

SCHEDULE OF AMENDMENTS

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

Name	Description
Plan Change 24	Silver Stream Estates, Darfield

Please amend your District Plan by updating the following pages:

Township Volume

Amendments from 30 April 2013 to 20 June 2013

Insert Pages

Front of Township Volume – Supersedes existing Certificate of Approval	Signed Certificate Of Approval - 17 th June 2013
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Replace pages - Please recycle all pages removed

Part A0 – Contents

Insert new Appendix 41 into contents	005 - 006
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Part B4 – Growth of Townships

Amend B4.3.28, 1 st paragraph, 2 nd bullet, by altering amount from “five” to “four”	B4-051 – B4-052
Amend Explanation and Reasons, paragraph 4, reference to ODP Areas	

Part C5 – LZ – Roads

Insert new rule C5.2.1.8	C5-001 – C5-008
Amend rule C5.2.4 by adding reference to C5.2.1.8	(Entire Chapter)

Part C12 – LZ – Subdivision

Amend C12.1.3.9 adding reference to ODP Areas	C12-001 – C12-038
Insert new Rules C12.1.3.12 to C12.1.3.15, renumbering subsequent rules accordingly	(Entire Chapter)
Insert new heading “Darfield” and Rules C12.1.4.82 to C12.1.4.84	
Insert new rule 12.1.7.9 under Non-Complying Activities	

Part E25 – Darfield

Amend appendix showing reference to Appendix 41 and changes to Zones	E25-001 – E25-002
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Part E41 – Darfield Area 3 ODP

Insert new Appendix 41, Darfield, Area 3, Outline Development Plan and Landscaping/Planting plan.	E41-001 – C41-004
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Maps 17, 73 and 77

CERTIFICATE OF APPROVAL

The Council resolved to make operative those parts of the Selwyn District Plan relating to Plan Change 24 (Silverstream Estates, Darfield) on the 24 June 2013.

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:



Mayor
Kelvin Coe



Acting Chief Executive
John Christensen

Dated at Rolleston this 17th day of June 2013

Requiring Authority**Unresolved Designations*****Refer to Appendix 2***

Selwyn District Council

Township and Rural Volumes

All SDC designations are not operative with the exception of :

D411 Rolleston Waste Water Treatment and Disposal

D412 Rolleston Resource Recovery Park

D413 Rolleston South Reserve

D414 Rolleston Dog Park

D415 Local Purpose (Community and Recreation Facilities) Reserve –
Lincoln

D416 Rolleston Wastewater Disposal Area

D417 Rolleston Recreation Precinct

Telecom

Township and Rural Volumes

All Telecom designations are not operative



Appendix 37

OUTLINE DEVELOPMENT PLAN, LINCOLN.....	E37-001
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Appendix 38

OUTLINE DEVELOPMENT PLAN, ROLLESTON	E38-001
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Appendix 39

OUTLINE DEVELOPMENT PLAN, HOLMES BLOCK, ROLLESTON.....	E39-001
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Appendix 40

OUTLINE DEVELOPMENT PLAN, SKELLERUP BLOCK, ROLLESTON	E40-001
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Appendix 41

OUTLINE DEVELOPMENT PLAN, AREA 3 DARFIELD	E41-001
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Policy B4.3.25

Discourage individual property access from new Living or Business zones to State Highway 73 or State Highway 77 (Bangor Road) and manage the number and location of any new subdivisional roads on to these routes.

Explanation and Reasons

Future expansion of Darfield, will straddle two Strategic Roads, State Highway 73 and State Highway 77 (Bangor Road). Subdivision in new Living or Business zones (i.e. zones created after the date of notification of this Plan) will need to be designed so that individual properties do not have direct frontage access to these routes. The number of any new subdivisional roads intersecting with these highways should be minimised (or prevented where necessary), or located such that the efficiency and safety of these highways is not impaired. Policy B4.3.20 complements Policy B2.1.18.

Policy B4.3.26

Encourage any new Business zone to adjoin an existing Business zone of similar character if land for this purpose is available and appropriate.

Explanation and Reasons

Darfield has two Business 1 and 2 Zones. Policy B4.3.26 is to encourage consolidated Business zones in townships rather than in several isolated areas. This policy is consistent with policies B3.4.35 and B3.4.36.

Policy B4.3.27

Ensure any land rezoned for new residential or business development does not create or exacerbate ‘reverse sensitivity’ issues in respect of activities in the existing Business 2 Zones or the Midland Railway.

Explanation and Reasons

Darfield has a variety of activities located in Business 2 Zones and the Rural Zone around the edge of the township that may not be readily compatible with residential activities. The Council is also aware of complaints about the noise and dust from coal trains using the Midland Railway line.

Policy B4.3.27 is to ensure that the existing activities in the Business 2 Zones and the Midland Railway Line are not affected by residential activities keep established too close to them, which leads to complaints about their nuisance effects. This is consistent with policies B3.4.38 and B3.4.39.

Policy B4.3.28

To provide for mixed densities in the Living X Zone, and rural residential development around the township in the Living 2A (Deferred) Zone to a minimum average area of 1ha, and in the Living 2A1 Zone to a minimum average area of 2ha, subject to the following:

- **That all new allotments are able to be serviced with a reticulated potable water supply:**

- **That outline development plans have been incorporated into the Plan for the coordinated development of four identified areas of land in the Living 2A Zone, the Living X Zone and part of the Living 2 Zone to address roading, reserve, and pedestrian/cycle linkages;**
- **Where applicable, provision has been made to address any reverse sensitivity issues.**

Explanation and Reasons

As of April 2004, the Darfield water supply system was at capacity, and pending the development of a new system, and the obtaining of the necessary resource consents, further subdivision in the Deferred Living X and 2A Zones is unlikely to be possible. The scope for further development, and the likely rate of resubdivision in the Living 2A1 Zone, is such that it is less affected by this constraint.

The Living X Zone provides for a range of allotment sizes as may be nominated by the developer, but not to a lesser area than specified in the Living 1 Zone. Development in the Living X Zone is also subject to deferral pending the incorporation of outline development plans.

The Living 2A1 Zone applies to land already substantially subdivided into lots of between 2 and 4 ha, generally bounded by Clinton, Bangor and Creyke Roads. This degree of fragmentation is such that requiring an outline development plan is unrealistic. However, the zone already has a distinct low density rural residential character and a generally uncoordinated internal roading pattern. Having regard to this, and the expectations of existing residents, the Council does not wish to allow further subdivision below an average area of 2ha without consultation with the resident community. Given the existing subdivision pattern and low density allowed in the zone, deferred status is not considered necessary for the Living 2 A1 Zone.

For the Living 2A Deferred Zone, deferred zoning also applies to enable the incorporation of outline development plans for each of the four areas labelled 1, 2, 4 and 5 in Appendix 25. The purpose of the outline development plans is to ensure the provision of through roading patterns where necessary; preventing frontage access for properties to state highways and managing the location and number of new access roads; staging of development for provision of services; and cycle/pedestrian links and reserves; and to address reverse sensitivity issues.

In some cases, the presence of business zones, utilities, arterial roads (noise) or plantations adjacent to future residential developments will necessitate provisions of setbacks or other methods to mitigate reverse sensitivity effects, and to avoid operation of existing activities being compromised. With the exception of a large block of land north-east of the Township (bounded by Homebush and Kimberley Roads, (Area 4, Appendix 25), outline development plans will have to be added by variation or plan change. However the Living 2A and 2A1 Zonings signal that subject to constraints being addressed, these areas are suitable in principle for low density residential development.

5 LIVING ZONE RULES — ROADS AND TRANSPORT

Notes

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

5.1 ROAD AND ENGINEERING STANDARDS

Permitted Activities — Road and Engineering Standards

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

Discretionary Activities — Roading and Engineering Standards

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

5.2 VEHICLE ACCESSWAYS

Permitted Activities — Vehicle Accessways

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

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

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

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

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

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

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

5.2.1.5 The vehicle accessway is not located closer than:

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

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

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

5.2.1.8 Any vehicular accessway does not provide access onto Creyke Road from land within the Appendix 41 Darfield Outline Development Plan area unless indicated as an access on the Appendix 41 Outline Development Plan.

Discretionary Activities – Vehicle Accessways

- 5.2.2 In the Living Z Zone, any activity served by a shared vehicle access that does not comply with Rule 5.2.1.7 shall be a discretionary activity if the following condition is met:
- 5.2.2.1 The shared vehicle access provides only secondary access and there is an alternative unshared vehicle access to a formed and vested road.
- 5.2.3 Any activity which does not comply with any of Rules 5.2.1.2 to 5.2.1.6 inclusive shall be a discretionary activity.

Non-Complying Activities – Vehicle Accessways

- 5.2.4 Except as provided in Rule 5.2.2, any activity which does not comply with Rule 5.2.1.1 or 5.2.1.7 or 5.2.1.8 shall be a non-complying activity.

5.3 VEHICLE CROSSINGS

Permitted Activities – Vehicle Crossings

- 5.3.1 The forming of any vehicle crossing shall be a permitted activity if the following conditions are met:
- 5.3.1.1 The vehicle crossing is formed and sited to comply with the relevant requirements in Appendix E13.2.2, E13.2.4, E13.2.5; and
- 5.3.1.2 The vehicle crossing is to be sealed if the adjoining road is sealed; the crossing shall be sealed for the full length between the site boundary and the sealed carriageway; and
- 5.3.1.3 The vehicle crossing complies with the relevant standards in Appendix E13.2.3
- 5.3.1.4 The site does not have access directly on to a State Highway or arterial road listed in Appendix 7; unless:
- (a) The speed limit on that part of the road to which access is gained is 70 km/hr or less; or
 - (b) The site is used solely to house a utility structure; and
 - (c) The site generates less than 100 equivalent car movements per day; and

Restricted Discretionary Activities – Vehicle Crossings

- 5.3.2 Any activity which does not comply with Rule 5.3.1.1 and 5.3.1.2 shall be a restricted discretionary activity.
- 5.3.3 Under Rule 5.3.2 the Council shall restrict its discretion to consideration of:
- 5.3.3.1 Any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists.

