

## TOWNSHIP VOLUME - PART A – FINDING MATERIAL IN THE PLAN

### A4.5 TOWNSHIPS AND ZONES

#### Introduction

As stated previously, the District Plan is divided into two volumes: Townships and Rural. Areas in the Townships are further divided into: Living and Business zones.

#### Townships and the Rural Area

Selwyn District has four urban areas of similar size (Leeston, Lincoln, Rolleston and Darfield), and many smaller townships and villages.

The District Plan has classified the 23 largest settlements as ‘townships’. All townships have a Living zone(s); some also have a Business zone(s). They are areas where further residential or business development is compatible with the existing built environment and amenity values.

#### Use of Zones

Zoning is a planning tool to manage large diverse areas by dividing them into smaller areas with common features. In the past, zones were based on the type of activities occurring in the area. Typically these were residential, commercial, industrial or rural.

This District Plan continues to use zones, but in a slightly different way. Zones are based on the characteristics of an area. The Plan’s objectives, policies and rules seek to maintain those characteristics.

The township volume of the Plan has two principal zones: Living and Business. In addition there are sub-zones to each of these principal zones. Table A4.4 describes their basic characteristics. Fundamentally, the types of activities occurring in an area contribute to its character. In this plan, any activity may set up in any zone, provided any effects of the activity are compatible with the character of the zone. For example, some business activities may be able to operate in Living zones.

**Table A4.4 – Description of Township Zones**

Zone	Description
Living 1	Areas that are managed to maintain environments that are most pleasant for residing in. Activities in Living zones have effects which are compatible with residential activities and amenity values.
Living 2	As for Living 1 Zone, but with lower building density and development reflective of the rural character expected of low density living environments. While generally adjoining existing living zones, in some circumstances, low density Living 2 Zones can be located on the edge of townships. Larger sections, more space between dwellings, panoramic views and rural outlook are characteristic of this zone.
Living X	Areas zoned as Living but not yet developed. The developer may choose the residential density for the zone, but it may not be more dense than that of the Living 1 Zone in the township.

Zone	Description
<u>Living Z</u>	<p>New urban growth areas within or adjacent to the edge of existing townships. These areas are to be subject to an Outline Development Plan to ensure that good standards of urban design and connectivity with existing townships are achieved. <u>The Living Z zone provides for a range of site sizes and living options, including lower density suburban areas and medium density small sections and townhouses. The Living Z zones, where an ODP is not operative in the Plan, are deferred until such time as an Outline Development Plan for the area is made operative in the District Plan and any phasing criteria has been fulfilled, including the adequate provision of infrastructure and servicing. Where the inclusion of an operative ODP is the only reason for the deferral, the deferral will be considered to be lifted upon an ODP becoming operative within the Plan. Where the deferral is dependant on separate phasing provisions and/or the provision of infrastructure (as is the case with Phase 2 areas in Lincoln), they will remain deferred until 2021 and sufficient infrastructure is available.</u></p> <p><u>Medium Density areas shown on an Outline Development Plan are subject to the Medium Density rules, and any business areas shown on an Outline Development Plan are subject to the Business 1 rules.</u></p>
Business 1	Business 1 Zones have environments which are noisier and busier than Living zones, with more traffic, people, signs and building coverage. Business 1 Zones are still pleasant areas for people to live or work in, with good amenity/aesthetic values. They are also areas where higher density housing can be established as a permitted activity.
Business 2	<p>Business 2 Zones are areas where activities likely to be considered less pleasant by people are located. Aesthetic and amenity standards are less than those in Living or Business 1 Zones. Activities are still managed to protect natural resources and people's health or well-being.</p> <p>Activities likely to cause 'reverse sensitivity' issues are discouraged in Business 2 Zones e.g. residential activities.</p>
Business 3	<p>The Business 3 Zone includes Lincoln University and the research organisations located at Lincoln. The zone is a 'hybrid' of Business 1 and 2. Some activities in this zone are likely to be considered unpleasant by people. Activities are also likely to be sensitive to effects from activities that would locate in a Business 2 Zone. Reasonably high aesthetic/amenity values are desirable in the Business 3 Zone due to both:</p> <ul style="list-style-type: none"> <li>- Its location, and</li> <li>- The number of customers/visitors to the site.</li> </ul>
"A" Zones	A number of Living and Business zones have an "A" after the number, which indicates that the particular zone has some special rules or requirements. These special requirements are identified in the policies and rules for each zone.

The boundaries of each zone are either based on the existing character of an area or reflect a change in land use in accordance with an approved Outline Development Plan. The Plan was originally prepared on the basis that has not zoned land was not zoned in anticipation of changes in activities and character except where:

- The zoning hasd been altered by a plan change; or
- The land was rezoned in the proposed plan 1995 and there are was no resource management constraints on the proposed rezoning; or
- Zone boundaries are were being rationalised; or
- It is was appropriate to encourage a Business zone to consolidate in one area of a township.

The District Plan contemplatessd the use of private plan changes procedures under the Act as the method by which to expand townships. Any person may request a plan change to rezone their land at almost any time. The plan containedsed a 'private plan change' or 'market-led' policy framework to guide decisions to rezone land, to ensure it promotessd 'sustainable management'.

The policy framework for rezoning land as Living or Business, and the Councils' reasons for using this method, are outlined in Part B, Section 4.3.

In order to address the issues arising from a continuing population growth rate and an absence of strategic planning in the provision of appropriate affordable infrastructure, including good connectivity and linkages through and between developments, and retaining the character of townships, the Council is now to take a directive role in determining where, and in what fashion, urban growth is to occur (i.e. a change from a 'market-led' to a 'community-led' approach).

In this respect, the Council has been involved in the development of the Greater Christchurch Urban Development Strategy, which is to provide a direction and planning framework for managing population growth and its impacts in the Greater Christchurch area (including Selwyn District) over the next 35 years (to 2041). The change to a community-led approach is being initiated through the preparation of structure plans for those larger townships within the Greater Christchurch area, including Lincoln, Rolleston and Prebbleton.

The Council also intends to adopt a strategic approach to managing growth in other townships in the district (outside the Greater Christchurch area). It will continue to manage the design and layout of subdivision, and the availability of services, within existing zoned areas and assessing any private plan change request to re-zone land for residential or business purposes against the relevant township policy framework, together with the broader objectives and policies of the Plan relating to the overall strategic provision of infrastructure, and the Selwyn Growth Model. This approach is to be applied until such time as a structure plan (or other strategic planning tool) has been prepared for these townships, either individually or collectively.

Some areas in townships which have been zoned as Residential, Commercial or Rural-Residential in the past have not retained these zonings in the Plan. This does not mean that these areas cannot be rezoned as Living or Business if there is a proposal to develop the area for these purposes and such development will not compromise the strategic growth of the township.

Arthur's Pass, Darfield, Springfield and Springston have areas of land which are no longer needed for their designated purpose, but do not have any new, proposed use. Those areas have been excluded from the respective township in the interim, except for an area at Darfield, which has been zoned a combination of Living 1, Business 1 and Business 2.

## **TOWNSHIP VOLUME - PART B – 3 PEOPLE’S HEALTH, SAFETY AND VALUES**

### **PAGE B3-035**

## **QUALITY OF THE ENVIRONMENT – OBJECTIVES**

### **Objective B3.4.1**

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

### **Objective B3.4.2**

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

### **Objective B3.4.3**

“Reverse sensitivity” effects between activities are avoided.

### **Objective B3.4.4**

Growth of existing townships has a compact urban form and provides a variety of living environments and housing choices for residents, including medium density housing typologies located within areas identified in an Outline Development Plan.

### **Objective B3.4.5**

Urban growth within and adjoining townships will provide a high level of connectivity both within the development and with adjoining land areas (where these have been or are likely to be developed for urban activities or public reserves) and will provide suitable access to a variety of forms of transport.

### **Explanation and Reasons**

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

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

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

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

Objective B3.4.3 recognises and addresses this effect.

**Objective B3.4.4 recognises and provides for greater management of urban development whilst providing for anticipated population growth through a diversity of housing options and living environments, including medium density housing types. A compact urban form restricts the amount of land used for residential activities whilst providing for an increasing population. Medium density developments provide for a greater diversity of living environments catering for a variety of housing choices for residents. Medium density developments are to be developed in accordance with Outline Development Plans to ensure that such areas are appropriately located within a wider development and are located in close proximity to public amenity areas such as open space reserves and/or shops and services.**

**Residential developments that have strong transport connections with small, easily navigable blocks encourage the use of a variety of forms of transport. Objective B3.4.5 seeks to ensure that new developments are well integrated with the existing urban form.**

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

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

## **QUALITY OF THE ENVIRONMENT – POLICIES AND METHODS**

### **ZONES**

#### **Policy B3.4.1**

To provide zones in townships based on the existing quality of the environment, character and amenity values, **except within Outline Development Plan areas in the Greater Christchurch area where provision is made for high quality medium density housing.**

#### **Policy B3.4.2**

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

Explanation and Reasons

Policies B3.4.1 and B3.4.2 provide for the use of zones to manage the quality of the environment and amenity values in townships. Policy B3.4.1 provides for maintaining the existing character and amenity in existing areas. To achieve a more compact urban form and provide for anticipated population growth, sites in greenfield areas of existing townships in the Greater Christchurch area have been identified for medium density developments as specified in Outline Development Plans. This policy allows for the character of these areas to differ from the low density character that is typical of the existing townships and will enable development opportunities in association with ODPs to be taken up while maintaining high levels of amenity. Policy B3.4.2 recognises that any activity may locate in a zone, provided that its effects do not detract from the quality of the environment or the amenity values in that zone. For example, small businesses and community facilities such as schools, halls and recreation grounds are part of the environment in Living zones.

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

### Methods

#### District Plan Maps

- Identify zones

#### District Plan Provisions

- Zone policies
- Policies for quality of environment and amenity values in different zones
- Rules for effects in each zone
- Medium Density Design Guide
- Subdivision Design Guide
- Township Structure Plans

## Policy 3.4.3

To provide Living zones which:

- are pleasant places to live in and provide for the health and safety of people and their communities
- are less busy and more spacious than residential areas in metropolitan centres; and
- have safe and easy access for residents to associated services and facilities
- provide for a variety of living environments and housing choices for residents, including medium density areas identified in Outline Development Plans;
- ensure medium density residential areas identified in Outline Development Plans are located within close proximity to open spaces and/ or community facilities; and

- ensure that new medium density residential developments identified in Outline Development Plans are designed in accordance with the following design principles:
  - access and connections to surrounding residential areas and community facilities and neighbourhood centres are provided for through a range of transport modes;
  - block proportions are small, easily navigable and convenient to encourage cycle and pedestrian movement;
  - streets are aligned to take advantage of views and landscape elements;
  - section proportions are designed to allow for private open space and sunlight admission;
  - a subdivision layout that limits the number of rear lots;
  - layout and design of dwellings encourage high levels of interface with roads, reserves and other dwellings;
  - a diversity of living environments and housing types are provided to reflect different lifestyle choices and needs of the community;
  - a balance between built form and open spaces complements the existing character and amenity of the surrounding environment; and
  - any existing natural, cultural, historical and other unique features of the area are incorporated where possible to provide a sense of place, identity and community.

#### **Explanation and Reasons**

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

The policy seeks to ensure that the Living zones provide for a variety of high quality living environments that cater for the housing choices and needs of residents. This includes providing for medium density residential areas identified in Outline Development Plans. These medium density developments encourage urban consolidation and provide for greater diversity in housing to respond to a variety of lifestyle choices to accommodate the needs of residents.

The policy seeks to ensure that medium density developments are located within close proximity of open spaces, community facilities, or neighbourhood centres. The co-location of medium density developments with open space seeks to ensure that new developments achieve a balance between the built environment and open space to ensure compatibility with the existing “spacious” low density amenity values in the townships. Further, locating medium density close to community facilities or neighbourhood centres improves access to services and efficient movement of people, reduces the daily travel distance for residents and encourages more sustainable forms of transport, including a more effective and efficient public transport system.

The policy seeks to provide a healthy and safe living environment that reflects the lifestyle choices and needs of the community. This can be achieved through the design of new developments that respond to the surrounding natural environment, provide public and private

open spaces, are easily accessed and navigated, and are positioned to make the most of sunlight.

The integration of new developments with surrounding neighbourhoods can be achieved through the creation of a variety of transport connections. The key design elements to achieve greater connectivity include providing multifunctional thoroughfare streets, a variety of transport linkage options, including access to public transport, walking and cycling routes, and green networks and neighbourhood blocks that are pedestrian friendly. To provide a high quality medium density environment the design of the development must consider street design and the layout of blocks to take advantage of the natural and physical elements of the site. This can include creating long narrow blocks to ensure that all properties receive sunlight and daylight into living areas and private open space, designing streets to respond to the landscape, and providing a strong interface with open spaces.

It is important that at higher densities new developments deliver high amenity outcomes. Medium density developments shall maintain amenity values through well designed buildings and streets that are compatible with the existing character of the township. Compatibility is to be retained through limiting building heights and scale of medium density houses. Medium density housing shall be designed to be in keeping with the surrounding environment by providing space between houses or blocks of terraces to provide privacy, sunlight and daylight access and to maximise access of private and public open space. Further, quality medium density residential development shall address and engage the street and the public realm through quality urban design at the interface. Housing developments need to be designed with sufficient variety in building form, alignment, materials and colour to achieve an attractive composition as a whole.

Retaining existing natural, historical and other unique features of the area within the development provides a sense of identity and uniqueness to a new development.

Each of these elements when combined contribute to creating opportunities for neighbours to meet, provide opportunities for passive surveillance and contribute to a positive sense of place, community and identity for the area.

## Method

- District Plan Rules
- Living Zone
- **Medium Density Design Guide**



## **TOWNSHIP VOLUME - PART B – 4 GROWTH OF TOWNSHIPS**

### **PAGE B4-002**

## **RESIDENTIAL DENSITY – OBJECTIVES**

### **Objective B4.1.1**

**A range of living environments is provided for in townships, while maintaining the overall ‘spacious’ character of Living zones, except within Medium Density areas identified in an Outline Development Plan where a high quality, medium density of development is anticipated.**

### **Objective B4.1.2**

**New residential areas are pleasant places to live and add to the character and amenity values of townships.**

### **Explanation and Reasons**

To enable people and communities to provide for their well-being, the District Plan provides for a range and variety of section and house sizes in existing townships. Overall, larger section sizes than those found in Christchurch need to dominate townships, to maintain spaciousness thus reflecting something of the rural character by a sense of open space, panoramic views and rural outlook that attract residents to these townships. The market is the best determinant of the range and variety of section and house sizes that should be provided – what people choose to meet their needs. This includes alternative housing forms such as comprehensive residential development provided the spacious character and amenity values associated with adjoining and surrounding low density living environments are maintained. The role of the District Plan is twofold:

- To set ‘bottom lines’ or base requirements to maintain the overall spacious character.
- To ensure there are not any unnecessary rules or regulations that stop people from choosing the appropriate section or house sizes they want.

The plan sets these ‘bottom lines’ through policies and rules for average allotment sizes and for site coverage.

For some locations in and around townships, a low density Living 2 environment which result in a compact town form and is consistent with preferred growth direction for townships, may be appropriate. Such a low density residential area will add to the range of living environments within the District.

**Medium Density areas are to be identified in Outline Development Plans to provide for anticipated population growth within a consolidated urban area and provide choice and opportunity for a variety of housing types. The provision of medium density areas will result in a more urban character that is nonetheless anticipated to provide a high quality living environment, albeit with a less spacious character than the typical low density environments that currently exist.** Any new living zones shall be consistent with the General Policies, Town Form policies and any relevant Specific Township policies by which all plan change requests are judged.

At some locations around townships, a low density Living 2 environment may be appropriate on the edge of towns. Within such low density living environments particular regard should be had to reducing the potential for reverse sensitivity by increasing the size of allotments at the rural interface, reducing the number of people exposed to potential reverse sensitivity effects and in turn providing an appropriate buffer between the rural area proper and the more concentrated township areas.

New residential areas should be attractively laid out, with allotments of an appropriate shape to build a house, and with access to sunlight. As well as functional utilities, new residential areas need some open space, plantings and landscaping to make them aesthetically pleasing. Objective B4.1.2 is to ensure future residential areas maintain the current attractive layout of Selwyn's townships. For low density Living 2 Zones, the careful consideration and application of design treatment to such matters as road formation, kerbs, letterboxes, power supply, entry treatment, fencing, landscaping, lighting and the like will ensure the retention of open, spacious rural character. The market can be relied on to achieve this to a certain extent – many people won't buy sections in an unattractive area. However, not all people have the money to choose allotments in more attractive subdivisions. The District Plan provisions set some "bottom lines" to ensure all new residential areas achieve a standard of aesthetic appeal.

## **RESIDENTIAL DENSITY – POLICIES AND METHODS**

### **Policy B4.1.1**

**Provide for a variety of allotment sizes for erecting dwellings in Living 1 Zones, while maintaining average section size similar to that for existing residential areas in townships, except within Medium Density areas identified in an Outline Development Plan where a higher density of development is anticipated.**

#### **Explanation and Reasons**

Policy B4.1.1 and associated rules allow for a variety of section sizes when land is subdivided to erect dwellings in Living 1 Zones, provided small sections are balanced with larger ones. This keeps residential density more spacious than in Christchurch City. However, in the Medium Density areas identified on Outline Development Plans, developments are encouraged to accommodate anticipated urban growth, retain a compact urban form, and provide for housing diversity through a higher residential density. Subdivision rules include an average section size for each Living zone. The rules allow for a smaller average section size for flats or townhouses. The number of these allotments in each zone is controlled through the resource consent process or through an Outline Development Plan. There is no average section size in Business zones.

#### **Method**

District Plan Rules

- Subdivision (Living zones)

### **Policy B4.1.2**

**Maintain Living 2 Zones as areas with residential density which is considerably lower than that in Living 1 Zones.**

#### **Explanation and Reasons**

Living 2 Zones replaced rural-residential zones in the Transitional District Plan, where these zones adjoin townships. Average section sizes in these zones vary from 0.5 to 1 hectare. Roads and other utilities have been designed for a population of that density to reflect the sense of open space and 'spaciousness' anticipated by persons wishing to live in a low density residential environment.

Policy B4.1.2 retains Living 2 Zones areas with lower residential density than Living 1 Zones. The policy refers to 'considerably lower' which acknowledges that low density living zones be spacious and reflect something of the rural characteristics in which they are located. Currently they are from 6 to 12 times lower. The Council suggests average section sizes would need to remain between 3 and 6 times lower than that of Living 1 Zones, to have a visually discernible difference in residential density. If more intensive residential density than this is desired in Living 2 Zones, the area should be rezoned to another Living zone.

In recent years the Council has received applications from landowners in Living 2 zones to subdivide their sections. The information supplied in those applications and in response to the Council's township surveys (November 1998 and April 1999) suggest that 1 hectare or even 0.5 hectare allotments are larger than necessary to meet at least some of the demand for larger residential sections. However some proposals for further subdivision of allotments in Living 2 Zones have been opposed by surrounding residents, who have purchased properties in that area because the residential density is one house per hectare or 0.5 of a hectare.

Subdivision of land into smaller allotments in Living 2 Zones may be desirable if it:

- Makes more efficient use of the land;
- Enables people to provide for their economic well-being by selling surplus land; or
- Improves the amenity values of the area because allotments are easier to maintain.

When considering adverse effects on amenity values the consent authority should consider that a change in residential density per se, is not necessarily an adverse effect. For example, if people are having difficulty maintaining larger allotments, drains or water races or vehicular accessways, increasing residential density may improve the amenity of the area.

## **Method**

District Plan Rules

- Subdivision (Living 2 Zones)

## **Policy B4.1.3**

**To allow, where appropriate, the development of low density living environments in locations in and around the edge of townships where they will achieve the following:**

- **A compact township shape;**
- **Consistent with preferred growth options for townships;**
- **Maintains the distinction between rural areas and townships;**
- **Maintains a separation between townships and Christchurch City boundary;**
- **Avoid the coalescence of townships with each other;**

- **Reduce the exposure to reverse sensitivity effects;**
- **Maintain the sustainability of the land, soil and water resource;**
- **Efficient and cost-effective operation and provision of infrastructure.**

### **Explanation and Reasons**

Low density living zones reflect a desire by some to live on a small holding while undertaking only limited “farming” if desired. It is essentially a life-style rather than occupation and has both urban and rural characteristics. While this form of low density living need not necessarily adjoin an existing township, it must be consistent with the objectives and policies of the District Plan including developing a compact and consolidated township shape, and be consistent with preferred growth options for townships.

It is possible to accommodate this type of residential activity selectively in the District, while minimising the use of versatile soils thereby sustaining the productivity of the District. However, the location and extent of the low density living environment must take account a number of factors including: effluent treatment and disposal (water quality), water supply, accessibility and walkability to community services and facilities, natural hazards, and compatibility with surrounding rural activities.

Low density living environments need to be provided with adequate and safe road access in order to reduce any impacts on the functioning of the roading network, both locally and further a field. Similarly servicing by an acceptable means will be required to adequately dispose of sewage and stormwater to protect the quality of surface and underground waters. An adequate and reliable water supply must also be provided.

In some areas a low density living environment may detract from rural character and amenity associated with a rural area. People who live in rural areas value their sense of open space, panoramic views and rural outlook and low density living development should reflect something of the rural character they are associated with. It is also desirable to avoid coalescence of townships and of townships with Christchurch City. It is appropriate that low density living environments do not result in a blurring of the distinction between the rural, township, and Christchurch City.

Proposals for low density living environments must have regard to compatibility with existing rural and rural related uses, such as intensive livestock production, boarding and keeping of animals, recreational uses, machinery depots and effects from day to day rural activities including noise and smell. Existing rural and rural related activities, while having adverse effects in themselves, may also have their operations duly impinged upon by inappropriately located low density living environments. Effort should be made to reduce the potential for reverse sensitivity effects by increasing lot sizes and reducing the number of people exposed to effects.

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### **Policy B4.1.6**

In Living 1, and X zones and Medium Density areas identified in an Outline Development Plan in Living Z zones, allow site coverage to exceed that for permitted activities, provided any adverse effects on the overall residential density of the area are avoided, remedied or mitigated.

### **Policy B4.1.7**

**Maintain the area of sites covered with buildings in Living 2 Zones, at the lesser of 20% or 500m<sup>2</sup>, unless any adverse effects on the spacious character of the area will be minor.**

### **Explanation and Reasons**

Site coverage is the ratio of building area to land area on a site. It is site coverage, not section size, that affects how 'built up' an area looks. For example, a small house on a small section may look more 'spacious' than a large house on a large section.

The site coverage rules for Living 1 and X Zones maintain the "status quo" for residential areas. Policy B4.1.6 allows site coverage to be exceeded on allotments in these zones, and also within Medium Density areas identified in an Outline Development Plan in Living Z zones, to make provision for flats and large houses on small sections. The number of sections on which site coverage is exceeded and the extent is managed through the resource consent process, to avoid cumulative adverse effects on the overall residential density of the area.

