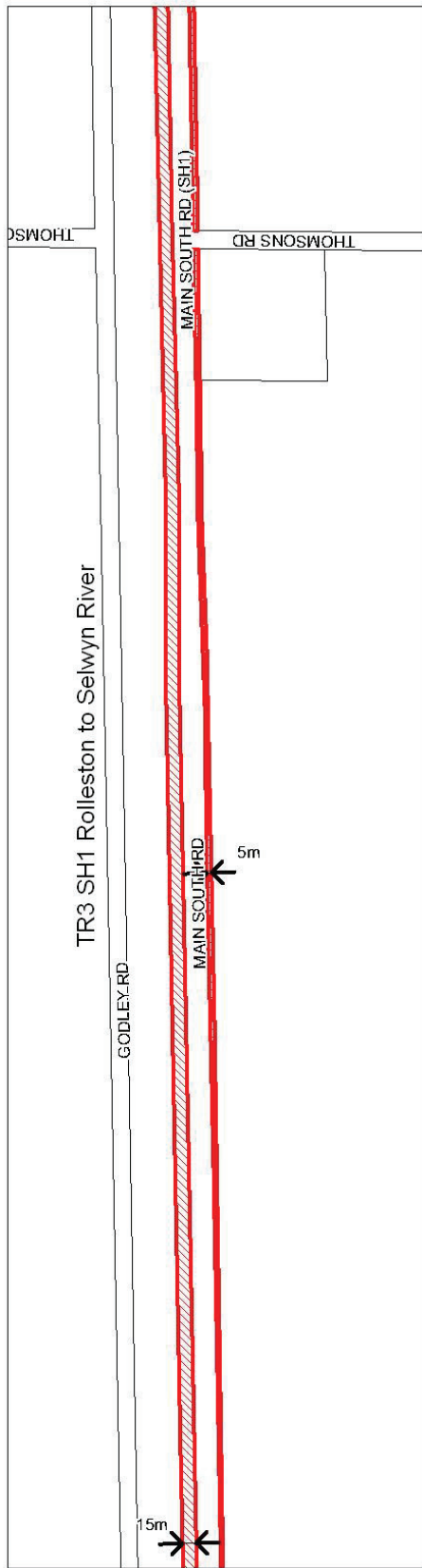
Des No.	Map Ref	Site Name	Designation Purpose	Location	Zone	Legal Description and Gazette (where known)	Comments/ Conditions
TR4	13/135	State Highway 1	Road Widening	SH1 North of Rolleston	Inner Plains	Various	10m on the northern side of SH 1 (see Map*)
*See Maps at the end of this appendix.							
Transpower New Zealand Ltd							
TP1	51	Coleridge Outdoor Switchyard	Electricity Outdoor Switchyard	Hummocks Road, Lake Coleridge	Rural High Country	Pt RS 