- 5.3.3.2 Any potential increase in the cost or difficulty of maintaining the road and vehicle crossings, including transporting of mud and chip on to any sealed road, if the vehicle crossing or vehicle accessway is not sealed.
- 5.3.3.3 Any visual effects on street design and residential amenity values from not forming the vehicle crossing or vehicle accessway to the specified standards.
- 5.3.4 Any activity which does not comply with Rule 5.3.1.4 shall be a restricted discretionary activity.
- 5.3.5 Under Rule 5.3.4 the Council shall restrict its discretion to consideration of:
 - 5.3.5.1 Whether the site can have access from another road which is not a State Highway or arterial road listed in Appendix 7.
 - 5.3.5.2 The design and location of the vehicle crossing.
 - 5.3.5.3 The number and type of vehicles or pedestrians, and using the access.
 - 5.3.5.4 Any adverse effects, including cumulative effects, on traffic safety or flow on the State Highway or arterial road.

Discretionary Activities – Vehicle Crossings

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

5.4 TRAFFIC SIGHT LINES – ROAD/RAIL CROSSINGS

Permitted Activities – Traffic Sight Lines – Road/Rail Crossings

- 5.4.1 The following shall be permitted activities:
 - 5.4.1.1 Any building if the building is positioned so that it does not encroach within the line of sight for any railway crossing as shown in Appendix 13, Diagram E13.3.
 - 5.5.1.2 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, Diagram E13.3.

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

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

5.5 VEHICLE PARKING AND CYCLE PARKING

Permitted Activities — Vehicle Parking and Cycle Parking

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

Car Park Spaces

- 5.5.1.1 The number of car parks provided complies with the relevant requirements for the activity as listed in Appendix E13.1.1, E13.1.2, E13.1.3 and E13.1.12; and
- 5.5.1.2 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix E13.1.5.2, E13.1.6, E13.1.7, E13.1.8, E13.1.9, E13.1.10 and E13.1.11; and

Loading Space

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

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

State Highways and Arterial Roads

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

Note: Refer to the Council's Code of Practice for the design standards required for the manoeuvring of vehicles.

Disabled Car Parking

- 5.5.1.5 Each site that is used for an activity other than a residential activity has one car park space for mobility impaired persons for up to 10 car parking spaces provided, and one additional car park space for a mobility impaired person for every additional 50 car parking spaces provided or part thereof; and
- 5.5.1.6 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

Cycle Parking

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

Discretionary Activities – Vehicle Parking and Cycle Parking

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

Reasons for Rules

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

Rules 5.1.1.1, 5.1.1.3, 5.2.1.3 and 5.2.1.4 manage the effects of forming roads and vehicle accessways on slopes, and near waterbodies and special sites. These rules do not prevent roads and vehicle accessways being formed in these areas, but require an application for resource consent (or designation), so potential adverse effects on these more sensitive areas can be addressed.

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

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

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

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

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

On-site car parking is desirable to reduce potential adverse effects on traffic flow and safety, especially on State Highways and Arterial Roads. On-site car parking also avoids the potential

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

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

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

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

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

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12 LIVING ZONE RULES — SUBDIVISION

Notes:

1. The subdivision of any land is not a permitted activity. (This means that subdivision requires a resource consent).
2. If a subdivision is a controlled or restricted discretionary activity, the Council will restrict its discretion to the matters listed in the relevant rule under the heading “Matters over which the Council has restricted the exercise of its discretion”.
3. If subdivision is a discretionary or a non-complying activity, the Council is required to consider all relevant matters under Sections 104, 104B and 104D of the Act.
4. Rule 12 applies to the subdivision of land, within the meaning of Section 218 of the Act.
5. The design of any road, vehicle accessway, right of way or vehicle crossing must comply with Rule 5: Roading.
6. Any earthworks associated with subdivision of land must comply with Rule 2: Earthworks.
7. Erecting any dwelling or other building on any land must comply with Rule 4: Buildings or Rule 6: Utilities.
8. Attention is drawn to the provisions of any other relevant zone/activity rules for land use activities that may be associated with subdivisions. Should an activity not meet any one or more of those roles, then application for consent will also need to be made in respect to those rules.
9. Underlined words are defined in Part D of the Plan.
10. The subdivision of any land adjoining a State Highway which is a Limited Access Road (LAR) firstly requires consent obtainable from New Zealand Transport Agency. This is in addition to the subdivision application that is made with the Selwyn District Council. For any other LAR the consent is required from the Selwyn District Council in addition to the subdivision application.
11. Development contributions under the LTP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.
12. The Selwyn District Council “Design Guide for Residential Subdivisions in the Urban Living Zones” and “Engineering Code of Practice” should be consulted when preparing subdivision applications.
13. Earthworks in areas listed in Appendix 5 and shown on the planning maps as a Silent File Area, Wāhi Taonga Site or Wāhi Taonga Management Area may be subject to Rule 10.4 Activities and Cultural Sites. In addition, any Earthworks affecting any of these sites may require the consent of the New Zealand Historic Places Trust Pouhere Taonga (refer to Part B, Section 3.3 Archaeological Sites).
14. Earthworks affecting any archaeological site, including Wāhi Taonga Management Area C39(b) at Rakaia Huts, may require the consent of the New Zealand Historic Places Trust Pouhere Taonga.
15. Refer to Appendix 6 “Protocols on Accidental Discovery of Archaeological Sites” when any Earthworks occur in any Silent File, Wāhi Taonga Site or Wāhi Taonga Management Area.

12.1 SUBDIVISION — GENERAL

Restricted Discretionary Activities — Subdivision – General

12.1.1 A subdivision of land, which is not a subdivision under Rules 12.2 or 12.3, shall be a restricted discretionary activity if it complies with the standards and terms set out in Rule 12.1.3.

12.1.2 Any subdivision subject to Rule 12.1.1, and which complies with 12.1.3, shall not be notified and shall not require the written approval of affected parties. The Council shall restrict the exercise of its discretion to consideration of the matters listed in Rule 12.1.4 following Table C12.1.

12.1.3 Standards and Terms

Access

12.1.3.1 Any allotment created, including a balance allotment, has legal access to a legal, formed road; and

Corner Splays

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

Water

12.1.3.3 Except in Doyleston, any allotment created is supplied with a reticulated water supply which complies with the current New Zealand Drinking Water Standard; and

Effluent Disposal

12.1.3.4 Any allotment created in: Castle Hill, Doyleston, Lake Coleridge Village, Leeston, Lincoln, Prebbleton, Rolleston, Southbridge, Springston, Tai Tapu or West Melton is supplied with reticulated effluent treatment and disposal facilities; and

Solid Waste Disposal

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

Size and Shape

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

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

Coalgate

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

Darfield

- 12.1.3.9 No subdivision of land in any of the areas labelled “Areas 1, 2, 4 and 5” as shown in Appendix 25, shall take place until:
- (a) A potable water supply is available which is capable of serving the lots within the subdivision; and
 - (b) An Outline Development Plan addressing those matters identified in the explanation and reasons to Policy B4.3.22, Darfield Specific Policies has been incorporated into the District Plan for the area as identified in Appendix 25 within which the subdivision is proposed.
- 12.1.3.10 Where a potable water supply is available which is capable of serving the lots within the subdivision, and there is an Outline Development Plan which has been incorporated into the District Plan for the area identified in Appendix 25 within which the subdivision is proposed, the subdivision complies with the layout and contents of the Outline Development Plan for that area.
- 12.1.3.11 The subdivision of land shown in Appendix 27 (east of Clintons Road) is in accordance with the plan shown in that Appendix.
- 12.1.3.12 Subdivision of land to which Appendix 41 Darfield Outline Development Plan applies shall be in general accordance with the layout (and other details) shown for that area.
- 12.1.3.13 For the subdivision of Living 1 and Living 2A zoned land shown in Appendix 41 Darfield Outline Development Plan, any subdivision plans submitted to the Council shall be accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Landscaping and planting of reserve areas shall be established generally in accordance with the Landscape Concept Plans in Appendix 41.
- 12.1.3.14 Prior to the development of land for Living 1 purposes along the boundary with the Cardale Street Business 2 zone a 2.2m high acoustic fence shall be constructed along the southern boundary of 1 – 15 Cardale Street, with a 3m wide landscaping strip immediately to the south of the fence (to visually screen the acoustic fence). A cul-de-sac shall run adjacent to the landscaping strip.
- 12.1.3.15 Prior to the development of land for Living 1 purposes along the boundary with the Cardale Street Business 2 zone a 3m high acoustic fence along the eastern boundary of Darfield Collision Repair and Lovelady Racing Ltd with a 3m wide landscaping strip immediately to the east of the fence (to visually screen the acoustic fence).

Dunsandel

12.1.3.16 In the deferred Living Zone (Area A) at Dunsandel, no subdivision of land shall take place until:

- (a) An acceptable effluent disposal system has been identified and/or established; and
- (b) An appropriate level of density has been identified and a subsequent living zone incorporated into the Plan; and
- (c) A potable water supply is available which is capable of serving the potential lots within the subdivision; and
- (d) Investigations are undertaken into any reverse sensitivity issues with the adjoining Business 2 Zone; and
- (e) An Outline Development Plan has been incorporated into the District Plan identifying; a buffer strip or some other form of mitigation between the new zone and the Business 2 Zone should any reverse sensitivity issues be identified as a result of (d) above, and indicative road layout and pedestrian access between the Living 2 Zone and the domain.