Adverse effects in residential density may be addressed in several ways: for example: the small number of sites on which site coverage is exceeded; high site coverage is offset by low site coverage on surrounding lots; or the area already has high residential density and has lost its 'spacious' character; or in the case of Medium Density areas a higher density of development and a less spacious character is anticipated albeit that opportunities for garden planting, private outdoor living space, and an open and attractive streetscene should still be maintained. Any effects on the 'spacious' look of the area in Living 1, X and Z zones should be minor. There are no limits on site coverage in Business zones.

The site coverage rules for Living 1 and X Zones maintain the "status quo" for residential areas. Policy B4.1.6 allows site coverage to be exceeded on allotments in these zones, to make provision for flats and large houses on small sections. The number of sections on which site coverage is exceeded and the extent is managed through the resource consent process, to avoid cumulative adverse effects on the overall residential density of the area.

Adverse effects on residential density may be addressed in several ways: For example: the small number of sites on which site coverage is exceeded; high site coverage is offset by low site coverage on surrounding lots; or the area already has high residential density and has lost its 'spacious' character. Whether exceeding site coverage will have adverse effects may vary between townships and between areas within townships.

Policy B4.1.7 maintains low site coverage in Living 2 Zones. The very rationale for Living 2 Zones is to provide a low density, residential area. The policy does include some flexibility to accommodate small increases in site coverage. Any effects on the 'spacious' look of the area should be minor. There are no limits on site coverage in Business zones.

A greater level of site coverage has been allowed for in the Living 1 and 2 Zones for emergency services recognising their importance to the community and provides scope for development or redevelopment of such sites. Their limited number will ensure that the character of surrounding areas is maintained.

### **Method**

District Plan Rules

- Site Coverage (Living zones)

### **Policy B4.1.8**

**Manage the number of sites with more than one dwelling in Living 1 or X Zones, to maintain the overall residential density of the zone.**

### **Policy B4.1.9**

**Avoid erecting more than one dwelling per site in low density living (Living 2) Zones.**

#### **Explanation and Reasons**

A dwelling is defined in Part D of the Plan.

Policy B4.1.8 restricts the number of sites on which multiple dwellings can be erected in Living 1 or X Zones. This enables some provision to be made for flats/townhouses or a lifestyle village (as a restricted discretionary activity) but manages the number to avoid cumulative effects on residential density.

Provision is made for comprehensive residential development (discretionary activity) on land zoned Living 1A5 in Prebbleton, recognising the unusual characteristics of this area namely; the area is currently occupied by a non-residential activity, surrounded by existing low density residential development, and is located in close proximity to the township centre. The focus is on site and building design in an integrated and comprehensive manner to achieve a high quality urban environment while maintaining low density character and amenity.

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

#### **Method**

District Plan Rules

- Number of Buildings per Site (Living zones)

### **Policy B4.1.10**

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

#### **Explanation and Reasons**

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

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

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

The provisions to take land or cash for reserve or open space contributions are included in the LTCCP Development Contribution Policy. v30

### **Method**

- LTCCP
- Development Contribution Policy

### **Policy B4.1.11**

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

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

### **Explanation and Reasons**

Trees, bush and other natural features can add to the amenity values of an area, even if they are on private land. Similarly, simple landscaping of public spaces can improve the aesthetics of an area. At the same time, any features or areas to vest in the Council need to be cost-effective to maintain.

Policy B4.1.11 is primarily implemented by advocacy. The LTCCP Development Contributions Policy provides a process for taking development contributions for the provision of network and community infrastructure and reserves. v30

### **Method**

Advocacy

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

### **Policy B4.1.12**

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

### **Explanation and Reasons**

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

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

### **Method**

District Plan Rules

- Subdivision

### **Policy B4.1.13**

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

- That the design of medium density developments is of a high quality, with a good balance of consistency and variety in form, alignment, materials and colour and a sufficient level of architectural detailing;
- That residential units provide an open and attractive streetscene through being oriented towards the street or other adjacent public spaces, have low or no front fencing, front facades that are not dominated by garaging but instead have clearly visible pedestrian front entrances and a balanced ratio of glazing to solid walls;
- That opportunities for landscaping and tree planting is provided, commensurate with a medium density living environment;
- That opportunity for comprehensive developments are provided, including the ability to erect short terraces or share internal side boundary walls.
- That medium density developments make provision for adequate, well located and well designed private outdoor living areas;
- That internal amenity is provided for occupants through levels of privacy and access to sunlight appropriate to a medium density living environment;
- That the appearance of cramped development is avoided by limiting site coverage and ensuring there is open space between houses, duplexes or blocks of terraces, particularly at first floor level.

### **Explanation and Reasons**

This policy seeks to ensure that medium density housing developments in areas identified on Outline Development Plans are well designed and provide a high level of amenity for residents whilst also providing an attractive and open streetscene.

Encouragement for good design is to be achieved through the use of both rules in the Plan and the preparation and promotion of non-regulatory methods such as medium density and subdivision design guidelines. Such guidelines can identify in broad terms, principles involved in designing compatible buildings, for the benefit of both developers and residents. Within the medium density areas, rules relating to the provision of private outdoor living space, low front fencing, the location of garages, and building and window boundary setbacks, have all been designed to facilitate good quality medium density living environments. The rules also allow comprehensive developments with small average lot sizes to also be assessed against urban design principles to ensure that a good standard of urban design, appearance and amenity is provided, whilst freedom of choice in specific architectural styles is maintained.

The management of buildings to ensure privacy is particularly important in maintaining amenity in higher density development. Windows that look into windows (interlooking) at close distances



and windows that overlook private outdoor space of neighbouring properties should be avoided. The plan in general manages these issues by requiring separation distances between windows and balconies above the ground floor and boundaries, with recession plane and boundary setback controls also having a role to play in providing a degree of separation.

## **Method**

### **District Plan Rules**

- Medium Density design guide
- Subdivision design guide

## **RESIDENTIAL DENSITY — ANTICIPATED ENVIRONMENTAL RESULTS**

The following results should occur from implementing Section B4.1:

- A range of living environments is provided for in townships.
- The spacious character of townships in Selwyn District is maintained.
- Residential density in Living 1 Zones is more spacious than in residential areas in Christchurch, but there are some sections with flats, townhouses or large houses on small sites.
- Medium Density areas are identified in Outline Development Plans to accommodate anticipated population growth and to provide a diversity of housing sizes and types.
- Living 2 Zones are low density residential areas.
- Section sizes in some Living 2 Zones may decrease.
- Higher density living areas may develop in the Business 1 Zones of larger towns such as Lincoln and Rolleston.
- Comprehensive residential development achieving high quality urban design that will not adversely impact on surrounding living environments of low density character and amenity.
- Low density living environments are only created in appropriate locations in and around townships to achieve a compact township shape and maintain the surrounding rural character of the locality.

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

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

### **What is Subdivision?**

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

#### **Legally**

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

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

#### **Common Language**

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

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

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

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

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

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

#### **Expectations from Subdivision**

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

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

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

### **Subdivision – Utilities and Reserves**

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

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

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

The LTCCP Development Contribution Policy provides a process for taking development contributions for the provision of network and community infrastructure and reserves.<sup>V30</sup>

### **Residential Growth without Subdivision**

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

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

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

### **Subdivision and the RMA**

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

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

## **SUBDIVISION OF LAND – STRATEGY**

The Township Volume of the District Plan uses the following basic strategy to address issues associated with the subdivision of land:

- Subdivision continues to be managed through the resource consent process.
- The Plan has different rules for subdivision, depending on the intended use of the allotment and thus matters that need to be addressed as part of the subdivision.
- The Plan has separate rules for installing utilities and erecting houses which apply whether the land is subdivided or not.
- When land is subdivided for residential growth, the subdivision rules link into the land use rules, to ensure people do not buy allotments unaware that they may not be suitable for building houses.
- Guidance is provided on the sorts of outcomes anticipated through subdivision applications within Living zones through the “Design Guide for Residential Subdivision in the Urban Living Zones”, which sits outside the District Plan.

Subdivision is a restricted discretionary activity. Applications will mostly be non-notified and will not require the written approval of affected parties. This approach allows the Plan to be flexible on matters such as allotment size and supplying utilities, to recognise different purposes for subdividing land. In exchange for this flexibility, the consent authority needs to retain its discretion to decline an inappropriate subdivision application. The rules include clear criteria for approving and declining applications (matters over which discretion is restricted).

NOTE: Where subdivision of land is proposed within an Outline Development Plan area, as shown on Planning Maps and contained within the Appendices, the provisions of Section 4.3 Growth of Townships are also applicable.

## **SUBDIVISION OF LAND – OBJECTIVES**

### **Objective B4.2.1**

Subdivision of land for various purposes is recognised and provided for.

### **Objective B4.2.2**

New allotments created have appropriate characteristics and facilities for their intended or likely uses.

### **Objective B4.2.3**

The maintenance and enhancement of amenities of the existing natural and built environment through subdivision design and layout.

### **Objective B4.2.4**

That subdivision provides for variety and efficiency in its design, form and function.

## Explanation and Reasons

Most subdivision of land in townships in the Selwyn District is to create new allotments to be sold for residential or business development. Subdivision of land for other purposes can occur. For example: to create separate allotments for utilities and reserves; adjusting the boundaries between existing allotments; or cross-leasing of all or part of a building. The Plan provisions for subdivision need to be flexible enough to deal with subdivision for a variety of purposes, efficiently.

Objective B4.2.2 recognises that where land is subdivided for new residential or business development, it is usually more efficient and effective to provide allotments with the utilities and facilities which activities will need at the time the land is subdivided, not when the building is erected. This is particularly so for: reticulated services; access; or subdivision of land in areas where services or utilities may be difficult or unusually costly to provide. Alternatively, some notation must be placed on the Certificate of Title for the new allotment(s) alerting any prospective purchaser to the work that is needed before the allotment may be built on.

Objective B4.2.3 recognises that it is desirable to maintain and enhance the amenity values of areas when subdivision takes place. The particular characteristics (and constraints) of a site often provide opportunities for the creation of development with a “sense of place”. Subdivision design should also pay close regard to important natural features, cultural heritage resources, waterways and public access linkages. The retention of mature existing trees where they form a core part of the surrounding character of the area, should be investigated and encouraged within public spaces and residential areas.

Traditional approaches to subdivision tend to prioritise the movement of vehicles above other movement functions and tend to follow basic design standards within the District Plan e.g. some recent subdivision within Rolleston has created similar sized lots and dwellings with relatively poor connection links for pedestrians and cyclists.

Objective 4.2.4 seeks to provide opportunity and flexibility for developers to express greater innovation, while satisfying the engineering requirements of the Plan. Such matters include roading design and layout, the shape and size of allotments, particularly to allow for low and medium density development within Living Z ODP areas, protection of views, and an open space network within the subdivision to provide good connectivity for pedestrians, cyclists and motorists. Subdivision also provides opportunities for tree planting alongside formed roads and recreation reserves.

## SUBDIVISION OF LAND – POLICIES AND METHODS

### Policy B4.2.1

**Provide for the subdivision of land for uses other than new residential development, in townships.**

## Explanation and Reasons

New residential development is the most common purpose for subdivision in townships. Sometimes land is subdivided for other purposes, such as: where a house and business are separately funded, or an allotment is to be used for a reserve, utility or vehicular accessway.

These activities do not have the same associated effects as subdivision to create allotments for new house sites. They should be assessed under rules which are relevant to their effects.

### Method

District Plan Rules

- Subdivision: Boundary Adjustments
- Access, Reserve and Utility Allotments

## Policy B4.2.2

**Ensure any allotment created by subdivision (including any balance allotment) has the services, facilities and characteristics, appropriate to the proposed likely use of the land.**

### Explanation and Reasons

The subdivision of land and the proposed use of the resulting allotment are two separate activities. However, it does not promote sustainable management of natural and physical resources to subdivide land into allotments which are of an inappropriate size, shape or condition for the intended use or which cannot be supplied with the utilities or facilities required for any future use. Where land is being subdivided without a specific, intended use of the resulting allotment, the Plan assumes that the allotment may be used to erect a house or building, in townships. The utilities and facilities required in townships are addressed in Part B, Sections 1.2 – Water; 2.1 – Transport Networks; 2.2 – Utilities; 2.3 – Community Facilities (and Reserves); 2.4 – Waste Disposal; and 4.1 – Residential Density.

### Method

District Plan Rules

- Subdivision
- Boundary Adjustments
- Access, Reserve and Utility Allotments
- General
- Heritage Structures and Sites

### Subdivision Design Guidelines

### Engineering Code of Practice for subdivision

## Policy B4.2.3

**Ensure any new allotment on which a building may be erected has all of the following features:**

- **Access to sunlight;**
- **Adequate size and appropriate shape for a building platform;**

- Adequate size and shape for outdoor living space in Living zones or car parking and storage space in Business zones; and
- Easy and safe access for motorists, pedestrians and cyclists.

### Explanation and Reasons

How allotments are designed, their shape, orientation to the sun and proximity to roads, reserves and walkways, affects the final shape and form of a residential neighbourhood or a business area. It is important that residential buildings maximise the ability to receive sunlight in living areas which helps to achieve energy efficiency and maintain associated amenity values. Building density is specifically addressed in Part B, Section 4.1. Direct site access onto limited access roads or State Highways is not generally possible. However allotments that adjoin main roads within urban areas should be designed so as to gain access from those roads rather than 'turning their back' to main roads.

### Method

District Plan Rules

- Subdivision: General

### Subdivision Design Guidelines

## Policy B4.2.4

**Encourage the retention of natural, cultural, historic and other features within a subdivision and for allotment boundaries to follow natural or physical features where it maintains the amenity of an area.**

### Explanation and Reasons

It is desirable to maintain and enhance any existing natural, historic or other features within the subdivision area, including the retention of existing mature trees or other characteristic features. In addition, subdivision layouts that maximise the amenity value of water races and views to the Southern Alps and Port Hills, should be incorporated into the subdivision design where possible to maintain a sense of uniqueness and distinctiveness that is characteristic of the surrounding area.

Allotment boundaries that follow rather than traverse natural or physical features such as roads and waterbodies are easier to define and manage on the ground. In townships, it is also important to ensure the allotment has adequate space to erect houses and provide outdoor living space. Policy B4.2.4 only applies where there are natural or physical features present that can be used to form an appropriate allotment boundary. Consideration of the protection of heritage sites and buildings and of archaeological sites is also a factor in determining allotment boundaries.

### Methods

District Plan Rules

- Subdivision: General
- **Outline Development Plans**

- **Subdivision Design Guide**

LIMs

- Archaeological Sites



## **Policy B4.2.5**

**Ensure any temporary, adverse effects from the preparation of land for subdivision or installing utilities, are avoided, remedied or mitigated.**

### **Explanation and Reasons**

Preparing land for subdivision and installing utilities can create adverse effects such as: dust from earthworks noise and vibration. The policies and methods for transport networks and utilities in Part B, Section 2.2 address this issue, specifically.

### **Method**

District Plan Rules

- Subdivision
- Earthworks
- Quality of the Environment: Blasting
- Utilities
- Utilities – Transport

## **Policy B4.2.6**

**Require some form of notification to alert potential buyers if an allotment is created which will not comply with the District Plan rules for erecting a house, as a permitted activity.**

### **Explanation and Reasons**

The District Plan rules do not specify minimum allotment sizes for subdivision. This is to enable land to be subdivided for a variety of purposes and to encourage variety in section sizes in Living zones. However, the Plan has rules for site coverage, setbacks and utilities required, to erect buildings. If an allotment is created which is unable or unlikely to have a building erected on it in compliance with the rules in the District Plan for permitted activities, this information should be available to any person wanting to buy the allotment.

### **Methods**

Resource Consent

- A condition of the subdivision consent may require a Consent Notice to be registered on the Certificate of Title.

LIM

- Any Land Information Memorandum (LIM) for the allotment may note that erecting a house on the allotment is not a permitted activity.

## **Policy B4.2.7**

**Provide for the consideration of the form of land to be taken under the LTCCP Development Contribution Policy, when land is subdivided.**

## Explanation and Reasons

The consent authority may take development contributions under the LTCCP for the cost of providing growth-related network and community infrastructure, and reserves for open space and recreation. The provisions allow development contributions to be taken at either the subdivision consent stage, building consent stage, or at the time of service connection, depending on when the consent authority thinks it is the most appropriate time for them to be paid. While the area/value of land to be provided as a development contribution for reserves is determined under the LTCCP Development Contribution Policy process, it is necessary to consider the form of the land to be provided as reserves, including consideration of the location, size, layout, topography, etc, of that land at the time of subdivision consent. This is achieved through reference to the “Criteria for Taking Land Instead of Cash” policy in the Development Contribution Policy in the 2006 – 2016 LTCCP.

## Methods

LTCCP

- Development Contribution Policy

District Plan Rules

- Subdivision (all zones)

## Policy B4.2.8

**In limited circumstances and at the Council’s discretion, to apply the concept of “environmental compensation” where:**

- **land of high landscape or natural value is protected or made available for public use; or**
- **significant public benefit will be gained from hazard mitigation measures which would substantially enhance amenity values.**

## Explanation and Reasons

There is a strong link between subdivision of land and the subsequent impacts of land use development. Subdivision activity can, in some cases, provide an opportunity to enhance the environment through the protection of significant features or through the provision of additional areas of open space. The Plan provides for the consideration of environmental compensation at the time of subdivision or development proposals. In some circumstances development may be proposed on land, where there are significant open space or natural values, examples being portions of the Port Hills, Malvern Hills and the High Country. The ability to acquire or protect such land in exchange for development opportunities is an option the Council will explore in appropriate circumstances. However, it is important to bear in mind that environmental compensation does not form part of a proposals development contribution under the LGA.

The acquisition or protection of land having high landscape or natural values is often impractical on account of land purchase costs. The use of the concept of "environmental compensation" (public ownership or covenants) for development rights has to be approached with some caution, but does offer a cost effective means to the community of achieving environmental benefits. This may result in development in locations which may not meet all other policy criteria, but any such arrangement must still require permitted development to be sustainable and environmentally acceptable.

The acquisition of land by the Council as environmental compensation for development opportunities in terms of Policy B4.2.8 would generally be in addition to, and not instead of, any requirement to provide land or cash for reserves under the Council's Development Contribution Policy. The Development Contribution Policy requires provision for public reserves for open space and recreation at the time of any residential and/or business development and/or subdivision. However, the provision of environmental compensation may be a situation where it is appropriate for the Council to exercise its discretion to reduce the amount of development contribution payable under the remission provisions of its Development Contribution Policy.

Environmental compensation may also be appropriate in circumstances where a public benefit is obtained from hazard mitigation, but only where as a result of such measures, there is a significant enhancement of amenity values (eg plantings, or wetlands for flood retention). It would not apply to normal sound management practices which landowners can be expected to undertake. Environmental compensation would arise in circumstances requiring significant development proposals, which would arise through plan changes, variations or resource consents, the outcome of which would still be subject to rights of submission and appeal under the Act.

## Methods

District Plan Rules

- Subdivision (all zones) <sup>V30</sup>

## **Policy B4.2.9**

**Ensure that new residential blocks are small in scale, easily navigable and convenient to public transport services and community infrastructure such as schools, shops, sports fields and medical facilities, particularly for pedestrians and cyclists.**

## Explanation and Reasons

Limiting the scale of new residential blocks will encourage pedestrian, cycle and vehicular permeability within and through these living environments. Where this does not occur, pedestrians and cyclists will experience a higher degree of inconvenience than motorists, as extra distances prove a disincentive to use alternative modes of transport to private vehicles, including public transport systems. This subsequently increases the level of traffic on the road network, which in turn can adversely affect amenity values and create inefficiencies in the functioning of the township. Liberal use of cul-de-sac heads without provision for through connectivity may make it difficult to achieve sufficient permeability.

A greater sense of community can be achieved with good access and views to community features and facilities e.g. mature trees, water races, sports fields. Smaller and more walkable block sizes reduce car journeys and encourage residents to walk and cycle. Residential blocks with perimeters of 800m or less will provide permeability and a choice of routes. As stated within the "Design Guide for Residential Subdivision in the Urban Living Zones", an average dimension of up to 800m per block was traditional for many cities prior to widespread car ownership and therefore emphasised walking and cycle routes. Those blocks with larger perimeters e.g. 1000m or more, can therefore be a greater barrier to such movement. Development should ideally limit block sizes to perimeters of no more than 1000m, with an average perimeter of no greater than 800m to help achieve an appropriate scale for a residential environment. In addition and as also stated within the Design Guide, all cul-de-sacs should be limited in lengths, preferably no greater than 150m, and have access from a through road rather than another cul-de-sac. Long meandering cul-de-sacs make it difficult for people to determine where they are going, and can

limit connectivity. A safe pedestrian connection from the end of the cul-de-sac through to another road is often desirable, however a connection must be seen to serve a useful purpose in terms of connectivity to justify its future maintenance by Council.

### **Methods**

- District Plan Rules
- Outline Development Plans
- Subdivision Design Guide

## **Policy B4.2.10**

Encourage subdivision designs within Outline Development Plan areas to provide for a variety of section sizes that are designed to cater for different housing types.

### **Explanation and Reasons**

A range of housing types are required to cater to different living requirements and different age groups within Outline Development Plan areas. It is likely that a person's housing needs will change throughout their life and it should be possible for them to meet their needs within the District. Policy B4.2.10 therefore seeks to ensure that new residential areas are designed to provide for housing diversity by creating variety in section sizes and subsequent housing types.

### **Methods**

- District Plan Rules
- Outline Development Plans
- Subdivision Design Guide

## **Policy B4.2.11**

Ensure that subdivision designs encourage strong, positive connections between allotments and the street and other features, whilst avoiding rear allotments where practical.

### **Explanation and Reasons**

Ensuring that subdivisions are designed to encourage high levels of interaction between allotments, roads, reserves, existing urban properties and other features (e.g. schools, streams, water races, heritage or other cultural features) will enhance amenity values, encourage passive movement within and through the subdivision and support the fostering of a sense of community. Achieving this policy is important within Greenfield subdivision areas due to the opportunities available and relative absence of constraints, however it is acknowledged that this may be more difficult when redeveloping or intensifying existing urban areas, given the location of existing dwellings, roads or other features.

Streets perform a variety of functions and must provide for the appropriate movement of vehicles as identified within the road hierarchy in the Plan. This hierarchy identifies the mobility function

of arterial and collector roads, which carry significantly higher flows of vehicles than local roads and streets which provide property access and are therefore suitable for increased levels of interaction with adjoining properties.

Sufficient interaction for all allotments with road frontages can be achieved by minimising the number of rear lots served by individual driveways rather than shared access environments. The use of narrow rights of way to serve rear lots in developments has adverse effects on the function and amenity of the street environment. Serving each back lot by its own rights of way can be an inefficient use of land and create security and privacy issues. Rear lots should therefore only be created to reach awkward parts of a site where there is no alternative to develop the site. Where rights of way serving multiple properties are required, they should be designed to create a good level of amenity with sites having ample frontage and building setbacks to such rights of way.

