

SCHEDULE OF AMENDMENTS

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

Name	Description
Plan Change 10	I-Zone Industrial Park - Rolleston
Minor Amendments	Various minor amendments included

Please amend your District Plan by updating the following pages:

Township Volume

Insert Pages	
Front of Township Volume - Supersedes existing Certificate of Approval	Signed Certificate of Approval as of 01.09.2010
Replace pages - Please recycle all pages removed	
Part B3 – People's Health, Safety and Values <i>Amendments to Policies B3.2.3, B3.4.5, B3.4.15, B3.4.22, B3.4.24, B3.4.31, B3.4.35, B3.4.36, B3.4.38, bullet point under Quality of Environment - Strategy; Zones, and Quality of Environment – Anticipated Environmental Result</i>	B3-009 – B3-056
Part B4 – Growth of Townships <i>Amendments to Policies B4.3.62 and B4.3.65, pg B4-060</i>	B4-059 – B4-062
Part C13 – Business Zone Rules – Status of Activities <i>Amendments to Rules C13.1.3 pg C13-001; C13.1.6 and C13.1.6.2 pg C13-002; and C13.1.9 pg C13-003</i>	Entire Chapter C13-001 – C13-004
Part C16 – Business Zone Rules – Buildings <i>Amend Rules C16.1.2 pg C16-001, C16.1.7 (renumber) pg C16-003, C16.6 pg C16-005, C16.7.1 and C16.7.2.4 pg C16-007, C16.7.5 pg C16-008 Amend Reasons for Rules – Landscaping; and Building Height and Reflectivity; inserting new paragraphs pg C16-010 Insert new Rules C16.6.2, C16.6.3, C16.6.4, C16.6.5, C16.6.6, renumber existing C16.6.2 to C16.6.7 pg C16-005 – C16-006 Delete Rules C16.1.2.1 pg C16-001, C16.1.5.1 (renumber) pg C16-002, 16.7.2.8 pg C16-008(subsequent renumbering as required) Amend Table C16.1, insert new Table C16.2 pg C16-005</i>	Entire Chapter C16-001 – C16-012
Part C17 – Business Zone Rules - Roading <i>Delete Rule C17.1.1.5 pg C17-001 Amend Rule C17.2.1.2 and "Note" pg C17-002 Insert new Rules C17.6, C17.6.1, C17.6.2, C17.6.3 and Reasons for Rules pg C17-006</i>	Entire Chapter C17-001 – C17-006

Part C18 – Business Zone Rules - Utilities	
<i>Amend Rules C18.2.1.1 and C18.2.1.2 pg C18-004, C18.3.1.1 pg C18-005, C18.5.2 pg C18-007, C18.5.3 pg C18-008</i>	C18-003 – C18-010
<i>Delete C18.5.2.1 (renumber and amend text accordingly)</i>	
Part C20 – Business Zone Rules – Hazardous Substances	
<i>Amend Rule C20.2.2.1 pg C20-003</i>	C20-003 – C20-004
Part C21 – Business Zone Rules – Waste	
<i>Amend Rule C21.3.2.1 pg C21-002</i>	C21-001 – C21-002
Part C22 – Business Zone Rules - Activities	
<i>Amend Rules C22.2.3 pg C22-002, Delete Rule C22.4.1.1 pg C22-003, Insert new Rule C22.4.1.5 pg C22-004;</i>	Entire Chapter
<i>Amend Rule C22.6.1.2 and C22.6.1.3, delete Rule C22.6.1.4 pg C22-005;</i>	C22-001 – C22-014
<i>Amend Rule C22.9.1 pg C22-007;</i>	
<i>Amend Rule C22.10.1, delete Rule C22.10.1.1, C22.10.1.2, insert new Rules C22.10.2, C22.10.3, C22.10.4, C22.10.5 pg C22-008</i>	
<i>Amend C22.12, C22.12.1.1 and C22.12.2 pg C22-009</i>	
<i>Insert new Reasons for Rules for "Development within the Business 2A Zone at Rolleston" pg C22-013</i>	
<i>Subsequent numbering as required</i>	
Part C24 – Business Zone Rules - Subdivision	
<i>Amend Rules C24.1.3.12, C24.1.3.13 pg C24-003, C24.1.3.14, C24.1.3.15, C24.1.3.16, C24.1.3.17, C24.1.3.18 pg C24-005</i>	C24-003 – C24-018
<i>Insert new Rules C24.1.3.19, 24.1.3.20, 24.1.3.21 pg C24-005 and C24-006</i>	
Part D – Definitions	
	D-001 – D-002
<i>Amend definitions of "Amenity Hub" pg D-001 and "Height" pg D-005</i>	D-005 – D-012
Part E2 – Designations	
<i>Add OR11 Orion Designation pg E2-016</i>	E2-007 – E2-030
Part E11 – Recession Planes	
<i>Amend Recession Plane A & B and insert 'note'</i>	E11-001 – E11-002
Part E21 – Planting Requirements for Business 2 Zone at Rolleston	
<i>Add new plants, delete 'Abbreviations' column</i>	Entire Chapter
	E21-001 – E21-004
Part E22 – ODP Business 2 Zone, Rolleston	
<i>Replace ODP's Road upgrade/cross sections with updated ones</i>	Entire Chapter
	E22-001 – E22-008
Part E33 – Business 2 Zone (Hoskyns Road) Rolleston	
<i>Delete entire Appendix 33</i>	Entire Chapter
	E33-001 – E33-006

Planning Maps

Map Numbers 013, 095, 096, 097



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 11th of August 2010 to approve those parts of the Selwyn District Plan relating to Plan Change 10 (*Izone Industrial Park - Rolleston*) would be made operative on the 1st September 2010 Provisions which are not yet operative are detailed on the following page.

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

Sealed with the Common Seal of the Selwyn District Council

in the presence of:

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

Mayor
K Coe

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

Chief Executive
P Davey



Dated at Rolleston this 18ⁿ day of August 2010

Requiring Authority	Unresolved Designations (10 June 2008) <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 D413 Rolleston South Reserve D414 Rolleston Dog Park D415 Local Purpose (Community and Recreation Facilities) Reserve - Lincoln
Telecom	Township and Rural Volumes All Telecom designations are not operative

Explanation and Reasons

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

Method

District Plan Rules

- Activities near waterbodies
- Earthworks
- Buildings
- Natural Hazards

Policy B3.1.7

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

Explanation and Reasons

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

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

Methods

District Plan Policies

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

District Plan Rules

- Subdivision

RAKAIA HUTS

Preferred Growth Option

There may be more than one site that complies with all relevant provisions in the District Plan for the future expansion of Rakaia Huts.

Specific Policies

Policy B4.3.60

Avoid rezoning any land for new residential or business development on the south-west side of Pacific Drive and restrict further building development on existing Lots 58-108 as shown in Appendix 24.

Explanation and Reasons

Land on the south-west side of Pacific Drive is subject to flooding from the Rakaia River. For this reason the Council intends to discourage further zoning of land for living or business purposes in this area and restrict development on the lower terrace within the existing Living zone.

Policy B4.3.61

Ensure any land rezoned for new residential or business development at Rakaia Huts does not cause damage or disturbance to archaeological sites or sites that are culturally important to tāngata whenua.

Explanation and Reasons

The area around the Rakaia River mouth is a traditional area of occupation and food gathering for local Māori. Remains of a moa hunting ground exist in the area. The Council encourages any person wanting to rezone land for new residential or business development at Rakaia Huts to consult with tāngata whenua and the New Zealand Historic Places Trust Pouhere Taonga about their interests in this area. This policy is consistent with Policy B3.3.2.

NOTE:

If an archaeological site is accidentally uncovered, it has interim protection from further disturbance under the Historic Places Act 1993 – see Part B, Section 3.3.

General Policies

General policies that may be particularly relevant to Rakaia Huts include:

Plan Section	Objectives / Policies	Issue
1.2 Water	Policy B1.2.6	On-site effluent treatment and disposal system
3.1 Natural Hazards	Policies B3.1.2 and B3.1.3	Flooding and coastal erosion
3.3 Culture and Heritage	Policy B3.3.2	Sites of cultural importance to Tāngata Whenua

ROLLESTON

Preferred Growth Option

There may be more than one area that complies with all relevant plan provisions for the future expansion of Rolleston.

Specific Policies

Policy B4.3.62

Avoid rezoning land for new residential or business development (other than Business 2 and 2A Zoning), west of SH1 and the South Island Main Trunk Line (SIMTL).

Explanation and Reasons

Rolleston Township is currently confined to one side of SH1 and the SIMTL except for the Business 2 and 2A Zones. Policy B4.3.62 is consistent with Policy B2.1.17.

Policy B4.3.63

Avoid rezoning land for new residential development in areas shown under the Airport Flightpath Noise Contours for 50 dBA Ldn or greater, on Planning Map 013.

Explanation and Reasons

Land within Rolleston township is under an approach path for aircraft to Christchurch International Airport. Policy B4.3.63 is consistent with Policy B2.1.22.

The existing Living 2A Zone, partially in this area, is an historic zoning and cannot be used as a precedent for extending the zone. Denser residential development is discouraged in that zone – see Policy B2.1.23.

Policy B4.3.64

Encourage land rezoned for new business development to adjoin an existing Business zone of similar character, where sites are available and appropriate for the proposed activity.

Policy B4.3.65

Encourage additional Business 2 or 2A Zones to locate west of SH1, preferably adjoining the existing Business 2 or 2A Zone.

Explanation and Reasons

Rolleston contains two Business 1 Zones. That part of the Business 1 Zone bounded by Rolleston Drive, State Highway 1, and Dick Roberts Place has site specific rules and it is intended to provide for the Selwyn District Council's district headquarters and for civic and community activities undertaken by the Council. It is not intended that commerce and retailing will locate in this part of the Business 1 Zone.

Policy B4.3.64 encourages any additional business development to adjoin these zones and create consolidated Business zones in the township, rather than the creation of several isolated zones. This policy is consistent with policies B3.4.35 and B3.4.36.

Keeping the Business 2 and 2A Zones west of SH1 provides a “buffer” area between these activities and the township, which may help reduce potential “reverse sensitivity” issues. Policy B4.3.65 is consistent with Policy B3.4.38.

Policy B4.3.66

Encourage integration between rezoning land for new residential development at Rolleston and associated provisions for utilities, community facilities and areas for business development.

Explanation and Reasons

A study prepared for the Council (Barber, 1999: Demand for Land for Commercial and Industrial Uses in Selwyn District) indicates that if projected residential growth occurs at Rolleston, there will be a shortage of space for associated business activities in the land currently zoned Business 1.

Future residential growth at Rolleston will also result in the need for additional or upgraded utilities and community facilities. Any application to rezone land for a new residential area needs to address these effects in the same way as the Council is required to, should it rezone land for additional residential areas. This policy is consistent with policies B2.2.1 and B2.3.1.

Policy B4.3.67

Encourage new residential development by further subdivision in existing Living 2 Zones, other than the Living 2A Zone, where it complies with the objectives and policies of the Plan.

Explanation and Reasons

Residential density and allotment sizes in the Living 2 Zones at Rolleston average either 0.5 ha to 1 ha. These zones cover large areas. Policy B4.3.67 allows Rolleston township to grow through closer residential development in the Living 2 zones, provided: there are no adverse effects on infrastructure; and closer density is supported by the residents in the areas affected. This policy is consistent with Policy B4.1.3 and Town Form Policy B4.3.5.

Policy B4.3.67 does not apply to the Living 2A zone, which is located under the SOABA Airport Flightpath Noise Contour – see Policy B2.1.23.

General Policies

General policies that may be particularly relevant to Rolleston include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	'Versatile soils' are located north of the township (LUC Class I or II)
1.2 Water	Policy B1.2.5	Reticulated sewage is required
2.1 Transport	Policies B2.1.17, B2.1.22 and B2.1.23	Confining Rolleston to one side of SH1/SIMTL. Christchurch International Airport
2.2 Utilities	Policy 2.2.1	Impact of rate of town growth on utilities
2.3 Community Facilities (and Reserves)	Policy 2.3.1	Impact of rate of town growth on community facilities
3.4 Quality of the Environment	Policies B3.4.35, B3.4.36 and B3.4.38	Consolidating Business zones and reverse sensitivity effects
4.1 Residential Density	Policies B4.1.2 and B4.1.3	Further subdivision, Living 2 zones

Policy B3.1.8

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

Explanation and Reasons

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

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

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

Methods

Advocacy

- Encouraging and supporting relevant research work

Information

- Recording relevant information as opportunities arise.

NATURAL HAZARDS – ANTICIPATED ENVIRONMENTAL RESULTS

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

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

NATURAL HAZARDS – MONITORING

See Part E, Appendix 1.

B3.2 HAZARDOUS SUBSTANCES – ISSUES

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

What is a Hazardous Substance?

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

HSNO section 6 states:

“Hazardous substance means, unless expressly provided otherwise by regulations, any substance

(a) with one or more of the following characteristics:

- (i) explosiveness,
- (ii) flammability,
- (iii) a capacity to oxidise,
- (iv) corrosiveness,
- (v) toxicity (acute or chronic),
- (vi) ecotoxicity with or without bioaccumulation;

or

(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified above.”

What are the Issues?

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

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

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

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

Regulatory Controls

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

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

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

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

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

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

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

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

Other Legislation

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

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

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

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

Hazardous Waste Management

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

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

HAZARDOUS SUBSTANCES – STRATEGY

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

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

HAZARDOUS SUBSTANCES – OBJECTIVES

Objective B3.2.1

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

Objective B3.2.2

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

Explanation and Reasons

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

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

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

HAZARDOUS SUBSTANCES – POLICIES AND METHODS

MANUFACTURE AND STORAGE

Policy B3.2.1

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

Explanation and Reasons

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

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

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

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

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

Methods

District Plan Rules

- Hazardous Substances

Other Legislation

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

Regional Council Rules

- To control the discharge of hazardous substances

Policy B3.2.2

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

Explanation and Reasons

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

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

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

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

Method

District Plan Rules

- Hazardous Substances

Policy B3.2.3

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

Explanation and Reasons

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

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

Method

District Plan Rules

- Hazardous Substances

TRANSPORT

Policy B3.2.4

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

Explanation and Reasons

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

Method

District Plan Rule

- Transport of Hazardous Substances

Disposal

Policy B3.2.5

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

Explanation and Reasons

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

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

Method

District Plan Policy

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

Policy B3.2.6

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

Policy B3.2.7

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

Explanation and Reasons

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

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

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

Methods

District Plan Rule

- Hazardous Substances

Trade Waste Bylaws

Advocacy

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

HAZARDOUS SUBSTANCES – ANTICIPATED ENVIRONMENTAL RESULTS

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

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

HAZARDOUS SUBSTANCES – MONITORING

Please refer to Part E, Appendix 1.