12.1.3.17 In the deferred Living Zone (Area B) at Dunsandel, no subdivision of land shall take place until:

- (a) An acceptable effluent disposal system has been identified and/or established; and
- (b) An appropriate level of density has been identified and a subsequent living zone incorporated into the Plan; and
- (c) The impact of the subdivision on the intersection of the Browns Road extension with State Highway 1 has been assessed and considered to be acceptable; and
- (d) A potable water supply is available which is capable of serving the potential lots within the subdivision; and
- (e) Investigations are undertaken into any reverse sensitivity issues with the adjoining Rural zone; and
- (f) An Outline Development Plan has been incorporated into the District Plan identifying; a buffer strip or some other form of mitigation between the new zone and the Rural zone should any reverse sensitivity issues be identified as a result of (e) above and an indicative road and pedestrian access layout.

12.1.3.18 Upon uplifting of the deferral of Area A or B any subdivision complies with the layout and contents of the Outline Development Plan for that area.

Kirwee

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

Lincoln

12.1.3.20 In relation to the Living 1A Zone at Lincoln:

- (a) a road of at least 20 metres in width is provided to the following points:
 - The western boundary of the zone, 180 metres from the southern boundary of Lot 13 DP 73009.
 - The eastern boundary of the zone, within 50 metres of the southern boundary of the zone; and
- (b) The intersection between Kildare Terrace, South Belt and the South Belt road entrance to the zone is in accordance with the drawing attached as Appendix 18; and

12.1.3.21 In the Living 1A Zone at Lincoln, any subdivision plan submitted to the Council is accompanied by a landscape plan detailing plantings to be undertaken and reserve areas to be established generally in accordance with the Concept Plan, C1, C2 and C3, in Appendix 18. The plan is to include a reserve area that extends to the western boundary of the zone below Lot 13 DP 73008. It is to be certified by a Council officer as to its design, layout and location and the extent of reserves, and types of plantings proposed; and

12.1.3.22 In relation to the Living 1A1 Zone at Lincoln, any new road intersection onto Edward Street is in accordance with the drawing attached as Appendix 16; and

12.1.3.23 In relation to the Living 1A2 Zone at Lincoln, any new road intersection onto North Belt is in accordance with the drawing attached as Appendix 17; and

12.1.3.24 In relation to the Living 1A, 1A1 and 1A2 zones at Lincoln, any subdivision plan submitted to the Council for consent provides for a minimum of 31 lots; and

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

In the Living 1 Zone at Lincoln, as shown in Appendix 35; any subdivision plans submitted to the Council shall be accompanied by a landscape plan and planting plan detailing plantings to be undertaken and reserve areas to be established. Landscaping and planting of reserve areas shall be established generally in accordance with the Landscape Concept Plans in Appendix 36 except for: the provision of a Ha-Ha fence identified on Sheet 3 of the Landscape Concept Plans; and that area of landscaping denoted as '3' on Sheet 3 of the Landscape Concept Plans shall be designed and establish to retain elements of visual outlook and connectivity to LII River.

12.1.3.26 The subdivision of the Living 1 Zone at Lincoln, as shown in Appendix 35 shall demonstrate the ability to achieve a minimum density of 10.5 lots/households per hectare over the whole of the Outline Development Plan area as shown in that appendix. Any subdivision not able to achieve that density shall be a non-complying activity.

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

Prebbleton

- 12.1.3.28 In the Living 1A, 1A1, 1A2, 1A3, 1A6, LX and 2A zones at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19; and
- 12.1.3.29 In the Living 1A3, 1A4 and 2A zones at Prebbleton, no allotment has vehicular access directly onto Springs Road, except for:
- (a) A road or indicative road identified on an Outline Development Plan in Appendix 19; or
 - (b) Any allotments(s) that are wholly contained within the Banham & Tapp Outline Development Plan in Appendix 19, and containing an existing dwelling that utilises an existing vehicular access onto Springs Road; and
- 12.1.3.30 In the Living 1A5 Zone at Prebbleton, subdivision for comprehensive residential development shall be a restricted discretionary activity where a land use consent for a comprehensive residential development has been obtained.
- 12.1.3.31 In the Living 1A6 Zone, any subdivision plan submitted to the Council shall be accompanied by a landscape plan detailing plantings to be undertaken:
- a) Along the common boundary with the Kingcraft Drive Existing Development Area, in accordance with the ODP contained in Appendix 19. At least 65% of the species identified on the landscape plan shall be from the list of species identified in Appendix 19. The deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres. Native shrubs shall provide under planting to this tree row and shall be spaced at no more than 3m centres and that this area is to be fenced along all boundaries. The native shrubs shall form a continuous screening and obtain a mature height of approximately 2.5-3m.
 - b) Along the common boundary with Lot 1 DP 46168 (Meadow Mushrooms), in accordance with the ODP, contained in Appendix 19. At least 65% of the species from the landscape plan shall be from the list of deciduous tree species identified in Appendix 19. The deciduous tree species shall be a minimum of 1.5m in height at the time of planting and shall be at 10m centres.
 - c) Within any reserve adjacent to a residential allotment, in accordance with the ODP, in Appendix 19. At least 65% of the species from the required plan shall be from the list of species identified in appendix 19. the deciduous tree species shall be a

minimum of 1.5m in height at the time of planting and shall be at 10m centres.

- d) And any subdivision of land within the area shown in Appendix 19 shall be in accordance with the development plan shown in that Appendix. Prior to the issue of any completion certificate under section 224 of the Act, a restrictive covenant in the form of an appropriate legal instrument acceptable to the Council shall be registered in favour of the Council requiring:

(i) The ongoing maintenance and retention of the landscape mitigation in accordance with the approved landscape plan; and

(ii) The restriction of buildings within the landscape buffer identified in the Appendix 19 ODP.

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

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

12.1.3.34 In the Living 2A Zone at Prebbleton, the maximum number of allotments is 32, and the maximum number of lots on the south side of Trices Road is 8; and

12.1.3.35 In relation to the Living 2A (Blakes Road) Zone at Prebbleton, Lots 56, 57, 59 and 60 shall have no vehicular access directly on to Blakes Road; and

12.1.3.36 In the Living 2A (Blakes Road) Zone at Prebbleton, the roads and walkways are laid out and formed in substantial accordance with the development plan in Appendix 19. No kerb and channel is constructed over the site beyond the entrance to the site and areas identified in the development plan as requiring footpaths. A footpath between the Living 2A (Blakes Road) Zone and connecting into the existing Prebbleton footpath of Blakes Road is laid and formed.

12.1.3.37 For the Living 2A Zone at Prebbleton, prior to the issue of any completion certificate under section 224 of the Act for subdivision of Certificate of Title CB41C/255 (comprising part of the land shown on the Outline Development Plan for the Shaw Block in Appendix 19) a restrictive covenant over the remaining Rural (Inner Plains) zoned land in the form of an appropriate legal instrument acceptable to the Council shall be registered in favour of the Council, the Canterbury Regional Council and the Christchurch City Council to prevent subdivision of the remaining Rural (Inner Plains) zoned land below 4 hectares.

12.1.3.38 In the Living 2A (Blakes Road) Zone, any subdivision of land within the area shown in Appendix 19 shall be in substantial accordance with the development plan shown in that Appendix. Prior to the issue of any completion certificate under section 224 of the Act, a restrictive covenant in the form of an appropriate legal instrument in a form acceptable to the Council shall be registered in favour of the Council and

the Canterbury Regional Council and the Christchurch City Council to prevent the further subdivision of Lots 1-7 on the development plan in Appendix 19.

Rolleston

12.1.3.39 Any subdivision of land within the area shown in Appendix 39 and 40 (Living 3 Zone at Rolleston) complies with:

- a) the Countryside Area layout of the Outline Development Plan at Appendix 39 and 40;
- b) the location of the Lower Density Area as shown on the Outline Development Plan at Appendix 39 and 40;
- c) the establishment of shelterbelt planting comprising three rows of Leyland Cypress along the common boundary with Lot 3 DP 20007 in accordance with the Outline Development Plan at Appendix 40;
- d) the roading layout of the Outline Development Plan at Appendix 39 and 40;
- e) where any conflict occurs with Rule E13.3.1 the cross sections in Appendix 39 and 40 shall take precedence; and
- f) full public access is maintained to internal roads so that the area shown on the Outline Development Plan in Appendix 39 and 40 does not become a gated community.

12.1.3.40 (a) In respect of the land identified at Appendix 39 (Holmes Block), no more than 97 rural residential allotments may be created;

(b) In respect of the land identified at Appendix 40 (Skellerup Block), no more than 51 rural residential allotments may be created and no subdivision shall take place to densities less than what are provided for under the Rural (Outer Plains) Zone until:

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

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

- (a) The ownership and management structure for the Countryside Area(s);
- (b) Mechanisms to ensure that the management plan applies to and binds future owners;
- (c) The objectives of the proposed rural use of the Countryside Area(s);
- (d) Identification of the rural activity or activities proposed for the Countryside Area(s), which meet the above objectives;

- (e) Measures to maintain and manage open space and/or rural character;
- (f) Measures to manage plant pests and risk of fire hazard;
- (g) Measures to internalise adverse effects including measures to avoid nuisance effects on occupiers of adjacent rural residential allotments;
- (h) Measures to provide for public access within the Countryside Area(s) along Dunns Crossing Road; and
- (i) Whether there is sufficient irrigation water available to provide surety of crop within the Countryside Area(s).