Matters of discretion within the Plan encourage ease of access and views to community facilities and reserves to maximise their use and allow casual surveillance. Accordingly, new subdivisions should be designed so as to avoid undesirable connections such as dark, narrow corridors with poor visibility.

Where gated subdivisions are proposed, it will be necessary to balance any benefits of enclosing a subdivision 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 bus or car routes.

### Methods

- District Plan Rules
- Outline Development Plans
- Subdivision Design Guide

## **SUBDIVISION OF LAND — ANTICIPATED ENVIRONMENTAL RESULTS**

The following results should occur from implementing Section B4.2:

- Subdivision of land for other purposes than new residential or building development is easier.
- Greater variation in allotment size, shape and layout, while maintaining residential density standards and amenity values in townships.
- Allotments are created with the characteristics and services and facilities appropriate for the intended use of the land.
- On land identified as having significant open space or natural values, the Council has the ability to consider environmental compensation, depending on the circumstances of subdivision and development.<sup>V30</sup>
- Subdivision outcomes that incorporate the design, form and function characteristics identified within the Design Guide for Residential Subdivisions in Living Zones including:

- Convenient access to community facilities;
- Efficient connectivity for walking, cycling and transport;
- Strong connections between allotments and the road frontage;
- Retention and enhancement of important or unique existing natural, cultural and heritage features;
- Sustainable, resource efficient development that avoids high maintenance features e.g. low maintenance roadside plantings rather than lawns in areas that are more difficult or costly to maintain.

## **SUBDIVISION OF LAND — MONITORING**

Please refer to Part E, Appendix 1.

## **B4.3 RESIDENTIAL AND BUSINESS DEVELOPMENT**

### **Introduction**

This section specifically addresses issues associated with residential or business growth in townships in the District. Part A, Section 4.5 (Townships & Zones), Table A4.4 describes how townships are identified.

Part B, Sections 1.1 to 4.2 contain objectives and policies that apply to all activities generally and to residential or business growth specifically. This section collates these objectives and policies, and applies them to specific townships (policies B4.3.6 – B4.3.95). Town Form includes policies on the shape and pattern of land rezoned for new residential or business development. Appendix 14 contains a guide on information to be included with plan change requests to rezone land.

The Council has included a separate, specific section in the District Plan addressing this issue because it is a complex and significant resource management issue in the District.

### **RESIDENTIAL AND BUSINESS DEVELOPMENT – ISSUES**

- **Effects on the environment from the location, amount and rate of residential or business growth in the District.**
- **How to provide for new residential and business growth in a way that is consistent, equitable between landowners, and makes an efficient use of resources achieves an integrated land use planning approach, while recognising that parts of the district are at different stages of strategic planning.**

### **Type of Growth**

Residential or business growth in this section refers to the development or redevelopment of land and erecting buildings and associated infrastructure, to accommodate residential or business activities at a density, and with characteristics, found in an urban area.

~~Selwyn District has one of the fastest resident population growth rates in New Zealand. Between 1986 and 1996 the population residing in the District grew by 4098 people or 16.2%. From 1996 to 2011, the District's population is projected to grow by another 10,700 people or 36%.~~

~~(These figures are taken from New Zealand Census Statistics and projections by Statistics New Zealand. The relevant reports are:~~

- ~~—— Barber (1998) Residential Growth Estimates for Selwyn District; and~~
- ~~—— Barber (2000) Revised Resident Population Projections 2000).~~

~~The source of most of this population growth is people moving into the District to live. The main attraction appears to be larger residential sized sections (more than 600m<sup>2</sup>) or small rural allotments (up to 4 ha). The highest demand for residential and small rural sections occurs in an area within about 30km of Christchurch City. The areas with the highest (percentage) population projections are the Lincoln, Prebbleton, Rolleston and the West Melton areas.~~

~~Between 1986 and 1996, 62% of the District's population lived in the rural area, predominately on small allotments close to Christchurch. From 1996 to 2011, the largest demand for new residential development is projected to be in townships. This change is due to demographic factors such as the ageing of New Zealand's population and the trend towards living in smaller households (Barber 1998).~~

~~Increases in residential areas, particularly in townships, may result in new business growth to service those areas. A study carried out for the Council concluded that there is likely to be a demand for additional land for business activities at Rolleston and Lincoln in the next 15 years. [Barber (1998 (2)), Commercial and Industrial Growth Estimates for Selwyn District].~~

~~In other townships, additional residential growth may be serviced by existing businesses or new businesses occupying vacant sites. Other factors, such as the price and availability of land, may also attract other businesses to Selwyn District.~~

Selwyn District has one of the fastest resident population growth rates in New Zealand. Between 1996 and 2006 the population residing in the District grew by 34% or 8600 people (Statistics New Zealand, 2009). Population projections developed for Council by BERL show the District's population continuing to grow by a further 30,000 people over the next three decades (BERL, 2008).

Most of the population growth has occurred in the District's townships, with many residents attracted by the feel of a small town within a rural community whilst still enjoying proximity to Christchurch. The areas with the highest (percentage) population projections are Lincoln, Prebbleton, Rolleston and West Melton.

Between 1996 and 2006, approximately 60% of the District's population lived in the rural area, predominately on small allotments close to Christchurch. In recent years the largest demand for new residential development has been in Selwyn's townships. Smaller modern accommodation options in the townships are being developed and are becoming increasingly more attractive to some residents than the larger lifestyle blocks. It is anticipated that this demand will continue in the future.

The Selwyn District Council seeks to consolidate future residential growth in the existing townships of Lincoln and Rolleston, and to a lesser extent Prebbleton. This consolidation will provide housing for the increases in the population while creating a more compact urban form, in accordance with the guiding principles of the Greater Christchurch Urban Development Strategy (UDS) and Change 1 to the Regional Policy Statement.

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

**Sources:**

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

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

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



## **Greater Christchurch Urban Development Strategy**

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

### **The Strategy:**

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

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

## **Effects on the Environment**

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

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

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

New residential or business development will use utilities such as: roads; water supplies; and effluent treatment and disposal systems; and community facilities such as reserves. The amount

of residential or business growth may create the need for additional utilities and facilities or upgrades to existing ones. These issues are identified in Part B, Sections 2.1 to 2.4.

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

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

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

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

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

- ~~Whether the method is consistent between townships, and between sites within townships.~~
- ~~Whether the method allows for efficient use of resources.~~
- ~~Whether the method is equitable, providing similar opportunities to people in similar situations.~~

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

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

~~The RMA puts greater emphasis on allowing the market to determine the rate and amount of residential growth in an area. The role of the Council is~~ District Plan ~~therefore~~ seeks to ensure that any proposed residential development occurs on sites and under conditions which promote sustainable management of natural and physical resources, including conformity with any approved outline development plan incorporated into the Plan.

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

The Council is therefore to adopt a more strategic approach to managing urban growth. The change to a community-led approach is being initiated through (among other things) the preparation of structure plans for those larger townships within the Greater Christchurch area of the Urban Development Strategy, including Lincoln, Rolleston and Prebbleton. The purpose of each structure plan is to provide a strategic framework to guide development, including the setting of urban limits, which will then be used as a basis for future changes to the District Plan.

It is anticipated that new development within these townships will occur in accordance with an approved outline development plan, which demonstrates how the key principles of the structure plan are to be implemented. The preparation and subsequent implementation of each ODP area will also enable the Council to ensure that the development of these urban growth areas incorporates the principles of good urban design.

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

~~Whether land is zoned for residential development can make a big difference to the value of that land, especially in an area where demand for residential growth is high. It can also make a big difference to the time, cost and effort required to enable residential or business development to occur on that land. Therefore, it is important that the decisions the Council makes about allowing residential development on sites are consistent between landowners and related to environmental effects.~~

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

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

- The Plan has policies which describe the effects that new residential or business development should not create.
- For those townships within the Greater Christchurch area, new areas for residential or business development will be created through the preparation of an outline development plan and associated rezoning of land to Living or Business zones.
- For those townships within the Greater Christchurch area, any new areas of residential or business development is to occur within the Urban Limits identified within the Regional Policy Statement.
- For those townships outside the Greater Christchurch area, Areas for any new areas for residential or business development are will be created by rezoning land Living or Business through a plan change request.
- ~~Land is rezoned Living or Business by people who believe they have a suitable site, and want to develop it, making requests to the Council.~~
- Each plan change request to rezone land is will be assessed against the policies in the Plan, including those relating to the strategic provision of infrastructure, to see if it is consistent with those policies (or alternatively, they are changed).
- ~~The Council has rezoned some land Living or Business in the Plan for one of the following reasons:~~

- ~~— To rationalise town boundaries where pockets of ‘rural’ zoned land have become sandwiched.~~
- ~~— If land was rezoned in the proposed plan 1995 and it is consistent with this plan’s policies.~~
- ~~— To encourage the consolidated expansion of the Business 1 Zone at Lincoln.~~

~~The Council adopted this approach, instead of rezoning large areas of land in the Plan, for the following reasons:~~

- ~~— Fairness — the same opportunity and process is available to all landowners.~~
- ~~— Efficiency — land is rezoned where the demand is and where people want to develop it, as the need arises.~~
- ~~— Cost Effectiveness — the party who benefits from developing the land pays the cost of rezoning it.~~
- ~~— Outcomes — the suitability of each site and each proposal can be assessed ‘case by case’~~

## **RESIDENTIAL AND BUSINESS DEVELOPMENT — POLICY FRAMEWORK**

### **INTRODUCTION**

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

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

- General Policies**
  - The objectives and policies from Part B, Sections 1.1 to 4.2 and Section 4.4. Table B4.3.1 is a cross reference to the general objectives and policies which may be particularly relevant to rezoning land for residential or business development.
- Town Form Policies**
  - Policies B4.3.1 – B4.3.5 relate to township expansion in terms of the shape and form. They address potential adverse effects on: existing activities; infrastructure; and town ‘character’. These policies apply as well as the general policies from Part B, Sections 1.1 to 4.2 and 4.4.
- Specific Township Policies**
  - Policies B4.3.6 – B4.3.95 relate to the expansion of specific townships. The policies are derived from applying the General Policies in Part B, Sections 1.1 to 4.2 and the Town Form policies B4.3.1 – B4.3.5 to the specific townships. In some townships there are clear, preferred areas for expansion while in others there is not. The specific township policies are based on the circumstances of each township at the time of writing the Plan. If they become inconsistent with the General and Town Form policies the more general policies in those two Sections apply.

## **RESIDENTIAL AND BUSINESS DEVELOPMENT – OBJECTIVES**

### **Objective B4.3.1**

The expansion of townships does not adversely affect:

- Natural or physical resources;
- Other activities;
- Amenity values of the township or the rural area; or
- Sites with special ecological, cultural, heritage or landscape values.

### **Objective B4.3.2**

For townships outside the Greater Christchurch area, new residential or business development adjoins existing townships at compatible urban densities or at low density around townships to achieve a compact township shape which is consistent with the preferred growth direction for townships and other provisions in the Plan.

### **Objective B4.3.3**

Land is rezoned for new residential or business development by use of a consistent and equitable process. For townships within the Greater Christchurch area, new residential or business development is to be provided within the Urban Limits identified in the Regional Policy Statement and such development is to occur in general accordance with an operative Outline Development Plan.

### **Objective B4.3.4**

New areas for residential or business development support the timely, efficient and integrated provision of infrastructure, including appropriate transport and movement networks through a coordinated and phased development approach.

### **Objective B4.3.5**

Ensure that sufficient land is made available in the District Plan to accommodate an additional 11,040 households in the Selwyn District portion of the Greater Christchurch area between 2007-2041 through both greenfield growth areas and consolidation within existing townships.

### **Objective B4.3.6**

Ensure that subdivision and development in Living Z zoned areas generally achieves an average net density over an Outline Development Plan area of at least ten household units per hectare.

### **Explanation and Reasons**

Objective B4.3.1 outlines the types of effects that the expansion of townships should avoid. It includes both tangible effects on natural and physical resources; and intangible effects on the 'character' of both townships and rural areas. The intangible effects are often the most difficult

to manage. The plan does this using a zoning system to identify and manage areas based on their character. For example, Living zones provide an environment that is most pleasant for residential activities. Business zones accommodate the effects of business activities as well as residential activities.

Objective B4.3.2 seeks to maintain the distinction between 'town and country' in Selwyn District by promoting most residential and business development in or adjoining existing townships. A more managed approach applies within the Greater Christchurch area, where new residential or business growth is to be contained within the Urban Limits identified in the Regional Policy Statement. Residential and business development can occur in the rural areas but at densities and under conditions that maintain rural character. In particular, the maintenance of a ratio of buildings to 'open space' and dominance of vegetation cover rather than hard-standing areas.

Objective B4.3.2 also encourages the expansion of existing townships in preference to the creation of new settlement areas. Additional controls apply to the expansion of those townships within the Greater Christchurch area, whereby residential or business development is to be contained within township urban limits to achieve a compact urban form. Further, new low density living environments need not necessarily be adjoining townships but should be located around the edge of existing townships where they will promote a compact town shape and consolidated form. Selwyn District already has 22 townships. None are sufficiently large to provide employment for most residents. Many do not have sufficient population to sustain basic business services and community facilities, or to fund basic utilities, such as reticulated sewage treatment and disposal.

~~Objective B4.3.3 recognises that rezoning land for residential or business development can significantly increase the value of a property, especially in an area where there is demand for land for this purpose. Therefore, any method to provide for the expansion of townships needs to be consistently applied to all landowners, and relate to effects on the environment. Objective B4.3.3 may be implemented through consideration of: seeks to ensure that sufficient land is provided within township Urban Limits (as identified within the Regional Policy Statement) to accommodate the projected growth of those townships within the Greater Christchurch area. It is anticipated that residential or business development within the Urban Limits is to occur in accordance with an Outline Development Plan that has been inserted into the District Plan. In Medium Density areas identified in Outline Development Plans, higher density development is provided for in order to accommodate anticipated population growth, whilst achieving both a compact urban form and a diversity of living environments. Submissions on this plan;~~

~~— Variations to the Proposed Plan;~~

~~— Proposed Changes to this plan once it has become operative (arising either by privately initiated request or on the Council's own motion);~~

~~— The objectives and policies of this plan as a guide to decision-making.~~

~~The relevant policies are outlined in the next three subsections.~~

Objective B4.3.4 recognises that the structure plan and subsequent Outline Development Plan and Plan Change processes provide a reliable mechanism for integrating future and anticipated urban development with infrastructure requirements. They also provide the mechanism for achieving the intensity, type and form of development necessary to accommodate urban growth in a sustainable way. In addition, ODPs provide certainty for the community, developers, network utility providers and territorial authorities that all constraints associated with the development of an area are investigated, addressed, protected and provided for at the time of initial urban zoning.

Objective B4.3.5 recognises the need to ensure that sufficient land is made available to accommodate the anticipated number of new households within Selwyn District's portion of the Greater Christchurch area. Objective B4.3.6 seeks to ensure that in order for the new growth areas to accommodate the predicted growth in household numbers set out in Objective B4.3.5, development of those growth areas needs to generally achieve an average net density of 10 units per hectare. This density will be implemented through Outline Development Plans and subsequent subdivision consents.

The relevant policies are outlined in the next three subsections.

## RESIDENTIAL AND BUSINESS DEVELOPMENT – GENERAL POLICIES

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

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

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

Plan Section	Objective / Policy
Land and Soil	Objectives B1.1.1 and B1.1.2 Policies B1.1.3, B1.1.7, B1.1.8
Water	Objectives B1.2.1 and B1.2.2 Policies B1.2.2 - B1.2.7, B1.2.9
Ecosystems	Objectives B1.3.1 and B1.3.2 Policies B1.3.1 - B1.3.3
Outstanding Natural Features and Landscapes	Objectives B1.4.1, B1.4.2 and B1.4.4 Policies B1.4.6, B1.4.10, B1.4.11, B1.4.13 - B1.4.17
Transport	Objectives B2.1.1 - B2.1.4 Policies B2.1.3, B2.1.4(a) & (b), B2.1.7, B2.1.9 - B2.1.11, B2.1.15, B2.1.17 - B2.1.20, B2.1.22 and B2.1.23
Utilities	Objective B2.2.1 Policies B2.2.1 - B2.2.3, B2.2.5, B2.2.6, B2.2.11
Community Facilities	Objective B2.3.1 Policies B2.3.1, B2.3.2, B2.3.4, B2.3.8 and B2.3.9
Waste Disposal	Objective B2.4.1 Policies B2.4.2, B2.4.4 and B2.4.5
Natural Hazards	Objective B3.1.1 Policies B3.1.2 - B3.1.5, B3.1.7
Hazardous Substances	Objective B3.2.1 Policy B3.2.2
Culture and Heritage	Objective B3.3.1 Policies B3.3.6 and B3.3.7



<b>Plan Section</b>	<b>Objective / Policy</b>
Quality of the Environment	Objectives B3.4.1 - B3.4. <del>35</del> Policies B3.4.1, B3.4.3 – B3.4.7, B3.4.23, B3.4.35, B3.4.36, B3.4.38 and B3.4.39
Residential Density	Objectives B4.1.1 and B4.1.2 Policies B4.1.3, B4.1.4, B4.1.10 and B4.1.11
Subdivision	Objective B4.2.2 – <b><u>B4.2.4</u></b> , Policies B4.2.1, B4.2.2 and B4.2.8 – <b><u>4.2.11</u></b>

## Methods

- Variations to the Proposed Plan; or
- Plan Changes once this plan is operative.

### NOTE:

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

## RESIDENTIAL AND BUSINESS DEVELOPMENT – TOWN FORM POLICIES

Policies B4.3.1 to B4.3.5 of this section apply to rezoning of land for residential or business development in addition to the general policies in Part B, Sections 1.1 to 4.2 and 4.4. Any variation or plan change request should be consistent with each and every relevant policy in these two parts of the Plan or seek to change those policies with which it is not consistent.

### Policy B4.3.1

Ensure new residential or business development either:

- **Complies with the Plan policies for the Rural Zone; or**
- **The land is rezoned to an appropriate Living or Business zone and, where within the Greater Christchurch area, is contained within the Urban Limit identified in the Regional Policy Statement and developed in accordance with an Outline Development Plan incorporated into the District Plan.**

## Explanation and Reasons

Zoning is an integral part of the approach the District Plan uses to promote sustainable management of natural and physical resources. New residential or business activities need to occur on land which is appropriately zoned, to ensure the most appropriate policies and rules in the Plan apply to the activity. **Additional requirements apply to those townships within the Greater Christchurch area, whereby new residential or business development within Greenfield areas is to be contained within the Urban Limits identified in the Regional Policy Statement and such development is to be carried out in accordance with an approved ODP that has been inserted into the District Plan. The purpose of these provisions is to consolidate and manage the rate of growth within these townships to ensure the integration of development with the appropriate provision of infrastructure, transport linkages, reserves and other community facilities.**

## **Policy B4.3.2**

**In areas outside the Greater Christchurch area. Require any land rezoned for new residential or business development to adjoin, along at least one boundary, an existing Living or Business zone in a township, except that low density living environments need not adjoin a boundary provided they are located in a manner that achieves a compact township shape.**

## **Policy B4.3.3**

**Avoid zoning patterns that leave land zoned Rural surrounded on three or more boundaries with land zoned Living or Business.**

### **Explanation and Reasons**

To achieve Objective B4.3.2, any land rezoned for new residential or business development in areas outside the Greater Christchurch area should adjoin an existing township zone along at least one boundary, except in the case of low density residential development located around townships that achieve a compact and consolidated town shape. The new zoning pattern should also avoid leaving a patch of land zoned 'Rural' surrounded by Living or Business zones. Such a land zoning pattern can increase the potential for 'reverse sensitivity' issues between the site and adjoining zones. It also makes the provision of utilities and services more difficult, because it is uncertain whether this land will be rezoned in the future. In turn there are uncertainties about whether pipes and cables installed past the boundary should include capacity to serve the area, and, if so, who pays for it.

'Adjoining' land includes land separated by a road, water race, drain, easement or other vehicular accessway.

## **Policy B4.3.4**

**Encourage new residential or business development to occur on vacant land in existing Living or Business zones, if that land is available and appropriate for the proposed activity.**

### **Explanation and Reasons**

Many townships in Selwyn District have sites within existing Living or Business zones that may be able to be used for new residential or business activities. The Council encourages uses of sites, in existing zones, in the first instance, to encourage a consolidated township area. Consolidated Living or Business areas may have the following benefits:

- Reduced potential 'reverse sensitivity' issues with activities in the Rural zone by reducing the 'interface' of the zones.
- More efficient utilisation of infrastructure, especially reticulated utilities.
- Fostering of a 'village' atmosphere.

Policy B4.3.4 also recognises that sites in existing zones may not always be available for new activities. In addition they may not be available at an appropriate price, or be suitable for the proposed activity.

## **Policy B4.3.5**

**Encourage townships to expand in a compact shape where practical.**

## Explanation and Reasons

New residential or business development, Policy B4.3.5 promotes shapes and situations that foster a compact or consolidated town shape. Compact means zones of similar lengths and widths, rather than long, thin strips of land following a particular road, waterbodies or other feature.

A compact shaped township helps mitigate adverse effects in the following ways:

- Reduction of the number of allotments that share a boundary with the Rural Zone, and therefore the area for potential conflicts between incompatible activities.
- Facilitating of cost-effective provision of services such as reticulated water, sewage, roads and footpaths because more connections are provided, or houses served, per kilometre of pipe or road.
- Reduction in the distance of houses to businesses and community facilities, which may encourage people to walk or cycle rather than use motor vehicles for short trips. It may also help to facilitate the 'village' atmosphere of townships, such that the shopping centre and community facilities are close to all houses.
- Reduction in the impacts on the road network, and more opportunity to impose lower speed limits in the township (refer to Part B, Section 2.1).
- Maintenance of the visual distinction between the rural area and townships (refer to Part B, Section 3.4).

Policy B4.3.5 recognises that a compact shaped zone may not always be practical if there is a constraint to a zone expanding in a particular direction(s). Such constraints may include (but are not limited to) geographical features such as mountains, waterbodies, and transport routes.

## Method

- Plan changes to rezone land

### NOTE:

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

## **Policy B4.3.6**

**Living Z urban growth areas identified in the District Plan shall not be developed for urban purposes until an operative Outline Development Plan for that area has been included within the District Plan and adequate infrastructure and servicing is available. Each Outline Development Plan shall:**

- **Be prepared as a single plan for any identified Outline Development Plan area identified on the Planning Maps and Appendices.**
- **Be prepared in accordance with the matters set out in Policy B4.3.7.**
- **Take account of the Medium Density and Subdivision Design guidelines.**

## Explanation and Reasons

**It is important to ensure that any areas identified in the District Plan as being suitable for urban growth are developed in a coordinated manner that achieves good levels of urban design and connectivity. The inclusion of an Outline Development Plan within the District Plan is therefore a key method for guiding development and achieving good environmental outcomes. Relevant urban design and subdivision design guidelines for Selwyn District are to be considered and**

addressed in the creation of an Outline Development Plan. A singular plan is necessary for each ODP area to maintain good strategic outcomes.