B3.3 CULTURE AND HERITAGE – ISSUE

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

What Are Heritage Values?

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

Heritage and Cultural Values in Selwyn District

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

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

Sites of Waahi Taonga and Tapu

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

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

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

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

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

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

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

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

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

European Heritage Sites and Buildings

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

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

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

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

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

Damage To Sites With Heritage Or Cultural Values

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

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

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

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

- Help teach people about their past;
- Foster people's sense of identity and community; and

- Provide economic opportunities in heritage, tourism, recreation, restoration and marketing.

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

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

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

“people and communities to provide for their economic, cultural and social well-being and for their health and safety...”.

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

Archaeological Sites

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

"Archaeological site" means any place in New Zealand that –

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

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

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

Role of District Councils

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

Protection Authority has 12 months to buy the building or site, or to negotiate an appropriate outcome with the owner.

Heritage Orders

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

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

Historic Places Act 1993

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

CULTURE AND HERITAGE – STRATEGY

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

General

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

Māori Sites

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

European Sites

- A system to record any historical information about sites and buildings on property files to keep a public record.
- Provisions to manage the modification or destruction of buildings or the modification of sites with the most significant heritage and cultural values in the District.
- The plan recognises ongoing use of sites and buildings as essential to their long-term preservation; and allows for modifications.

- The plan discourages demolition, but also recognises it may be the only practical option in some cases.

Costs

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

CULTURE AND HERITAGE – OBJECTIVES

Objective B3.3.1

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

Objective B3.3.2

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

Objective B3.3.3

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

Explanation and Reasons

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

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

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

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

Objective B3.3.3 reflects the duty under section 7(e) of the Act to have particular regard to the protection of the heritage values of sites, areas and buildings. The objective recognises that not

all sites or buildings with heritage values in the District will warrant formal protection under the Act. The objective is achieved by policies and methods to: record the heritage values of any site or building and to protect those with significant heritage values. The places identified to have significant heritage values are listed in Appendix 3.

CULTURE AND HERITAGE – POLICIES AND METHODS

MĀORI SITES

Policy B3.3.1

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

Explanation and Reasons

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

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

Methods

Records

District Plan policies and rules

Property files, land information memoranda, GIS.

Policy B3.3.2

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

Explanation and Reasons

Many sites of cultural importance to local runanga are located on land which is owned or managed by other parties. The understanding and cooperation of these parties is vital; to ensure the sites are managed to protect their values for local runanga. It is also vital that the management of these sites is practical and inexpensive for landholders, and allows them to carry out their day-to-day activities unimpeded. Policy B3.3.2 promotes a dual approach to achieve this. Firstly, the Council will promote discussions between landholders and local runanga about how these sites may be managed, and will encourage the parties to develop a joint protocol or

agreement for the management of each site. This method is particularly important for Waahi Taonga Management Areas, because of the size of these sites and the possibility that landholders may uncover other material beyond the area identified in the District Plan. Secondly, the District Plan contains rules to protect sites which have been identified in the Plan, from disturbance or destruction (see Policy B3.3.3 and B3.3.4).

Methods

Advocacy

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

District Plan Rules

- see Policy B3.3.3 and B3.3.4

Policy B3.3.3

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

Policy B3.3.4

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

Explanation and Reasons

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

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

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

Policy B3.3.4 relates to waahi taonga sites, waahi taonga management areas and mahinga kai sites. These sites are listed in Appendix 5 and shown on the Planning Maps. Waahi taonga sites are sites of traditional occupation or use by local runanga. Most have been uncovered by archaeologists and contain objects or remnants of their past use. The information about the location and content of these sites is publicly recorded and the aim of Policy B3.3.4 is to protect the artefacts and remnants contained in these sites from damage or destruction. The waahi taonga sites are based on the grid reference of the original site and are extended for a 20m

radius, in case there is other material around the site which has not been uncovered. The rules in the Plan do not prevent the soil in this 20m radius from being disturbed. If an object is uncovered in that area, it cannot be further damaged, removed or destroyed without obtaining a resource consent.

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

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

In deciding whether protecting any waahi taonga site, waahi taonga management area or mahinga kai site is practical, the Council shall refer to local runanga for advice about the effects of the proposed activity on the site and the cultural significance of the site. The Council will also consider whether there are alternative sites or methods to undertake the activity, and the costs to the landholder of these alternative options; and of not being able to undertake the activity at all.

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

Method

District Plan Rules

- Sites of Significance to Tangata Whenua

OTHER SITES AND BUILDINGS

Policy B3.3.5

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

Explanation and Reasons

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

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

Method

Information

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

Policy B3.3.6

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

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

Explanation and Reasons

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

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

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

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

Policy B3.3.7

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

Policy B3.3.8

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

Explanation and Reasons

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

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

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

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

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

Methods

District Plan Rules

- Heritage Sites, Structures and Trees
- Subdivision

Funding

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

Policy B3.3.9

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

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

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

Explanation and Reasons

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

Method

District Plan Rules

- Heritage Sites

General Provisions

Policy B3.3.10

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

Explanation and Reasons

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

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

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

Methods

Funding

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

Fees

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

District Plan Rules

- Subdivision

LTCCP

- Development Contribution Policy

Policy B3.3.11

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

Explanation and Reasons

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

Method

Monitoring Strategy

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

CULTURE AND HERITAGE — ANTICIPATED ENVIRONMENTAL RESULTS

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

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

CULTURE AND HERITAGE — MONITORING

Please refer to Part E, Appendix 1.

B3.4 QUALITY OF THE ENVIRONMENT— ISSUES

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

What are the Issues?

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

“Environmental Quality” is the character and conditions of people’s surroundings, which influence what people think or feel about a ‘place’.

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

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

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

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

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

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

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

Quality of the Environment, Amenity Values and The Act

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

Promoting ‘sustainable management’ of natural and physical resources includes:

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

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

QUALITY OF THE ENVIRONMENT – STRATEGY

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

Quality of the Environment and Amenity Values

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

Reverse Sensitivity

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

Zones

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

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

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

QUALITY OF THE ENVIRONMENT – OBJECTIVES

Objective B3.4.1

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

Objective B3.4.2

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

Objective B3.4.3

"Reverse sensitivity" effects between activities are avoided.

Explanation and Reasons

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

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

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

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

Objective B3.4.3 recognises and addresses this effect.

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

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

QUALITY OF THE ENVIRONMENT – POLICIES AND METHODS

ZONES

Policy B3.4.1

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

Policy B3.4.2

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

Explanation and Reasons

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

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

Methods

District Plan Maps

- Identify zones

District Plan Provisions

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

Policy B3.4.3

To provide Living zones which:

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

Explanation and Reasons

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

Method

District Plan Rules

- Living zones

Policy B3.4.4

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

Explanation and Reasons

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

Method

District Plan Rules

- Business 1 Zones

Policy B3.4.5

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

- (b) To provide a Business 2A Zone which can cater for business activities requiring large footprint buildings and/or sites but which have sufficient provisions to safeguard people's health and well-being and avoid pollution of natural resources or potential 'reverse sensitivity' effects.**

Explanation and Reasons

Business 2 Zones are areas where activities may be able to locate that have effects which are incompatible with the character or amenity values of Living, Business 1 or Rural Zones. Activities which may be sensitive to these effects, such as residential activities, are managed in Business 2 and 2A Zones to avoid potential 'reverse sensitivity' issues. Business 2 Zones tend to adjoin or be close to townships, so effects of some activities still need to be managed or may be inappropriate in Business 2 Zones. The Rural (Outer Plains) Zone may be an alternative location for "rural-based" industrial activities. The Business 2A Zone does not adjoin any residential area and as such caters for a larger scale of activities than other Business 2 Zones.

In the case of Rolleston the Business 2A Zone is surrounded by rural zoned land with the nearest Living Zone being located on the southern side of SH1 and the South Island Main Trunk Railway Line. A rural residential enclave (Armack Drive) exists to the west of the Business 2A Zone (beyond Railway Road and the Midland Railway) and this has been recognised in the development controls that apply along the western boundary of the Business 2A Zone.

The Business 2A Zone at Rolleston provides for a range of business activities in particular those requiring larger allotment sizes with good access to State Highway 1 and/or the Main Trunk Railway Line. In this regard this zone has an important role in the economic prosperity of the Greater Christchurch area as well as providing significant employment opportunities for Selwyn District residents.

Business 2 Zones currently exist at: Leeston, Rolleston, Darfield and Coalgate. The Business 2A Zone exists at Rolleston.

Method

District Plan Rules

- Business 2 Zone
- Business 2A Zone

Policy B3.4.6

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

Explanation and Reasons

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

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

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

Method

District Plan Rules

- Business zone

Policy B3.4.7

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

Explanation and Reasons

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

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

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

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

Method

District Plan Policies and Rules

- Rural Volume

Policy B3.4.8

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

Explanation and Reasons

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

Method

District Plan Policy

- To assess resource consent applications

NOISE

Policy B3.4.9

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

Policy B3.4.10

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

Explanation and Reasons

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

Method

District Plan Rules

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

GLARE

Policy B3.4.11

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

Explanation and Reasons

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

Method

District Plan Rules

- Maximum light spill (all zones)
- Size of structures (Living zones)

Policy B3.4.12

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

Explanation and Reasons

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

- Designing subdivisions so that vehicular accessways are not directly opposite the observatory, to reduce the glow from car lights; and
- Using a specific design for outside lights.

Methods

Lighting Subdivision and Vehicular Accessways

District Plan

- Section 4.3 Policies

Information

- Appropriate types of night lighting

DUST

Policy B3.4.13

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

Explanation and Reasons

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

Method

District Plan Rules

- Earthworks (Living and Business 1 zones)
- Outdoor Storage (Living and Business 1 zones)

VIBRATION

Policy B3.4.14

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

Explanation and Reasons

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

Method

District Plan Rules

- Vibration and Blasting (all zones)

SCALE AND NATURE OF ACTIVITIES

Policy B3.4.15

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

Explanation and Reasons

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

In the case of the Business 2A Zone there are more stringent controls on noise, light spill, recession planes, setbacks and landscaping where adjoining the Rural zone.

Method

District Plan Rules

- Hours of Operation (Living zones)
- Scale of Activities (Living zones)

Policy B3.4.16

Acknowledge that peoples' concern about health and safety is best addressed through rigorous examination of current scientific understanding and best practice technological responses, while accepting that full certainty as to effects is neither possible nor required under the Resource Management Act 1991.

Explanation and Reasons

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

Method

District Plan Rules

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

TRAFFIC

Policy B3.4.17

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

Policy B3.4.18

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

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

Explanation and Reasons

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

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

Method

District Plan Rules

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

OUTDOOR STORAGE

Policy B3.4.19

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

Explanation and Reasons

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

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

Method

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

OUTDOOR SIGNS AND NOTICEBOARDS

Policy B3.4.20

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

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

Explanation and Reasons

Outdoor signs and noticeboards are important vehicles for information, which enables people and communities to provide for their health, safety and social, economic and cultural well-being. Inappropriately-positioned or designed signs can adversely affect people's health or safety or create nuisance effects. For example:

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

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

Method

District Plan Rules

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

Policy B3.4.21

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

Explanation and Reasons

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

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

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

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

Method

District Plan Rules

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

BUILDING DESIGN

Policy B3.4.22

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

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

Explanation and Reasons

For most places, the District Plan does not have provisions that tell people what colour, shape or materials to use when building structures. The Council thinks this is a matter of personal choice. The Plan does, however have rules for the height, bulk of buildings and recession planes, to avoid adverse effects of shading and loss of privacy or outlook, on adjoining sites. In the case of the Business zones some of these provisions are either relaxed or do not exist where adjoining another business zoned site.

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

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

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

Building Act 2004

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

Method

District Plan Rules

- Height of Buildings (All Zones)
- Size of Buildings (Living zones)
- Recession Planes (All Living Zones and some Business Zones)

Policy B3.4.23

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

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

Explanation and Reasons

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

Method

Information

- Make people aware of any township concept plans where appropriate

Policy B3.4.24

In all zones in townships, ensure buildings:

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

Explanation and Reasons

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

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

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

In the case of the Business 2A Zone at Rolleston whilst it has the same permitted height limit (15m) as the Business 2 Zones, provision is made for buildings between 15m to 20m to be considered as a restricted discretionary activity. In addition, there is no recession plane applicable within the Business 2A Zone recognising the nature and character of this Zone. The location of the Business 2A Zone is well separated from Living zones to ensure that the lack of recession plane will not result in any unacceptable effects.

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

Method

District Plan Rules

- Recession Planes (all Living Zones and some Business Zones)
- Building Height (all zones)
- Building Setbacks (all zones)

Policy B3.4.25

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

Explanation and Reasons

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

Method

District Plan Rules

- Building Setbacks (all zones)

Policy B3.4.26

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

Explanation and Reasons

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

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

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

Method

District Plan Rules

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

CASTLE HILL VILLAGE

Policy B3.4.27

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

Explanation and Reasons

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

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

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

Method

District Plan Rules

- Alpine Villages

ARTHUR’S PASS VILLAGE

Policy B3.4.28

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

Explanation and Reasons

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

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

Characteristics of the early, workers cottages, include:

-Wooden or corrugated iron materials

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

Characteristics of the 'alpine chalet' style buildings include;

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

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

Method

District Plan Rules

- Alpine Villages

RELOCATED BUILDINGS

Policy B3.4.29

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

Explanation and Reasons

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

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

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

- The Plan does not control the design or age of any other building.