Springston

12.1.3.42 In relation to the Living 1A Zone at Springston:

- (a) only one access point is provided to Ellesmere Junction Road
- (b) when the single access point is created, the following formation aspects are developed on Ellesmere Junction Road:
 - Southern side: a 2.5 metre wide deceleration lane consisting of two 50 metre long taper lengths and a 50 metre straight.
 - Northern side: a 2.5 metre wide deceleration lane consisting of two 50 metre long taper lengths and a 30 metre straight; and

West Melton

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

12.1.3.44 Any subdivision of land within the area shown in Appendix 20 and 20A shall:

- (a) provide a bund for mitigation of traffic noise along the frontage of State Highway 73 to a height of not less than 2 m and a width of not less than 8.5 m, which shall be landscaped by retention of existing hedges or new planting of sufficient height to visually screen dwellings from the highway;
- (b) if it is within the area shown in Appendix 20, provide a pedestrian/cycle underpass beneath State Highway 73 between the Living 1 and Living 2 Zones, prior to titles being issued for more than 30 dwellings in the Living 2 Zone.
- (c) if it is within the area shown in Appendix 20A, be subject to an Accidental Discovery Protocol where in the event of any discovery of suspected cultural/archaeological remains (e.g. concentrations of shell, charcoal or charcoal-stained soil, fire-fractured stone, bottles, pieces of glass or ceramics, bones etc) during the undertaking of earthworks and/or the installation of services, the

following protocol shall be followed by the consent holder, or his/her representative:

- Cease all earthworks immediately; and
- Contact the local Runanga being Te Taumutu Runanga; and
- Contact the Regional Archaeologist at the Christchurch office of the New Zealand Historic Places Trust (03 365 2897); and
- Do not commence earthworks until approval in writing has been given by the Regional Archaeologist of the New Zealand Historic Places Trust, as required under the Historic Places Act 1993.

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

12.1.3.46 No subdivision of land in the Living WM Zone shall take place until:

- (a) A reticulated community potable water supply is available which is capable of serving the entire lots within the subdivision; and
- (b) A reticulated community sewage effluent treatment and disposal system is available which is capable of serving the entire lots within the subdivision; and
- (c) An Outline Development Plan has been incorporated into the District Plan for the development of all land zoned Living WM west of Weedons Ross Road.
- (d) An archaeological assessment has been undertaken by a suitably qualified expert and the results reported to the Council, the Regional Archaeologist at the New Zealand Historic Places Trust, and the iwi organisations Te Ngai Tuahuriri and Te Taumutu Runanga. In carrying out the assessment, the expert is to consult with the iwi organisations

Outline Development Plans

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

Table C12.1 – Allotment Sizes

Township	Zone	Average Allotment Size Not Less Than
Arthur's Pass	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
Castle Hill	Living 1A	500m ² , and a minimum <u>allotment</u> size of 350m ²
Coalgate	Living 1	The size needed for on-site effluent disposal but not less than 800m ²

Township	Zone	Average Allotment Size Not Less Than
	Living 2	1 ha
Darfield	Living 1	650m ²
	Living 2	5,000m ²
	Living 2 (Deferred)	Refer to Subdivision – General Rules. 5,000m ² if criteria met.
	Living 2A (Deferred)	Refer to Subdivision – General Rules. 1 ha if criteria met.
	Living 2A1	2 ha
	Living X (Deferred)	Refer to Subdivision – General Rules. What the subdivider nominates, but not less than the average for the Living 1 Zone in the <u>township</u> (650m ²) if criteria met.
Doyleston	Living 1	650m ²
Dunsandel	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
	Living 2	1 ha
	Living (Area A) (Deferred)	Refer to Subdivision – General Rules. Final density still to be determined.
	Living (Area B) (Deferred)	Refer to Subdivision – General Rules. Final density still to be determined.
Glenntunnel	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
Hororata	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
Kirwee	Living 1	800m ²
	Living 2	1 ha
	Living 2A	1 ha 2 ha for lots along the northern and eastern boundaries of the zone that abuts a Rural Zone.
Lake Coleridge Village	Living 1	800m ²
Leeston	Living 1	650m ²
	Living 1 (Deferred)	4 ha until deferral lifted, then 650m ²
	Living 2	5,000m ²
	Living 2 (Deferred)	4 ha until deferment lifted, then 5,000m ²

Township	Zone	Average Allotment Size Not Less Than
	Living 2A	5,000m ²
	Living XA	What the subdivider nominates, but not less than the average for the Living 1 Zone in the <u>township</u> (650m ²)
Lincoln	Living 1	650m ²
	Living 1A	850m ² Minimum of 31 lots for any subdivision plan
	Living 1A1	650m ² Minimum of 31 lots for any subdivision plan
	Living 1A2	650m ² Minimum of 31 lots for any subdivision plan
	Living 1A3	500m ²
	Living 1A4	1,500m ²
	Living 2	3,000m ²
	Living X	2,000m ²
	Living Z	600m ² , with a minimum individual allotment size of 500m ² , except that allotments within a Medium Density area located within an operative Outline Development Plan shall have a maximum average allotment size of 450m ² and a minimum individual allotment size of 350m ² . These requirements exclude any allotment that forms part of a comprehensive residential development identified by a consent notice on the subdivision consent and located within a Medium Density area where there shall be no minimum site size. Subsequent subdivision consent within a comprehensive residential development shall however only be granted following the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided, with that subsequent subdivision to have a maximum average density of no more than 350m ² per unit.

Prebbleton	Living 1	800m ²
	Living 1A	2,000m ²
	Living 1A1	800m ²
	Living 1A2	800m ² and no more than 10 % at less than 700m ²
	Living 1A3	800m ² and no more than 10 % at less than 700m ²
	Living 1A4	800m ² and no more than 10 % at less than 700m ²
	Living 1A5	800m ² and no more than 10 % at less than 700m ² . For <u>comprehensive residential development</u> , the minimum average area shall be 350m ² .
	Living 1A6	<ul style="list-style-type: none"> – Area A: 1000m² minimum net allotment area; – Area B: 600m² minimum net allotment area and 900m² maximum net allotment area; – Area C: 550m² minimum average allotment area and 450m² minimum net allotment area; and – In all cases development shall proceed in accordance with the ODP and shall achieve a minimum density of 10 lots/ha once the entire site has been developed.
	Living 2	5,000m ²
	Living 2A	5,000m ²
		Maximum number of allotments is 32, and on the south side of Trices Road the maximum number of allotments is 8
	Living 2A (Blakes Road)	5,000m ²
		Subdivision shall proceed in substantial accordance with the development plan in Appendix 19
	Living 2A (The Paddocks)	1.5 ha minimum allotment size

	Living X	What the subdivider nominates, but not less than the average for the Living 1 Zone in the <u>township</u> (800m ²)
Rakaia Huts	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
Rolleston	Living 1	750m ²
	Living 1A	Minimum lot area of 300m ²
	Living 1B	1,200m ² with a minimum lot area 750m ²
	Living 1C	2,000m ² with a minimum lot area of 1,000m ²
	Living 2	5,000m ²
	Living 2A	1 ha
	Living 3 (Appendix 39 & 40)	<p>At least 20ha of the land within the area defined by the Outline Development Plan at Appendix 39 and 40 shall be developed as a Lower Density Area in the location shown on the Outline Development Plan with a minimum and an average allotment size of no less than 4ha.</p> <p>The balance of the land on the Outline Development Plans at Appendix 39 and 40 outside the above area shall be developed with an average allotment size of no less than 5000m² with a minimum allotment size of 4000m².</p> <p>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 39 shall be 97.</p> <p>The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 40 shall be 51.</p>

	Living Z	<p>750m², with a minimum individual allotment size of 550m², except that allotments within a Medium Density area located within an operative Outline Development Plan shall have a maximum average allotment size of 450m² and a minimum individual allotment size of 350m².</p> <p>These requirements exclude any allotment that forms part of a comprehensive residential development identified by a consent notice on the subdivision consent and located within a Medium Density area where there shall be no minimum site size. Subsequent subdivision consent within a comprehensive residential development shall however only be granted following the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided, with that subsequent subdivision to have a maximum average density of no more than 350m² per unit.</p>
Sheffield	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
	Living 1A	The size needed for on-site effluent disposal but not less than 800m ²
Southbridge	Living 1	650m ²
Springfield	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
Springston	Living 1	800m ²
	Living 1A	800m ²
Tai Tapu	Living 1A	800m ²
	Living 2A	5,000m ²
Waddington	Living 1	The size needed for on-site effluent disposal but not less than 800m ²
West Melton	Living 1	1,000m ²
	Living 1B	2,800m ²
	Living 2	5,000m ²
	Living 2A	Maximum number of allotments is 10, and a minimum <u>allotment</u> size of 1 ha.
	Living WM Medium Density	Minimum lot area of 500m ² and maximum lot area of 3000m ² (Appendix 20A)

	Living WM Low Density	Minimum lot area of 3000m ² and maximum lot area of 5000m ² (Appendix 20A)
	So that a total of 292 allotments must be achieved across the whole Living WM Zone	
Whitecliffs	Living 1	The size needed for on-site effluent <u>disposal</u> but not less than 800m ²
All <u>Townships</u>	Heritage Buildings listed in Appendix 3	The <u>building</u> , curtilage and any other area needed to: <ul style="list-style-type: none"> - mitigate adverse effects; or - maintain the heritage values of the site
	Community Reserves, Community Facilities and <u>Point Strips</u>	No minimum area
All Living Zones	Calculating <u>Allotment</u> Sizes The average <u>allotment</u> size shall be calculated as a mean average (total area of allotments divided by the number of allotments). The total area and number of allotments used to calculate the mean shall exclude areas used exclusively for <u>access</u> , reserves or to house <u>utility structures</u> , or which are subject to a designation. Any <u>allotment</u> which is twice or more the size of the average <u>allotment</u> required in the zone, shall be calculated as being: 2 x average <u>allotment</u> size for that zone – 10 m ² ; or as its actual size, if a covenant is placed on the Certificate of Title to prevent any further subdivision of that land.	
All <u>Townships</u>	<u>Allotment</u> sizes for Flats/Townhouses – Living 1 In any Living 1 Zone, where two or more <u>dwelling</u> s have been erected on an <u>allotment</u> the average <u>allotment</u> size per <u>dwelling</u> shall be 0.5 x the average <u>allotment</u> size listed in this table for the Living 1 Zone in that <u>township</u> .	