## **Method**

### District Plan Rules

- Subdivision

### District Plan Maps

- Identify ODP Areas

### Medium Density Design Guide

### Subdivision Design Guide

## **Policy B4.3.7**

Each Outline Development Plan shall include:

- (i) Principal through roads, connection and integration with the surrounding road network and strategic infrastructure;
- (ii) Any land to be set aside for
  - community facilities or schools;
  - parks and land required for recreation or reserves;
  - any land to be set aside for business activities;
  - the distribution of different residential densities;
  - land required for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;  
and
  - land reserved or otherwise set aside from development for any other reason, and the reasons for its protection.
- (iii) Demonstrate how each ODP area will achieve a minimum net density of at least 10 lots or household units per hectare ;
- (iv) Identify any cultural (including tangata whenua values), natural, and historic or heritage features and values and show how they are to be enhanced or maintained;
- (v) Indicate how required infrastructure will be provided;
- (vi) Set out the phasing and co-ordination of subdivision and development in line with the phasing shown on the Planning Maps and Appendices;
- (vii) Demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;
- (viii) Include any other information which is relevant to an understanding of the development and its proposed zoning;
- (ix) Demonstrate that the design will minimise any reverse sensitivity effects.

## **Explanation and Reasons**

The preparation of an Outline Development Plan requires consideration and inclusion of many aspects, particularly the location of low and medium density housing areas, layout of

**infrastructure and compatibility and connectivity with surrounding land uses. The phasing and general co-ordination of development is also an appropriate consideration for detailing how the ODP will be implemented.**

## **Method**

### **District Plan Rules**

- Subdivision

### **District Plan Maps**

- Identify ODP Areas

### **Medium Density Design Guide**

### **Subdivision Design Guide**

## **Policy B4.3.8**

**The phasing of any Living Z zone shown on the Planning Maps and Appendices occurs as follows:**

- **In Rolleston four Living Z zones have been identified as being deferred. The deferment of each of these four areas shall be lifted once an operative Outline Development Plan for that area has been incorporated into the District Plan and adequate infrastructure and servicing is available.**
- **In Lincoln five Living Z areas have been identified, and an Outline Development Plan for each area incorporated into the District Plan. Four of these Living Z ODP areas include a portion that is deferred. The deferment of these areas shall be lifted in 2021, provided adequate infrastructure and servicing is available and an operative Outline Development Plan for the stage has been included in the District Plan. A Business 2 zone has also been identified, with this zone deferred until an operative ODP has been included in the District Plan and adequate infrastructure and servicing is available.**

## **Explanation and Reasons**

**The phasing of development is crucial to ensuring that sufficient land is made available to accommodate the District's predicted household growth, whilst also enabling a consolidated urban form of the Greater Christchurch area that includes both Christchurch City and Waimakariri Districts. The District Plan provides sufficient land at Rolleston to meet the anticipated growth until 2020, however four of these growth areas require an operative Outline Development Plan to be included within the District plan to ensure their integrated development and have therefore been deferred until an ODP is included. Within Lincoln, sufficient land has been made available to accommodate predicted households until 2020. A number of ODP areas in Lincoln however cover land areas that are much larger than necessary for accommodating urban growth to 2020. These ODP areas have therefore been split into two phasing periods, with the land within the second period deferred until 2021 and until adequate infrastructure has been provided.**

**The Business 2 zoned area is not subject to a phasing criteria. However, the deferment cannot be lifted until an operative ODP has been included in the District Plan with adequate infrastructure and servicing available.**

## **Method**

District Plan Rules  
- Subdivision

District Plan Maps  
- Identify Phases within ODP areas

Medium Density Design Guide

Subdivision Design Guide

## **Policy B4.3.9**

**To ensure that the key principles and outcomes sought in operative Outline Development Plans are achieved and where development is proposed that is not in general accordance with an operative Outline Development Plan in the District Plan, consideration shall be given as to whether:**

- (i) the proposed change will better achieve the key principles of the Outline Development Plan, as set out in Policy 4.3.7 and any specific ODP requirements set out in any area-specific ODP policy, than the land use pattern shown in the operative ODP;**
- (ii) the proposed change will potentially compromise the outcomes sought within the remainder of the Outline Development Plan area. This is especially the case where changes are proposed that only cover a portion of an ODP area and/or have implications for other parts of the ODP area beyond the applicant's control. Where development that is not in general accordance with the ODP is proposed via a subdivision consent application, it is preferable that the application covers the entire ODP area so that the implications of such changes are able to be fully understood and assessed;**
- (iii) adequate provision has been made to ensure that such changes are aligned with the corresponding land use provisions of the District Plan and that this is transparent to current and future landowners.**

## **Explanation and Reasons**

**Outline Development Plans are a key method for achieving the integrated, sustainable development of greenfield urban growth areas. It is therefore anticipated that development will be in general accordance with Outline Development Plans. It is nonetheless recognised that through the detailed preparation of subdivision consent applications or asset design processes there is the potential for alternative solutions or routes to be developed that better achieve the outcomes sought in ODPs than the broad land use pattern shown on the ODP. When assessing applications for development that is not in accordance with an ODP, it is anticipated that such applications will only be granted where they are able to demonstrate that the proposed development better achieves the key principles and outcomes sought in the ODP than the layout shown in the ODP. Such demonstration is made easier where the proposed development encompasses the entire ODP area so that the implications of the changes can be fully understood. Conversely, where the proposed development is for only a portion of an ODP area the applicant will need to demonstrate that the outcomes sought for the entire ODP area will not be compromised.**

**Development that is not in general accordance with an ODP can also have implications for the rule package that will apply to that development over time. For example the Business 1 zone rules apply to neighbourhood business areas shown on ODPs, however if the final**

location of the centre changes, then the applicant will need to demonstrate that an appropriate mechanism such as consent notices on individual property titles is in place to provide certainty to future landowners regarding the relevant rule package.

## **Method**

### **District Plan Rules**

**- Subdivision**

### **District Plan Maps**

**- ODP areas**

### **District Plan Appendices**

**- Operative ODPs**

### **Medium Density Design Guide**

### **Subdivision Design Guide**

## TOWNSHIP VOLUME - PART B – GROWTH OF TOWNSHIPS

### PAGE B4-0053

## RESIDENTIAL AND BUSINESS DEVELOPMENT – SPECIFIC POLICIES FOR TOWNSHIPS

### LINCOLN

#### Preferred Growth Option

The first preferred direction for any expansion of the residential area at Lincoln township is south of Gerald Street and east of Springs Road.

#### Specific Policies

##### Policy B4.3.50

Ensure that new greenfield urban growth only occurs within the Outline Development Plan areas identified on the Planning Maps and Appendices, and in accordance with the phasing set out in Policy B4.3.8 once adequate infrastructure and servicing is available.

#### Explanation and Reasons

The future urban growth of Lincoln has been identified through both the Regional Policy Statement and the Lincoln Structure Plan. These two processes have identified the Greenfield areas adjacent to Lincoln that are most suitable for urban growth and where the potential environmental effects of such growth are able to be sustainably managed. These growth areas are identified on the planning maps and in the appendices and will be sufficient to meet the foreseeable needs of the Lincoln community and will enable the efficient provision of infrastructure to service that growth.

**Encourage rezoning of any land for new residential development at Lincoln to be in the area south of Gerald Street and east of Springs Road, if sites are available and appropriate for the proposed activity.**

#### Explanation and Reasons

~~The area described in Policy B4.3.50 is preferred for residential development for the following reasons:~~

- ~~—— Surrounding land uses — this area adjoins existing Living and Business zones on three sides, see the Town Form Policy B4.3.3.~~
- ~~—— Access — this area can be accessed by traffic without using Gerald Street, see policies B2.1.8 and B2.1.9.~~
- ~~—— Soil type — this area is the only land adjoining Lincoln township which does not contain LUG Class I and II soils, see Policy B1.1.8.~~



~~The land is not in that area identified in the RPS as being land between West Melton and Tai Tapu that should be maintained in recreational or rural uses (Objective 3 and Policy 5 of Chapter 12), see Policy B1.4.17.~~

~~Sites in this area must be appropriate for residential activities, in accordance with the objectives and policies of the District Plan.~~

### **Policy B4.3.51**

**Ensure any land rezoned for new residential development has motor vehicle access from an alternative collector or arterial road other than Gerald Street.**

#### **Explanation and Reasons**

Residents in Lincoln have expressed concerns about the effects, on pedestrian safety, of traffic along Gerald Street. The resulting ‘traffic calming’ works mean Gerald Street may not be as efficient for carrying vehicles ‘through’ the township as an alternative road intersecting directly with Springs Road, Ellesmere Road or Birches Road. This policy is consistent with policies B2.1.8 and B2.1.9.

### **Policy B4.3.52**

**Ensure stormwater disposal from any land rezoned for new residential or business development will not adversely affect water quality in the LI or LII waterbodies; or exacerbate potential flooding from the LI or LII waterbodies “downstream”.**

#### **Explanation and Reasons**

Stormwater disposal at Lincoln is commonly disposed of by a reticulated system that drains into the LI or LII waterbodies. These waterbodies flow into Te Waihora/Lake Ellesmere. Stormwater runoff can adversely affect these waterbodies by changing the sediments and contaminants contained in the stormwater, or the rate at which stormwater runs off the land. Policy B4.3.52 is to ensure no adverse effects arise from these changes. It is consistent with Policy B1.2.2.

### **Policy B4.3.53**

**~~Achieve~~ Encourage integration between the rezoning of land for new residential development at Lincoln and associated provisions for utilities, community facilities and areas for business development.**

#### **Explanation and Reasons**

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

In submissions on private requests for plan changes to rezone land at Lincoln, residents have expressed concerns about the impacts of additional residents on schools and other community facilities. Policy B4.3.53 is consistent with Policy B2.3.1.

### **Policy B4.3.54**

**Ensure rezoning any land for new residential or business development does not create or exacerbate potential “reverse sensitivity” issues in respect of activities in the Business 2 and 3 Zones or surrounding Rural Zone.**

### **Explanation and Reasons**

Activities in the Business 2 and 3 Zones and associated activities in the immediately adjoining Rural Zone may have effects that are incompatible with the amenity values of residential areas. An example is that sewage holding ponds south of the Living 1A Zone. To ensure existing activities in these zones continue relatively freely, residential development should be kept to the east of the Business 3 Zones, unless it is developed under conditions that ensure any potential ‘reverse sensitivity’ effects are minor. Policy B4.3.54 is consistent with policies B3.4.37 and B2.2.5.

### **Policy B4.3.55**

**Consider any potential adverse effects of rezoning land for new residential or business development to the north of Lincoln Township on the ‘rural-urban’ landscape contrast of the area with Christchurch City, as identified in the RPS.**

### **Explanation and Reasons**

Objective 3 and Policy 5 of Chapter 12 of the RPS identify an area of land between Christchurch City and a line extending from West Melton to Tai Tapu as having important landscape and amenity values. The RPS seeks to maintain this land in “rural and recreational” areas. Policy B1.4.17 of the District Plan addresses this issue.

The area identified by the definition in Chapter 12, Objective 3 and Policy 5 of the RPS is currently to the north of Lincoln so that the present urban area is not constrained by that policy. If, however, Lincoln grows to the north it is likely that such future growth will need to take account of the RPS policy.

### **Policy B4.3.56**

**Ensure that development within each of the Outline Development Plan areas identified on the Planning Maps and Appendices within Lincoln addresses the specific matters relevant to each ODP Area number listed below:**

### **Lincoln**

#### **Outline Development Plan Area 1**

- **ODP Area 1 to align with ODP Area 5;**
- **Provision of a main east-west road originating from Weedons Road, linking Springs Road to Moirs Lane in the southern area of ODP Area 1;**
- **Provision of secondary and tertiary roads connecting to the roading network within the adjoining subdivision to the north of the ODP area;**
- **Provision of main pedestrian and cycle links to the township and university;**
- **Provision of a comprehensive stormwater/wetland system, including stormwater wetland areas where required to accommodate necessary flows;**
- **Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main truck connections where necessary.**

- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows.
- Maintenance of the buffer zone (150m) around the perimeter of the sewerage treatment plant;
- Provision of a building setback and landscape buffer adjacent to Springs Road and between residential properties and the rural land to the south of the ODP area;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

#### **Outline Development Plan Area 2**

- ODP Area 2 to align with ODP Area 3;
- Provision of main east-west road linking Southfield Drive to Ellesmere Road south of Edward Street;
- Provision of main north-south road linking Edward Street to main east-west road west of Ellesmere Road;
- Provision of Rail trail route, and main pedestrian and cycle links to the township and university;
- Provision of main pedestrian and cycle links along the eastern side of the Liffey (L1) waterway and both sides of the L2 waterway;
- Provision of a comprehensive stormwater/wetland system, including stormwater wetland areas where required to accommodate necessary flows and secondary flow paths or flood capacity measures away from residential property;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main truck connections where necessary;
- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows;
- Provision of a 20m reserve along the eastern side of the Liffey (L1) waterway and both sides of the L2 waterway;
- Provision of a building setback and landscape buffer adjacent to Ellesmere Road;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area;

#### **Outline Development Plan Area 3**

- ODP Area 3 to align with ODP Area 2 and ODP Area 4;
- Provision of a main north-south road linking Edward Street (aligning with Southfield Drive) and Birchs Road adjacent to ODP Area 4;
- Provision of a main road link from the main north-south road to link to Edward Street aligning with main road from ODP Area 2.
- Provision of Rail trail route, and main pedestrian and cycle links to township, including routes via 'Browns Lane' and adjacent to both Ellesmere Road and Edward Street;
- Provision of a comprehensive stormwater conveyance system to accommodate necessary flows within both the northern and southern catchment boundaries;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main truck connections where necessary;
- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows;
- Provision for riparian corridor/reserve along stream to Ellesmere Road;
- Provision of a building setback and landscape buffer adjacent to Ellesmere Road and Edward Street;
- Provision of a local business centre;

- Provision for a new primary school and other community facilities including sports fields and playgrounds;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

#### **Outline Development Plan Area 4**

- ODP Area 4 to align with ODP Area 3;
- Provision for a main road connection between Birchs Road and Boundary Road aligning with main road from ODP Area 3;
- Avoidance of any direct vehicular access onto Tancreds Road and the northern frontage of Birchs Road;
- Provision of main pedestrian and cycle links to the town centre;
- Interface with existing reserve areas;
- Provision for maintenance of capacity and flows of Paparua Water Race.
- The potential for reverse sensitivity with surrounding rural land which includes but is not limited to: dust (during cultivation and harvesting), spray drift, irrigation drift, noise from bird scaring devices, noise and headlight glare from machinery, smoke from “burn off”, and odour;
- Provision of a comprehensive stormwater/wetland system, including stormwater wetland areas where required to accommodate necessary flows;
- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary;
- Provision of a reticulated wastewater system and pumping stations with capacity to accommodate necessary flows;
- Provision of a building setback and landscape buffer adjacent to Tancreds Road and the northern frontage of Birchs Road;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

#### **Outline Development Plan Area 5**

- ODP Area 5 to align with ODP Area 1;
- Provision of a main road link originating from Weedons Road, linking to Springs Road aligning with the southern most east-west main road from ODP Block 2;
- Provision of main pedestrian and cycle links to university;
- Provision of landscaped buffer areas between industrial areas and adjoining land uses, including any specific District Plan provisions to address potential adverse amenity effects, where appropriate.

#### **Outline Development Plan Area 6**

- Provision for a road extension from North Belt to the northern ODP boundary, aligning with William Street;
- Provision of main pedestrian and cycle links to the town centre;
- Provision for cycle and pedestrian facilities through to the Community Centre and Domain sites;
- Provision of a reticulated wastewater system with capacity to accommodate necessary flows;
- Provision for stormwater management system;
- Provision of a minimum net density of 15 households per hectare averaged over the ODP area.

### **Explanation and Reasons**

A Structure Plan has been prepared to facilitate the integrated growth of Lincoln Township to accommodate an additional 3,900 households by 2041. The Lincoln Structure Plan is based on projected figures from the Urban Development Strategy and Regional Policy Statement, which identify Lincoln as a south-western growth centre.

Due to the large amount of land within the township Urban Limit, the greenfield growth area has been broken into a number of Outline Development Plan (ODP) areas. Each area is to be developed in accordance with an individual outline development plan while achieving the strategic outcomes sought for the entire township.

Each ODP area has been identified predominately by using significant features that cause severance e.g. major roads or rivers, whilst also taking into consideration the ability to provide for infrastructure. Smaller ODP areas have generally been avoided as they will reduce the potential to achieve a strategic outcome. One exception in Lincoln is ODP Area 6, which due to its location adjacent to the Lincoln Community Centre and its use for medium density purposes only, is suited to a small ODP. Comparatively, providing one ODP for the entire area will create difficulties with multiple land ownership, zoning and staging such that the ability to readily implement future growth, particularly in the short term is likely to be heavily constrained by such difficulties. It is considered therefore that the approach taken with identified ODP areas is both the most practical in terms of maintaining the strategic objective and enabling development to continue in the short term. It is also considered that this approach is consistent with the Regional Policy Statement.

Whilst an ODP is generally conceptual in nature, some specific criteria have been listed which must be addressed in an ODP for any of the identified ODP areas. Each ODP area within Lincoln has specific requirements that have been identified through the Structure Plan process. Where an ODP is not already prepared, important infrastructure requirements have been listed under this specific criteria and these include matters such as roading links, water supply, stormwater management, wastewater treatment and disposal, Rail trail route, and pedestrian and cycle links to the town centre and university and esplanade reserves. These criteria must be addressed when preparing an ODP within an ODP area in Lincoln. It is also relevant to consider this criteria where a change to an operative ODP is proposed, as noted in Policy B4.3.9.

## General Policies

General policies which may be particularly relevant to Lincoln include:

Plan Section	Objectives / Policies	Issue
1.1 Land and Soil	Policies B1.1.3 and B1.1.8	Possible contaminated soil in areas used for agricultural research in the past.  Lincoln is surrounded by “versatile soils” except to the south-west (LUC Class I or II)
1.2 Water	Policy B1.2.2 and B1.2.5	Stormwater disposal to LI and LII.  Reticulated sewerage.
2.1 Transport	Policy B2.1.8 and B2.1.9	Community perceptions of traffic on Gerald Street. Impact of growth of Lincoln and road links into Christchurch City
2.2 Utilities	Policies B2.2.1 and B2.2.4	Impacts of rate of residential growth on Lincoln’s sewerage system

2.3	Community Facilities (and Reserves)	Policy B2.3.1	Impact of rate of residential growth at Lincoln on community facilities
3.4	Quality of the Environment	Policy B3.4.37	Reverse sensitivity issues, Business 3 and Rural zones

### **Reticulated Sewage**

Reticulated sewage treatment and disposal is required at Lincoln. Increases in the capacity of the public system is currently limited by:

- An agreement between Christchurch City Council and Selwyn District Council over the volume of effluent that can be piped to the City and when it is sent.
- The capacity of the holding ponds at Lincoln and the reticulation system in Christchurch City.

## **RESIDENTIAL AND BUSINESS DEVELOPMENT – SPECIFIC POLICIES FOR TOWNSHIPS**

### **ROLLESTON**

#### **Policy B4.3.68**

**Ensure that development within each of the Outline Development Plan areas identified on the Planning Maps and Appendices within Rolleston addresses the specific matters relevant to each ODP Area number listed below:**

##### **Outline Development Plan Area 1**

- **Provision of a local secondary road connections through the area to Dunns Crossing Road, Brookside Road, and Stonebrook Drive;**
- **Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area to the east and south;**
- **Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary;**
- **Provision of a reticulated wastewater system with capacity to accommodate necessary flows;**
- **Provision of a local business centre;**
- **Provision of local neighbourhood parks and a key open space corridor along the alignment of the unformed East Maddisons Road. Green pedestrian and cycle linkages are to be provided from the balance of the area to this open space corridor;**
- **Provision of a mix of housing densities within the area, with medium density housing to be located in close proximity to local parks and the central open space corridor;**
- **Provision of a minimum net density of 11 households per hectare averaged over the ODP area.**

##### **Outline Development Plan Area 2**

- **Vehicle access to be via a secondary road connection from the Markham Way cul-de-sac with no direct vehicle access onto Norman Kirk Drive or Rolleston Drive;**

- Provision of wells and water pumping facilities to provide sufficient capacity for all future growth in this area, including main trunk connections where necessary;
- Provision of a reticulated wastewater system with capacity to accommodate necessary flows;
- The stopping of an unformed portion of road 'Dick Roberts Place' along the area's western boundary will need to be addressed through a separate road stopping procedure;
- Identification of the whole of this ODP area as a medium density housing area, apart from a strip adjacent to the existing dwellings to the west where lower density lots are to be located to provide an area of transition between the existing dwellings and higher density units;
- Provision of a minimum net density of 20 households per hectare averaged over the ODP area.

### **Outline Development Plan Area 3**

- Provision of local east-west secondary road connections through the ODP area to the existing "Park Lane" subdivision;
- No direct vehicle access from State Highway 1 and restricted vehicle access from Levi Road, to maintain the operational status of these primary roads, with lots fronting Levi Road to have an alternative access such as slip lanes;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area to the west and the rural area to the east;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of local neighbourhood parks, including a gateway reserve on the southeastern corner of the ODP area adjacent to Levi Road;
- Provision of larger lots of at least 1,000m<sup>2</sup> around the northern, eastern, and southern boundaries of the ODP area;
- Provision of a minimum net density of 10 households per hectare averaged over the ODP area.

### **Outline Development Plan Area 4**

- Provision of a local secondary road connection to Levi Road and Lincoln Rolleston Road;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area to the west and the rural area to the east;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Provision of a minimum net density of 15 households per hectare averaged over the ODP area.

### **Outline Development Plan Area 5**

- Provision of District-function recreation and open space facilities;
- Provision of a secondary school;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area and ODP area 6.

### **Outline Development Plan Area 6**

- Provision of a main east-west primary road connection through the area from near the intersection of Goulds Road and East Madison Road to Springston Rolleston Road;
- Provision of two local north-south secondary road connections through the area, to provide connections between ODP area 5 to the north and the primary road noted above and future urban areas to the south;
- Provision of pedestrian and cycle links within and through the ODP area to connect with the adjoining urban area and ODP area 5;
- Provision of a comprehensive stormwater system that has sufficient capacity for the ODP area;
- Provision of reticulated water supply and wastewater systems that have sufficient capacity for the ODP area;
- Possible provision of a local business centre adjacent to ODP area 5;
- Provision of a neighbourhood centre in the vicinity of the intersection of Goulds Road and East Madison Road;
- Provision of local neighbourhood parks;
- Provision of a mix of low and medium density housing areas with a minimum net density of 13 households per hectare averaged over the ODP area.

### **Explanation and Reasons**

A Structure Plan has been prepared to facilitate the integrated growth of Rolleston Township to accommodate an additional 5,375 households by 2041. The Rolleston Structure Plan is based on projected figures from the Urban Development Strategy and Regional Policy Statement, which identify Rolleston as a south-western growth centre.