30100 and Pt Lot 1 DP 6605, Block XIII, Coleridge Survey District, on SO Plan 19017 Area - 1847m ²	
TP2	49	Arthurs Pass Substation	Electricity Substation	West Coast Road State Highway 73, Arthurs Pass	Rural High Country	Leased railway land described as Lot 28 on Plan LO 33063 with a right of access. Area - 2040m ²	
TP3	29	Castle Hill Substation	Electricity Substation	West Coast Road State Highway 73, Castle Hill	Rural High Country	Sec 1 on SO Plan 16500, with a ROW over Pt Run 256, Block XVI Harper Survey District Area - 2275m ²	
TP4	16	Hororata Substation	Electricity Substation	Bealey Road, Hororata	Rural Outer Plains	Sec 1 SO 5371 (2.4255ha); Sec 1 SO Plan 14311 (1.2912ha); Sec 1 SO Plan 7452 (6057m ²); and Sec 2 SO Plan 7452 (7082m ²) Total Area - 5.0306ha	
TP5	13	Springston Substation	Electricity Substation	Weedons Road, Springston	Rural Outer Plains	Sec 1 SO 11203 Area - 2.0128ha	

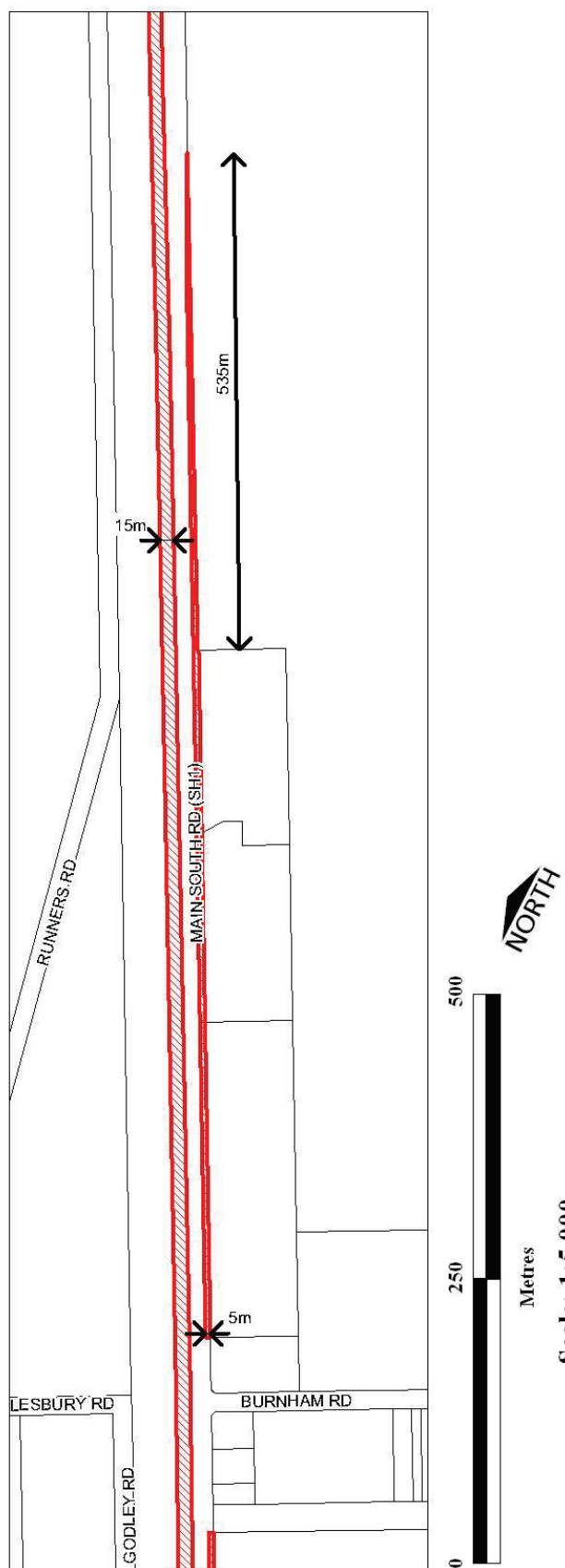
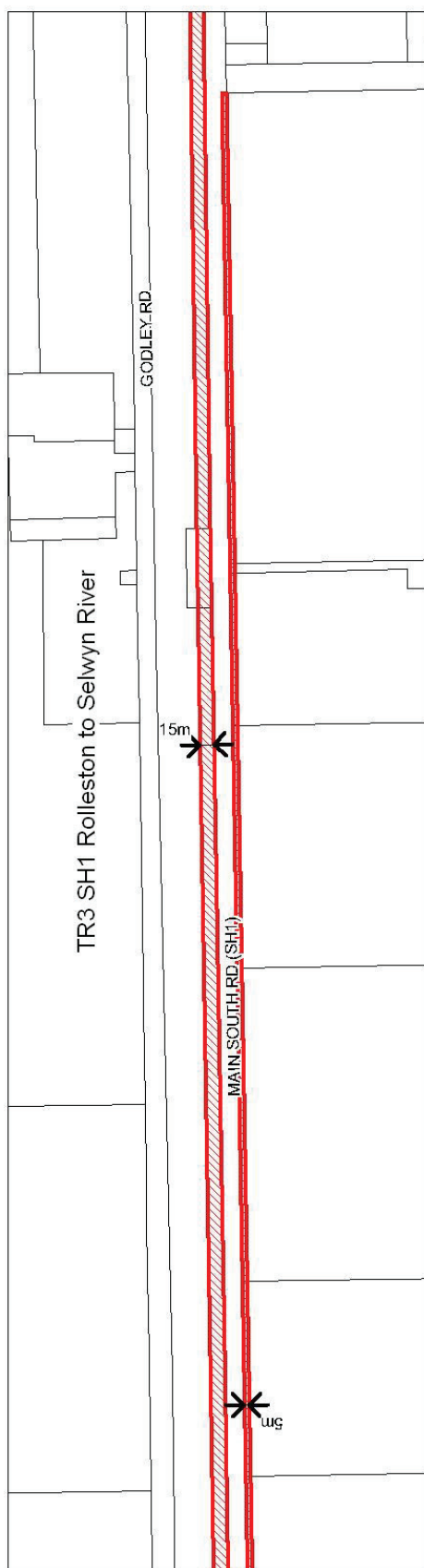