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

Access

- 12.1.4.1 If any allotment has access on to a State Highway or Arterial Road listed in Appendix 7:
- Any adverse effects, including cumulative effects, on traffic safety and traffic flow on the Strategic Road; and
 - The design and location of the vehicular accessway and vehicle crossing; and
 - Whether access to the allotment(s) can be obtained off another road which is not a Strategic Road either directly or by an easement across other land.
- 12.1.4.2 If access by a private accessway is proposed, whether the land the accessway serves has capacity for any intensification of density under District Plan averages for the zone and, if so, whether provision of a

formed and vested legal road instead of a private accessway is appropriate.

Water

12.1.4.3 The provision of water for firefighting; and

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

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

Solid Waste Disposal

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

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

Utility Cables

12.1.4.6 Whether any utility cables shall be laid underground.

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

Telephone and Power

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

Stormwater Disposal

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

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

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

On-Site Effluent Disposal

12.1.4.11 In the Living zones at Arthur's Pass, Coalgate, Darfield, Dunsandel, Glentunnel, Hororata, Kirwee, Rakaia Huts, Sheffield and Waddington, Springfield and Whitecliffs:

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

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

Geotechnical Assessment

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

12.1.4.13 The method(s) by which prospective purchasers of allotments are to be informed of any fiscal obligations or geotechnical constraints arising from the geotechnical assessment.

Roads, Reserves and Walkways/Cycleways

12.1.4.14 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways and walkways/cycleways; and

12.1.4.15 The design and layout of any new road shall ensure the desired design speed is achieved with to respect to the classification of road (including the subsets of local roads) and surrounding environment.

12.1.4.16 The avoidance of areas which could create unsafe situations e.g. dark corridors, a lack of natural surveillance or clear sightlines across pedestrian and cyclist routes, or where a safe and secure environment may be compromised; and

12.1.4.17 Whether the design and layout of roading, footpath patterns, and layout of allotments complements the natural characteristics of the site and the design and layout of any adjoining urban areas; and

12.1.4.18 The length of cul-de-sacs and whether a pedestrian connection is appropriate from the end of the cul-de-sac through to another road; and

- 12.1.4.19 The access to cul-de-sacs being from a through road rather than another cul-de-sac; and
- 12.1.4.20 The balance of benefits of enclosing a subdivision i.e. gated subdivisions against potential longer term issues for residents, such as maintenance costs of facilities, and costs to the wider community including lack of connectivity or viability of public transport; and
- 12.1.4.21 The provision, location, co-ordination, layout and formation of any land required for reserves, which is to comply with the 'Criteria for Taking Land Instead of Cash' clause of the 'Reserves Specific Issues regarding Development Contributions Assessment' in the Development Contribution Policy; and
- 12.1.4.22 The provision of footpaths, lighting and street furniture; and
- 12.1.4.23 Any landscaping and tree planting required in the road reserve, recreational reserves, and the margins of cycleways/walkways; and
- 12.1.4.24 Whether roads and reserves have a coherent and logical layout to facilitate connectivity, legibility and permeability e.g. desire lines are provided to cater for cyclists and pedestrian users.

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

Point Strips

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

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

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

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

Special Sites

- 12.1.4.26 For the subdivision of land which contains or adjoins any waterbody (excluding aquifers) any mitigation to protect the hydrological characteristics and any ecological values of the waterbody (excluding aquifers).

- 12.1.4.27 If the land to be subdivided contains any ecological site or any place or item which is listed in Appendix 2 as a Designation, Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree, Appendix 5 as a Site of Significance to Tāngata Whenua:
- (a) Any effects (adverse or beneficial) which subdividing the land may have on the values of the site, which are identified in the District Plan; and
 - (b) Any proposed mitigation measures to lessen any adverse effects on the site; and
 - (c) Whether public access to the site is desirable and, if so, how this may be improved as part of the subdivision; and
 - (d) Whether the size and shape of the allotment area is appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site or features on the site.

Size and Shape

- 12.1.4.28 The size and shape of allotments in accordance with Rules 12.1.3.5 and 12.1.3.6; and
- 12.1.4.29 The size and shape of allotments for the subdivision of a heritage building or site listed in Appendix 3; and.
- 12.1.4.30 The shape and alignment of allotments with respect to the potential that dwellings erected on them will have to gain orientation to the sun; and
- 12.1.4.31 If any allotment is to be created which is too small to enable a dwelling to be erected on it as a permitted activity under the district plan rules.
- 12.1.4.32 The mechanism(s) used to alert any prospective buyer(s) of the allotment.
- 12.1.4.33 Whether residential blocks achieve an average perimeter of 800m and maximum perimeter of 1000m, unless precluded by an existing pattern of development. NOTE: Section 4.6 of the “Design Guide for Residential Subdivision in the Urban Living Zones” can be referred to for other examples of how residential blocks can be measured.

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

Residential Allotments

- 12.1.4.34 Whether the creation of rear allotments occurs only where it is necessary to reach awkward parts of a site and there is no practical alternative to develop the site; and
- 12.1.4.35 The design of accessways serving four or more allotments with respect to the creation of an open street environment and whether sites have sufficient frontage to such accessways; and

- 12.1.4.36 Whether the total number of allotments with no frontage to an adopted road exceeds 20% of the lots in any one Greenfield subdivision and the total number of rear allotments (served by an accessway serving less than four allotments) exceeds half of the 20% allowance. The potential adverse effects of which are related to the lack of an open street environment and/or concentrating small sections as rear allotments; and
- 12.1.4.37 A variety in sections sizes whilst maximising orientation to the sun.

Context

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

Utilities and Facilities

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

Note: *The consent authority shall consider any relevant provisions in the district plan or the Council's Engineering Code of Practice where appropriate, in using its discretion under Rule 12.1.4.45.*

Construction of any Works

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

Fencing

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

Easements

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

High Voltage Transmission Lines

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

Esplanade Reserves

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

Prebbleton

- 12.1.4.52 In the Living 1A2, 1A3, 1A4 and 2A zones at Prebbleton, the retention of existing trees that are considered "significant" in terms of the Prebbleton Townscape Plan; and
- 12.1.4.53 In the Living 1A2 Zone at Prebbleton, the retention of the existing stream; and
- 12.1.4.54 In the Living 1A2 Zone at Prebbleton, the achievement of a graduated density of allotment sizes such that average lot size generally increases in a southward direction; and
- 12.1.4.55 In the Living 1A2 Zone at Prebbleton, without compromising Rule 12.1.4.53, the location of larger sized lots along the north west and north boundaries of the zone; and
- 12.1.4.56 In the Living 1A3 Zone at Prebbleton, the necessity for larger allotments along the boundary of the zone adjoining Meadow Mushrooms, so as to mitigate minor odour and noise effects; and

- 12.1.4.57 In the Living 1A4 Zone at Prebbleton, the necessity for the Ministry of Education to acquire part of the zone to accommodate the future needs of Prebbleton Primary School.
- 12.1.4.58 In the Living 1A6 Zone in Prebbleton, the extent to which the extension of Cairnbrae Drive is compatible with the existing road network in terms of carriageway width, footpaths, lighting, street furniture and landscaping.
- 12.1.4.59 In the Living 1A6 Zone in Prebbleton, the extent to which the subdivision layout and design provides for a natural surveillance for the purpose of minimising the potential for criminal behaviour to occur.
- 12.1.4.60 In the Living 1A6 Zone in Prebbleton, any measures to reduce reverse sensitivity on established adjoining land uses.
- 12.1.4.61 In the Living 1A6 Zone in Prebbleton, any measures introduced to ensure subdivisions are able to factor in water demand managements and other household sustainability ideas.
- 12.1.4.62 In the Living 2A Zone at Prebbleton, the need for an interim walkway/cycleway linkage to Springs Road via the north west corner of the zone until such time as a linkage on the land between the Living 1A2 and Living 2A zones is able to be achieved.