Due to the large amount of land within the township Urban Limit, the greenfield growth area has been broken into a number of Outline Development Plan (ODP) areas. Each area is to be developed in accordance with an individual outline development plan while achieving the strategic outcomes sought for the entire township.

Each ODP area has been identified predominately by using significant features that cause severance e.g. major roads, whilst also taking into consideration the ability to provide for infrastructure. Smaller ODP areas have generally been avoided as they will reduce the potential to achieve a strategic outcome. One exception in Rolleston is ODP Area 2 due to it being the last large vacant lot close to the existing town centre available for comprehensive development. Comparatively, providing one ODP for the entire Township will create difficulties with multiple land ownership, zoning and staging such that the ability to readily implement future growth, particularly in the short term is likely to be heavily constrained by such difficulties. It is considered therefore that the approach taken with identified ODP areas is both the most practical in terms of maintaining the strategic objective and enabling development to continue in the short term. It is also considered that this approach is consistent with the Regional Policy Statement.

Whilst an ODP is generally conceptual in nature, some specific criteria have been listed which must be addressed in an ODP for any of the identified ODP areas. Each ODP area within Rolleston has specific requirements that have been identified through the Structure Plan process. Where an ODP is not already prepared, important infrastructure requirements have been listed under this specific criteria and these include matters such as roading links, water supply, stormwater management, wastewater treatment and disposal, and pedestrian and cycle links. These criteria must be addressed when preparing an ODP within an ODP area in Rolleston. It is also relevant to consider this criteria where a change to an operative ODP is proposed, as noted in Policy B4.3.9.



## General Policies

General policies that may be particularly relevant to Rolleston include:

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

# INTRODUCTION TO THE RULES

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## DEFERRED ZONES

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

In the Business 2 Deferred zone in Lincoln shown on the Planning Maps, the provisions of the Rural (Outer Plains) zone shall apply until such time as an Outline Development Plan for the area has been made operative in the District Plan and sufficient infrastructure and servicing is available.

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

In the Living Z zones shown on the Planning Maps, once the deferral is lifted the provisions of the 'Medium Density areas' shall apply to any individual allotment smaller than 550m<sup>2</sup> and the provisions of the Living 1 zone shall apply to any individual allotment larger than 550m<sup>2</sup>.

# 4 LIVING ZONE RULES – BUILDINGS

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## 4.6 BUILDINGS AND BUILDING DENSITY

### Permitted Activities – Buildings and Building Density

4.6.1 The erection on an allotment (other than a site at Castle Hill) of not more than either:

- One dwelling and one family flat up to 70m<sup>2</sup> in floor area; or
- One principal building (other than a dwelling) and one dwelling,

shall be a permitted activity, except that within a comprehensive residential development within a Living Z Zone, more than one dwelling may be erected on the balance lot prior to any subsequent subdivision consent that occurs after erection of the dwellings (to the extent that the exterior is fully closed in).

4.6.2 The erection of not more than one principal building on any site at Castle Hill shall be a permitted activity.

### Restricted Discretionary Activities – Buildings and Building Density

4.6.3 Except as provided in Rule 4.6.6 the erection of not more than two dwellings on an allotment in a Living 1 zone shall be a restricted discretionary activity.

- 4.6.4 Under Rule 4.6.3 the Council shall restrict the exercise of its discretion to:
- 4.6.4.1 Whether each dwelling has adequate outdoor living space for the exclusive use of that dwelling for residential activities; and
  - 4.6.4.2 Whether each outdoor living space will receive direct sunlight on the shortest day of the year; and
  - 4.6.4.3 Whether there is adequate privacy between the habitable rooms of the two dwellings erected on the same allotment; and
  - 4.6.4.4 The proportion of allotments in the street or subdivision where there is more than one dwelling or principal building; and
  - 4.6.4.5 Any adverse effects, including cumulative effects, on the residential density or sense of spaciousness of the area; and
  - 4.6.4.6 The need for a 'step in plan' to be provided at each 20 metre interval along a continuous building wall in order to mitigate any adverse effects of continuous 'building bulk' being close to the boundary of a neighbouring property. The step shall be of sufficient spacing, depth, and length to provide a well articulated façade that provides visual variety and relief from long monotonous buildings.

Note: Building density and site coverage rules both apply.

### **Discretionary Activities – Buildings and Building Density**

- 4.6.5 Except as provided in Rule 4.6.6, the erection on any allotment of any building (other than an accessory building) which does not comply with Rule 4.6.1 or Rule 4.6.3 shall be a discretionary activity in Living 1 zones.

### **Non-Complying Activities – Buildings and Building Density**

- 4.6.6 The erection on an allotment of any building (other than an accessory building) which does not comply with Rule 4.6.1 shall be a non-complying activity in the Living Z, 1A, 1A2, 1A3, 1A4 zones at Prebbleton and all Living 2 and 2A zones.

Note: There is no maximum number of accessory buildings allowed on an allotment, but Rule 4.7 – Site Coverage – applies to all buildings.

## **4.7 BUILDINGS AND SITE COVERAGE**

### **Permitted Activities – Buildings and Site Coverage**

- 4.7.1 Except as provided in Rule 4.7.2, the erection of any building which complies with the site coverage allowances set out in Table C4.1 below shall be a permitted activity.

**Table C4.1 Site Coverage Allowances**

Zone		Coverage
Living 1	Including garage	35%
	Excluding garage	35% – 36m <sup>2</sup>
	<u>Emergency Services</u> only	50%
Living 1A	Castle Hill	35%
Living 1A3	Lincoln	40%
Living 1A4	Lincoln	45%
<u>Living Z</u>	<b><u>Including garage</u></b>	<b><u>35%</u></b>
	<b><u>Excluding garage</u></b>	<b><u>35% - 36m<sup>2</sup></u></b>
	<b><u>Medium Density</u></b>	<b><u>Including garage 35%</u></b> <b><u>excluding garage 35% - 18m<sup>2</sup></u></b>  <b><u>Where a site is located in a Medium Density area and forms part of a comprehensive residential development of 4 or more adjoining lots less than 350m<sup>2</sup> in size, the maximum site coverage shall be 40% and shall be calculated across the area of the entire comprehensive residential development, excluding any undeveloped balance lot.</u></b>
Living 1A2	Prebbleton	35%
Living 1A5	Prebbleton	35%
		For <u>comprehensive residential development</u> , <u>site</u> coverage shall be applied over the whole Living 1A5 Zone
Living 2 and Living 2A (Blakes Road, Prebbleton)	Including garage	Lesser of 20% or 500m <sup>2</sup>
	Excluding garage	Lesser of 20% - 36m <sup>2</sup> or 500m <sup>2</sup> – 36m <sup>2</sup>
	<u>Emergency Services</u> only	40%
Living 2A	Prebbleton and West Melton	10% and a maximum additional area in hardsurfacing of 10%
	<u>Emergency Services</u> only	40%
Living 2A1	Darfield	10% and a maximum additional area in hardsurfacing of 10%
	<u>Emergency Services</u> only	40%

**Note:** the Living 2 requirement in Rule 4.7.1 does not apply to Dunsandel Primary School.

## Temporary Activities

- 4.7.2 Maximum site coverage rules do not apply to:
- 4.7.2.1 Any building, tent, caravan, trailer or marquee erected for a temporary activity, provided the structure is removed within 2 days after the activity ceases; or
  - 4.7.2.2 Any building erected for temporary accommodation associated with a construction project on the site, provided the building is removed within 12 months or when construction ceases, whichever is the shorter time.

## Restricted Discretionary Activities – Buildings and Site Coverage

- 4.7.3 Any activity which does not comply with Rule 4.7.1 shall be a restricted discretionary activity if it complies with all of the following standards and terms:
- 4.7.3.1 The site is located in a Living 1~~or~~, Living 1A, or Living Z zone and the maximum area of the site covered by a building (s) is:
    - (a) 40% - including a garage; or
    - (b) 40% - 36m<sup>2</sup> – excluding a garage; or
  - 4.7.3.2 The site is located in a Living 1A3 or Living 1A4 zone at Lincoln and the maximum area of the site occupied by a building or buildings is:
    - (a) Living 1A3 Zone 45%; or
    - (b) Living 1A4 Zone 40%.
  - 4.7.3.2 The site is located in a Living Z Medium Density area located within an Outline Development Plan and the maximum area of the site occupied by a building(s) is:
    - (a) 40% - including a garage; or
    - (b) 40% - 18m<sup>2</sup> – excluding a garage; or
    - (c) part of a comprehensive residential development of 4 or more adjoining lots under 350m<sup>2</sup> in size, in which case the maximum site coverage shall be 45% and shall be calculated across the area of the entire comprehensive residential development, excluding any undeveloped balance lot.
- 4.7.4 Under Rule 4.7.3, any resource consent application shall not be notified and shall not require the written approval of affected parties, and the Council shall restrict the exercise of its discretion to consideration of:
- 4.7.4.1 The number of sites in the street or subdivision where site coverage already exceeds 35%.
  - 4.7.4.2 Any adverse effects, singularly or cumulatively, on the residential density or 'spaciousness' of the area.

**4.7.4.3 In any Living Z Medium Density areas located within an Outline Development Plan only:**

- (a) the extent to which a complying outdoor living area and opportunities for tree planting and garden landscaping are to be provided;**
- (b) whether there are any areas of communal or public open space in the immediate vicinity of the site.**
- (c) the extent to which a balance is achieved between buildings and hardsurfacing, and landscaping and open space;**
- (d) the avoidance of an appearance of cramped development that is out of keeping with an open and spacious streetscene; and**
- (e) whether the visual effects of increased site coverage are offset by the provision of an attractive, well designed street frontage with good levels of architectural detailing and articulation and the siting of garaging and parking areas to the rear of the site.**

**Non-Complying Activities – Buildings and Site Coverage**

4.7.5 Any activity which does not comply with Rules 4.7.3 shall be a non-complying activity.

## **4.8 BUILDINGS AND BUILDING HEIGHT**

**Permitted Activities – Buildings and Building Height**

4.8.1 The erection of any building which has a height of not more than 8 metres shall be a permitted activity.

**Discretionary Activities – Buildings and Building Height**

4.8.2 Any activity which does not comply with Rule 4.8.1 shall be a discretionary activity.

**Note**

1. Any structure erected in the Living zones at Arthur's Pass or Castle Hill is also subject to Rule 11.1.

## **4.9 BUILDINGS AND BUILDING POSITION**

**Permitted Activities – Buildings and Building Position**

The following shall be permitted activities:

**Recession Planes**

4.9.1 The construction of any building which complies with the Recession Plane A requirements set out in Appendix 11, **except**

4.9.1.1 In a Living Z Medium Density area located within an Outline Development Plan, the construction of any building is to comply with a recession plane angle of 45 degrees, with the starting point for the recession plane to be 4m above ground level; and

4.9.1.2 where buildings on adjoining sites have a common wall along an internal boundary, the recession plane shall not apply along that part of the boundary covered by such a wall.

### Setbacks from Boundaries

4.9.2 Except as provided in Rules 4.9.3 to 4.9.1825, any building which complies with the setback distances from internal boundaries and road boundaries, as set out in Table C4.2 below.

**Table C4.2 - Minimum Setbacks for Buildings**

<b>Building Type</b>	<b>Metres from <u>Boundary</u></b>	
	<b>Internal</b>	<b>Road</b>
<u>Dwelling or principal building</u>	2 m	4 m
Garage: Wall length 7m or less and vehicle door faces <u>road</u>	1 m	5.5 m
Garage: Wall length 7m or less and vehicle door faces <u>internal boundary</u>	1 m	2 m
Garage: Wall length greater than 7m and Vehicle door faces <u>road</u>	2 m	5.5 m
Garage: Wall length greater than 7m and Vehicle door faces <u>internal boundary</u>	2 m	4 m
<u>Accessory Building</u> with wall length not more than 7m	1 m	2 m
<u>Accessory Building</u> with wall length greater than 7m	2 m	4 m
<u>Utility Structures</u>	0 m	0 m

**Note:** Where a garage is proposed on a corner site i.e. has two road frontages, only one wall may be located up to 2m from a road boundary, provided that that wall does not contain a vehicle door and is less than 7m in length. All other walls are to be set back at least 4m from the road boundary, with walls containing a vehicle door set back 5.5m from the road boundary

### Common Wall

4.9.3 Buildings may be sited along an internal boundary of the site if the building shares a common wall with another building.

### Castle Hill

- 4.9.4 Buildings or structures shall be setback not less than 6m from the south eastern boundaries of Lots 1 and 2 DP 22544 in the Living 1A Zone at Castle Hill Village.
- 4.9.5 Buildings or structures shall be setback not less than 1.5 metres from all internal and road boundaries within the Living 1A Zone at Castle Hill, except that:
- 4.9.5.1 Along the Living 1A Zone boundaries the minimum setback shall be 3 metres; and
- 4.9.5.2 Where an internal boundary is also the boundary of a reserve (other than a road reserve) exceeding 1 metre in width or of an access lot or right of way there shall be no minimum setback.

#### **Prebbleton**

- 4.9.6 Any building in the Living 1A Zone at Prebbleton shall be setback from the road boundary of Trices Road by not less than 10 metres. The 10 metre area shall be landscaped.
- 4.9.7 Any building shall be setback not less than 6 metres from the north east or north west zone boundaries of the Living 1A2 Zone at Prebbleton.
- 4.9.8 Any dwelling shall be setback not less than 3 metres from an internal boundary in the Living 1A2, 1A3 and 1A4 Zones in Prebbleton.
- 4.9.9 Any dwelling in the Living 2A Zone in Prebbleton shall have:
- 4.9.9.1 A setback from any internal boundary other than the southern zone boundary of not less than 6 metres.
- 4.9.9.2 A setback from the southern zone boundary of not less than 20 metres.
- 4.9.10 Any dwelling shall be set back not less than 15 metres from the north eastern boundary of the Living 2A (Blakes Road) Zone.
- 4.9.11 Any dwelling shall be set back not less than 48.2m from the north eastern zone boundary of the Living 2A Def Zone in Prebbleton, as identified in Appendix 19.

#### **West Melton**

- 4.9.12 Any dwelling within the area shown in Appendix 20 (Living 1B and Living 2 zones) shall be set back at least 40 metres from State Highway 73.
- 4.9.13 Any dwelling in the Living 2A Zone at West Melton shall have:
- 4.9.13.1 A setback from any internal boundary of not less than 6 metres.
- 4.9.13.2 A setback from any road boundary of not less than 10 metres.

#### **Leeston**

- 4.9.14 Any dwelling in the Living 2A Zone at Leeston shall have a setback from any Business Zone boundary of not less than 20 metres.

#### **Living Z Medium Density areas located within an Outline Development Plan**



- 4.9.15** Any dwelling or principle building shall be set back a minimum of 3m from any road boundary.
- 4.9.16** Where an allotment has legal access to a private Right of Way or shared access, any dwelling or principle building on that allotment shall be set back a minimum of 3m along the entire length of the boundary with that private Right of Way or shared access.
- 4.9.17** Any garage where a vehicle door faces the road, a private Right of Way or shared access shall be set back a minimum of 5.5m from the road boundary, private Right of Way, or shared access.
- 4.9.18** No garage or accessory building is to be located between the front facade of the dwelling and the road boundary, or the private Right of Way or shared access by which the allotment is accessed.
- 4.9.19** Any dwelling or principle building, excluding garages or accessory buildings, shall be set back a minimum of 2m from any internal boundary. Buildings may however be sited along an internal boundary if the building shares a common wall with another building on an adjoining site.
- 4.9.20** No set back is required for any garage or accessory building from an internal boundary, provided that the total length of garages or accessory buildings adjacent to the internal boundary do not exceed 7m and provided those garages or accessory buildings comply with a 45 degree recession plane measured from 2.5m above ground level at the boundary.
- 4.9.21** All balconies at first floor level and above may only be located in a façade that faces a road boundary or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes.
- 4.9.21.1** Any windows at first floor level or above must:
- face a road boundary, or an internal boundary shared with land vested or designated with Council for stormwater, recreation or esplanade reserve/ strip purposes; or
  - Be set back a minimum of 10m from an internal boundary; or
  - Have a sill height of at least 1.6m above internal floor level; or
  - Be obscure glazed, and either non-opening or top- hinged, and be associated with a bathroom, toilet, or hallway.

### **Temporary Activities**

- 4.9.1522** Rule 4.9.2 does not apply to the siting of any building, tent, caravan or trailer on a site if:
- 4.9.1522.1** The building, tent, caravan or trailer is erected for a temporary activity; and
- 4.9.1522.2** The building, tent, caravan or trailer is removed within 2 days of the activity ceasing.
- 4.9.1623** Rule 4.9.2 does not apply to the siting of any building on a site which is for temporary accommodation associated with a construction project on the site if:

4.9.~~1623~~.1 The building is removed within 12 months or when construction ceases, whichever is the shorter time.

#### **Setback from Lincoln Sewerage Treatment Plant**

4.9.~~1724~~ Any dwelling in the Living 1A **and Living Z** Zone at Lincoln shall be setback not less than 150 metres from the boundary of the area designated for the Lincoln Sewage Treatment Plant, as identified on Planning Map 116.

#### **Rolleston**

4.9.~~1825~~ Any dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes shall be located no closer than 40m from the State Highway 1 carriageway. Except that this distance can be reduced where the dwelling, family flat, and any rooms within accessory buildings used for sleeping or living purposes has been acoustically insulated or subject to mounding or other physical barriers so that traffic noise from State Highway 1 is limited to levels set out below, with all external doors and windows closed:

	<b>Day-time (0700-2200 hours)</b>	<b>Night-time (2200-0700 hours)</b>
<b>Within Bedrooms</b>	35 <u>dBA</u> ( <u>Leg</u> 1 hour)	30 <u>dBA</u> ( <u>Leg</u> 1 hour)
<b>Within Living Area Rooms</b>	40 <u>dBA</u> ( <u>Leg</u> 1 hour)	35 <u>dBA</u> ( <u>Leg</u> 1 hour)

Living Area rooms means any room in a dwelling other than a room used principally as a bedroom, laundry, bathroom, or toilet.

### **Restricted Discretionary Activities – Buildings and Building Position**

4.9.~~1926~~ Any activity which does not comply with Rule 4.9.1 shall be a restricted discretionary activity.

4.9.~~2027~~ Under Rule 4.9.~~1926~~ the Council shall restrict the exercise of its discretion to consideration of:

4.9.~~2027~~.1 Any adverse effects of shading on any adjoining property owner; or on any road or footpath during winter.

4.9.~~2128~~ Any activity which does not comply with Rule 4.9.2 and Rules 4.9.4 to 4.9.~~1421~~ and 4.9.~~1825~~ shall be a restricted discretionary activity.

4.9.~~2229~~ Under Rule 4.9.~~2128~~ the Council shall restrict the exercise of its discretion to consideration of:

4.9.~~2229~~.1 Internal Boundary

Any adverse effects on the:

- (a) privacy
- (b) outlook
- (c) shading; or
- (d) amenity values

of the adjoining property, its occupiers and their activities; and

#### 4.9.~~2229~~.2 Road Boundary

Any adverse effects on:

- (a) the character of the street
- (b) safety and visibility of pedestrians, cyclists and motorists, and
- (c) shading of the road or footpath in winter;
- (d) methods to mitigate any adverse effects of traffic noise on the occupants of a dwelling; and

4.9.~~2229~~.3 Any reverse sensitivity issues at the southern zone boundary of the Living 2A zone at Prebbleton.

### **Discretionary Activities – Buildings and Building Position**

4.9.~~2330~~ Any activity which does not comply with Rule 4.9.3 shall be a discretionary activity.

### **Non-Complying Activities – Buildings and Building Position**

4.9.~~2431~~ Any dwelling which does not comply with Rule 4.9.~~1724~~ shall be a non-complying activity.

## **4.10 RELOCATED BUILDINGS**

**Note:** Any relocated building in the Living zones at Arthur's Pass or Castle Hill is also subject to Rule 11.1.

### **Permitted Activities – Relocated Buildings**

4.10.1 The erection of any relocated building shall be a permitted activity if one or more of the following conditions are met:

- 4.10.1.1 The relocated building is a garage or accessory building; or
- 4.10.1.2 The building is moved from one position to another within the same site; or
- 4.10.1.3 The building is relocated on to a site for a temporary activity and is removed from the site within 2 days of the activity ceasing; or
- 4.10.1.4 The building is relocated on to a site to provide temporary accommodation during a construction project on the site, and the building is removed from the site within the lesser of a 12 month period or when the construction work ceases.
- 4.10.1.5 The building is being relocated within or between schools.

### **Controlled Activities – Relocated Buildings**

- 4.10.2 Any activity which does not comply with Rule 4.10.1 shall be a controlled activity which shall not be notified and shall not require the written approval of affected parties. The matters the Council has reserved control over are:
- 4.10.2.1 The time period within which the building is to have its new foundations established and covered; and
  - 4.10.2.2 The time period within which any repair work to the exterior of the building is to be repaired; and
  - 4.10.2.3 The standard to which the exterior of the building is to be finished; and
  - 4.10.2.4 Whether any bond is required to cover the cost of reinstatement works in relation to matters listed under Rules 4.10.2.1 to 4.10.2.3, and the type of bond.

## **4.11 COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN PREBBLETON**

### **Discretionary Activities — Comprehensive Residential Development in Prebbleton**

- 4.11.1 In the Living 1A5 Zone in Prebbleton, comprehensive residential development shall be a discretionary activity where Council shall take into account, but not be limited to, the following:
- 4.11.1.1 Effects associated with the width, location, form and layout of accesses and roads on the amenity of the area;
  - 4.11.1.2 Effects of vehicle parking and garaging on the amenity of the area or the enjoyment of neighbouring properties;
  - 4.11.1.3 The ability to provide adequate vehicle parking and manoeuvring on the site;
  - 4.11.1.4 Impacts on the road network in traffic generation and traffic safety;
  - 4.11.1.5 The extent to which levels of traffic generation or pedestrian activity will result that are incompatible with the character of the surrounding living environment;
  - 4.11.1.6 Effects on the sense and spaciousness of the immediate area and wider neighbourhood;
  - 4.11.1.7 The extent to which the scale, form, modulation, design, colours and materials of buildings will be compatible with other buildings in the surrounding area and will not result in visual dominance or incongruency;
  - 4.11.1.8 The extent to which site layout and buildings have been designed to avoid adverse effects on the privacy, outlook, access to sunlight and daylight and other amenity values of neighbouring properties;

- 4.11.1.9 The amount of variety in design and size of dwellings on the site, in order to provide a choice of living accommodation;
- 4.11.1.10 Whether the dwellings are clustered in larger or smaller groups and the extent to which the grouping or spacing of dwelling units on the site leads to an attractive and varied development rather than a monotonous one;
- 4.11.1.11 The need for a 'step in plan' to be provided at 20 metre intervals along a continuous building wall in order to mitigate adverse effects of continuous 'building bulk' being close to the boundary of a neighbouring property;
- 4.11.1.12 The attractiveness of the street frontages of the site;
- 4.11.1.13 The extent to which mature vegetation is retained and the character of the site remains dominated by tree and garden plantings;
- 4.11.1.14 Privacy between habitable rooms of neighbouring dwellings;
- 4.11.1.15 The quality of landscaping and its effectiveness in mitigating adverse effects;
- 4.11.1.16 Impacts on the sense of spaciousness of the immediate area and wider neighbourhood;
- 4.11.1.17 The extent to which outdoor living space remains open and not contained or partitioned by fencing;
- 4.11.1.18 Whether the amount of outdoor living space is accessible to, and adequate for, the occupants of all dwellings and whether it will receive direct sunlight on the shortest day of the year.