New Zealand Transport Agency Road Widening Designation Maps

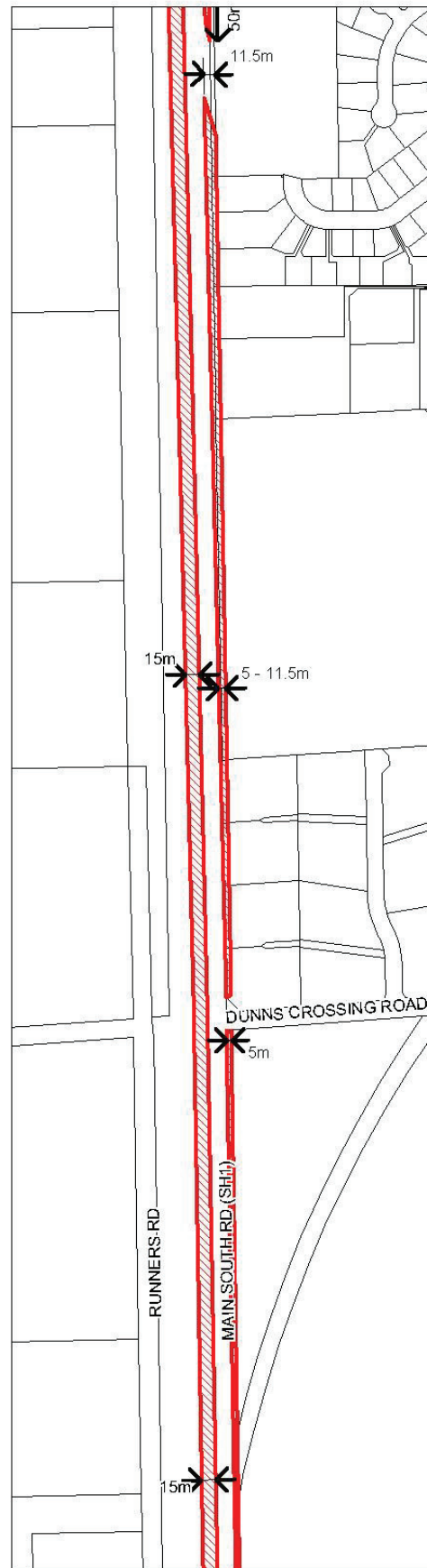
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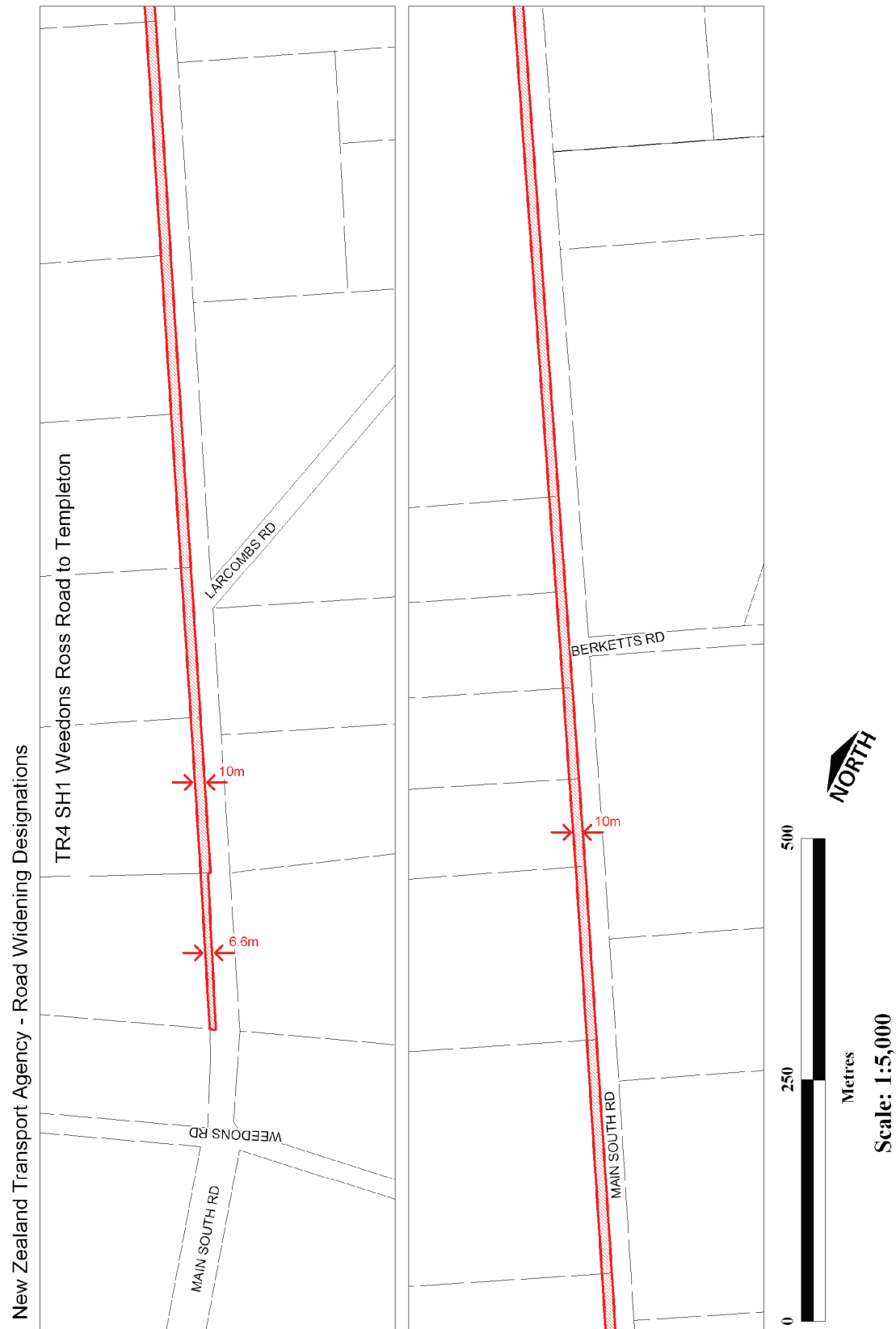




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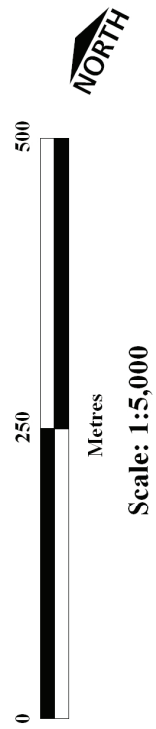
New Zealand Transport Agency - Road Widening Designations





New Zealand Transport Agency - Road Widening Designations

TR4 SH1 Weedons Ross Road to Templeton



New Zealand Transport Agency - Road Widening Designations