Note: *The consent authority shall consider any relevant provisions in the district plan or the Council's Engineering Code of Practice where appropriate, in using its discretion under Rule 12.1.4.62.*

Rolleston

- 12.1.4.63 The extent to which failure to provide a pedestrian linkage identified in Appendix 23 will result in increased use of private motor vehicles within Rolleston;
- 12.1.4.64 The degree to which pedestrian and cycle access throughout Rolleston may be enhanced from an efficiency and amenity perspective through the provision of cycleways and walkways;
- 12.1.4.65 The need to provide linkages (road, cycle, walkways) to schools, business areas, community facilities and reserves to ensure that the town develops in an integrated manner;
- 12.1.4.66 The need to provide for pedestrian and cycle movement within the road reserve;
- 12.1.4.67 The extent to which failure to provide walkways/cycleways may result in a loss of opportunity to enable non-vehicular access by children to and between residential areas, schools and community facilities;
- 12.1.4.68 The need for local reserves;
- 12.1.4.69 The extent to which failure to provide walkways/ cycleways may result in a loss of pedestrian safety and amenity;
- 12.1.4.70 The design guidelines contained in Appendix 23;

- 12.1.4.71 The extent to which a failure to conform with the roading pattern identified in Appendix 23 will adversely affect:
- (a) ease of access within and an efficient road network throughout Rolleston; and
 - (b) bus routes; and
 - (c) the ability of nearby landowners also to conform with the indicative roading layout and the degree to which access (actual or potential) to nearby properties may be changed or compromised.
- 12.1.4.72 The extent to which a failure to provide a linkage will adversely affect the future integration of Rolleston in terms of ease of vehicular and non-vehicular access to and between residential areas, business and community facilities.
- 12.1.4.73 In the Living 1A and 1B zones every allotment shall be served with underground electric power and telephone services in accordance with the standards specified by the relevant network utility operator.
- 12.1.4.74 Except as provided by rule 12.1.4.75, for allotments within or adjacent to the Lowes Road Outline Development Plan area, that the proposed layout is in general accordance with the Outline Development Plan map in Appendix 34.
- a) In assessing whether the layout is in general accordance with the structure plan map the following will be considered:
 - b) that the ability for Council to obtain the indicated linkages is not compromised.
 - c) that the ability for Council to obtain the indicated reserves is not compromised.
 - d) that the layout will result in a logical pattern of development for the area as a whole.
 - e) That the ability of adjoining landowners to develop their land whilst providing for the indicated reserves and linkages is not unduly compromised.
 - f) That the proposal will result in public space of equal or better quality than the Outline Development Plan
 - g) That the proposal will not involve excessive additional costs for Council in the construction of roads or paths funded by development contributions.
- 12.1.4.75 For Lot 32 DP 76956 BLK III Leeston SD (35 Fairhurst Place), any subdivision need not provide connections shown on the Outline Development Plan provided that the average lot size is above 4000m² and the layout plan demonstrates that the connections can be provided in a logical fashion by future re-subdivision. This exception shall not apply to the connection to the adjacent school site (along the southern boundary of 35 Fairhurst Place) and shall not apply to any subsequent re-subdivision of the lots created.

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

- a) Whether the pattern of development and subdivision is consistent with the Outline Development Plan in Appendix 39 and 40;
- b) Whether local roading, and trees and planting on roads and lots, are proposed in general accordance with the Outline Development Plan, road cross section(s) and associated planting schedules and requirements shown in Appendix 39 and 40;
- c) Whether the roading and lot pattern follow a rectilinear pattern with orientations generally established by the surrounding road network, consistent with the typical subdivision patterns of the Rolleston rural area;
- d) Whether the roading pattern and proposed hard and soft landscape treatments in the road reserve will create a rural character to the development and distinguish it from conventional suburban development;
- e) Whether suburban road patterns and details such as cul de sac, arbitrary curves, and kerb and channels are avoided;
- f) The extent to which the maximum of 97 lots (Holmes) and 51 lots (Skellerup) within the area defined by the Outline Development Plan in Appendices 39 and 40, respectively, is met;
- g) Whether the creation of open space in rural production areas is consistent with the Countryside Areas identified on the Outline Development Plan in Appendix 39 and 40;
- h) Whether the provision of public walkways is consistent with the public walkways identified on the Outline Development Plan in Appendix 39;
- i) Whether there is a need for the western public walkway taking into account the ability to connect to future public walkways to the west (Holmes Block, Appendix 39);
- j) Whether at least 20ha of land is developed as a Lower Density Area with larger allotments (4ha or more) in general accordance with the location identified on the Outline Development Plan in Appendices 39 (Holmes) and 40 (Skellerup);
- k) In the event that it is developed first, whether the development of a Lower Density Area in advance of other development avoids frustrating the intentions of the Outline Development Plan or the ability to achieve integrated development over the Outline Development Plan area;
- l) Whether shelterbelt planting will achieve screening of activities occurring on Lot 3 DP 20007 (Skellerup Block, Appendix 40).

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

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

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

12.1.4.78 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision would not require the piping of a water-race or its relocation away from the path shown in the Lowes Road Outline Development Plan unless:

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

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

In the assessment of this matter, consideration should be given to the likely size, shape and location of any dwellings to be built on the new lots.

12.1.4.79 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision design minimizes the need for additional crossings of the water races by sharing accessways where possible.

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

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

- c) The extent to which the design would complement the special character of its surroundings.

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

Tai Tapu

12.1.4.81 If the land to be subdivided is located in an area which is identified on the planning maps as being in the Living 1A or Living 2A zones at Tai Tapu:

- (a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and
- (b) Any measures proposed to mitigate the effects of a potential natural hazard, including:
 - Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage; and
 - The filling (with inert hardfill) of any low lying area; and
- (c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.

Darfield

12.1.4.82 Notwithstanding any other provisions in this Plan, subdivision of the Living 1 land within the Darfield Outline Development Plan (Appendix 41) in excess of 186 lots shall be a restricted discretionary activity if:

- a) the observed average delay for vehicles turning right out of Mathias Street onto State Highway 73 in the morning peak hour is more than 35 seconds per vehicle, or subdivision is expected to result in the average delay for vehicles turning right out of Mathias Street onto State Highway 73 in the morning peak hour becoming more than 35 seconds per vehicle; and
- b) there is no sealed road link formed between the site and Creyke Road; and
- c) Creyke Road is unsealed between the road link to the site and the State Highway 73/Creyke Road intersection:

With Council's discretion restricted to considering the effects of traffic on the efficiency and safety of the State Highway 73 / Mathias Street intersection.

The "observed average delay" shall be determined through recording the amount of time that elapses for each right-turning vehicle between it either joining a queue of vehicles at the intersection or stopping at the intersection (whichever happens soonest) and it progressing beyond the limit line of the intersection. Measurements shall be made by a qualified traffic engineer over three consecutive days between 8am and 9am, and the average of all observations shall be taken.

- 12.1.4.83 Any residential development of the Living 1 zone within the Darfield Outline Development Plan (Appendix 41) shall commence with Stage 1. Stage 1 shall commence with the development of not more than 100 lots (the first release). The balance of Stage 1 shall not commence until 80% of the first release has been developed and sold.
- 12.1.4.84 Development of Stage 2 of the Living 1 zone within the Darfield Outline Development Plan (Appendix 41) shall only occur at such time that 80% of the residential allotments within the Stage 1 area have been developed and sold. Development of the land shown within Stage 3 of the Living 1 zone within the Darfield Outline Development Plan (Appendix 41) shall only occur at such time that 80% of the residential allotments within the Stage 2 area has been developed and sold.

Restricted Discretionary Activities – Subdivision – General

12.1.5 The following activities shall be restricted discretionary activities:

- 12.1.5.1 Any subdivision subject to Rule 12.1.1 which complies with all standards and terms in Rule 12.1.3 except Rule 12.1.3.2.
- 12.1.5.2 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.38.

Corner Splays

- 12.1.5.3 Any application arising from Rule 12.1.5.1 shall be non-notified and will not require the written approval of any persons. The exercise of the Council's discretion shall be restricted to the matters listed in 12.1.5.4 and 12.1.5.5 below.
- 12.1.5.4 Effects on the efficient functioning of any road, and the safety of road users;
- 12.1.5.5 The effect on the amenity of surrounding allotments.

West Melton

- 12.1.5.6 The exercise of discretion in relation to Rule 12.1.5.2 shall be restricted to the matters listed in 12.1.5.7 to 12.1.5.10 below.
- 12.1.5.7 Whether any amendments to the roading pattern will retain connectivity and avoid piecemeal and uncoordinated subdivision patterns;
- 12.1.5.8 Whether any amendments to the subdivision would still enable efficient and coordinated provision of services;
- 12.1.5.9 Whether any amendments to the subdivision layout will provide adequately for reserves, pedestrian or cycle linkages;
- 12.1.5.10 Whether any amendments to the subdivision will ensure that there are not an excessive number of lots reliant on a single access point to an adjoining road.

Discretionary Activities — Subdivision – General

12.1.6 The following activities shall be discretionary activities:

- 12.1.6.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rules 12.1.3.9 or 12.1.3.10.
- 12.1.6.2 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.13.
- 12.1.6.3 Any subdivision in the Living 2 Zone at Coalgate or Dunsandel with an average allotment size of less than 1 hectare.
- 12.1.6.4 Any subdivision in a Living 2 zone other than at Kirwee, Coalgate or Dunsandel with an average allotment size of less than 5000m².
- 12.1.6.5 Any subdivision in a Living 1C zone with an average lot size between 1,200m² – 2,000m².
- 12.1.6.6 Any subdivision in the Living 2 zone at Lincoln with an average allotment size of less than 3,000m².
- 12.1.6.7 Any subdivision in a Living Z Zone that is not in general compliance with an operative Outline Development Plan.

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

Non-Complying Activities — Subdivision – General

12.1.7 Except as provided for in Rules 12.1.5 and 12.1.6, the following activities shall be non-complying activities:

- 12.1.7.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.
- 12.1.7.2 Upon deposit of a Plan of subdivision, any further subdivision (other than by way of boundary adjustment) of any allotment within that Plan of subdivision (other than a balance lot) in the Living 1A Zone at Lincoln.
- 12.1.7.3 In the Living 1A5 Zone at Prebbleton, subdivision for comprehensive residential development shall be a non-complying activity where a land use consent for a comprehensive residential development has not been obtained.