## **4.12 COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN LIVING Z MEDIUM DENSITY AREAS LOCATED WITHIN AN OUTLINE DEVELOPMENT PLAN**

### **Restricted Discretionary Activities – Comprehensive Residential Development in Living Z Medium Density areas located within an Outline Development Plan**

**4.12.1 In a Living Z Medium Density area located within an Outline Development Plan, comprehensive residential development shall be a restricted discretionary activity, which shall not be notified and shall not require the written approval of affected parties. Under Rule 4.12.1 the Council shall restrict the exercise of its discretion to consideration of:**

#### **4.12.1.1 Context and Spaciousness**

**The extent to which comprehensive development responds to the existing context through:**

- (a) Providing compatibility in scale between the new development and any neighbouring buildings;
- (b) Being oriented towards adjoining public spaces such as roads, parks, or reserves and presents a front façade with a good level of glazing. Visible pedestrian front entrances and low front fencing;
- (c) Providing dwellings which relate to each other and surroundings in terms of regularity of features such as window height and detailing and a consistency in roof slope and form.

#### 4.12.1.2 Attractive Street Scene

The extent to which the public interface and external appearance of buildings in comprehensive developments:

- (a) Provides dwellings with visual interest when viewed from any public spaces through articulation, roof form, openings and window location;
- (b) Provides visible entry to the dwelling when viewed from the road or the main public access to the development;
- (c) Provides a good level of glazing and overlooking from habitable rooms towards the road and any adjacent public open spaces.
- (d) Building design provides a balance of consistency and variety in the street scene.
- (e) Provides open frontages which will not be enclosed by fences over 1m in height.

#### 4.12.1.3 Dwelling design, position and orientation

The extent to which the dwelling design, position and orientation of buildings in comprehensive developments:

- (a) Locates and orientates dwellings to define external spaces, to allow adequate sunlight and daylight into main living rooms and private outdoor spaces;
- (b) Positions dwellings to ensure that dwellings front on to, and are accessed from, the road, private Right of Way, or shared accessways;
- (c) Positions dwellings to capitalise on any views or natural features;
- (d) Minimises the visual dominance of garaging and vehicle parking areas, especially as viewed from the street or public open spaces. The use of rear courtyards for parking is encouraged.
- (e) Incorporates attractive detailed design including provision of mailboxes and space for bin storage and collection
- (f) Provides attractive and efficient shared parking where required.

#### 4.12.1.4 Visual and acoustic privacy

The extent to which buildings in comprehensive developments achieve visual and acoustic privacy through:

(a) Avoiding or minimising direct views from the windows of one dwelling into another at distances less than 20m through the use of the following design devices:

- The shape and position of the buildings
- The location of windows e.g. off set windows and high sill windows
- Intervening screening e.g. 1.8 metre high fences (not on road boundary or frontage with accessways), hedges, trees
- Screening devices on balconies to ensure that they do not overlook windows or private spaces

(b) The provision of acoustic treatment between dwellings through enhancing separation between openings, effective solid acoustic screening and by locating noise sensitive spaces from noisy activities (e.g. separation of bedrooms from service areas and garages).

#### 4.12.1.5 Private outdoor living spaces

The extent to which comprehensive developments provide private outdoor living spaces that:

- (a) Have the primary outdoor living space directly accessible from an internal living room;
- (b) Have any secondary outdoor living spaces such as balconies directly accessible from living rooms or bedrooms;
- (c) Are located so that the principle private outdoor living space will receive sunshine for a reasonable portion of the day in winter;
- (d) Are located so that the principle outdoor living space is not directly overlooked by windows or balconies of neighbouring dwellings;
- (e) The extent to which communal outdoor living space is provided within a comprehensively designed development and the functionality of that space for meeting the likely needs of future occupants.
- (f) Are located to the side or rear of the dwelling and not adjacent to the road boundary.

#### 4.12.1.6 Safety and security

The extent to which comprehensive developments are designed to reduce the fear and incidence of crime through:

- (a) The avoidance of narrow alleyways and places of entrapment;
- (b) A clear definition between public and private spaces;
- (c) The ability to provide casual surveillance of public space from private property and vice versa.

#### 4.12.1.7 Accessibility and connectivity

The extent to which comprehensive developments are designed for accessibility and connectivity through:

- (a) Providing for the safe and efficient movement of pedestrians, cyclists and motorised vehicles within and through the development and to surrounding residential areas and commercial and community facilities;
- (b) Providing direct pedestrian and cycle linkages from developments to and between any adjoining reserves and open spaces.

## **4.13 BUILDINGS AND STREETSCENE**

### **Permitted Activities – Buildings and Streetscene**

For all residential development located within a Living Z zone

- 4.13.1 The maximum height of any fence between the front building façade and the street, or a private Right of Way or shared access over which the allotment has legal access, shall be 1m. For allotments with frontage to more than one road, any fencing on the secondary road boundary is to be no higher than 1.8m.
- 4.13.2 Garages are to occupy no more than 50% of the width of the building façade facing the road, or a private Right of Way or shared access over which the allotment has legal access.

### **Restricted Discretionary Activities - Buildings and Streetscene**

- 4.13.3 Any activity which does not comply with Rule 4.13.1 and Rule 4.13.2 shall be a restricted discretionary activity.
- 4.13.4 Under Rule 4.13.1 the Council shall restrict the exercise of its discretion to consideration of:
  - 4.13.4.1 The degree to which an open streetscene is maintained and views between the dwelling and the public space, private Right of Way or shared access are retained.
  - 4.13.4.2 The extent to which the visual appearance of the site from the street, or private Right of Way or shared access over which the lot has legal use of any part, is dominated by garden planting and the dwelling, rather than front fencing.
  - 4.13.4.3 The extent to which the proposed fence is constructed out of the same materials as the dwelling and incorporates steps in plan, landscaping, and see-through materials such as railings or trellis.
- 4.13.5 Under Rule 4.13.2 the Council shall restrict the exercise of its discretion to consideration of:
  - 4.13.5.1 The extent to which the front façade is dominated by habitable rooms and glazing rather than garaging.



- 4.13.5.2 The extent to which the opportunity for passive surveillance and overlooking of the street, private Right of Way, or shared access from the dwelling is provided.

## **4.14 BUILDINGS AND PRIVATE OUTDOOR LIVING SPACE**

### **Permitted Activities – Buildings and Private Outdoor Living Space**

#### Living Z Medium Density areas located within an Outline Development Plan

- 4.14.1(a) In Living Z Medium Density areas located within an Outline Development Plan, each dwelling shall be provided with a private outdoor living space with a minimum area of 50m<sup>2</sup> and a minimum dimension of 4m.
- (b) Where a dwelling forms part of a comprehensive residential development, the minimum area of private outdoor living space is to be 20m<sup>2</sup> with a minimum dimension of 3m.
- (c) Any area provided by balconies with a minimum dimension of 1.5m counts towards the minimum required area of outdoor living space.
- (d) The outdoor living space (excluding balconies) is not to be located between the front building façade and the road boundary.

### **Restricted Discretionary Activities – Buildings and Private Outdoor Living Space**

- 4.14.2 Any activity which does not comply with Rule 4.14.1 shall be a restricted discretionary activity which shall not be notified and shall not require the written approval of affected parties. Under Rule 4.14.1 the Council shall restrict the exercise of its discretion to consideration of:
- 4.14.2.1 The degree to which any reduction in outdoor living space will adversely affect the ability of the site to provide for the outdoor living needs of residents of the site.
- 4.14.2.2 The extent to which any outdoor living space intrudes in front of any residential unit such that it would be likely to give rise to pressure to erect high fences between the dwelling and the street, to the detriment of an open street scene.
- 4.14.2.3 The degree to which large areas of public open space are provided within very close proximity to the site.
- 4.14.2.4 The degree to which any communal outdoor living areas are proposed where individual dwellings form part of a comprehensive residential development.
- 4.14.2.5 The degree to which a reduction in outdoor living space would contribute to a visual perception of cramped development or over-development of the site.

## 4.125 SETBACKS FROM WATERBODIES

### Permitted Activities – Setbacks from Waterbodies

4.125.1 The siting of any dwelling or principal building or any other structure shall be a permitted activity if it is setback not less than either:

4.125.1.1 20m from the edge of any waterbody listed in Appendix 12; or

4.125.1.2 10m from the edge of any other waterbody (excluding aquifers).

### Discretionary Activities – Setbacks from Waterbodies

4.12.2 Any activity which does not comply with Rule 4.125.1 shall be a discretionary activity.

### Notes

1. Rule 4.125 does not apply to walkway facilities; utility structures attached to existing buildings or structures; or signs which are permitted activities under Rule 7.
2. The edge of any waterbody is measured from the edge of the bed of the river. The bed is defined in section 2 of the Act as “the space of land which the waters of the river cover at its fullest flow, without overtopping its banks”.
3. Rule 4.125 shall not apply on any allotment adjoining an esplanade reserve or strip along a waterbody where the reserve or strip has previously been vested in the Council.

### Reasons for Rules

#### Natural Hazards

Rules 4.1.1 and 4.1.2 identify Tai Tapu as a township where there is a significant known risk of damage to people or property from flooding and ponding. Rule 4.1.1 does not necessarily prevent earthworks and building in the township of Tai Tapu; rather, the rule requires a resource consent application for a restricted discretionary activity for larger scale activities, so the nature and level of any risk of hazard, and any mitigation measures proposed, can be assessed.

Rule 4.1.4 prohibits dwellings and principal buildings from being erected between a waterbody and its stopbank. This is due to the high risk in this area of the flooding or ponding of water occurring. Other townships will be affected by this rule if they contain certain land between a waterbody and an associated stopbank.

Rule 4.1.3 restricts dwellings, parts of dwellings and other principal buildings in an area known to be subject to flooding from the Rakaia River.

It is known by the Council that other townships in Selwyn District are likely to be affected by natural hazards. While information is lacking, these include Whitecliffs and Hororata. The objectives and policies section for Natural Hazards (Part B, Section 3.1) identify that the preferred methods to address this issue in such townships is through reliance on the Building Act and section 106 of the Resource Management Act, and by relevant hazard information held by the Council being provided as part of a request for Land Information Memoranda.

#### Landscaping

A common feature of residential areas is a tidy area between the house and road frontage. There is a 'market' incentive for home owners to keep this area tidy, as it can add value to the house and property. There is not, however, such a direct market incentive for other activities, such as businesses and community facilities, to retain a tidy 'front yard'. The objective of Rule 4.2 is to ensure non-residential activities locating in Living zones maintain this feature of residential areas.

### **Water Supply**

Every house is required to have a potable water supply and effluent disposal, in order to be 'habitable' under the Building Act 2004. The rules in the District Plan set out additional conditions, such as whether the service must be reticulated, to avoid effects on natural and physical resources such as groundwater and amenity values.

### **Sewage Treatment and Disposal**

The townships listed in Rule 4.5.1 either have a reticulated sewerage treatment and disposal system, or need such a system to avoid adverse effects on groundwater. The Council is currently pursuing options for public reticulated sewerage treatment and disposal at Southbridge.

West Melton township does not have reticulated sewerage treatment and disposal, however, it is considered that this is necessary given the position of Environment Canterbury in relation to the rezoning of land at West Melton for residential development.

Rule 4.5 should not be interpreted as an indication that reticulated sewerage will not be needed in other townships in the future, such as Darfield or Kirwee. Environment Canterbury (the Regional Council) is responsible for issuing discharge permits to allow on-site effluent treatment and disposal. If, in the future, permits are no longer issued for a particular township, a reticulated sewerage system may be required.

### **Building Density**

The site coverage rules only apply to the proportion of an allotment at ground level, that is covered in building. Site coverage rules therefore are unable to control the effects on amenity values of higher density forms of residential development above ground level. Rule 4.6 is intended to manage the effects of such developments as multi-storey block of flats and apartments.

The District Plan recognises that there may be a demand of higher density forms of residential development in townships of the District, particularly in the form of student accommodation at Lincoln. The Plan provides for this is a permitted activity in Business 1 zones, where higher building density is more compatible with commercial amenity values.

The District Plan is not intended to preclude, in Living 1 zones, the erection of medium density housing developments such as small blocks of flats or townhouses. Rule 4.6 therefore provides for this intensity of development as restricted discretionary or discretionary activities, subject to the relevant assessment matters and objectives and policies of the Plan, and the mitigation of any adverse effects on the environment.

In some Living 1 zones, however, the provision of more than one dwelling on an allotment is a non-complying activity. This is because these zones were created as a result of plan changes to the former District Plan. An outcome of the plan change process in those cases was the decision that residential density should be limited to one dwelling per allotment. The new District Plan carries over these decisions.

Due to the lower density environments of the Living 2 zones, it is generally considered inappropriate for there to be more than one dwelling per allotment.

### **Site Coverage**

Rule 4.7 is designed to maintain 'spaciousness' in the Living zones of Selwyn District. It does this by controlling the ratio of land to building rules. The rule does not affect the size of an allotment (only the extent of the lot that can be covered in buildings), therefore a variety of allotment sizes may be provided for. An exemption has been made for Dunsandel Primary School from the maximum building floor space requirement of the Living 2 Zone to bring it into line with other schools which are subject to a percentage of site covered, rather than a maximum floor area figure.

Rule 4.7.3 provides for some allotments to have higher site coverages, as restricted discretionary activities. This enables the Council to meet the demand for small, easy care sections while managing the number of such allotments, so as to maintain overall spaciousness. The rule only applies in Living 1, **and 1A zones and Living 2 Medium Density areas located within an Outline Development Plan** because Living 2 zones are distinguished from Living 1 zones by their lower residential density.

Higher levels of site coverage have also been provided for emergency services recognising their importance to the community. Their general one-off locations throughout the district's townships will ensure any impact of increased density on the overall character of an area is minimal.

Significant new development in West Melton will adjoin State Highway 73. The volume of traffic using this road, mainly at "open road" speed limits, requires a degree of physical separation which

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### **Building Height**

Rule 4.8 sets maximum height requirements for buildings and structures, to ensure they are in keeping with the visual character of the Living zones.

Part of the amenity values of townships in Selwyn District is relatively low density of buildings and views across the townships to rural areas, the Southern Alps/Kā Tiritiri o te Moana and the Port Hills. Rule 4.8 helps to maintain those values by limiting the height of buildings and structures.

In consultation on the district plan (township surveys and public workshops), residents and ratepayers identified that 'sky scrapers', 'office towers' and other multi-storey buildings are not part of the landscape and amenity values of the District. However it was identified that some tall structures, such as power poles and grain silos, are. To that end, Rule 4.8 differentiates between the height of buildings and the height of other structures.

Buildings or structures that cannot comply with Rule 4.8 may be able to be erected in Living zones under an application for a discretionary activity if potential adverse effects on visual character and amenity values are able to be adequately mitigated, remedied or avoided.

### **Building Position**

Rule 4.9 is intended to give property owners maximum flexibility over the use of space on their properties, while affording neighbours adequate protection in relation to sunlight, privacy and outlook. Setback distances are not used to maintain 'spaciousness'. This is done by site coverage while recession planes control shading, and setback distances control privacy and outlook.

In the Living Z Medium Density areas included within an Outline Development Plan, buildings are required to be set back a minimum of 3m from the road boundary, or shared Rights of Way and shared accessways by which the site is accessed. The road boundary setback is smaller than that required for sites in the lower density Living zones in recognition of the higher density character anticipated in the Medium Density areas and the need to enable smaller sites to be used in an efficient manner. Some setback is however still necessary to provide the opportunity for some landscaping and tree planting along the road frontage, Rights of Way, and shared accessways and will help to maintain an open and pleasant street scene and to provide adequate levels of amenity and the opportunity for landscaping along shared driveways. The need for buildings to be set back from private Rights of Way and shared accessways is in recognition that these areas function as private lanes and as such there is a need to maintain adequate levels of amenity along such areas and to ensure that they are not overly dominated by buildings and blank, high boundary fencing.

Garages are required to be set no further forward than the front façade of the dwelling so that they are not visually dominant from the street, private Rights of Way, and shared accessways. Front facing garage doors are required to be set back at least 5.5m from road boundaries, private Rights of Way, and shared accessways to enable vehicles to be parked in front of the doors without intruding over footpaths, road reserve, or shared driveways, and to provide a second informal car parking space for occupants or visitors.

In the Medium Density areas, provision is also made for dwellings and primary buildings to be setback a minimum of 2m from internal boundaries to ensure a degree of daylight is available to ground floor windows. Garages are however able to be erected along the internal boundary in recognition that they are inherently single storey structures and do not contain habitable space, with a tighter recession plane control in place to ensure that they are single storey where they adjoin the boundary. Buildings are able to be built to an internal boundary where they will share a wall with a neighbouring building, in order to facilitate more intensive forms of housing such as semi-detached or terraced typologies. No recession planes apply over that portion of the boundary where a common wall has been built as there will be no shading effects where buildings share the same wall. To facilitate more intensive forms of housing and to enable two storey dwellings to be designed on relatively small sites, the recession plane requirements start at 4m rather than 2.5m, with a standard 45 degree angle required from all boundaries. This will encourage buildings to be oriented towards the street and rear garden, rather than towards side boundaries.

In the Medium Density areas, balconies at first floor level and above are only permitted in facades that face road or reserve boundaries due to the potential for balconies to have a significant adverse effect on privacy if they are located overlooking internal boundaries. In more intensive residential areas where dwellings are in closer proximity to one another than low density zones and where there is a much greater likelihood of dwellings being higher than single storey, there is an increased need to maintain acceptable levels of privacy. Windows at first floor level or above are therefore only permitted if they either face a road or reserve boundary, are set back a minimum of 10m from an internal boundary (typically the rear garden boundary), or have a high level internal sill or are obscure glazed and are associated with bathrooms or hallways (thereby providing light but preventing overlooking).

Setbacks do not apply to utility structures because these structures have small bulk and are not occupied by people. However, they do apply to utility buildings which have a larger floor area, as

such buildings have the potential to cause shading and loss of outlook. They are more likely to be occupied by people and, therefore, can affect privacy.

If the conditions for permitted activities are unable to be met, the proposed building may be able to proceed by application for a discretionary or restricted discretionary activity. The assessment matters for restricted discretionary activities are listed. A reverse sensitivity issue may arise if the 20 metre setback in Rule 4.9.9 for the Living 2A zone at Prebbleton is not met, due to the nature of adjoining rural land uses at the southern zone boundary. This rule was adopted in the decision on a plan change under the previous District Plan. Similarly, Rules 4.9.6, to 4.9.8 were adopted as a consequence of plan changes made operative under the previous District Plan, and those provisions have been carried over.

The siting of a dwelling less than 150m from the Lincoln Sewage Treatment Plant is a non-complying activity, and is therefore not generally considered appropriate. This rule was also adopted as a consequence of a plan change made operative under the previous District Plan.

### **Relocated Buildings**

Generally, the district plan does not control the design and standard of buildings, except for in the alpine villages at Arthur's Pass and Castle Hill (refer to Part B, Section 1.4). Buildings which are relocated as a whole, or in parts, on to a site have to be set on a building pad or foundations and often require restoration work to repair minor damage. If relocated buildings are left sitting on blocks or unrepaired for long periods of time, they can detract from the amenity values of Living zones.

Rule 4.10 identifies minor activities involving relocated buildings for which resource consent is not required. Also set out are the matters the Council will consider for relocated buildings of a large scale or of a permanent nature. The matters include the nature of reinstatement works, the time needed to complete them, and the mechanism to give Council the surety they will be completed.

A controlled activity may not be declined by the Council. It may be approved subject to conditions relating to the matters over which the Council has reserved control.

**Note:** Rule 4.10 does not affect the ability of a subdivider to impose any private covenant on the new Certificate of Titles related to the style and age of buildings able to be established, or the relocation of existing buildings into their subdivision.

### **Comprehensive Residential Development in Living Z Medium Density areas located within an Outline Development Plan**

**Within comprehensive residential developments in Medium Density areas covered by an Outline Development Plan, the Plan enables higher density forms of development to occur. Due to their higher density, such developments need to be planned in a comprehensive manner to ensure that adequate levels of urban design and amenity are achieved. The Plan therefore requires resource consent as a restricted discretionary activity with the Council's discretion limited to the urban design, appearance, and amenity of the development. This provision has been inserted to ensure that the widespread community concerns that have been voiced in other Districts regarding poor quality high density developments are able to be avoided in Selwyn, whilst still enabling the provision of a wide range of housing choice for residents. This provision includes an extensive set of assessment matters to ensure that higher density development provides a good level of amenity for residents, neighbours and views from public places including streets.**

## **Buildings and Streetscene**

In the Living Z Zones, solid, high screening structures such as fences and walls that are erected on road boundaries of properties have the potential to cause adverse visual impacts on a pleasant and open streetscene along with other associated effects such as disconnection and reduction in the potential for passive security between dwellings and the street. The rule acknowledges that where sites have frontage to more than one road, the rule only applies to the façade that includes the front entrance to the allotment so that a reasonable degree of privacy is able to be achieved for corner sites or allotments that back onto a second road. On other sites, it is expected that subdivisions will be designed to ensure that privacy can be achieved on the lot and that buildings will have been positioned with the need for private outdoor space in mind.

Another key element in maintaining a pleasant and attractive streetscene is to ensure that developments are not visually dominated by garaging when viewed from the road, private Rights of Way, or shared accessways. The rule therefore limits the width of garages to no more than 50% of the front façade of the dwelling to ensure that front facades contain visual interest, and the opportunities for glazing and passive surveillance. In medium density areas this provision works in tandem with the requirement that garages not project forward of the front building façade to further minimise the visual impact of garaging.

## **Buildings and Private Outdoor Living Space**

A minimum area and dimension of outdoor living space has been required for dwellings in Living Z Medium Density areas located within an Outline Development Plan to ensure that an area of each site is set aside which is sufficient to meet the outdoor living needs of current and future residents of the site. The rule only applies to Medium Density areas as smaller allotment sizes could result in relatively narrow strips of unbuilt land around dwellings that do not provide a useable outdoor living area, unlike larger allotments in the other living zones. The provision of an outdoor area also means that sites retain the opportunity for tree and garden planting which helps to balance the built appearance of higher density areas and visually soften the built environment.