- Relocated buildings can be an efficient use of physical resources, which is a matter to be considered in promoting sustainable management under section 7(e) of the Act.
- If a particular developer wishes, he/she can use mechanisms outside the District Plan to prevent relocated buildings within a particular subdivision.

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

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

Method

District Plan Rules

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

LANDSCAPING AND AMENITY PLANTINGS

Policy B3.4.30

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

Policy B3.4.31

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

Explanation and Reasons

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

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

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

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

Methods

District Plan Rule

- Landscaping or Screening (Business zones)

Advocacy

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

Policy B3.4.32

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

Explanation and Reasons

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

Methods

Advocacy

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

LTCCP

- Development Contribution Policy

LAKE COLERIDGE VILLAGE

Policy B3.4.33

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

Explanation and Reasons

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

Methods

Advocacy

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

LTCCP

- Development Contribution Policy

District Plan Rules

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

REVERSE SENSITIVITY EFFECTS

Policy B3.4.34

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

Policy B3.4.35

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

Explanation and Reasons

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

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

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

In the case of the Business 2A Zone this exists in one discrete location at Rolleston, and is well separated from any Living Zones.

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

Method

District Plan Zones

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

Policy B3.4.36

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

Explanation and Reasons

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

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

Method

District Plan Rules

- Business 2 Zone
- Business 2A Zone
- Business 3 Zone

Policy B3.4.37

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

Explanation and Reasons

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

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

Methods

District Plan Policy

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

District Plan Rules

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

Policy B3.4.38

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

Explanation and Reasons

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

Method

District Plan Policy

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

Policy B3.4.39

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

Explanation and Reasons

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

Method

District Plan Rule

- Natural Hazards Area (Living zone)
- Subdivision

QUALITY OF THE ENVIRONMENT — ANTICIPATED ENVIRONMENTAL RESULTS

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

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

QUALITY OF THE ENVIRONMENT — MONITORING

Please refer to Part E, Appendix 1.

RAKAIA HUTS

Preferred Growth Option

There may be more than one site that complies with all relevant provisions in the District Plan for the future expansion of Rakaia Huts.

Specific Policies

Policy B4.3.60

Avoid rezoning any land for new residential or business development on the south-west side of Pacific Drive and restrict further building development on existing Lots 58-108 as shown in Appendix 24.

Explanation and Reasons

Land on the south-west side of Pacific Drive is subject to flooding from the Rakaia River. For this reason the Council intends to discourage further zoning of land for living or business purposes in this area and restrict development on the lower terrace within the existing Living zone.

Policy B4.3.61

Ensure any land rezoned for new residential or business development at Rakaia Huts does not cause damage or disturbance to archaeological sites or sites that are culturally important to tāngata whenua.

Explanation and Reasons

The area around the Rakaia River mouth is a traditional area of occupation and food gathering for local Māori. Remains of a moa hunting ground exist in the area. The Council encourages any person wanting to rezone land for new residential or business development at Rakaia Huts to consult with tāngata whenua and the New Zealand Historic Places Trust Pouhere Taonga about their interests in this area. This policy is consistent with Policy B3.3.2.

NOTE:

If an archaeological site is accidentally uncovered, it has interim protection from further disturbance under the Historic Places Act 1993 – see Part B, Section 3.3.

General Policies

General policies that may be particularly relevant to Rakaia Huts include:

Plan Section	Objectives / Policies	Issue
1.2 Water	Policy B1.2.6	On-site effluent treatment and disposal system
3.1 Natural Hazards	Policies B3.1.2 and B3.1.3	Flooding and coastal erosion
3.3 Culture and Heritage	Policy B3.3.2	Sites of cultural importance to Tāngata Whenua

ROLLESTON

Preferred Growth Option

There may be more than one area that complies with all relevant plan provisions for the future expansion of Rolleston.

Specific Policies

Policy B4.3.62

Avoid rezoning land for new residential or business development (other than Business 2 and 2A Zoning), west of SH1 and the South Island Main Trunk Line (SIMTL).

Explanation and Reasons

Rolleston Township is currently confined to one side of SH1 and the SIMTL except for the Business 2 and 2A Zones. Policy B4.3.62 is consistent with Policy B2.1.17.

Policy B4.3.63

Avoid rezoning land for new residential development in areas shown under the Airport Flightpath Noise Contours for 50 dBA Ldn or greater, on Planning Map 013.

Explanation and Reasons

Land within Rolleston township is under an approach path for aircraft to Christchurch International Airport. Policy B4.3.63 is consistent with Policy B2.1.22.

The existing Living 2A Zone, partially in this area, is an historic zoning and cannot be used as a precedent for extending the zone. Denser residential development is discouraged in that zone – see Policy B2.1.23.

Policy B4.3.64

Encourage land rezoned for new business development to adjoin an existing Business zone of similar character, where sites are available and appropriate for the proposed activity.

Policy B4.3.65

Encourage additional Business 2 or 2A Zones to locate west of SH1, preferably adjoining the existing Business 2 or 2A Zone.

Explanation and Reasons

Rolleston contains two Business 1 Zones. That part of the Business 1 Zone bounded by Rolleston Drive, State Highway 1, and Dick Roberts Place has site specific rules and it is intended to provide for the Selwyn District Council's district headquarters and for civic and community activities undertaken by the Council. It is not intended that commerce and retailing will locate in this part of the Business 1 Zone.

Policy B4.3.64 encourages any additional business development to adjoin these zones and create consolidated Business zones in the township, rather than the creation of several isolated zones. This policy is consistent with policies B3.4.35 and B3.4.36.

Keeping the Business 2 and 2A Zones west of SH1 provides a “buffer” area between these activities and the township, which may help reduce potential “reverse sensitivity” issues. Policy B4.3.65 is consistent with Policy B3.4.38.

Policy B4.3.66

Encourage integration between rezoning land for new residential development at Rolleston and associated provisions for utilities, community facilities and areas for business development.

Explanation and Reasons

A study prepared for the Council (Barber, 1999: Demand for Land for Commercial and Industrial Uses in Selwyn District) indicates that if projected residential growth occurs at Rolleston, there will be a shortage of space for associated business activities in the land currently zoned Business 1.

Future residential growth at Rolleston will also result in the need for additional or upgraded utilities and community facilities. Any application to rezone land for a new residential area needs to address these effects in the same way as the Council is required to, should it rezone land for additional residential areas. This policy is consistent with policies B2.2.1 and B2.3.1.

Policy B4.3.67

Encourage new residential development by further subdivision in existing Living 2 Zones, other than the Living 2A Zone, where it complies with the objectives and policies of the Plan.

Explanation and Reasons

Residential density and allotment sizes in the Living 2 Zones at Rolleston average either 0.5 ha to 1 ha. These zones cover large areas. Policy B4.3.67 allows Rolleston township to grow through closer residential development in the Living 2 zones, provided: there are no adverse effects on infrastructure; and closer density is supported by the residents in the areas affected. This policy is consistent with Policy B4.1.3 and Town Form Policy B4.3.5.

Policy B4.3.67 does not apply to the Living 2A zone, which is located under the SOABA Airport Flightpath Noise Contour – see Policy B2.1.23.

General Policies

General policies that may be particularly relevant to Rolleston include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policy B1.1.8	'Versatile soils' are located north of the township (LUC Class I or II)
1.2 Water	Policy B1.2.5	Reticulated sewage is required
2.1 Transport	Policies B2.1.17, B2.1.22 and B2.1.23	Confining Rolleston to one side of SH1/SIMTL. Christchurch International Airport
2.2 Utilities	Policy 2.2.1	Impact of rate of town growth on utilities
2.3 Community Facilities (and Reserves)	Policy 2.3.1	Impact of rate of town growth on community facilities
3.4 Quality of the Environment	Policies B3.4.35, B3.4.36 and B3.4.38	Consolidating Business zones and reverse sensitivity effects
4.1 Residential Density	Policies B4.1.2 and B4.1.3	Further subdivision, Living 2 zones

13 BUSINESS ZONE RULES — STATUS OF ACTIVITIES

13.1 STATUS OF ACTIVITIES

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

Permitted Activities — Status of Activities

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

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

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

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

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

Controlled Activities — Status of Activities

13.1.3 Within the Business 2A Zone 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 and 2A 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

(h) Tannery, fellmongering or hide curing, wool scouring or washing in the Business 2A Zone

- (i) Scrap yards – including automotive dismantling or wrecking yard or scrap metal yard in the Business 2A Zone.

13.1.7 The following activities shall be discretionary activities in the Business 3 Zone:

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

13.1.7.2 Any activity which is not listed as either:

- (a) A non-complying activity under Rule 13.1.10; or
- (b) A permitted activity under Rule 13.1.2.1.

Non-Complying Activities – Status of Activities

13.1.8 The following activities shall be non-complying activities in Business 1 and 1A Zones:

13.1.8.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.

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

- (a) Any activity that requires an offensive trade licence issued under the Health Act 1956
- (b) Plantations
- (c) Manufacture and/or disposal of any hazardous substance
- (d) Mining or quarrying
- (e) Correction facility
- (f) Treatment and/or disposal of solid or liquid waste delivered or conveyed onto the site
- (g) Industrial activity
- (h) Transport depots
- (i) Residential activity in the Business 1 Zone at Prebbleton occupying more than 50% of the gross floor area of all buildings on the site (excluding underground car parking).

13.1.9 The following activities shall be non-complying activities in Business 2 and 2A Zones:

13.1.9.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.

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

- (a) Mining or quarrying
- (b) Correction facility
- (c) Treatment or disposal of solid or liquid waste delivered or conveyed onto the site.

- 13.1.10 The following activities shall be non-complying activities in the Business 3 Zone:
- 13.1.10.1 Any activity which is specified in Rules 14 to 23 as being a non-complying activity.
- 13.1.10.2 Any of the activities listed in (a) to (d) below, irrespective of whether they comply with the conditions for permitted activities in Rules 14 to 23.
- (a) Any activity that requires an offensive trade licence under the Health Act 1956
 - (b) Mining or quarrying
 - (c) Correction facility
 - (d) Treatment or disposal of solid or liquid waste delivered or conveyed onto the site.

13.2 DEFERRED BUSINESS 1 ZONE — PREBBLETON

- 13.2.1 Until either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a deferred business zoning, or all necessary resource consents have been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred business zoning, the rules of the Rural Zone (Inner Plains) shall apply to that land.
- 13.2.2 For any particular area of land the subject of a deferred business zoning, upon either:
- (a) the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to a deferred business zoning; or
 - (b) all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred business zoning;
- the business zoning shall cease to be deferred and the rules of the relevant Business zone will apply to that land, and the rules of the Rural Zone (Inner Plains) will cease to apply without further formality.

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 the Business 2A Zone shall be a permitted activity if the following standard is met:

16.1.2.1 A landscaping strip of at least 3 metres width shall be provided along every road frontage except along the frontage with Railway Road. 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. For boulevard roads the species selected shall match any Group A species in the adjacent road.
- 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.
- Group B and C species shall be used when screening tall blank walls and vehicle courts.

(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.

Discretionary Activities – Buildings and Landscaping

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

Non-Complying Activities – Buildings and Landscaping

16.1.6 Any principal building which does not comply with Rule 16.1.2 or 16.1.3 or 16.1.4 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.

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 AND REFLECTIVITY

Permitted Activities — Buildings and Building Height and Reflectivity

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
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).

16.6.2 Any building or structure which complies with the maximum height standards set out in Table C16.2 shall be a permitted activity.

Table C16.2 – Maximum Heights of Buildings and Structures

Zone	Building	Structure
Business 2A Zone	15 metres	25 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.

Restricted Discretionary Activities — Buildings and Building Height and Reflectivity

16.6.3 Any building which does not comply with Rule 16.6.2 shall be a restricted activity if the following conditions are met:

16.6.3.1 The building does not exceed 20m in height; and

16.6.3.2 The exterior building materials on all parts of the building above 15m in height do not exceed a reflectivity value of 40%.

Note:

Rule 16.6.3.2 does not apply to windows, window frames, stormwater guttering, downpipes or doors.

16.6.4 Any resource consent application for a building which is a restricted discretionary activity under Rule 16.6.3 and is setback at least 150m from Railway Road or Hoskyns Road shall not be notified and shall not require the written approval of affected parties.

16.6.5 Under Rule 16.6.3, the Council shall restrict the exercise of its discretion to consideration of:

16.6.5.1 The extent to which the additional building height may enable the more efficient and/or practical use of the remainder of the site;

16.6.5.2 The extent to which the additional building height is necessary in order to undertake the proposed activities on site;

16.6.5.3 The design, appearance and location of the building, and the quality and scale of any mitigation that can be implemented to reduce its visual impact particularly as viewed from land or roads outside the Business 2A Zone;

16.6.5.4 The extent to which the exterior building surfaces exceed the reflectivity value;

16.6.5.5 The proportion and overall dimensions of the external surface of the building which exceeds the reflectivity value;

16.6.5.6 Whether the effect of the reflectivity can be reduced or mitigated by shadows from eaves, surface texturing, panels or proximity to surfaces with lower reflectivity values.

Discretionary Activities — Buildings and Building Height

16.6.6 Any activity which does not comply with Rule 16.6.1 or Rule 16.6.3 shall be a discretionary activity.

16.6.7 Any structure which does not comply with Rule 16.6.2 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 2A Zone 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.
3. Recession Plane B – applies to the road boundary of Railway Road where it directly adjoins the Business 2A Zone.

- 16.7.1.1 Notwithstanding Rule 16.7.1 above, Recession Plane B shall not apply to the internal boundaries of the Business 2A Zone.

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 Business 2A Zone

- Road Boundaries: 10 metres
- Internal Boundaries: adjoining a rural zoned property: 10metres, except that this requirement shall be 15 metres in the locations identified on the Outline Development Plan at Appendix 22.

- 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).

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 16.7.2.2–16.7.2.7 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.

In the case of the Business 2A Zone a higher level of landscaping is required so as to contribute to the higher level of amenity to be provided within this zone.

Water Supply

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

(**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 and Reflectivity

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.