- 12.1.7.4 Any subdivision in the Lowes Road Outline Development Plan area that is not in general accordance with the Outline Development Plan.
- 12.1.7.5 Any subdivision in a Living 1C zone with an average lot size below 1,200m².
- 12.1.7.6 Any subdivision within a Living Z or Living Z (deferred) Zone shown on the Planning Maps shall be a non-complying activity where it does not comply with the provisions of the Rural (Inner Plains) Zone, unless the District Plan contains an operative Outline Development Plan for the area.
- 12.1.7.7 In a Living Z Medium Density area located within an Outline Development Plan, any subdivision to create an allotment less than 350m² that is not part of a comprehensive residential development shall be a non-complying activity. Subdivision of a comprehensive residential development to create individual lots smaller than 350m² shall be a non-complying activity prior to the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided.
- 12.1.7.8 Any subdivision that does not comply with Rule 12.1.3.34.
- 12.1.7.9 The subdivision of land within the Living 1 and Living 2A Zones within the Darfield Outline Development Plan within Appendix 41 shall be a non-complying activity until:
 - a) A potable water supply is available which is capable of serving the lots within the subdivision; and
 - b) A wastewater disposal system is available which is capable of serving the lots within the subdivision.

12.2 SUBDIVISION – BOUNDARY ADJUSTMENTS

Note: If a boundary adjustment completed under 12.2 creates a land use activity which no longer complies with the district plan provisions for a permitted activity, a separate land use consent may be required for the land use activity.

Restricted Discretionary Activities – Subdivision – Boundary Adjustments

- 12.2.1 Any subdivision to adjust the boundaries between existing allotments shall be a restricted discretionary activity if it complies with the following standards and terms:
 - 12.2.1.1 All allotments subject to the boundary adjustment are adjoining or separated by a road, railway line, vehicular accessway or waterbody (excluding aquifers); and
 - 12.2.1.2 No additional allotments are created as a result of the boundary adjustment; and
 - 12.2.1.3 The area of any allotment after the boundary adjustment has not decreased the smallest allotment existing after the boundary adjustment by an area greater than 15% of that of the smallest allotment prior to the boundary adjustment (except where any such allotment is for the purpose of corner rounding or access to a road); and

12.2.1.4 Each allotment has legal access to a formed, legal road.

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

If the subdivision complies with Rules 12.2.1.1 to 12.2.1.5, it shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in Rule 12.2.2.

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

Access

12.2.2.1 If any allotment has access on to a State Highway listed in Appendix 7:

- (a) Any adverse effects, including cumulative effects, on traffic safety or traffic flow on the State Highway; and
- (b) Any alternative roads that may be used for access; and
- (c) The design and siting of the vehicle accessway or vehicle crossing.

Corner Splays

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

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

Water

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

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

Size and Shape

12.2.2.4 The proposed size and shape of the allotments altered by the boundary adjustment considering:

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

Note: In using its discretion under Rule 12.2.2.4(c), the consent authority shall consider a dwelling of 150m² in gross floor area for compliance with District Plan rules.

Stormwater Disposal

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

On Site Effluent Disposal

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

Note: The consent authority will have regard to the requirements of the relevant Regional Plan and the provisions of the New Zealand Building Code to assist in determining whether on-site sewage treatment and disposal can satisfactorily be achieved.

Special Sites

- 12.2.2.9 If any allotment subject to the boundary adjustment contains or adjoins:
 - (a) Any waterbody excluding aquifers; or
 - (b) Any site listed in Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree: or Appendix 5 as a Site of Significance to Tāngata Whenua; or
 - (c) A designation:
 - Any effects (adverse or beneficial) which the boundary adjustment may have on these values of the site, as identified in the District Plan; and
 - Any proposed mitigation measures to lessen any adverse effects on these values; and
 - Whether public access to the site is desirable and, if so, where and how this may be improved as part of the boundary adjustment; and
 - Whether the proposed size and shape of the allotments are appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site.

Utilities

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

- 12.2.2.12 The location, design, layout and construction of any utilities or facilities which are to vest in Selwyn District Council; or which are to connect into or work in conjunction with, utilities or facilities which are owned or managed by Selwyn District Council; and
- 12.2.2.13 For services and facilities which are not to vest in Selwyn District Council:
- (a) The method(s) by which the operation, maintenance, repair and any upgrades to those systems shall be managed; and
 - (b) The method(s) by which prospective purchasers of any allotment are to be informed of any fiscal or managerial responsibilities they have for those utilities or facilities; and
- 12.2.2.14 Measures to avoid, remedy or mitigate any adverse effects of constructing or upgrading utilities or facilities on surrounding residents or other parts of the environment.

Easements

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

High Voltage Transmission Lines

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

Esplanade Reserves and Strips

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

Tai Tapu

- 12.2.2.18 If any allotment subject to the boundary adjustment is located in an area which is identified on the planning maps as being in the Living 1A or 2A zones at Tai Tapu:
- (a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and
 - (b) Any measures proposed to mitigate the effects of a potential natural hazard, including:
 - Minimum floor heights for dwellings and other principal buildings; and
 - Building platforms within each allotment, of sufficient size to accommodate a dwelling and associated curtilage; and
 - The filling (with inert hardfill) of any low lying area; and
 - (c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.

Non-Complying Activities — Subdivision – Boundary Adjustments

12.2.3 The following activities shall be non-complying activities

12.2.3.1 Any subdivision to adjust boundaries which does not comply with Rule 12.2.1

12.3 SUBDIVISION — ACCESS, RESERVE AND UTILITY ALLOTMENTS

Controlled Activities — Subdivision – Access, Reserve and Utility Allotments

12.3.1 Subdivision of land to create allotments used solely for:

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

Shall be a controlled activity which need not be notified or served on the persons prescribed in regulations (except where any part on an allotment intended to be used for utility structures lies within a corridor 20 metres from the centreline of transmission lines indicated in the Planning Maps or within 20 metres of any support structure for those lines. In that case, and subject to S94(2) of the Act, notice of the application shall be served on the appropriate network utility operator). The exercise of discretion shall be restricted to consideration of the matters listed in Rule 12.3.2.

Subdivision of land to create allotments used solely for utility buildings and utility structures shall be a controlled activity, which shall not be notified and shall not require the written approval of affected parties. The exercise of discretion shall be restricted to consideration of the matters listed in Rule 12.3.2.

12.3.2 Matters over which the Council has reserved control:

Access

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

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

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

Size and Shape

- 12.3.2.3 The size and shape of any allotment created by the subdivision considering:
- (a) The proposed use of the site; and
 - (b) Any adverse effects of surrounding land uses on the site.

Special Sites

- 12.3.2.4 For the subdivision of land which contains or adjoins any waterbody (excluding aquifers), the setting aside of esplanade strips or other methods to protect the hydrological characteristics and any ecological values of the waterbody (excluding aquifers).
- 12.3.2.5 If the land to be subdivided contains any place or item which is listed in Appendix 2 as a Designation, Appendix 3 as a Heritage Item, Appendix 4 as a Protected Tree, Appendix 5 as a Site of Significance to Tangata Whenua;
- (a) Any effects (adverse or beneficial) which subdividing the land may have on the values of the site identified in the District Plan; and
 - (b) Any proposed mitigation measures to lessen any adverse effects on these values; and
 - (c) Whether public access to the site is desirable and, if so, how this may be improved as part of the subdivision;
 - (d) Whether the size and shape of the allotment area is appropriate to maintain the values and features of the site and enable ready access to and maintenance of the site;
 - (e) The results of any consultation with the New Zealand Historic Places Trust Pouhere Taonga and local rūnanga.

Utilities

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

Easements

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

Point Strips

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

High Voltage Transmission Lines

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

Esplanade Reserves and Strips

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

Tai Tapu

- 12.3.2.12 If the land to be subdivided is located in an area which is identified on the planning maps as being in the Living 1A or Living 2A zones at Tai Tapu:
- (a) Whether the subdivision of land or subsequent use of the land is likely to cause or exacerbate potential risk to people or damage to property; and
 - (b) Any measures proposed to mitigate the effects of a potential natural hazard, including the filling (with inert hardfill) of any low lying area; and
 - (c) How adequate and appropriate any such mitigation measures may be, and the mechanisms to secure any such measures.

Reasons for Rules

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

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

Rule 12.1 identifies the facilities and other conditions necessary to ensure allotments in each township are suitable for building on. The Plan recognises, in Rules 12.2 and 12.3 that some allotments are not subdivided to house new buildings. Rule 12.2 provides separate, less stringent conditions, for the alternation of boundaries between adjoining allotments, where no new allotments are created. The subdivisions provided for in Rules 12.2 and 12.3 are recognised as having less potential effects on the environment than those in Rule 12.1.

Rules 12.1 and 12.2 make subdivision a restricted discretionary activity if the activity complies with all relevant standards and terms. The resource consent application is not notified and does not require the written approval of affected parties. These rules are slightly different from the more common controlled activity for two reasons:

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

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

Where new residential subdivisions are developed adjacent to strategic highways, noise from traffic can have adverse effects on adjoining dwellings, particularly where there are higher speed limits. In these circumstances noise bunding, building setbacks or other measures will be required.

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

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

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

the comprehensive residential development provisions are to be used for small lots rather than large lot developments which would be counter to the purposes of a Medium Density area.