A smaller area of outdoor living area is required for dwellings that form part of a comprehensive residential development due to such units generally being smaller than stand alone dwellings and in recognition that comprehensive residential developments require detailed plans to be assessed as part of a design and appearance consent where the location and functionality of outdoor living spaces can be assessed. Balconies can be counted towards the required outdoor living area in recognition of the positive role that well-located balconies can play in meeting the amenity needs of occupants and providing an alternative outdoor living area that may receive sun at a different time of the day. Balconies can also be a positive design element and are encouraged where they provide passive surveillance of the street or public open spaces without resulting in subsequent pressure from landowners to fence these boundaries to ensure privacy which can happen with ground level outdoor living areas.

## **Setbacks from Waterbodies**

Locating structures close to waterbodies (excluding aquifers) may:

- Cause bank erosion: either on the site; or elsewhere if works have been undertaken on the site to prevent bank erosion;
- Create a potential natural hazard, should the bank be unstable or the waterbody overflow;
- Affect habitat values, and the natural character of the edge of waterbodies; and

- Restrict public access, where public access is provided for.

Rule 4.125 sets the distances for structures from waterbodies (excluding aquifers) as a permitted activity. The distance varies with the type of waterbody, its flood potential and its ecological and recreational values. Structures may be able to locate closer to the waterbody with a resource consent. However, the closer siting (less than 20 metres) of dwellings and principal buildings is generally recognised as inappropriate.

**Note:** An additional consent may need to be obtained from Environment Canterbury.



## 5 LIVING ZONE RULES – ROADING

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### 5.4 VEHICLE PARKING AND CYCLE PARKING

#### Permitted Activities – Vehicle Parking and Cycle Parking

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

##### Car Park Spaces

- 5.4.1.1 The number of car parks provided complies with the relevant requirements for the activity as listed in Appendix 13; and
- 5.4.1.2 All car parking spaces and vehicle manoeuvring areas are designed to meet the criteria set out in Appendix 13 for residential activities and Appendix 13 for all other activities; and

##### Loading Space

- 5.4.1.3 Each site that is used for an activity which is not a residential activity and which generates more than 4 heavy vehicle movements per day has one on-site loading space which complies with the requirements set out in Appendix 13. The loading space does not count as a car parking space for the purpose of complying with Rule 5.4.1.1; and

**Note:** Rule 5.4.1.3 does not apply to emergency services facilities.

##### Strategic Roads

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

##### Mobility Impaired Parking

- 5.4.1.5 Each site that is used for an activity other than a residential activity has one car park space for mobility impaired persons for the first 10 car parking spaces, and one additional car park space for a mobility impaired person for every additional 50 car parking spaces; and
- 5.4.1.6 Car parking spaces for mobility impaired persons are:
  - (a) Sited as close to the entrance to the building or to the site of the activity as practical; and
  - (b) Sited on a level surface; and
  - (c) Clearly marked for exclusive use by mobility impaired persons; and

##### Cycle Parking

- 5.4.1.7 Cycle parking spaces are provided in accordance with the standards in Appendix 13.

## **Discretionary Activities – Vehicle Parking and Cycle Parking**

5.4.2 Any activity which does not comply with Rule 5.4.1 shall be a discretionary activity.

### **Reasons for Rules**

Roads and vehicular 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 vehicular accessway.

Rules 5.1.1.1, 5.1.1.3, 5.2.1.3 and 5.2.1.5 manage the effects of forming roads and vehicular accessways on slopes, and near waterbodies and special sites. These rules do not prevent roads and vehicular 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.

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.

The Strategic Roads 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 Strategic Roads may be granted, as a restricted discretionary activity, where there is no alternative road access and the consent authority is satisfied the access can be designed, sited and managed to reduce traffic safety hazards.

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 Strategic 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.

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 (Section E13.3.3). This rule reflects the importance of maintaining lines of sight for traffic safety.

## 12 LIVING ZONE RULES – SUBDIVISION

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### 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, vehicular 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. Underlined words are defined in Part D of the Plan.
9. The subdivision of any land adjoining a State Highway which is a Limited Access Road (LAR) firstly requires consent obtainable from Transit New Zealand. 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.
10. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B4.4 for further information on development contributions.<sup>V30</sup>
11. If a subdivision completed under 12.1 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.
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.

### 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

**Water**

12.1.3.2 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**

12.1.3.3 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**

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

**Size and Shape**

12.1.3.5 Any allotment created, including a balance allotment, contains a building area of not less than 15m x 15m, except for sites greater than 350m<sup>2</sup> 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;

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

**Coalgate**

12.1.3.7 In the Living zones at Coalgate, no allotment has vehicular access directly on to Homebush Road; and

**Darfield**

12.1.3.8 No subdivision of land in any of the areas labelled “Areas 1–5” 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.

- 12.1.3.9 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.
- 12.1.3.10 The subdivision of land shown in Appendix 27 (east of Clintons Road) is in accordance with the plan shown in that Appendix.

#### **Dunsandel**

- 12.1.3.11 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.
- 12.1.3.12 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.

- 12.1.3.13 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**

- 12.1.3.14 In the Living 2A zone at Kirwee, no more than 3 allotments have vehicular access to Dawn Place; and

#### **Lincoln**

- 12.1.3.15 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

- 12.1.3.16 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

~~12.1.3.17 The cycleway/walkway linking Springs Road to Douglas Street identified in Appendix 18 shall be constructed prior to any other development taking place.~~

- 12.1.3.18 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

- 12.1.3.19 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

- 12.1.3.20 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

#### **Prebbleton**

- 12.1.3.~~2420~~ In the Living 1A1, 1A2, 1A3, 2A, and any deferred living zone at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19; and
- 12.1.3.~~2221~~ In the Living 1A3, 1A4 and 2A zones or any deferred living 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.~~2322~~ For the Living 1A5 (Deferred) Zone at Prebbleton, until the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service that land for comprehensive residential development, the rules of the Living 1A2 Zone shall apply to that land and for the avoidance of doubt that land may be developed in accordance with the rules of the Living 1A2 Zone.
- 12.1.3.~~2423~~ For the Living 1A5 (Deferred) Zone at Prebbleton, upon the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service that land for comprehensive residential development, the Living 1A5 (Deferred) Zone shall cease to be deferred and the rules of the Living 1A5 Zone will apply to that land, and the rules of the Living 1A2 Zone will cease to apply, without further formality.
- 12.1.3.~~2524~~ 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.~~2625~~ 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.~~2726~~ 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.~~2827~~ 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.~~2928~~ For the Living 2A (Deferred) 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.

**12.1.3.3029** Until either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a deferred living or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/ stormwater from a particular area of land subject to a deferred living the rules of the Rural Zone (Inner Plains) shall apply to that land; and

**12.1.3.3130** Upon either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a deferred living zone, or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the rules of the relevant living zone will apply to that land, and the rules of the Rural Zone (Inner Plains) will cease to apply, without further formality.

**12.1.3.3231** 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.

### **Springston**

**12.1.3.3332** 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**

**12.1.3.3433** Any subdivision of land within the area shown in Appendix 20 (Living 1, Living 1B, Living 2, Living 2A or Rural Zones) at West Melton complies with the layout and contents of the Outline Development Plan shown in Appendix 20; and

12.1.3.3534 Any subdivision of land within the area shown in Appendix 20 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) 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.

12.1.3.3635 In the Living 2A Zone at West Melton, the maximum number of allotments is 10.

12.1.3.3736 No subdivision of land in the Living 1 (Deferred) or Living 2 (Deferred) Zones at West Melton 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 1 or 2 Deferred west of Weedons Ross Road.

#### Outline Development Plans

**12.1.3.37 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.**

**Table C12.1 – Allotment Sizes**

<b>Township</b>	<b>Zone</b>	<b>Average Allotment Size Not Less Than</b>
Arthur's Pass	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
Castle Hill	Living 1A	500m <sup>2</sup> , and a minimum <u>allotment</u> size of 350m <sup>2</sup>
Coalgate	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
	Living 2	1 ha
Darfield	Living 1	650m <sup>2</sup>
	Living 2	5,000m <sup>2</sup>
	Living 2 (Deferred)	Refer to Subdivision – General Rules. 5,000m <sup>2</sup> if criteria met.

<b>Township</b>	<b>Zone</b>	<b>Average Allotment Size Not Less Than</b>
	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 <sup>2</sup> ) if criteria met.
Doyleston	Living 1	650m <sup>2</sup>
Dunsandel	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
	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 <sup>2</sup>
Hororata	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
Kirwee	Living 1	800m <sup>2</sup>
	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 <sup>2</sup>
Leeston	Living 1	650m <sup>2</sup>
	Living 1 (Deferred)	4 ha until deferral lifted, then 650m <sup>2</sup>
	Living 2	5,000m <sup>2</sup>
	Living 2 (Deferred)	4 ha until deferment lifted, then 5,000m <sup>2</sup>
	Living 2A	5,000m <sup>2</sup>
	Living XA	What the subdivider nominates, but not less than the average for the Living 1 Zone in the <u>township</u> (650m <sup>2</sup> )

<b>Township</b>	<b>Zone</b>	<b>Average Allotment Size Not Less Than</b>
Lincoln	Living 1	650m <sup>2</sup>
	Living 1A	850m <sup>2</sup> Minimum of 31 lots for any subdivision plan
	Living 1A1	650m <sup>2</sup> Minimum of 31 lots for any subdivision plan
	Living 1A2	650m <sup>2</sup> Minimum of 31 lots for any subdivision plan
	Living 1A3	500m <sup>2</sup>
	Living 1A4	1,500m <sup>2</sup>
	Living 2	3,000m <sup>2</sup>
	Living X	2,000m <sup>2</sup>
	<b><u>Living Z</u></b>	<b><u>650m<sup>2</sup>, with a minimum individual allotment size of 550m<sup>2</sup>, except that allotments within a Medium Density area located within an operative Outline Development Plan shall have a maximum average allotment size of 450m<sup>2</sup> and a minimum individual allotment size of 350m<sup>2</sup>.</u></b>  <b><u>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<sup>2</sup> per unit.</u></b>
Prebbleton	Living 1	800m <sup>2</sup>
	Living 1A	2,000m <sup>2</sup>
	Living 1A (Deferred)	4 ha

<b>Township</b>	<b>Zone</b>	<b>Average Allotment Size Not Less Than</b>
	<p>Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred living zoning, or following all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the rules of the Living 1A Zone will apply.</p>	
	Living 1A1	800m <sup>2</sup>
	Living 1A2	800m <sup>2</sup> and no more than 10 % at less than 700m <sup>2</sup>
	Living 1A3	800m <sup>2</sup> and no more than 10 % at less than 700m <sup>2</sup>
	Living 1A4	800m <sup>2</sup> and no more than 10 % at less than 700m <sup>2</sup>
	Living 1A5	800m <sup>2</sup> and no more than 10 % at less than 700m <sup>2</sup> . For <u>comprehensive residential development</u> , the minimum average area shall be 350m <sup>2</sup> .
	Living 1A5 (Deferred)	800m <sup>2</sup> and no more than 10 % at less than 700m <sup>2</sup>
	<p>Following the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service that land for <u>comprehensive residential development</u>, the Living 1A5 (Deferred) Zone shall cease to be deferred and the rules of the Living 1A5 Zone will apply. For the avoidance of doubt that land may be developed in accordance with the rules of the Living 1A2 Zone.</p>	
	Living 2	5,000m <sup>2</sup>
	Living 2A	5,000m <sup>2</sup> 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 <sup>2</sup> Subdivision shall proceed in substantial accordance with the development plan in Appendix 19
	Living 2A (Deferred)	4 ha
	<p>Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred living zoning, or following all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the minimum <u>allotment</u> size shall be 1.5 ha.</p>	

<b>Township</b>	<b>Zone</b>	<b>Average Allotment Size Not Less Than</b>
	Living X	What the subdivider nominates, but not less than the average for the Living 1 Zone in the <u>township</u> (800m <sup>2</sup> )
	Living X (Deferred)	4 ha
	Following either the Council passing a resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service a particular area of land subject to deferred living zoning, or following all necessary resource consents having been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a deferred living zone, the living zone shall cease to be deferred and the rules of the Living X Zone will apply.	
Rakaia Huts	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
Rolleston	Living 1	750m <sup>2</sup>
	Living 1A	Minimum lot area of 300m <sup>2</sup>
	Living 1B	1,200m <sup>2</sup> with a minimum lot area 750m <sup>2</sup>
	Living 1B Deferred	5,000m <sup>2</sup> until deferral lifted in January 2010, then 1,200m <sup>2</sup> with a minimum lot area of 750m <sup>2</sup>
	Living 2	5,000m <sup>2</sup>
	Living 2A	1 ha
	<b><u>Living Z</u></b>	<b><u>750m<sup>2</sup>, with a minimum individual allotment size of 550m<sup>2</sup>, except that allotments within a Medium Density area located within an operative Outline Development Plan shall have a maximum average allotment size of 450m<sup>2</sup> and a minimum individual allotment size of 350m<sup>2</sup>.</u></b>
		<b><u>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<sup>2</sup> per unit.</u></b>

<b>Township</b>	<b>Zone</b>	<b>Average Allotment Size Not Less Than</b>
Sheffield	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
	Living 1A	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
Southbridge	Living 1	650m <sup>2</sup>
Springfield	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
Springston	Living 1	800m <sup>2</sup>
	Living 1A	800m <sup>2</sup>
Tai Tapu	Living 1A	800m <sup>2</sup>
	Living 2A	5,000m <sup>2</sup>
Waddington	Living 1	The size needed for on-site effluent disposal but not less than 800m <sup>2</sup>
West Melton	Living 1	1,000m <sup>2</sup>
	Living 1 Deferred	Refer to Subdivision – General Rules. 800m <sup>2</sup> if criteria met.
	Living 1B	2,800m <sup>2</sup>
	Living 2	5,000m <sup>2</sup>
	Living 2 Deferred	Refer to Subdivision – General Rules. 5,000m <sup>2</sup> if criteria met.
	Living 2A	Maximum number of allotments is 10, and a minimum <u>allotment</u> size of 1 ha.
Whitecliffs	Living 1	The size needed for on-site effluent <u>disposal</u> but not less than 800m <sup>2</sup>
<b>Township</b>	<b>Zone</b>	<b>Average Allotment Size Not Less Than</b>
All <u>Townships</u>	Heritage Buildings listed in Appendix 3	Listed in Appendix 3. The <u>building</u> , <u>curtilage</u> and any other area needed to: <ul style="list-style-type: none"> <li>- mitigate adverse effects; or</li> <li>- maintain the heritage values of the site</li> </ul>
	Community Reserves, Community Facilities and <u>Point Strips</u>	No minimum area
All Living Zones	Calculating <u>Allotment</u> Sizes	

Township	Zone	Average Allotment Size Not Less Than
		<p>The average <u>allotment</u> size shall be calculated as a mean average (total area of allotments divided by the number of allotments).</p> <p>The total area and number of allotments used to calculate the mean shall exclude areas used exclusively for <u>access</u>, reserves or to house <u>utility structures</u>, or which are subject to a designation.</p> <p>Any <u>allotment</u> which is twice or more the size of the average <u>allotment</u> required in the zone, shall be calculated as being:</p> <p>2 x average <u>allotment</u> size for that zone – 10 m<sup>2</sup>; or as its actual size, if a covenant is placed on the Certificate of Title to prevent any further subdivision of that land.</p>
All Townships		<p><u>Allotment</u> sizes for Flats/Townhouses – Living 1</p> <p>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>.</p>

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

##### Water

- 12.1.4.2 The provision of water for firefighting; and
- 12.1.4.3 In relation to any new bore to provide a potable water supply:
- (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

- 12.1.4.4 The appropriateness of the proposed facilities for solid waste collection or disposal, considering:
- (a) The number of allotments; and



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

#### **Utility Cables**

- 12.1.4.5 Whether any utility cables shall be laid underground.

#### **Telephone and Power**

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

#### **Stormwater Disposal**

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

#### **On-Site Effluent Disposal**

- 12.1.4.10 In the Living zones at Arthur's Pass, Coalgate, 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.*

#### **Roads, Reserves and Walkways/Cycleways**

- 12.1.4.11 The provision, location, co-ordination, layout and formation of all roads and vehicular accessways, reserves and walkways/cycleways; and
- 12.1.4.12 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
- 12.1.4.13 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
- 12.1.4.14 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
- 12.1.4.15 The access to cul-de-sacs being from a through road rather than another cul-de-sac; and
- 12.1.4.16 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
- ~~12.1.4.1217~~ The provision, location, coordination, layout and formation of any land required for reserves, which is to comply with the 'Criteria for Taking Land Instead of Cash' clause of the 'Reserves Specific Issues regarding Development Contributions Assessment' in the Development Contribution Policy of the 2006-2016 LTCCP; and <sup>v30</sup>
- ~~12.1.4.1318~~ The provision of footpaths, lighting and street furniture; and
- ~~12.1.4.1419~~ Any landscaping and tree planting required in the road reserve, recreational reserves, and the margins of cycleways/walkways; and
- 12.1.4.20 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 Standards (2000) where appropriate, in using its discretion under Rules ~~12.1.4.1211~~ to ~~12.1.4.1520~~.

#### **Special Sites**

- ~~12.1.4.1521~~ 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).
- ~~12.1.4.1622~~ If the land to be subdivided contains any place or item which is listed in Appendix 3 as a Heritage, Cultural or Ecological site, or in Appendix 2 as a Designation:

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

### **Size and Shape**

**12.1.4.1723** The size and shape of allotments in accordance with Rules 12.1.3.5 and 12.1.3.6; and

**12.1.4.1824** The size and shape of allotments for the subdivision of a heritage building or site listed in Appendix 3; and.

**12.1.4.1925** 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

**12.1.4.2026** 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; and

**12.1.4.2127** The mechanism(s) used to alert any prospective buyer(s) of the allotment.

**12.1.4.28** 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 150m<sup>2</sup> in gross floor area (except in Medium Density areas located within an Outline Development Plan where the minimum gross floor area shall be 80m<sup>2</sup>), when using its discretion under Rules 12.1.4.1823 to 12.1.4.2228 for compliance with District Plan rules.*

### **Residential Allotments**

**12.1.4.29** 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

**12.1.4.30** 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

**12.1.4.31** 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

**12.1.4.32** A variety in sections sizes whilst maximising orientation to the sun.

#### **Context**

**12.1.4.33** 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

**12.1.4.34** The convenience to community infrastructure such as schools, shops, sports fields and medical facilities; and

**12.1.4.35** The location of water races in prominent locations such as along the front of lots rather than along rear boundaries.

**12.1.4.36** 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.

**12.1.4.37** The retention of shelter belts where they serve to maintain rural character but do not cause excessive shading or maintenance issues on residential properties.

**12.1.4.38** The extent to which stormwater treatment contributes to an attractive public realm or provides ecological value.

#### **Utilities and Facilities**

**12.1.4.2239** 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

**12.1.4.2340** For other utilities and facilities:

- (a) The method(s) by which the operation, maintenance, repaired and any upgrades to those systems shall be managed; and
- (b) The method(s) by which prospective purchasers of allotments are to be informed of any fiscal or managerial responsibilities they have for those services and facilities.

***Note:*** *The consent authority shall consider any relevant provisions in the district plan or the Council's Engineering Standards (2000) where appropriate, in using its discretion under Rule 12.1.4.2340.*

## **Construction of any Works**

- 12.1.4.~~2441~~ 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.~~2542~~ 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.~~2643~~ Any easements or other mechanism(s) needed to obtain or maintain legal access to land or utilities.

## **High Voltage Transmission Lines**

- 12.1.4.~~2744~~ 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.~~2845~~ Whether esplanade reserve will be created on any allotment which adjoins a river, lake or stream listed in Appendix 12;
- 12.1.4.~~2946~~ 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.~~3047~~ 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.~~3148~~ In the Living 1A2 Zone at Prebbleton, the retention of the existing stream; and
- 12.1.4.~~3249~~ 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.~~3350~~ In the Living 1A2 Zone at Prebbleton, without compromising Rule 12.1.4.32, the location of larger sized lots along the north west and north boundaries of the zone; and
- 12.1.4.~~3451~~ 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.~~3552~~ 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.~~3653~~ 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 Standards (2000) where appropriate, in using its discretion under Rule 12.1.4.~~3753~~.

#### **Rolleston**

12.1.4.~~3754~~ 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.~~3855~~ 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.~~3956~~ 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.~~4057~~ The need to provide for pedestrian and cycle movement within the road reserve;

12.1.4.~~4158~~ 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.~~4259~~ The need for local reserves;

12.1.4.~~4360~~ The extent to which failure to provide walkways/ cycleways may result in a loss of pedestrian safety and amenity;

12.1.4.~~4461~~ The design guidelines contained in Appendix 23;

12.1.4.~~4562~~ 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.~~4663~~ 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.

12.1.4.4764 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.

#### **Tai Tapu**

12.1.4.4865 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.

### **Restricted Discretionary Activities – Subdivision – West Melton**

12.1.5 The following activities shall be restricted discretionary activities:

- 12.1.5.1 Any subdivision subject to Rule 12.1.1 which does not comply with Rule 12.1.3.3451.
- 12.1.5.2 The exercise of discretion shall be restricted to the matters listed in 12.1.5.3 to 12.1.5.6 below.
- 12.1.5.3 Whether any amendments to the roading pattern will retain connectivity and avoid piecemeal and uncoordinated subdivision patterns;
- 12.1.5.4 Whether any amendments to the subdivision would still enable efficient and coordinated provision of services;
- 12.1.5.5 Whether any amendments to the subdivision layout will provide adequately for reserves, pedestrian or cycle linkages;
- 12.1.5.6 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, Dunsandel or Lincoln with an average allotment size of less than 5000m<sup>2</sup>.
- 12.1.6.5 Any subdivision in the Living 2 zone at Lincoln with an average allotment size of less than 3,000m<sup>2</sup>.

**12.1.6.6 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 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.**

**12.1.7.5 In a Living Z Medium Density area located within an Outline Development Plan, any subdivision to create an allotment less than 350m<sup>2</sup> 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 350m<sup>2</sup> 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.**



## 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.

**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 350m<sup>2</sup>, 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 350m<sup>2</sup> 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 350m<sup>2</sup> 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.

# 13 BUSINESS ZONE RULES – STATUS OF ACTIVITIES

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## 1.1 STATUS OF ACTIVITIES

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

In the Business 2 Deferred zone in Lincoln shown on the Planning Maps, the provisions of the Rural (Outer Plains) zone shall apply until such time as an Outline Development Plan for the area has been made operative in the District Plan.

In the Living Z zones, any area shown within an Outline Development Plan as a local business centre is subject to the provisions of the Business 1 zone, with a consent notice or similar mechanism to be registered on the Certificate of Title for these lots advising owners that the lot is subject to the Business 1 rule package.