Within the Business 2A Zone at Rolleston there is the ability for buildings to be established up to 20m as a restricted discretionary activity. Given the scale of activities establishing within the Business 2A Zone, and its location (which is well separated from any Living Zone and State Highway 1), there is provision within the rules to provide for additional building height which reflects in part the modern trend in warehouse building design. A 20m height will enable the installation of modern racking systems, fire fighting installation, and provide some clearance under the ceiling. Given the warehousing nature of buildings provided for within the Business 2A Zone it has been necessary to provide the ability to increase the height limit over the 15m control which applies in the Business 2 Zone. A resource consent is required for a breach of this height, where any effects of the same can be assessed at that time.

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.

Within the Business 2A Zone at Rolleston there is an additional control on buildings above 15m in height in terms of the maximum reflectivity value of the exterior building surfaces. Rule 16.6.3.2 requires exterior building surfaces above 15m in height to have a maximum reflectivity value of 40%. This rule is proposed to reduce the potential visual impact of buildings within the Business 2A Zone on account of the additional height (up to 20m) allowable as a restricted discretionary activity in that Zone. This rule will ensure that the potential visual impact of these larger buildings in the Business 2A Zone is mitigated.

It is considered that buildings that are setback from Hoskyns Road and Railway Road will have lesser adverse visual effects than those buildings established in close proximity to those public roads. Accordingly, providing for buildings that are between 15 and 20m in height (and setback 150m from Railway Road and Hoskyns Road) to be assessed on a non-notified basis is considered appropriate on account of the reduced visual dominance created by such buildings.

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.

17 BUSINESS ZONE RULES — ROADING

Notes

1. All underlined terms are defined in Part D.
2. In assessing a discretionary activity under Rule 17, the consent authority will refer to the Council's Engineering Standards (2000) where appropriate, as well as to the relevant objectives and policies of the District Plan.
3. Rule 17 may not affect existing property access onto Strategic Roads which comply with section 10 of the Act as an "Existing Use".
4. Existing activities may not need to comply with Rule 17 if they comply with section 10 of the Act as an "Existing Use".

17.1 ROADING AND ENGINEERING STANDARDS

Permitted Activities — Roading and Engineering Standards

- 17.1.1 The forming of any road or vehicular accessway shall be a permitted activity if the following conditions are met:
- 17.1.1.1 The road or vehicular accessway is formed on land which has an average slope of less than 20°; and
 - 17.1.1.2 The road or vehicular accessway does not have a gradient greater than:
 - (a) 1:6 vertical; or
 - (b) 1:20 horizontal; and
 - 17.1.1.3 The road or vehicular accessway is formed to the relevant standards in Appendix 13; and
 - 17.1.1.4 The road or vehicular accessway complies with the relevant standards in Appendix 13 for distance from intersections.

Discretionary Activities — Roading and Engineering Standards

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

17.2 VEHICULAR ACCESSWAYS

Permitted Activities — Vehicular Accessways

- 17.2.1 The forming of any vehicular accessway shall be a permitted activity if the following conditions are met:
- 17.2.1.1 The site within which the vehicular accessway is formed has legal access to a formed, legal road; and

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

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

- 17.2.1.3 The site does not have access directly on to a Strategic Road or arterial road listed in Appendix 7; unless:
- (a) The speed limit on that part of the road to which access is gained is 70 km/hr or less; or
 - (b) The site is used solely to house a utility structure; and
 - (c) The site generates less than 100 equivalent car movements per day.
- 17.2.1.4 The vehicular accessway is formed on land which has an average slope of less than 20°; and
- 17.2.1.5 The vehicular accessway does not have a gradient greater than:
- (a) 1:6 vertical; or
 - (b) 1:20 horizontal; and
- 17.2.1.6 The vehicular accessway is formed to the relevant standards in Appendix 13; and
- 17.2.1.7 The vehicular accessway complies with the relevant standards in Appendix 13 for distance from intersections.

Restricted Discretionary Activities – Vehicular Accessways

- 17.2.2 Any activity which does not comply with Rule 17.2.1.3 shall be a restricted discretionary activity.
- 17.2.3 Under Rule 17.2.2 the Council shall restrict its discretion to consideration of:
- 17.2.3.1 Whether the site has alternative access options from another road.
 - 17.2.3.2 The design and location of the vehicle crossing.
 - 17.2.3.3 The number and type of vehicles or pedestrians or stock using the access.
 - 17.2.3.4 Any adverse effects, including cumulative effects, on traffic safety or flow on the Strategic Road or arterial road.

Discretionary Activities – Vehicular Accessways

- 17.2.4 Any activity which does not comply with any of Rules 17.2.1.4 to 17.2.1.7 inclusive shall be a discretionary activity.

Non-Complying Activities — Vehicular Accessways

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

17.3 VEHICLE CROSSINGS

Permitted Activities — Vehicle Crossings

Note: Vehicle Crossings are defined in Part D.

- 17.3.1 The forming of any vehicle crossing shall be a permitted activity if the following conditions are met:
- 17.3.1.1 The vehicle crossing is to be designed and sited to comply with the relevant requirements in Appendix 13; and
 - 17.3.1.2 The vehicle crossing is to be sealed if the adjoining road is sealed; and
 - 17.3.1.3 The vehicular accessway from the allotment to the vehicle crossing is to be sealed for the first 5.5m if the vehicle crossing adjoins a road which is sealed. This distance shall be measured from the boundary of the road as shown in Appendix 13; and
 - 17.3.1.4 The vehicle crossing is to comply with the relevant standards in Appendix 13 for distance from intersections and other vehicle crossings.
 - 17.3.1.5 Notwithstanding Rule 17.3.1.1 and Appendix 13, any vehicle crossing onto Hoskyns Road, Rolleston, is to be designed and sited to comply with the details depicted on the Business 2 Outline Development Plan (Hoskyns Road) at Appendix 32.

Restricted Discretionary Activities — Vehicle Crossings

- 17.3.2 Any activity which does not comply with Rule 17.3.1 shall be a restricted discretionary activity.
- 17.3.3 Under Rule 17.3.2 the Council shall restrict its discretion to consideration of:
- 17.3.3.1 Any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists.
 - 17.3.3.2 Any potential increase in the cost or difficulty of maintaining the road and vehicle crossings, including transporting of mud and chip on to any sealed road, if the vehicle crossing or vehicular accessway is not sealed.
 - 17.3.3.3 Any visual effects on street design and residential amenity values from not forming the vehicle crossing or vehicular accessway to the specified standards.

17.4 VEHICLE PARKING AND CYCLE PARKING

Permitted Activities — Vehicle Parking and Cycle Parking

- 17.4.1 Any activity which provides for car parking, cycle parking, vehicle loading and parking access in accordance with the following conditions shall be a permitted activity:
- 17.4.1.1 The number of car parks provided complies with the relevant requirements for the activity as listed in Appendix 13; and
 - 17.4.1.2 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix 13 for all activities; and
 - 17.4.1.3 Each site that is used for an activity which is not a residential activity and which generates more than 4 heavy vehicle movements per day has one on-site loading space which complies with the requirements set out in Appendix 13. The loading space does not count as a car parking space for the purpose of complying with Rule 17.4.1.1; and

Note: Rule 17.4.1.3 does not apply to emergency services facilities.

- 17.4.1.4 Each site which is accessed from a road listed as a strategic road in Appendix 7 is designed so that a motor vehicle does not have to reverse on, or off, the strategic road.
- 17.4.1.5 Each site that is used for an activity other than a residential activity has one car park space for mobility impaired persons for the first 10 car parking spaces, and one additional car park space for a mobility impaired person for every additional 50 car parking spaces; and
- 17.4.1.6 Car parking spaces for mobility impaired persons are:
 - (a) Sited as close to the entrance to the building or to the site of the activity as practical; and
 - (b) Sited on a level surface; and
 - (c) Clearly marked for exclusive use by mobility impaired persons; and
- 17.4.1.7 Cycle parking spaces are provided in accordance with the standards in Appendix 13.

Discretionary Activities — Vehicle Parking and Cycle Parking

- 17.4.2 Any activity which does not comply with Rule 17.4.1 shall be a discretionary activity.

17.5 TRAFFIC SIGHT LINES — ROAD/RAIL CROSSINGS

Permitted Activities — Traffic Sight Lines Road/Rail Crossings

17.5.1 The following shall be permitted activities:

- 17.5.1.1 Any building if the building is positioned so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Figure E13.3.3.
- 17.5.1.2 Any tree if the tree is planted so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Figure E13.3.3.

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

17.5.2 Any building or tree which does not comply with Rules 17.5.1 shall be a non-complying activity.

Reasons for Rules

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

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

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

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

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

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

For that reason, buildings and tree plantings are not permitted if they encroach within the line of sight of a railway crossing as shown in Appendix 13 (Figure E13.3.3). This rule reflects the importance of maintaining lines of sight for traffic safety.

17.6 ROAD/RAIL CROSSINGS IN THE BUSINESS 2A ZONE

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

- 17.6.1 The establishment of a road or rail crossing requiring a break in the existing primary shelter belt or future secondary planting strip required by Landscape Treatment 3 in Rule 24.1.3.13 along the Railway Road frontage of the Business 2A Zone shall be a restricted discretionary activity.
- 17.6.2 Under Rule 17.6.1, the exercise of discretion shall be restricted to consideration of:
- 17.6.2.1 The likely impact on the health of the adjoining sections of the existing primary shelterbelt or future secondary planting strip;
 - 17.6.2.2 The extent and nature of any other planting to mitigate the potential impact on amenity of the removal of a portion of the existing primary shelterbelt or future secondary planting strip ;
 - 17.6.2.3 The extent to which sites within the Business 2A Zone become visible from sites outside of the Business 2A Zone;
 - 17.6.2.4 Any cumulative effects of multiple breaks in the existing primary shelterbelt or future secondary planting strip.

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

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

Reasons for Rules

The Business 2A Zone is screened from the land to the west through the existing primary shelterbelt along Railway Road. In time, this screening will be supplemented by a secondary planting strip required by Landscape Treatment Three in Rule 24.1.3.13, which will form a second shelterbelt. The creation of breaks within these shelterbelts for road or rail crossings are identified to occur on the Outline Development Plan at Appendix 22 of the District Plan. Rule 17.6.1 recognises that whilst such breaks in the existing primary shelterbelt and future secondary planting strip are appropriate to create access for road and rail linkages, such breaks will allow views into the Business 2A Zone from that land to the west to a limited extent, and as such, the potential adverse effects of such breaks in this screening need to be considered.

- 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 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 2A Zone; 15m
- (e) 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: 2m from a road boundary, or any boundary adjoining a Living Zone.
- (c) Business 2A Zone:
 - Road Boundaries: 10m
 - Internal Boundaries: adjoining a rural zoned property: 10m, except that this requirement shall be 15m in those locations identified on the Outline Development Plan attached at Appendix 22.
- (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.

18.2.3.3 Internal Boundary

Any adverse effects on:

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

Discretionary Activities – Height and Setbacks – Utility Buildings

18.2.4 Any activity which does not comply with Rule 18.2.1.1 or 18.2.1.2(e) shall be a discretionary activity.

18.3 HEIGHT – UTILITY STRUCTURES

Note: For the purposes of Rules 18.3.1 and 18.3.2, the maximum height of any utility structure is measured from the ground surface to the top of the highest point of the utility structure and includes any attachments. Where a utility structure is attached to a building or another structure, the height of the utility structure will still be measured from the ground level.

Permitted Activities – Height – Utility Structures

18.3.1 Any utility structure (except dish antenna) which complies with all of the following conditions shall be a permitted activity:

18.3.1.1 The structure does not exceed the following heights:

- (a) Business 1 and 2 Zones: 25m
- (b) Business 1A Zone: 20m
- (c) Business 2A Zone: 25m
- (d) Business 3 Zone: 30m

18.3.1.2 The structure comprises any pole or mast which does not exceed 500mm in diameter beyond a height of 6m above ground level; or

18.3.1.3 The structure comprises any pole or mast which exceeds 500mm in diameter beyond a height of 6m above ground level, provided it complies with the recession planes in Appendix 11 as if that pole or mast were a building.

Note: For the avoidance of doubt, Rules 18.3.1.2 and 18.3.1.3 do not apply to cross arms or antenna.

- 18.3.2 Any dish antenna which complies with the relevant following condition shall be a permitted activity.
- 18.3.2.1 A dish antenna of less than 1.2m in diameter shall not exceed a height of 25m; or if attached to a building, it shall not extend more than 2.5m above the point of attachment.
- 18.3.2.2 A dish antenna of more than 1.2m but less than 4m in diameter, on a site adjoining a Living Zone, shall not exceed a height of 25m; or if attached to a building, it shall not extend more than 2.5m above the point of attachment. It shall also comply with the recession plane in Appendix 11.
- 18.3.2.3 A dish antenna of more than 1.2m in diameter but less than 4m, on a site not adjoining a Living Zone, shall not exceed a height of 25m; or if attached to a building, it shall not extend more than 2.5m above the point of attachment.

Discretionary Activities – Height – Utility Structures

- 18.3.4 Any utility structure which does not comply with Rule 18.3.1 or 18.3.2 shall be a discretionary activity.

18.4 LANDSCAPE MANAGEMENT ALPINE VILLAGES (ARTHUR'S PASS AND CASTLE HILL) – UTILITIES

Permitted Activities – Landscape Management Alpine Villages (Arthur's Pass and Castle Hill) – Utilities

- 18.4.1 The following activities shall be permitted activities in the Arthur's Pass and Castle Hill Alpine Villages:

Utility Structures

- 18.4.1.1 Any utility pipe or cable laid underground.
- 18.4.1.2 Any dish antenna less than 0.75 metres in diameter, the height of which does not exceed that of the building or structure to which it is attached.

Antennas and Masts

- 18.4.1.3 Any antenna (other than a dish antenna), mast or utility or other structure that is not a building, no part or of which exceeds a height of 15 metres above the ground immediately below.