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

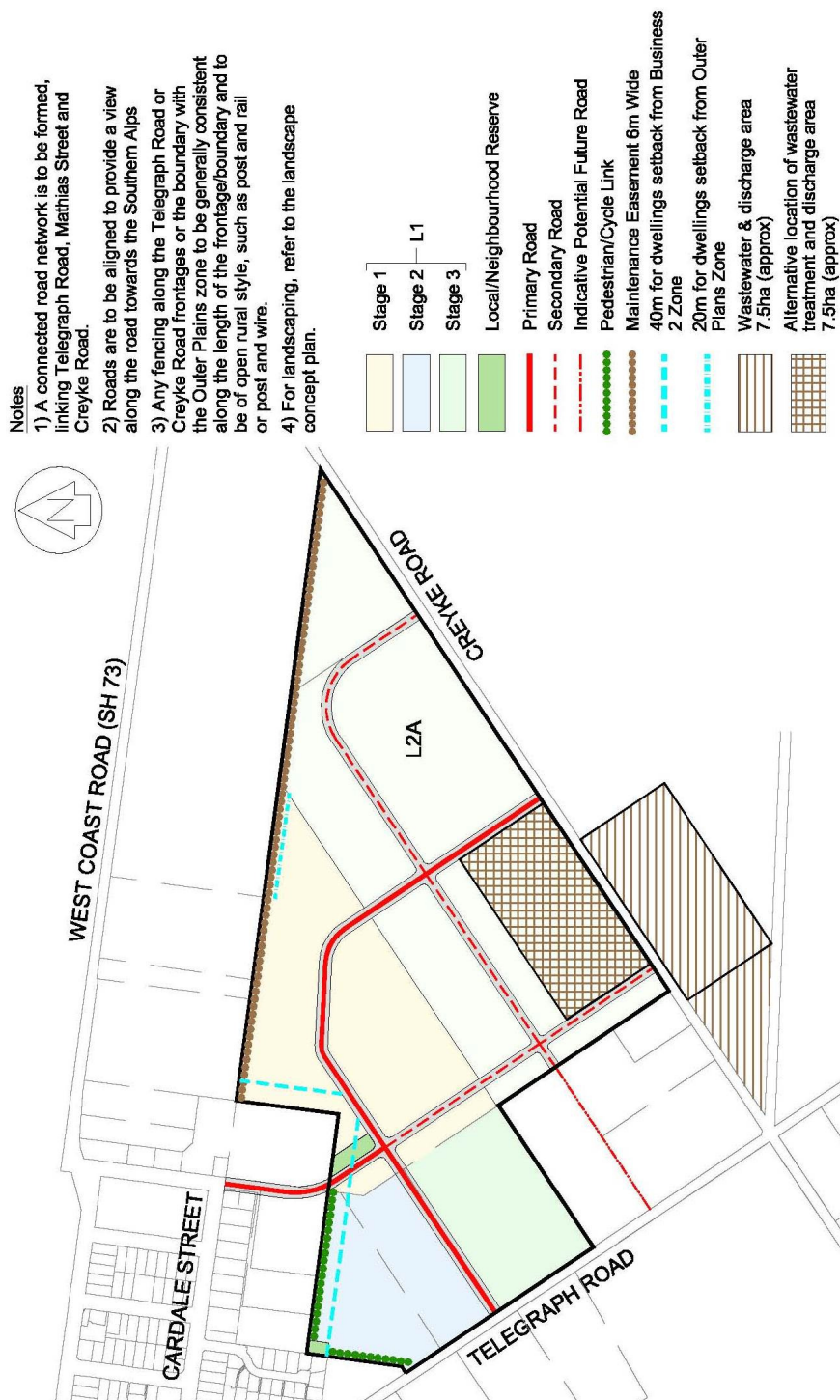
Corner splays on the corner of road intersection can improve sightlines, particularly due to being able to step back and trim encroaching vegetation. In addition it can allow the upgrading of intersections to improve safety through minor realignments and smoothing of corners and the installation of kerbing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

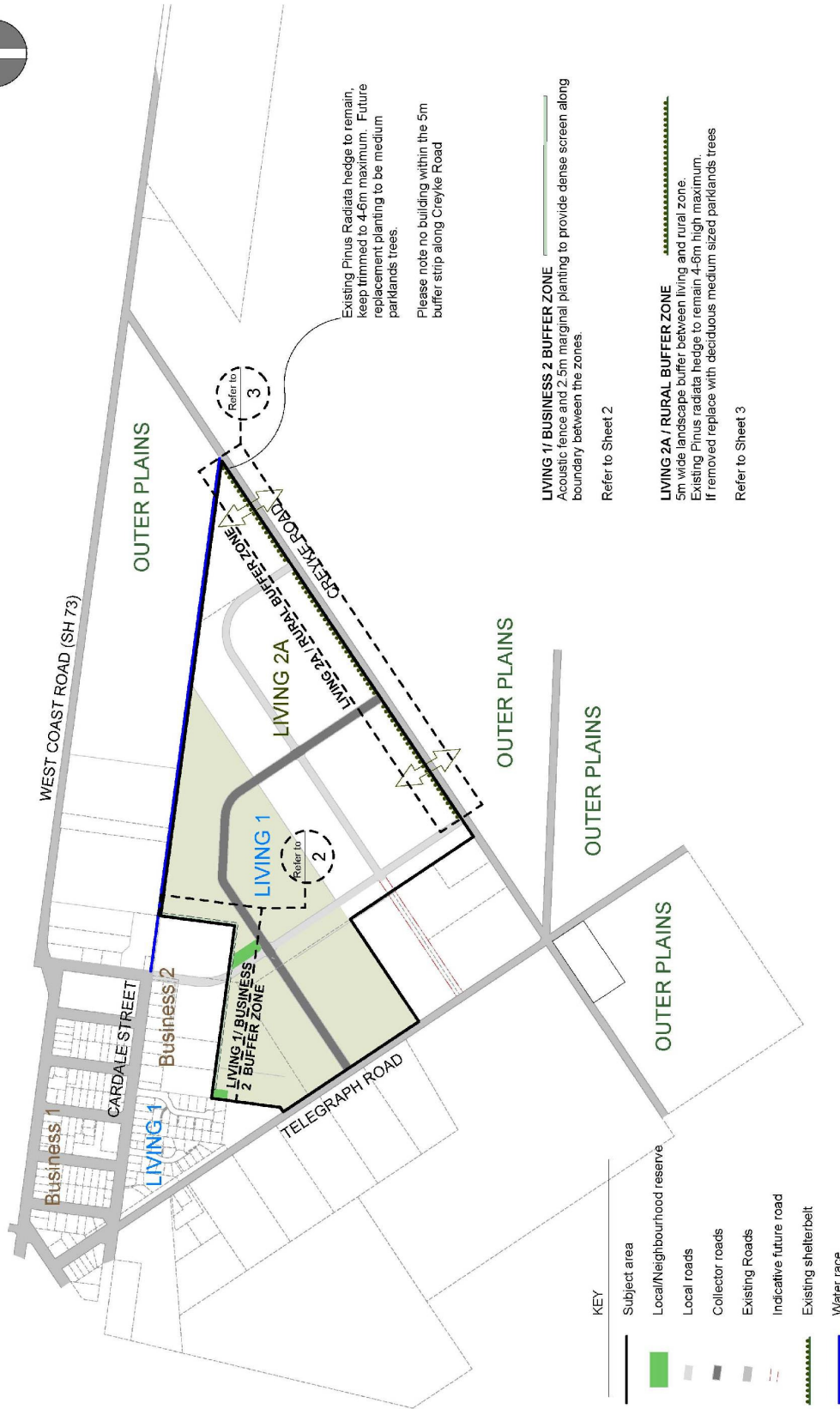
OUTLINE DEVELOPMENT PLAN – AREAS 1-5, DARFIELD



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OUTLINE DEVELOPMENT PLAN – AREA 3, DARFIELD



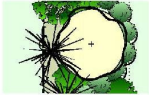
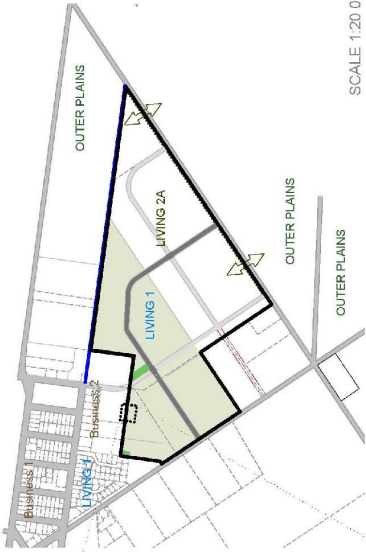


DARFIELD - ODP

Planting Concept Plan

Scale 1:10 000 @ A3





Small to medium trees along southern boundary of landscape strip to form visual buffer to 2.5m

Botanical Name	Common Name	Height after 5 years	Mature height approx.
<i>Cordyline australis</i>	cabbage tree	4m	8 x 3m
<i>Griselinia littoralis</i>	broadleaf	3m	5m
<i>Hoheria augustifolia</i>	narrow leaved lacebark	3m	6m
<i>Kunzea ericoides</i>	kanuka	3m	10m
<i>Olearia paniculata</i>	golden akeake/ akiraho	3m	5 x 3m
<i>Pittosporum tenuifolium</i>	pittosporum	3m	6 x 3m
<i>Pseudopanax ferox</i>	lancewood	2m	5 x 2m
<i>Sophora microphylla</i>	south island kowhai	3m	8 x 5m

DARFIELD - ODP

Planting Concept Plan

Scale 1:200 @ A3





SCALE 1:20 000 @A3

LIVING/ RURAL BUFFER ZONE
5m wide landscape buffer between living and rural zone.
Existing Pinus radiata hedge to remain 4-6m high maximum.
If removed replace with deciduous medium large sized trees. Grouped, interspersed and predominantly deciduous so as to create semi rural parklands feel. eg:

Botanical Name	Common Name	Mature height approx.
<i>Prunus</i> sp.	Cherry Blossom	4m+
<i>Castanea</i> sp.	Chestnut	5m+
<i>Aesculus hippocastanum</i>	Horsechestnut	15m+
<i>Quercus varities</i>	Oaks	10m+
<i>Sophora microphylla</i>	south island kowhai	8 x 5m

Grass

PLAN SECTION - LIVING/ RURAL BUFFER ZONE SCALE 1:400 @A3