## 24 BUSINESS ZONE RULES - SUBDIVISION

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### 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 11 applies to the subdivision of land, within the meaning of section 218 of the Act.
5. The design of any road, vehicular accessway, right of way or vehicle crossing must comply with Rule 17: Roading.
6. Any earthworks associated with subdivision of land must comply with Rule 14: Earthworks.
7. Erecting any dwelling or other building on any land must comply with Rule 16: Buildings, Rule 18: Utilities or Rule 22: Activities.
8. Underlined words are defined in Part D of the Plan.
9. The subdivision of any land adjoining a State Highway which is a Limited Access Road (LAR) firstly requires consent obtainable from Transit New Zealand. 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.
10. Development contributions under the LTCCP Development Contribution Policy will be taken where network infrastructure, community infrastructure or reserves have to be constructed or expanded as a direct result of growth from development. Refer to Section B.4 for further information on development contributions.<sup>v30</sup>

### 24.1 SUBDIVISION – GENERAL

#### Restricted Discretionary Activities – Subdivision – General

- 24.1.1 A subdivision of land, which is not a subdivision under Rules 24.2 or 24.3, shall be a restricted discretionary activity if it complies with the standards and terms set out in Rule 24.1.3.
- 24.1.2 Any subdivision subject to Rule 24.1.1, and which complies with 24.1.3, 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 24.1.4 following Table C24.1.

### 24.1.3 Standards and Terms

#### Access

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

#### Water

- 24.1.3.2 Any allotment created is supplied with a reticulated water supply which complies with the current New Zealand Drinking Water Standard; and

#### Effluent Disposal

- 24.1.3.3 Any allotment created in: Castle Hill, Doyleston, Leeston, Lincoln, Prebbleton, Rolleston or Southbridge is supplied with reticulated effluent treatment and disposal facilities; and

#### Solid Waste Disposal

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

#### Size and Shape

- 24.1.3.5 Any allotment created, including a balance allotment, contains a building area of not less than 15m x 15m; and
- 24.1.3.6 Any allotment created, including any balance allotment, complies with the relevant allotment size requirements set out in Table C24.1; and

#### Outline Development Plan

- 24.1.3.7 Any subdivision within an area that is subject to an operative Outline Development Plan within the District Plan shall be in general compliance with that Outline Development Plan. Any subdivision to create a local business area shall have a consent notice registered on the titles indicating that the District Plan controls relating to those sites are to be those applying to the Business 1 zone.**

#### Prebbleton

- 24.1.3.78** In the Deferred Business zones at Prebbleton, any subdivision is in general accordance with the respective concept and/or Outline Development Plans in Appendix 19; and
- 24.1.3.89** Until either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage treatment facility to service any particular area of land subject to a Deferred Business zone, or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/stormwater from a particular area of land subject to a Deferred Business zone, the rules of the Rural zone (Inner Plains) shall apply to that land; and
- 24.1.3.910** Upon either the passing of a Council resolution that there is adequate capacity in a local authority operated reticulated sewage

treatment facility to service any particular area of land subject to a Deferred Business zone, or until all necessary resource consents have been obtained for a method of treatment and disposal of sewage/ stormwater from a particular area of land subject to a Deferred Business zone, the Business zone shall cease to be deferred and the rules of the relevant Business zone will apply to that land, and the rules of the Rural zone (Inner Plains) will cease to apply, without further formality.

## **Rolleston**

**24.1.3.1011** In that part of the business 2 Zone located south of Jones Road, Rolleston, as depicted on the Landscape development Plan at Appendix 28, no subdivision of land shall take place until all of the landscape planting, irrigation system, and fencing shown on the Landscape Development Plan on that allotment is completed.

**24.1.3.1112** In the Business 2 Zone at Hoskyns Road – North, Rolleston as depicted on the Outline Development Plan at Appendix 33 road connections shall be provided to Hoskyns Road and the land to the west and north and a pedestrian link shall be provided to the adjacent Business 2 Zone to the west generally in accordance with those locations identified on the Outline Development Plan. The roads shall be constructed in general accordance with the road cross section examples also included in Appendix 33 (and where any conflict occurs with rule E13.3.1 these cross sections shall take precedence). Furthermore, lots created which abut Hoskyns Road in the locations shown on the Outline Development Plan at Appendix 33 should be designed in such a way that buildings will likely be encouraged to front onto and access onto Hoskyns Road.

**24.1.3.1213** In the Business 2 Zone at Hoskyns Road – North as is depicted on the Outline Development Plan at Appendix 33 the following street plantings shall be planted in the roads prior to vesting of the roads in the Council.

### **(a) Boulevard Road:**

- Planting in the median of the road.
- A planting strip of 2 metres down each side of the road.
- Planting shall consist of the species listed in Appendix 21 and shall be in accordance with the standards listed at Business Zone Rule 16.1.5.1.

### **(b) Secondary roads:**

- A planting strip of 2 metres down each side of the road.
- Planting shall consist of the species listed in Appendix 21 and shall be in accordance with the standards listed at Business Zone Rule 16.1.5.1.

**24.1.3.1314** The area between the common boundary of the Business 2 Zone and the Rural Zone, as depicted on the Outline Development Plan at

Appendix 33, and the principal building shall be landscaped to the following standards:

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

Macrocarpa

Leyland cypress

Radiata pine

Kahikatea

**24.1.3.1415** Existing established hedgerows and vegetation located within the area indicated on the Outline Development Plan at Appendix 33 shall be retained until such time as the new planting required by Rule 24.1.3.13 achieves a minimum height of 3 metres.

**24.1.3.1516** In that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 at the time subdivision consent is sought for the creation of the 'Boulevard Road' the upgrading of Hoskyns Road as depicted on the 'Hoskyns Road Upgrade Plan' included at Appendix 33, which includes an off-road shared cycleway/pedestrian link, must be provided for as part of the works associated with that subdivision.

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

**24.1.3.1617** In that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 at the time that the first subdivision consent is sought that application must include an allotment that is to be set aside for the purposes of an Amenity Hub. This allotment is to be a minimum of 1000m<sup>2</sup> and is to be located generally in accordance with one of the four locations identified on the Outline Development Plan at Appendix 33. The allotment shall be bounded on at least 50% of the length of its boundaries by public roads. The use of the allotment for the purpose of an Amenity Hub is to be secured by way of a consent notice being registered on the Certificate of Title for the allotment identified as the Amenity Hub site.

**24.1.3.1718** In that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 at the time subdivision consent is sought for any allotment that is to gain access to Hoskyns Road north of the proposed 'Boulevard Road' the upgrading of Hoskyns Road beyond

that required by Rule 24.1.3.15 to the intersection with Maddisons Road as depicted on the 'Hoskyns Road Stage 2 Upgrade Plan' included at Appendix 33 must be provided for.

- 24.1.3.~~18~~**19** Any subdivision of land within that part of the Business 2 Zone as depicted on the Outline Development Plan at Appendix 33 shall provide for the upgrading of the Hoskyns Road/Maddisons Road intersection in accordance with the Traffic Design Group drawing 7030-3-5A dated 02/12/2008 "Proposed Intersection" as included at Appendix 33 prior to any new certificates of title being issued for land within this area.



## PART D

# DEFINITIONS

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### C

Comprehensive residential development: shall only apply to the Living L15 zone in Prebbleton **or to a Medium Density area located within an Outline Development Plan.**

**In Prebbleton it** means 8 or more residential units clustered, planned and designed in an integrated and comprehensive manner. Comprehensive residential development applies where all residential land use and subdivision consents are submitted concurrently or where the required landuse consent for comprehensive residential development is submitted and approved prior to a subdivision consent submitted for the same.

**In a Medium Density area located within an Outline Development Plan, it means 4 or more residential units, clustered, planned and designed in an integrated and comprehensive manner. The comprehensive residential development is to be shown via a consent notice on the creation of the balance lot, with any subsequent subdivision consent for the individual units only being granted following the erection (to the extent that the exterior is fully closed in) of the dwellings that are to be subdivided.**

### N

Network Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002. \*<sub>v30</sub>

**Net Density: is the number of lots of household units per hectare (whichever is the greater). The area (ha) includes land for:**

- **Residential purposes, including all open space and on-site parking associated with residential development;**
- **Local roads and roading corridors, including pedestrian and cycle ways, but excluding State Highways and major arterial roads;**
- **Local (neighbourhood) reserves.**

**The area (ha) that excludes land that is:**

- **Stormwater retention and treatment areas;**
- **Geotechnically constrained (such as land subject to subsidence or inundation);**
- **Set aside to protect significant ecological, cultural, heritage, or landscape values;**
- **Set aside for esplanade reserves or access strips that form part of a larger regional or sub-regional reserve network;**
- **For local community services and retail facilities, or for schools, hospitals or other district, regional or sub-regional facilities.**

## PART E

# APPENDIX 13

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### TRANSPORT

#### 13.1 Minimum Parking Space Requirements

##### 13.1.1 Parking Spaces to be Provided

13.1.1.1 For any new activity, or any increase in an existing activity not complying with Section 10 of the Act (Certain Existing Land Uses in Relation to Land Protected), provision shall be made for on-site vehicle parking, for use by staff and visitors, in accordance with Table E13.1, and in compliance with the car park dimensions in Table E13.2.

13.1.1.2 If an activity is not listed in Table E13.1, the activity closest in nature to the new activity shall be used. Where there are two or more similar activities, the activity with the higher parking rate shall apply. Where there are two or more different activities on the site, the total requirement for the site shall be the sum of the parking requirements for each activity.

13.1.1.3 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 approve the joint use of car parking spaces where it is deemed appropriate.

**Table E13.1 – Minimum Parking Spaces to be Provided**

ACTIVITY	MINIMUM PARKING SPACES TO BE PROVIDED
Residential dwellings	2 spaces per residential dwelling, <u>or 1 space per residential dwelling in Living Z Medium Density areas identified on an Outline Development Plan</u>
Commercial activities	3 spaces per 100m <sup>2</sup> Gross Floor Area (GFA) plus 1 space per 100m <sup>2</sup> outdoor storage or outdoor display area, plus 1 staff space per 100m <sup>2</sup> floor space
Industrial and service activities	2 spaces for the 1st 100m <sup>2</sup> GFA and 1 space per 100m <sup>2</sup> GFA thereafter.
Places of Assembly and/or Recreational facilities	10 spaces per 100m <sup>2</sup> public area or 1 space per 10 seats, whichever is greater
Drive-through facilities, excluding service stations	5 queuing spaces per booth or facility
Service stations	2 queuing spaces per booth or facility. 1 space per 50m <sup>2</sup> GFA of shop, plus 1 space per repair bay, 1 space per air hose and 3 queuing spaces per car wash

## PART E

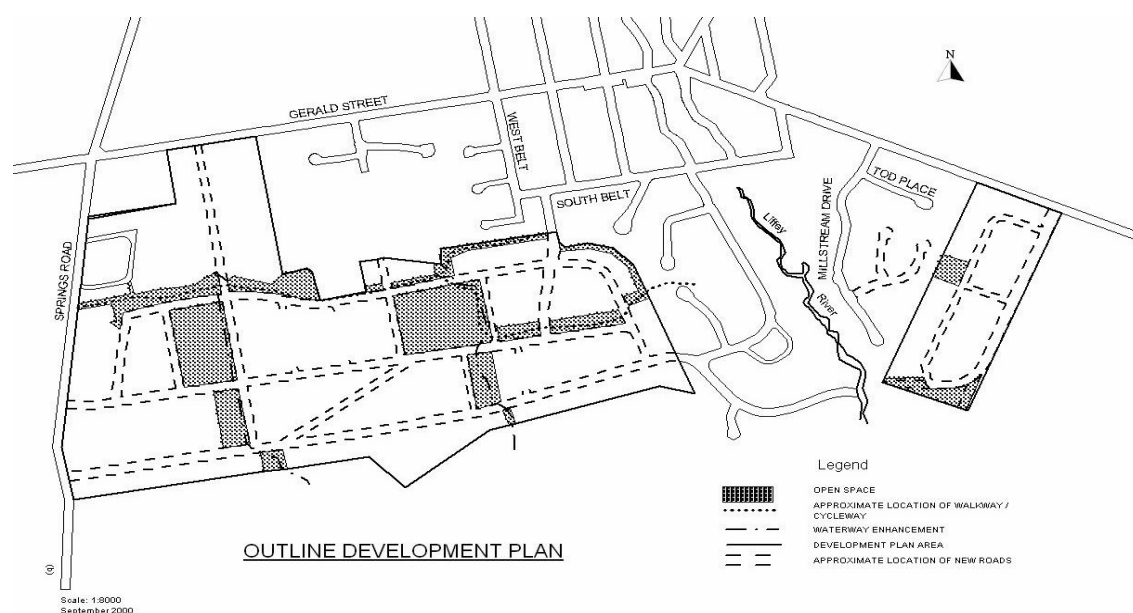
# APPENDIX 18

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## CONCEPT AND OUTLINE DEVELOPMENT PLAN FOR LIVING 1A ZONE, LINCOLN

**Delete the following Outline Development Plan from Appendix 18:**

### Outline Development Plan



**Add the following Outline Development Plans as Appendix 35:**

PART E

## **APPENDIX 35**

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### **OUTLINE DEVELOPMENT PLANS FOR LINCOLN**

**Add the following Outline Development Plans as Appendix 36:**

PART E

## **APPENDIX 36**

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### **OUTLINE DEVELOPMENT PLANS FOR ROLLESTON**

## **RURAL VOLUME - PART B – B4.1 RESIDENTIAL DENSITY AND SUBDIVISION IN THE RURAL AREA – POLICIES AND METHODS**

### **Policy B4.1.15**

Any subdivision or development within deferred Living Z zones that are subject to the Rural (Inner Plains) rule package shall proceed in a manner that does not compromise:

- (a) the future minimum net densities required by an ODP policy for the area; and
- (b) the ability to achieve future coordinated urban development in the area.

#### **Explanation**

The administration of rural zones in District Plans for areas identified for future urban growth needs to ensure land is not fragmented or compromised in a manner which may jeopardise its future urbanisation. Any subdivision occurring in accordance with the Rural (Inner Plains) zoning in these circumstances will therefore be assessed in relation to its potential impacts on the ability to achieve effective integration with adjoining urban areas; the achievement of higher intended residential densities; and the appropriate layout of servicing and infrastructure facilities, areas of open space, community facilities and business areas; and the achievement of urban design best practice. As such, new rural lot boundaries and the subsequent erection of dwellings should not preclude or frustrate the future coordinated urban development of these areas.

#### **Methods**

##### **District Plan Maps**

- Identify ODP areas and zones

##### **District Plan Provisions**

- Zone policies
- Policies for specific criteria for ODP areas
- Medium Density Design Guide
- Subdivision Design Guide

## **RURAL VOLUME - PART C – C10.1 SUBDIVISION GENERAL**

- 10.1.2 Under Rule 10.1.1, the Council shall reserve control over all of the following matters:

### **Allotment Shape**

- 10.1.2.1 The shape of the allotment, including (but not limited to) whether it has sufficient breadth and depth to: contain the zones of influence from water abstraction or effluent disposal; and reduce potential 'reverse sensitivity' effects with surrounding land uses, if applicable;
- 10.1.2.2 The boundaries of the allotment, including (but not limited to) whether they follow natural or physical features where practical;

#### **Utilities**

- 10.1.2.3 Whether any connections to telephone, electricity, water supplies or other utilities are made to the allotment;
- 10.1.2.4 The mechanism to be used to alert any prospective purchaser of an allotment, if connections to telephone, electricity or a potable water supply are not provided to the boundary of the allotment;
- 10.1.2.5 The design, siting, layout and construction of any road, reserve or other utility which will be owned or managed by, or otherwise vested in, Selwyn District Council;
- 10.1.2.6 Whether any allotment created has sufficient road frontage to enable any vehicle crossing to be formed in compliance with Rules 4.5.1.4 and 4.5.1.5, and to ensure an appropriate distance between vehicle crossings and appropriate sight distances to intersections.

#### **Works**

- 10.1.2.7 The method(s) used to avoid, remedy or mitigate any potential adverse effects on people or other parts of the environment resulting from any works associated with preparing the land for subdivision or installing associated access, utilities or landscaping; including (but not limited to) dust, noise, vibration or sediment run-off into waterbodies.

#### **Easements**

- 10.1.2.8 Any easements required to provide legal access over the allotment created.

#### **Taking Land Instead of Cash**

- 10.1.2.9 The extent to which the "Criteria for Taking Land Instead of Cash" clause of the "Reserves – Specific Issues regarding Development Contributions Assessment" in the Development Contribution Policy of the 2006-2016 LTCCP will meet the needs of present and future generations.<sup>v30</sup>
- 10.1.2.10 The creation of any allotment up to 200mm wide (point strip) to prevent access on to any particular road for any other purpose; and

## Monitoring

10.1.2.11 Any monitoring conditions.

## Outline Development Plans and deferred Living Z zones

### 10.1.2.12 Whether the layout of any subdivision compromises the ability to achieve the coordinated future intensification of a deferred Living Z Zone which is subject to a specific ODP policy.

## Reasons for Rules

Rule 10 manages the subdivision of land. Subdivision has the meaning set out in section 218 of the RMA, and includes unit titles, cross leases and the leasing of any building or part of any building for a period of 35 years or more. District councils may control subdivision under the RMA (section 31(2)) and the subdivision of land requires a resource consent unless the activity is a permitted activity under the Plan (section 11).

Subdivision, per se, has few effects on the environment. However, subdivision is a precursor to other activities, particularly the erecting of dwellings. There is a popular expectation amongst New Zealanders that if they buy an allotment, they should be able to erect a house on it.

Any subdivision of land requires a resource consent under this Plan. The Plan manages subdivision for three reasons:

- To ensure that any allotment created is in an appropriate location, of an appropriate size and shape, and has appropriate legal access and connections to utilities, for its intended purpose;
- To ensure that any subdivision does not result in land uses which are non complying with the Plan or which will affect adjoining properties due to the size of the allotment on which the activity is taking place being reduced.
- To ensure that where allotments are created that are not of a sufficient size to enable a house to be erected on the allotment, that an appropriate mechanism is used to alert prospective buyers of the allotment.

Rule 10.1 lists standards and terms by which a subdivision is a controlled activity. The minimum allotment size is the same as the minimum allotment size to erect a dwelling as a permitted activity, under Rule 3.10 of the Plan. There are matters that Council have reserved control over such as the need to ensure that any subdivision within any greenfield area that is subject to a specific ODP policy or for which an approved ODP is contained in the District Plan, does not compromise the ability to achieve the future intensification of that area in accordance with the ODP. The rules provide for subdivisions which cannot comply with Rule 10.1, including subdivision of allotments smaller than the minimum size, as restricted discretionary activities or discretionary activities, where they comply with standards and terms.

Rule 10.1.1.4 The 300 metre buffer distance does not apply to that part of the Living 2A Zone at the intersection of Shands and Blakes Roads, Prebbleton and legally described as Lots 1, 2 and 10 DP 54204 and Lot 1 DP 21798 in respect of the existing Tegel Foods



Ltd poultry operation located on Lot 1 DP 53738 as the Council is satisfied that other methods have effectively addressed any reverse sensitivity effects.

Rule 10.8 addresses the establishment of rural lots and building sites close to high voltage transmission lines. The rule requires subdivision within a 20 metre corridor parallel to such lines to be subject to a restricted discretionary activity application. This enables access to these lines for maintenance to be protected if necessary, and to ensure tree planting, building and earthworks, do not compromise the lines. It also enables matters of public safety and health to be addressed.

Rule 10.10 provides for dwellings on allotments smaller than the minimums stated in Rule 10.1.1.11, provided that the balance area of land needed to comply with the minimum is kept free of dwellings. This may be done using several methods, for example, by placing some form of Covenant over part of the land, or by placing a Consent Notice over the whole allotment, to prevent dwellings being erected. The land subject to these mechanisms may be farmed, forested or otherwise used, and can be bought or sold separately from the allotment on which the dwelling is erected, but it cannot have a dwelling erected on it. The reason for this rule is to allow people to erect houses on small allotments, while still maintaining low residential density in the Rural zone. Large minimum allotment sizes can result in inefficient land uses. For example, where a person has to sell or buy more land than they want in order to reside in the rural area; or where a person buys a farm and requires the land but not the house. Large minimum allotment sizes can also be awkward if people wish to have the dwelling in separate ownership from the rest of the property, for business or family reasons.

The rule does not stipulate the method to be used to keep the balance area of land free of dwellings. Different methods may be appropriate in different cases. The rule does require the method be enforced as a condition on the subdivision or land use consent, if the land to be kept free of dwellings is part of the allotment which is to be subdivided. The Council retains its discretion to determine whether the method nominated by the applicant is appropriate. (For erecting dwellings on existing allotments, see Rule 3.10.

Rule 10.10 also provides for a dwelling on a smaller allotment in the situation where land which is not subject to the subdivision is used to comply with the minimum allotment areas in Rule 10.1.1.11. This may occur where a person owns several allotments, or has purchased the 'development rights' from an adjoining property owner, and uses his/her land to provide the additional minimum area needed. In these cases, the application needs to include a Memorandum of Encumbrance or some other mechanism to be registered on the other allotment as part of the resource consent application. It will be a condition of the subdivision or land use consent that the proposal be carried out in accordance with the application which is submitted (including the proposed Memorandum of Encumbrance or other mechanism).

The Council has produced a pamphlet to help explain how these rules work and their advantages and disadvantages. Applicants are strongly advised to refer to it.

Rule 10.10 does not apply to land within the area shown on the Planning Maps as the Inner Plains. The minimum allotment size in the Inner Plains is 4 hectares. Council believes that residential density in this area is sufficiently high to require each dwelling to have 4 hectares. It is considered that 4 hectares allotments will avoid adverse effects of on-site effluent treatment and disposal on groundwater, and potential 'reverse sensitivity' effects on rural activities; and maintain a rural character that is distinct from townships (see Part B, Section 4.1).

Rule 10.11 provides for boundary adjustments. The boundary adjustment provisions provide an easier mechanism for the boundaries to be adjusted between existing

allotments. Boundary adjustments can be useful for rationalising boundaries or selling properties between neighbours. They can also be useful for rationalising the allotments within one property, for example, to reorganise a property made up of several small allotments into a more rational mix that better suits the management of the property.

Rule 10.1.1.11 which controls the minimum allotment size for subdivision does not apply to boundary adjustments, which provides some flexibility to adjust existing small allotments. It also provides an alternative mechanism to Rule 10.10 for creating smaller allotments for house sites. However, Rule 10.11.1.4 manages residential density, by ensuring the boundary adjustment provisions cannot be used to create additional potential house sites at a higher level than those allowed by the residential density rules set out in Rule 3.10.

## **PLANNING MAPS**

### **ROLLESTON PLANNING MAPS**

Create Planning Map 013A which will sit after map 013. This map will indentify the zoning of future development within Rolleston.

Create Planning Map 108A to reflect new Living Z Deferred zoning.

Amend Planning Maps 013, 097–099, 101-104 and 106-108 to reflect new Living Z, Living Z Deferred and Business 2 Deferred zonings within Lincoln.

### **LINCOLN PLANNING MAPS**

Create Planning Maps 14A which will sit behind map 14. This map will indentify the zoning of future development within Lincoln.

Amend Planning Maps 008, 009, 013, 014, and 110–117 to reflect new Living Z, Living Z Deferred and Business 2 Deferred zonings within Lincoln.

### **COPIES OF PLANNING MAPS ATTACHED**