Building Materials and Colour for Utility Buildings and Utility Structures

- 18.4.1.4 Any utility building or utility structure which is constructed using one or more of the following materials:
- (a) Timber; or
 - (b) Stone of the same type as that found in the local area, provided that it complies with all other "relevant" rules, and

- 18.4.1.5 The exterior roof and wall colour(s) of any utility building or utility structure, except for trim items, has a reflectivity value between 0 and 37% (inclusive).

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 the Business 2A Zone shall be a permitted activity if the following standard is met:
- 18.5.2.1 A landscaping strip of at least 3 metres width shall be provided along every road frontage, except along the frontage with Railway Road. 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. For boulevard roads the species selected shall match any Group A species in the adjacent road.
 - 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.
 - Group B and C species shall be used when screening blank walls and vehicle courts.
- (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. Footpaths of up to 1.5m in width and generally at right angles to the road frontage may be provided in the landscape strip.
- (e) All new planting areas shall be mulched.

Discretionary Activities – Landscaping – Utility Buildings

18.5.3 Any activity which does not comply with Rule 18.5.1 or 18.5.2 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.

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20.1.2.4 In assessing any application made under Rule 20.1.2 consideration will be given to the following matters:

- (a) The extent to which the proposed activity can avoid or mitigate any undue risk, including site layout, site management, and spill contingency planning, monitoring and maintenance schedules.
- (b) Any relevant codes of practice introduced, or approved by, the Environmental Risk Management Authority; and pending these, any relevant codes applicable to hazardous substances.

Discretionary Activities — Storage of Hazardous Substances

20.1.3 Any activity which does not comply with Rule 20.1.1 and 20.1.2 shall be a discretionary activity.

20.2 MANUFACTURE OF HAZARDOUS SUBSTANCES

Permitted Activities — Manufacture of Hazardous Substances

20.2.1 The manufacture of any hazardous substance in the Business 3 Zone that complies with the quantities listed in Appendix 9 shall be a permitted activity.

Discretionary Activities — Manufacture of Hazardous Substances

20.2.2 The following shall be discretionary activities:

- 20.2.2.1 The manufacture of any hazardous substance in the Business 2 or 2A Zone as either a product or by-product.
- 20.2.2.2 The manufacture of any hazardous substance in the Business 3 Zone which does not comply with Rule 20.2.1.

Non-complying Activities — Manufacture of Hazardous Substances

20.2.3 The manufacture of any hazardous substance, as either a product or by-product, in the Business 1 and 1A Zones shall be a non-complying activity.

20.3 DISPOSAL OF HAZARDOUS SUBSTANCES

Non-Complying Activities — Disposal of Hazardous Substances

20.3.1 Any disposal of any hazardous substance shall be a non-complying activity.

Reasons for Rules

Many of the potential effects on health and safety of the use and storage of hazardous substances are addressed through other legislation and that the use of these substances is adequately controlled by the Regional Council and other authorities. The District Plan complements this legislation by addressing the effects of hazardous substances on health and safety, and on the environment, including amenity values. The District Plan Rules provide for the

storage of small quantities of hazardous substances, such as those associated with commercial, industrial and research activities, without requiring a resource consent. The storage is subject to conditions to: minimise the risk of leaks on to land and to minimise potential adverse effects should accidental spills or leaks occur. An exception has been made for service stations to store greater quantities of petrochemicals as a controlled activity recognising their primary role as fuel providers, acknowledging the amounts of such fuel generally stored on-site and recognising the industry standards and codes which have been adopted to address health and safety issues. An exception is also made for the installation of electrical transformers recognising the low risks associated with oil filled transformers and the importance of transformers as part of the electricity network. Special provision is made for Lincoln University due to the large nature of its “site” and different range of departments and facilities within it.

The quantities of hazardous substances allowed to be stored as permitted activities are detailed in Appendix 9. These are based on those quantities which reflect the general non residential nature of the Business zones. Special provisions apply to the Business 3 Zone where there may be large quantities of hazardous substances involved associated with tertiary education and research activities undertaken which may also involve the manufacture of them.

The District Plan Rules contain conditions to avoid or reduce the severity of effects on the environment from the accidental spillage or leakage of a hazardous substance. The rules apply to activities where there is no intentional discharge. While accidental leaks and spills can be prosecuted as unlawful discharges, the damage to the environment has already occurred. The District Plan therefore adopts a preventative approach. Regional Councils control the intentional discharge of contaminants under the Resource Management Act.

Any party producing hazardous waste other than domestic hazardous waste must find their own means for disposing of it. Where potentially large quantities or concentrations of hazardous waste are being generated, the Plan rules require that party to submit a disposal plan for approval by the consent authority before establishing in the District.

21 BUSINESS ZONE RULES - WASTE

Notes

1. The storage of hazardous substances must also comply with Rule 20.
2. 3m³ of solid waste is approximately twelve 240 litre wheelie bins.
3. The control of the discharge from burning of green waste in residential areas is a regional function and is addressed in the Air Chapter of the Natural Resources Regional Plan.

21.1 WASTE GENERATION

Permitted Activities — Waste Generation

- 21.1.1 Any activity, that is not a residential activity, which generates 3 cubic metres or less of solid waste on average per week over a year shall be a permitted activity.

Note: Rule 21.1.1 does not apply to clean fill or green waste which is generated on the same property on which it is disposed of.

Restricted Discretionary Activities — Waste Generation

- 21.1.2 Any activity which does not comply with Rule 21.1.1 shall be a restricted discretionary activity.
- 21.1.3 Under Rule 21.1.2 the Council shall restrict its discretion to the approval of a management plan to:
- 21.1.3.1 Minimise waste from the activity; and
 - 21.1.3.2 Dispose of the waste in a way that mitigates adverse effects on the environment.

21.2 WASTE STORAGE

Permitted Activities — Waste Storage

- 21.2.1 The storage of solid waste shall be a permitted activity if the following conditions are met:
- 21.2.1.1 Only solid waste generated as part of activities on a site is stored on the site; and
 - 21.2.1.2 Any solid waste stored on a site is stored in a closed, waterproof container; and
 - 21.2.1.3 Solid waste is only stored on-site until it is able to be collected or removed for treatment or disposal elsewhere.

Note: Rule 21.2.1 does not apply to bins of not more than 5m³ in size which are used to collect clothing, cans, bottles or paper/cardboard for recycling and which are ancillary to the main activity(ies) on the site.

Discretionary Activities – Waste Storage

- 21.2.2 Any facilities for the temporary storage of solid or liquid waste delivered or conveyed onto the site shall be a discretionary activity.

Non-Complying Activities – Waste Storage

- 21.2.3 Any activity which does not comply with Rule 21.2.1 shall be a non-complying activity, unless 21.2.2 applies.

21.3 WASTE DISPOSAL

Permitted Activities – Waste Disposal

- 21.3.1 The disposal of solid waste shall be a permitted activity if one or more of the following conditions are met:
- 21.3.1.1 The solid waste is green garden waste which is composted on the site on which it is generated; or
 - 21.3.1.2 The solid waste is being applied as a manure, fertiliser, compost or mulch onto gardens, lawns, or soil used to grow plant or tree crops; or
 - 21.3.1.3 The waste is effluent from a household or building which is treated or disposed of on-site, in a Business Zone, where reticulated sewerage treatment and disposal is not required under Rule 16.4.

Discretionary Activities – Waste Disposal

- 21.3.2 The use of any land or the establishing of any facilities for the disposal of solid waste which does not comply with Rules 21.3.1.1 or 21.3.1.2 shall be a discretionary activity if any one of the following standards and terms is met:
- 21.3.2.1 The site is located in a Business 2 or 2A or 3 Zone; and
 - 21.3.2.2 The solid waste being disposed of is clean fill only; or
 - 21.3.2.3 The solid waste being disposed of is green waste only; or
 - 21.3.2.4 The solid waste being disposed of is monofill from an industrial or business activity, and does not include any hazardous substance(s), offal or animal carcass.

22 BUSINESS ZONE RULES — ACTIVITIES

22.1 ACTIVITIES AND CONTAMINATED LAND

Permitted Activities — Activities and Contaminated Land

- 22.1.1 Any activity shall be a permitted activity on any site which contains contaminated land or when past activities on that site include those listed in Appendix 10, except for the following:
- 22.1.1.1 Erecting any dwelling;
 - 22.1.1.2 Educational facilities;
 - 22.1.1.3 Outdoor recreation activities; and
 - 22.1.1.4 Growing commercial food crops or rearing animals.

Restricted Discretionary Activities — Activities and Contaminated Land

- 22.1.2 Any dwellings, educational facilities, outdoor recreation activities, and growing commercial food crops or rearing animals on any site which contains contaminated land, or when past activities on that site include those listed in Appendix 10, shall be a restricted discretionary activity.
- 22.1.3 Under Rule 22.1.2 the Council shall restrict the exercise of its discretion to:
- 22.1.3.1 The adequacy of any methods proposed to reduce any potential adverse effects on people or animals.
 - 22.1.3.2 If the contaminated material is to be removed from the site, where and how it is to be disposed of, the level of risk to human health and the environment.
 - 22.1.3.3 Where the site is not confirmed as contaminated, but has been used for one or more of the activities listed in Appendix 10, further investigation to determine whether the site is contaminated and the extent of that contamination.

22.2 ACTIVITIES AND THE KEEPING OF ANIMALS

Permitted Activities — Activities and the Keeping of Animals

- 22.2.1 The keeping of animals for education and research purposes in the Business 3 Zone shall be a permitted activity.

Notes:

1. The keeping of domestic pets in the Business zones does not require a resource consent. However, the keeping of domestic pets may be subject to a Council bylaw. As an example, the Council has a bylaw for the keeping of dogs.
2. The definition of domestic pets in this Plan excludes donkeys, pigs, roosters and peacocks.

Discretionary Activities — Activities and the Keeping of Animals

- 22.2.2 The keeping of animals other than domestic pets in Business 1, 1A & 3 Zones except as provided under Rule 22.2.4 shall be a discretionary activity.
- 22.2.3 In Business 2 and 2A Zones, the following shall be discretionary activities:
- 22.2.3.1 Commercial rearing of animals for sale of progeny, meat, skins, wool or other products
 - 22.2.3.2 Boarding of animals.
 - 22.2.3.3 Intensive livestock production

Non-Complying Activities — Activities and the Keeping of Animals

- 22.2.4 In Business 1, 1A & 3 Zones, the following shall be non-complying activities:
- 22.2.4.1 Commercial rearing of animals for sale of progeny, meat, skins, wool or other products
 - 22.2.4.2 Boarding of animals.
 - 22.2.4.3 Intensive livestock production

22.3 ACTIVITIES AND AIRCRAFT MOVEMENTS**Permitted Activities — Activities and Aircraft Movements**

- 22.3.1 Any taking off and/or landing of any aircraft shall be a permitted activity if the following conditions are met:
- 22.3.1.1 The activity is part of emergency, search and rescue, or law enforcement work; or
 - 22.3.1.2 The activity does not occur on more than two days in any six month period on the same site; and
 - 22.3.1.3 The aircraft movement occurs only between the hours of 7:00am and 9:00pm.

Discretionary Activities — Activities and Aircraft Movements

- 22.3.2 Any activity which does not comply with Rule 22.2.1 shall be a discretionary activity, if it complies with the following standard and term:

- 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.

Business 1, 1A & 3 Zones:

- 22.4.1.1 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

- 22.4.1.2 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:

- 22.4.1.3 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

22.4.1.4 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 2A Zone:

22.4.1.5 Applying at any point within the boundary of any site in the rural zone, excluding road, waterway and railway reserves:

7.30 am – 8.00 pm	60dBA L10
8.00 pm – 7.30am	40dBA L10
7.30 am – 8.00pm	80dBA Lmax
8.00 pm – 7.30 am	65dBA 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 2A Zone as depicted on the Outline Development Plan at Appendix 22.
- 22.6.1.3 Lighting in the Business 2A Zone 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 2A Zone.
 - (b) All fixed outdoor lighting is directed away from adjacent roads outside of the Business 2A 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)	
	L ₁₀	L _{max}
0630-0730	60	70
0730-1800	75	90
1800-2000	70	85

Time (Any Day)	Limits(dBA)	
	L₁₀	L_{max}
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 or 2A 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 2A ZONE, ROLLESTON

Permitted Activities — Development within the Business 2A Zone, Rolleston

22.10.1 Development in the Business 2A Zone shall be a permitted activity provided that the following condition is met:

22.10.1.1 The area along the common boundary of the Business 2A Zone and the Rural Zone, as depicted in the respective landscape treatment areas identified on the Outline Development Plan at Appendix 22, and the principal building, shall be landscaped in accordance with the requirements of Rule 24.1.3.13.

Controlled Activities — Development within the Business 2A Zone, Rolleston

22.10.2 Any outdoor storage of materials within 5m of the centreline of the existing primary shelterbelt as required by Landscape Treatment 3 in Rule 24.1.3.13 shall be a controlled activity.

22.10.3 The matters the Council has reserved control over are:

22.10.3.1 Any actual or potential effects on the health of the existing primary shelterbelt and the effectiveness of any measures to mitigate any such effects.

Restricted Discretionary Activities – Development within the Business 2A Zone, Rolleston

22.10.4 The creation of impermeable surfaces within 5m of the centreline of the existing primary shelterbelt as required by Landscape Treatment 3 in Rule 24.1.3.13 shall be a restricted discretionary activity.

22.10.5 Under Rule 22.10.4 the Council shall restrict the exercise of its discretion to consideration of:

22.10.5.1 Any actual or potential effects to the health of the existing primary shelterbelt and the effectiveness of any measures to mitigate any such effects.

Discretionary Activities – Development within the Business 2A Zone, Rolleston

22.10.6 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 2A ZONE, ROLLESTON

Permitted Activities — Retailing within the Business 2A Zone, Rolleston

- 22.12.1 The following shall be a permitted activity:
- 22.12.1.1 Any retail activity undertaken from an allotment in the Business 2A Zone at Rolleston as depicted on the Outline Development Plans at Appendix 22 provided that it only occupies up to 20% of the gross floor area of building on that allotment or 2,000m², whichever is the lesser.

Discretionary Activities – Retailing within the Business 2A Zone, Rolleston

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

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

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

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

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.

Development within the Business 2A Zone at Rolleston

The reasons for the restriction on activities (outdoor storage of materials and the establishment of impermeable surfaces) occurring within 5m of the existing primary shelterbelt is to ensure appropriate mechanisms are in place to maintain the health of the existing primary shelterbelt in instances where development occurs in close proximity to the existing primary shelterbelt.

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Rolleston

24.1.3.10 In that part of the Business 2 Zone located south of Jones Road, Rolleston, as depicted on the Landscape Development Plan at Appendix 28, no subdivision of land shall take place until all of the landscape planting, irrigation system, and fencing shown on the Landscape Development Plan on that allotment is completed.

24.1.3.11 In the Business 2A Zone road connections and pedestrian links shall be provided generally in accordance with those locations identified on the Outline Development Plan at Appendix 22. The roads shall be constructed in general accordance with the road cross section examples also included in Appendix 22 (and where any conflict occurs with rule E13.3.1 these cross sections shall take precedence). Furthermore, lots created which abut Hoskyns Road in the locations shown on the Outline Development Plan at Appendix 22 should be designed in such a way that buildings will likely be encouraged to front onto and access onto Hoskyns Road.

24.1.3.12 In the Business 2A Zone street plantings shall be planted in new roads in accordance with the following requirements:

- A planting strip of not less than 1 metre in width shall be established within the roadside berm on each side of the road;
- A planting strip shall be established occupying the full width of any median within a boulevard road;
- Planting shall consist of the species listed in Groups A, C and D in Appendix 21;
- Planting in any service berm shall consist of grass and/or Group D plantings only;
- Group A trees shall be planted in the outer berm at a provision of not less than one tree for every 20 metres of road length;
- Grassed breaks in the planting of the outer berm shall be provided to enable crossing between a parked car and the footpath;
- All plants shall be of the following maximum spacings:
 - Group C – 1.5 metre centres;
 - Group D – 700mm centres.

24.1.3.13 The area along the common boundary of the Business 2A Zone and the Rural Zone, as depicted in the respective landscape treatment areas identified on the Outline Development Plan at Appendix 22, and the principal building shall be landscaped to the following standards:

Landscape Treatment One

- (a) The landscaping shall be planted along the Business 2A Zone side of the common boundary.
- (b) The landscaping shall achieve, once matured, a minimum width of 2.5 metres and a minimum height of 6.5 metres.

- (c) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (d) The landscaping shall consist of one or more of the following species:
 - Macrocarpa
 - Leyland cypress
 - Radiata pine
 - Kahikatea
 - Totara

Landscape Treatment Two

- (a) The landscaping shall be planted along the Business 2A Zone side of the common boundary.
- (b) The landscaping shall achieve, once matured, a minimum width of 5 metres and a minimum height of 6.5 metres.
- (c) The landscaping planted shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.
- (d) The landscaping shall consist of one or more of the following species:
 - Macrocarpa
 - Leyland cypress
 - Radiata pine
 - Kahikatea
 - Totara

Landscape Treatment Three

- (a) The existing primary shelter belt along Railway Road shall be retained along the full extent of the Business 2A Zone boundary in this location
- (b) The existing primary shelterbelt shall be maintained, and if dead, diseased or damaged, shall be removed and replaced.
- (c) A secondary planting strip consisting of the species Leyland cypress shall be located to the west of the existing primary shelterbelt on the opposite side of Railway Road in generally that location as identified in the Outline Development Plan at Appendix 22.
- (d) The secondary planting strip shall achieve, once matured, a minimum width of 2.5 metres and a minimum height of 8 metres.
- (e) The secondary planting strip shall be maintained, and if dead, diseased, or damaged, shall be removed and replaced.

Note: Common boundary landscaping is required along the full extent of the relevant boundaries as depicted on the Outline Development Plan at Appendix 22 except across vehicle, rail, or pedestrian crossings. Refer to Rule 17.6.1 in respect of road or rail crossings that require breaks in the existing primary shelterbelt or future secondary planting strip along Railway Road.

24.1.3.14 Existing established hedgerows and vegetation located within the area indicated on the Outline Development Plan at Appendix 22 shall be retained until such time as the new planting required by Rule 24.1.3.13 achieves a minimum height of 3 metres in that identified location.

24.1.3.15 In the Business 2A Zone at the time subdivision consent is sought for the creation of the 'Boulevard Road' within Precinct 2 as depicted on the Outline Development Plan at Appendix 22, the upgrading of Hoskyns Road as depicted on the 'Hoskyns Road Upgrade Plan' included at Appendix 22, which includes an off-road shared cycleway/pedestrian link, must be provided for as part of the works associated with that subdivision.

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

24.1.3.16 In the Business 2A Zone at the time that the first subdivision consent is sought within Precincts 2 or 3, each application must include an allotment that is to be set aside for the purposes of an Amenity Hub. This allotment is to be a minimum of 1000m² and is to be located generally in accordance with one of the locations identified on the Outline Development Plan at Appendix 22. The allotment shall be bounded on at least 50% of the length of its boundaries by public roads. The use of the allotment for the purpose of an Amenity Hub is to be secured by way of a consent notice being registered on the Certificate of Title for the allotment identified as the Amenity Hub site.

24.1.3.17 In the Business 2A Zone at the time subdivision consent is sought for any allotment that is to gain access to Hoskyns Road north of the proposed 'Boulevard Road' the upgrading of Hoskyns Road beyond that required by Rule 24.1.3.15 to the intersection with Maddisons Road as depicted on the 'Hoskyns Road Stage 2 Upgrade Plan' included at Appendix 22 must be provided for.

24.1.3.18 Any subdivision of land within Precinct 2 of the Business 2A Zone as depicted on the Outline Development Plan at Appendix 22 shall provide for the upgrading of the Hoskyns Road/Maddisons Road intersection in accordance with the Traffic Design Group drawing 7030-3-5A dated 02/12/2008 "Proposed Intersection" as included at Appendix 22 prior to any new certificates of title being issued for land within this area.

24.1.3.19 In the Business 2A Zone at the time that the first subdivision consent is sought for land contained within Precinct 3, the secondary landscaping strip required by Landscape Treatment 3 must be planted prior to the commencement of works associated with the above subdivisions consent.

24.1.3.20 In Precincts 2 and/or 3 in the Business 2A Zone, before Certificates of Title can be issued for any subdivision that creates allotments that in total exceed 57ha, the upgrade of the Hoskyns Road / Jones Road intersection shall be provided in accordance with the 'Proposed Roundabout Jones Road and Hoskyns Road' Plan included at Appendix 22.

24.1.3.21 In the Business 2A Zone, at the time subdivision consent is sought for the creation of the new road within precinct 3 as depicted on the Outline Development Plan at Appendix 22, Railway Road shall be sealed to a point 50m north west of the zone boundary and 10m to the south east of the new access road.

Note: Rule 24.1.3.21 only applies to allotments used for business purposes, and excludes balance, utility or roading allotments.

Table C24.1 - Allotment Sizes

Township	Zone	Allotment Size Not Less Than
All <u>Townships</u>	All Business Zones	No average <u>allotment</u> size 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:

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

Solid Waste Disposal

24.1.4.4 The appropriateness of the proposed facilities for solid waste collection or disposal, considering:

- (a) The number of allotments; and
- (b) The type of accommodation (permanent or holiday); and
- (c) The distance to a public solid waste collection service or disposal facility.

Utility Cables

24.1.4.5 Whether any utility cables shall be laid underground.

Telephone and Power

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

Stormwater Disposal

24.1.4.7 The method(s) for disposing of stormwater; and

24.1.4.8 Any adverse effects of stormwater disposal on any land drainage scheme which is administered by Selwyn District Council; and

24.1.4.9 The quantity and rate of stormwater disposed into any land drainage scheme which is administered by Selwyn District Council.

On-Site Effluent Disposal

24.1.4.10 In the Business Zones at Coalgate, Dunsandel and Darfield:

- (a) Whether any allotment is of an appropriate size and shape, and has appropriate ground conditions, to enable satisfactory on-site effluent treatment and disposal.

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

Roads, Reserves and Walkways/Cycleways

- 24.1.4.11 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and
- 24.1.4.12 The provision, location, coordination, layout and formation of any land required for reserves, which is to comply with the “Criteria for Taking Land Instead of Cash” clause of the “Reserves Specific Issues regarding Development Contributions Assessment” in the Development Contribution Policy of the 2006-2016 LTCCP; and
- 24.1.4.13 The provision of footpaths, lighting and street furniture; and
- 24.1.4.14 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 24.1.4.11 to 24.1.4.14.*

Special Sites

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

Size and Shape

- 24.1.4.17 The size and shape of allotments in accordance with Rules 24.1.3.5 and 24.1.3.6; and
- 24.1.4.18 The size and shape of allotments for the subdivision of a heritage building or site listed in Appendix 3.
- 24.1.4.19 Whether subdivision in the Business 2A Zone creates a lot or lots which are of a suitable size and dimension to facilitate the development of an Amenity Hub to serve the day to day needs of employees and is generally in one of those locations in each precinct shown on the Outline Development Plan attached at Appendix 22.

Utilities and Facilities

24.1.4.20 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

24.1.4.21 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 24.1.4.20.

Construction of any Works

24.1.4.22 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

24.1.4.23 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

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

High Voltage Transmission Lines

24.1.4.25 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

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

24.1.4.27 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

- 24.1.4.28 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

- 24.1.4.29 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;
- 24.1.4.30 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;
- 24.1.4.31 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;
- 24.1.4.32 The need to provide for pedestrian and cycle movement within the road reserve;
- 24.1.4.33 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;
- 24.1.4.34 The need for local reserves;
- 24.1.4.35 The extent to which failure to provide walkways/cycleways may result in a loss of pedestrian safety and amenity;
- 24.1.4.36 The design guidelines contained in Appendix 23;
- 24.1.4.37 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.
- 24.1.4.38 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.

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DEFINITIONS

INTRODUCTION

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

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

Any singular definition includes the plural and vice versa.

A

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

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

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

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

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

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

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

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. *

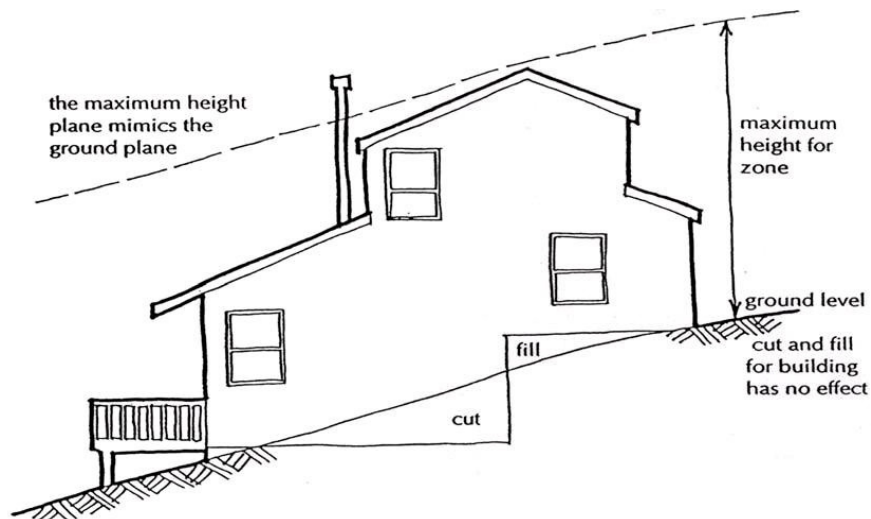
Height: in relation to any building or structure means the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point.

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 (except the Business 2A Zone) provided that the maximum height normally permitted by the rules for the zone is not exceeded by more than 2m.
- Lift shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, cooling towers, chimney stacks, water tanks and similar architectural features on any building in the Business 2A Zone provided that the maximum height normally permitted by the rules is not exceeded by more than 5m and no more than 10% of the plan area of a building.

Measurement of Height:

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



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. *

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—

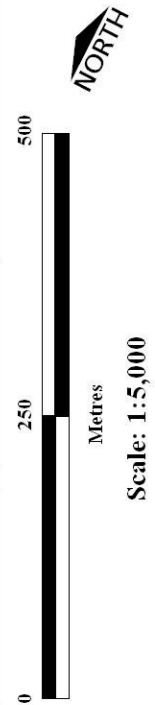
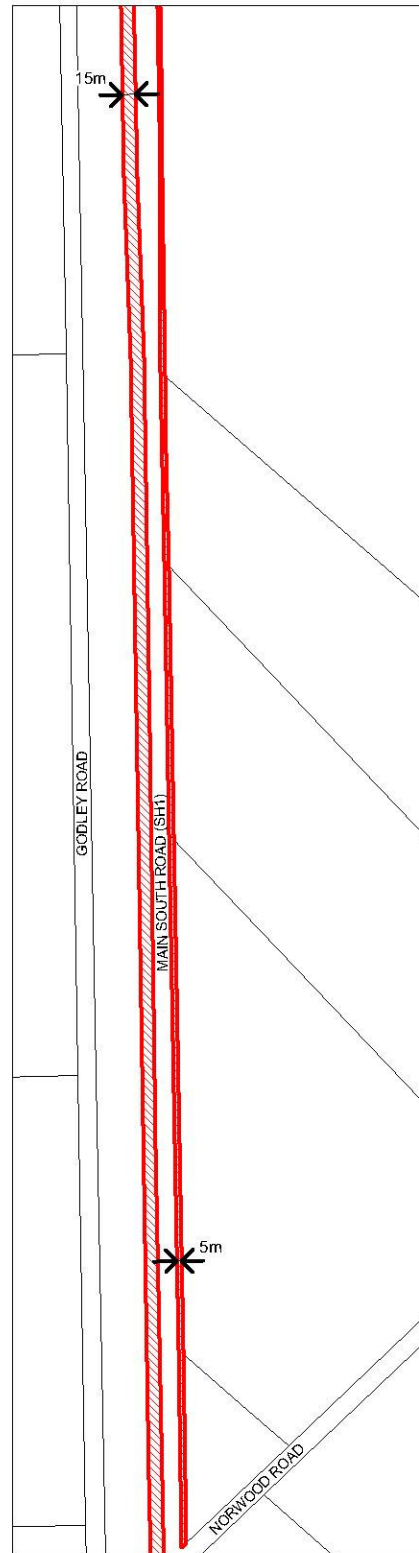
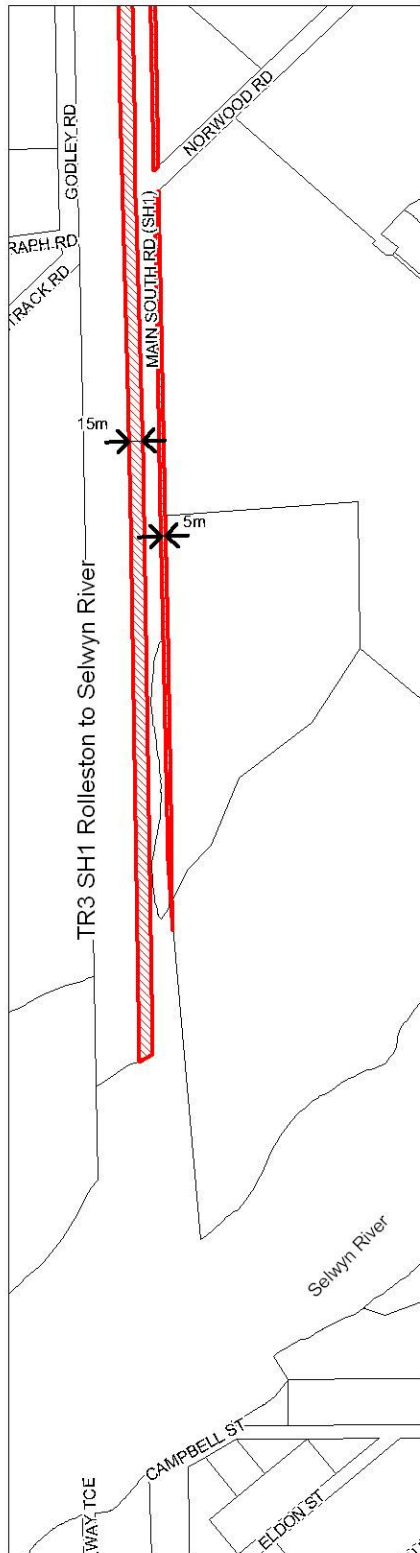
shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional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

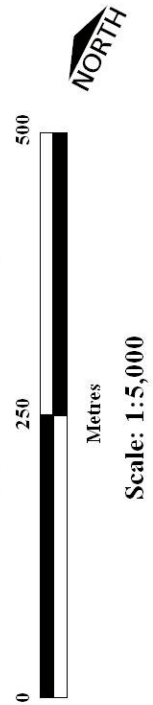
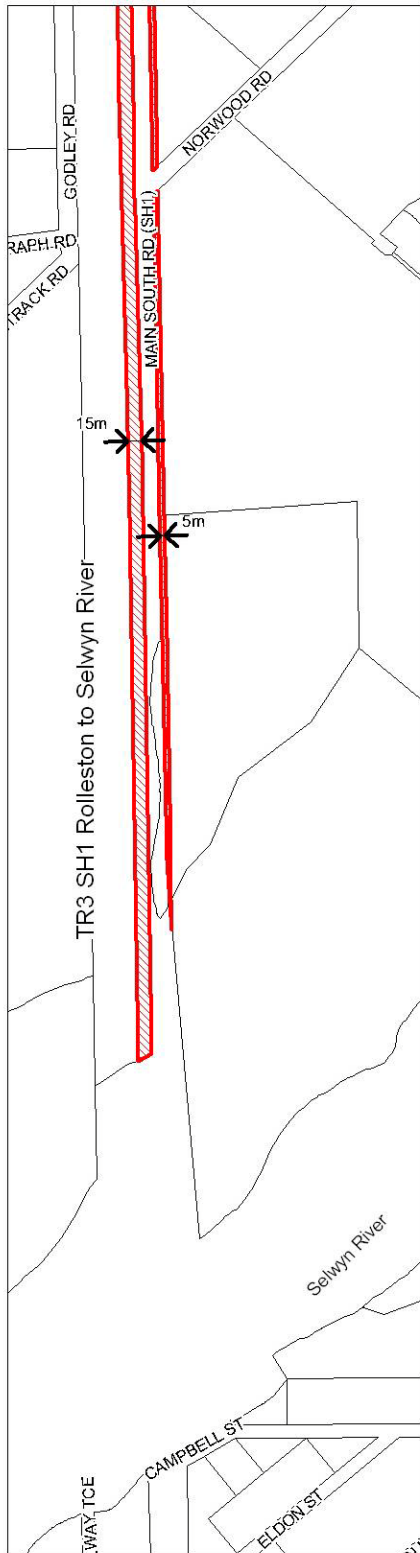
- [(4) For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.]

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:





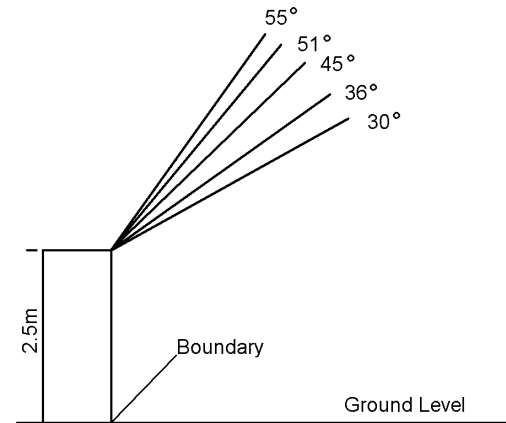
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APPENDIX 11

RECESSION PLANES

Recession Plane A

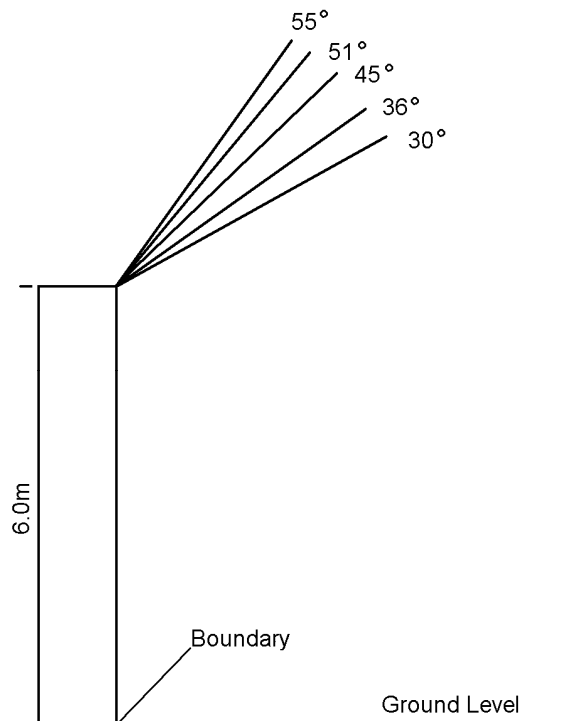
Applicable to all buildings along all internal boundaries in all Living zones and Business zones adjoining any Living or Rural zones and boundaries along the common boundary of the Business 2A Zone and the Rural zone as depicted in the Outline Development Plan in Appendix 22.



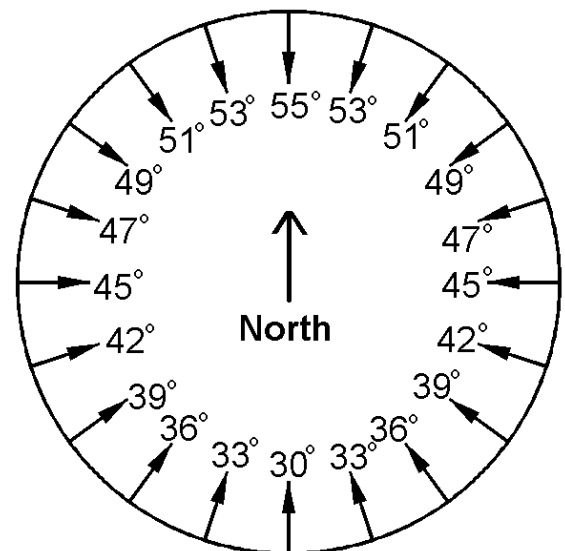
Recession Plane B

Applicable to all buildings along all internal boundaries in all Business zones NOT adjoining any Living or Rural zones.

Note: Recession Plane B shall not apply to the internal boundaries of the Business 2A Zone.



Recession Plane Indicator



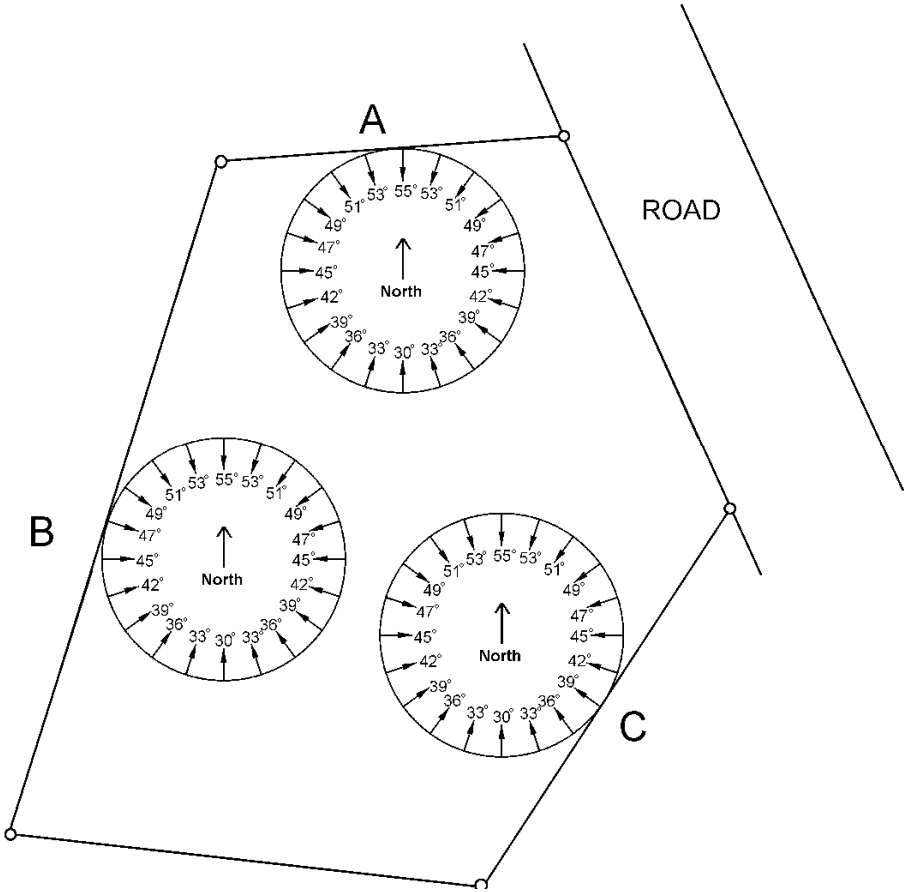
Recession plane angles for buildings shall apply to all points along the boundary and shall vary with the bearing of each site boundary according to the above diagrams. They shall commence at

a point of either 2.5m or 6.0m above site boundaries for all buildings depending on the situation that applies.

The recession plane angle shall be calculated by orienting both site plan and recession plane indicator to the true north. The recession plane indicator is then placed over the site plan with the circle tangential to the inside of the site boundary under consideration. The recession plane angle shall be that indicated by the diagram at the point where it touches the site boundary. Where a recession plane falls between those indicated on the diagram, interpolations shall be made. On irregular boundaries the same principles shall apply with the recession operating at right angles to all boundaries.

The level of site boundaries in zones shall be measured from filled ground level except where there is an existing building at a lower level on the other side of a common boundary, where that lower level shall be adopted.

The following diagram shows a worked example of the application of the recession plane indicator to a site:



APPENDIX 21

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

Group A	Higher canopy trees with an ultimate height of 6.0m to 10.0m	
	Scientific Name	Common Name
	<i>Cordyline australis</i>	Cabbage Tree/Ti kouka
	<i>Hoheria angustifolia</i>	Narrow Leaved Lacebark/Houhere
	<i>Hoheria sextylosa</i>	Long Leaved Lacebark/Houhere
	<i>Liriodendron tulipifera</i> *	Tulip Tree*
	<i>Plagianthus regius</i>	Ribbonwood/Manatu
	<i>Platanus orientalis</i> *	Oriental Plane*
	<i>Podocarpus totara</i>	Totara
	<i>Quercus robur</i> *	English Oak*
	<i>Tilia x europaea</i> *	Common Lime*

***Note: These species only to be used in public areas**

Group B	Medium canopy trees with an ultimate height of 4.0m to 6.0m	
	Scientific Name	Common Name
	<i>Dodonaea viscosa</i>	Akeake
	<i>Kunzea ericoides</i>	Kanuka
	<i>Pittosporum eugenioides</i>	Lemonwood/Tarata
	<i>Pittosporum tenuifolium</i>	Kohuhu
	<i>Pseudopanax arboreus</i>	Fivefingers/Puakao
	<i>Pseudopanax crassifolium</i>	Lancewood/Horoeka
	<i>Pseudopanax ferox</i>	Fierce Lancewood
	<i>Sophora microphylla</i>	Kowhai

Group C **Shrub canopy of 1.0m to 4.0m in height**

Scientific Name	Common Name
<i>Carmichaelia australis</i>	New Zealand Broom
<i>Cassinia leptophylla</i>	Tauhinu
<i>Coprosma crassifolia</i>	Mikimiki
<i>Coprosma lucida</i>	Shining Karamu
<i>Coprosma propinqua</i>	Mingimingi
<i>Coprosma robusta</i>	Karamu
<i>Coprosma rugosa</i>	Mikimiki
<i>Coprosma virescens</i>	Mikimiki
<i>Corokia cotoneaster</i> [^]	Korokio [^]
<i>Cortaderia richardii</i>	Toetoe
<i>Griselinia littoralis</i> [^]	Broadleaf [^]
<i>Hebe salicifolia</i>	Koromiko
<i>Hebe stricta</i>	Koromiko
<i>Hebe strictissima</i>	Koromiko
<i>Leptospermum scoparium</i>	Tea Tree/Manuka
<i>Lophomyrtus obcordata</i>	Rohutu
<i>Muehlenbeckia astonii</i>	Pohuehue
<i>Olearia odorata</i>	Scented Shrub Daisy
<i>Olearia paniculata</i> [^]	Golden Akeake [^]
<i>Phormium tenax</i>	Flax/Harakeke

[^] **Note: plant species suitable for hedging**

Group D **Ground covers**

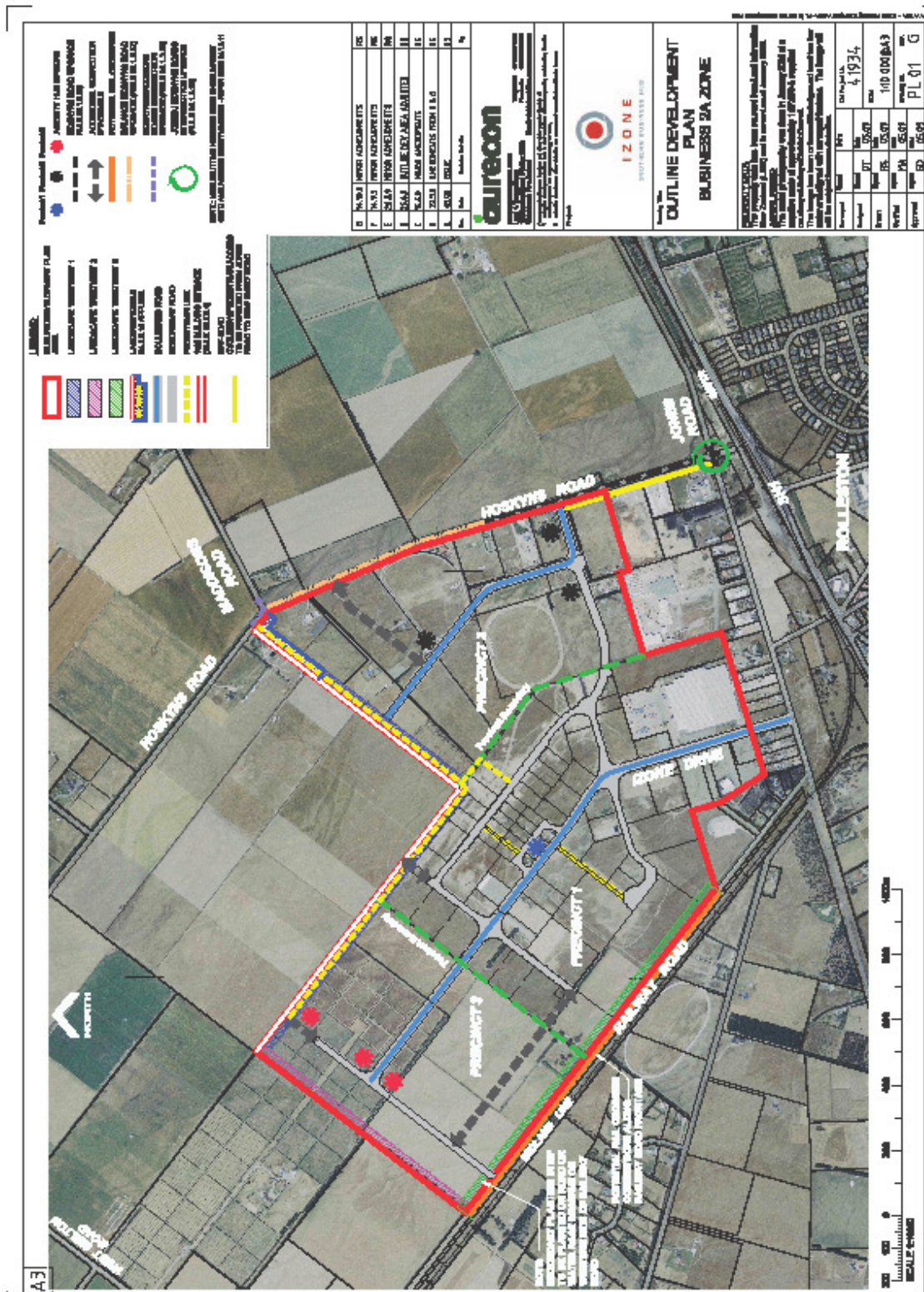
Scientific Name	Common Name
<i>Anemanthele lessoniana</i>	Orizopsis/Windgrass
<i>Astelia fragrans</i>	Bush Flax (green form)/Kakaha
<i>Carex flagellifera</i>	Tussock/Sedge
<i>Carex secta</i>	Tussock/Sedge
<i>Chionochloa conspicua</i>	Tussock/Hunangamoho

Coprosma acerosa	Sand Coprosma
Dianella nigra	Turututu
Dietes grandiflora*	Wild Iris*
Juncus gregiflorus	Rush
Libertia ixioides	New Zealand Iris/Mikoikoi
Melicytus alpinus	Porcupine Shrub
Phormium cookianum	Wharariki
Poa cita	Silver Tussock
Trachelospermum jasminoides*	Star Jasmine*

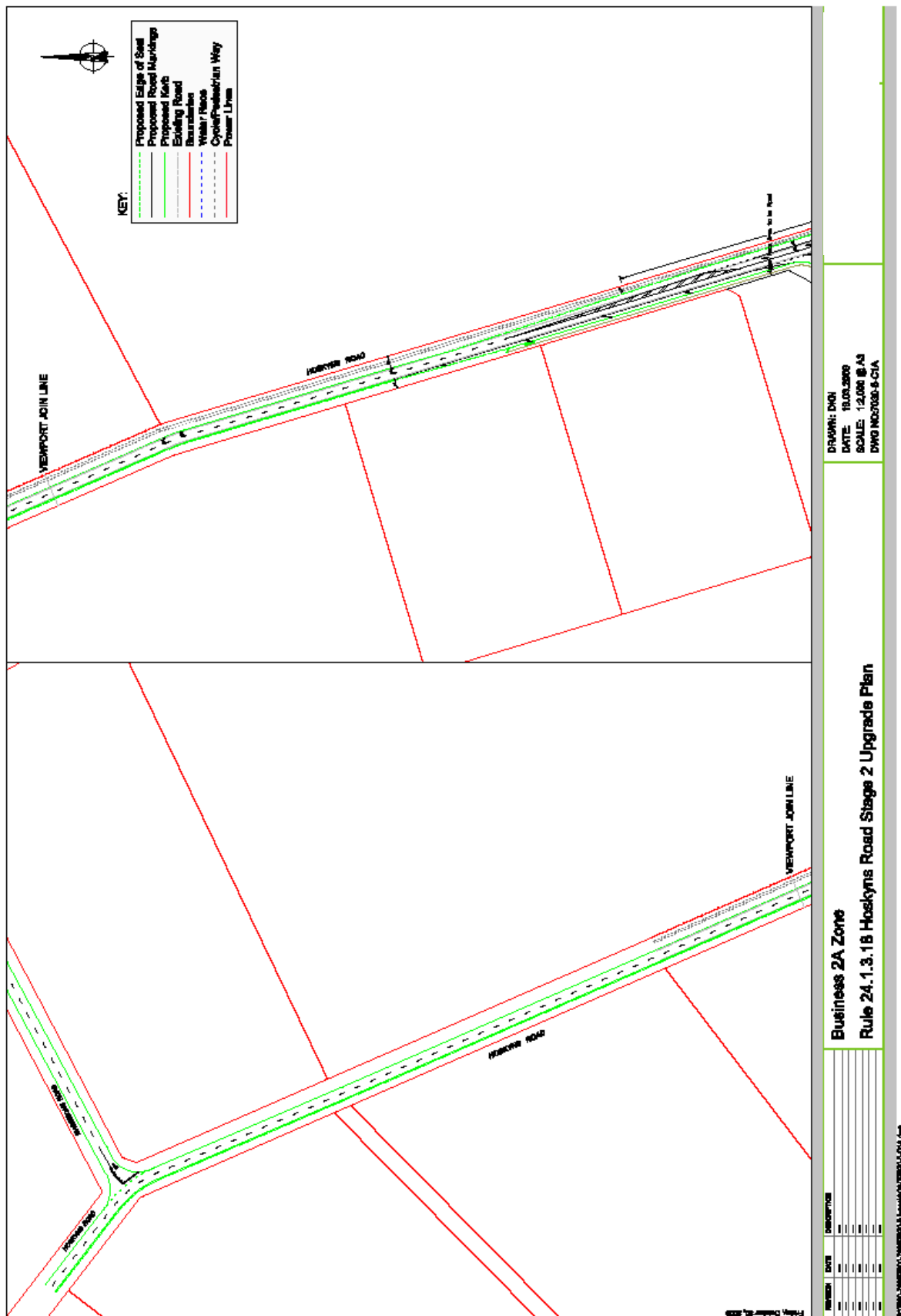
***Note: These species only to be used in public areas**

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OUTLINE DEVELOPMENT PLAN – BUSINESS 2 ZONE, ROLLESTON

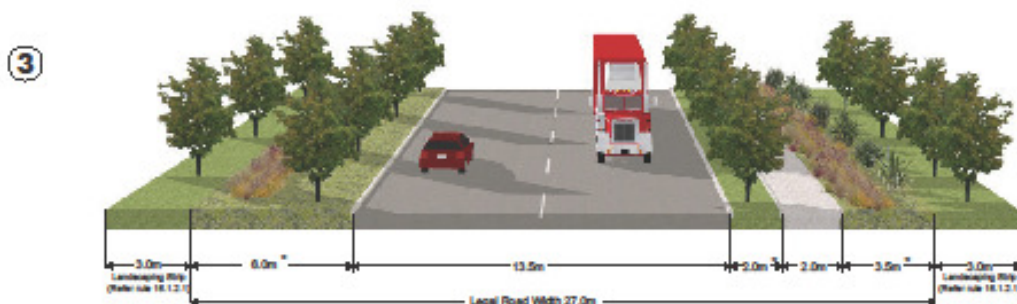
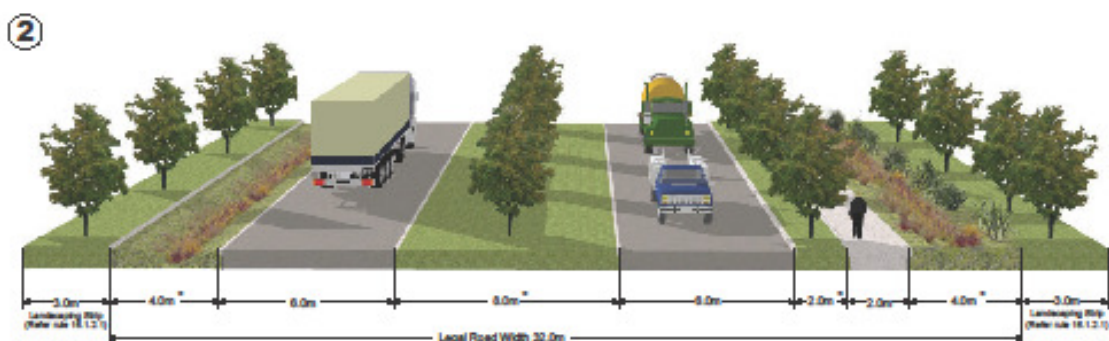
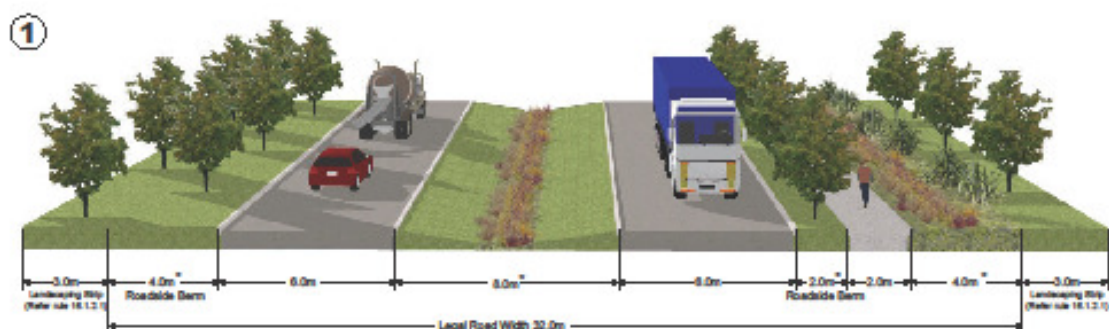






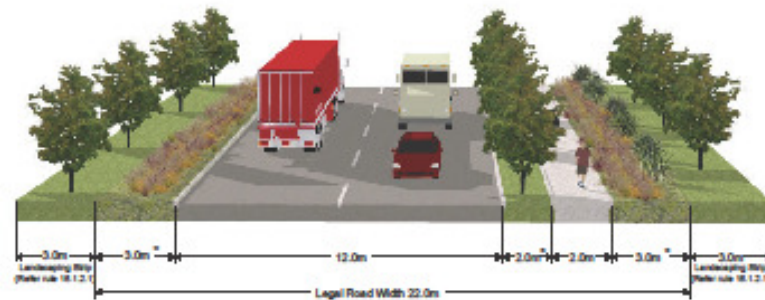
Recommended Road Cross Sections for the Business 2A Zone Rolleston (Refer Rule 24.1.3.12) - Boulevard Roads

Boulevard Road Options:



* - Includes planting strip planting (Refer Rule 24.1.3.13)

Recommended Road Cross Sections for the Business 2A Zone Rolleston (Refer Rule 24.1.3.12) - Secondary Roads



Note: Secondary Road treatment to be applied to any roads additional to those shown on the Outline Development Plan

* - Includes planting strip planting (Refer Rule 24.1.3.13)

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APPENDIX 33

BUSINESS 2 ZONE (HOSKYNS ROAD) ROLLESTON

THIS APPENDIX HAS BEEN REMOVED AS PER PLAN CHANGE 10 – IZONE

PLEASE REFER TO APPENDIX 22

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