

## **APPENDIX VI**

Changes to the District Plan (Township Volume)  
as a Result of Recommendations

## **NATURAL HAZARDS – OBJECTIVES**

### **Objective B3.1.1**

**Ensure activities do not lead to or intensify the effects of natural hazards.**

### **Objective B3.1.2**

**Ensure potential loss of life or damage to property from natural hazards is mitigated.**

### **Objective B3.1.3**

**Ensure methods to mitigate natural hazards do not create or exacerbate adverse effects on other people or the environment.**

#### **Explanation and Reasons**

Objective B3.1.1 aims to avoid natural hazards in the first instance by not allowing people or property in areas known to experience flooding, landslips or earthquakes, unless the risk of damage can be mitigated to an acceptable level.

District-wide hazard events with catastrophic effects are infrequent. The Council believes the most efficient method to address such events is to inform people how to respond should one occur. For high magnitude events – even of low frequency - it is not possible. For some minor events, the applicant may choose to accept the cost of property damage instead of the cost of mitigation measures.

Objective B3.1.3 seeks to avoid any adverse effects that mitigation measures may have on other people or the environment. For example stopbanks can exacerbate flooding by restricting the natural spread of floodwaters. Similarly the construction of stopbanks can adversely affect the natural character and ecological values of the margins of waterbodies.

## **NATURAL HAZARDS – POLICIES AND METHODS**

### **DISTRICT-WIDE NATURAL HAZARDS**

#### **Policy B3.1.1**

**Promote awareness among residents in Selwyn District of the potential for a District-wide natural hazard, and how to respond to minimise loss of life and damage to property.**

#### **Explanation and Reasons**

District-wide natural hazards with catastrophic effects are infrequent events. The Council believes the most efficient method to address effects from District-wide natural hazards is to inform people about how to respond should one occur. This is most efficiently achieved through the Council's Civil Defence Programme.

## Method

Civil Defence Planning through:

- Public lectures
- Field trips
- Brochures

## LOCALISED NATURAL HAZARDS

### Policy B3.1.2

**Avoid allowing new residential or business development in areas known to be vulnerable to a natural hazard, unless any potential risk of loss of life or damage to property is adequately mitigated.**

### Explanation and Reasons

Places in and around several townships in Selwyn District have historical records of flooding, seismic activity or unstable land. Topography, location or climate indicate that they may be vulnerable to these potentially damaging events, and therefore would be unsuitable for new residential or business development, or would require specific measures to be undertaken to mitigate the risk of damage.

For these reasons, natural hazards is an issue that needs to be assessed when a request is made for a residential or business rezoning. In addition, the Council has an obligation under section 106 of the Act to decline consent to a subdivision in areas where natural hazards cannot be adequately mitigated.

Section 71 of the Building Act deals with building on hazard prone land. Under this section, the Council may be obliged to refuse a building consent application on land subject to such hazard events as erosion, falling debris, subsidence, inundation or slippage.

The building code contains standards to ensure that any structure is designed to remain standing in a certain magnitude earthquake.

In addition the Council advises any person requesting Land Information Memoranda (LIM) of any known natural hazard affecting land subject to the LIM. Accordingly in Whitecliffs, Hororata and Tai Tapu, where there is known to be hazards from stormwater run off, landslip, erosion or inundation, information on these natural hazards is recorded on any LIM requested for land in these townships affected by a hazard.

## Methods

District Plan Policies

- To assess plan changes to rezone new residential or business development

District Plan Rules

- Earthworks
- Natural Hazards
- Subdivision

Building Act 2004

- New Zealand Building Code requirements for all buildings

Information

- Notice of LIMs (Land Information Memoranda) for properties hazard areas.

### **Policy B3.1.3**

**Avoid locating dwellings and other principal buildings in the following areas:**

- **Between any waterbodies and any stopbank designed or used to contain floodwater from that waterbody; or**
- **Within the bed of any lake or river.**

#### **Explanation and Reasons**

The areas listed in Policy B3.1.3 and any building therein are vulnerable to damage, not only from flooding but also shifting sediment or land erosion, caused by the movement of water. The policy and rule apply to buildings likely to contain people and valuable assets which cannot be readily moved, not accessory or utility buildings such as hay barns and garages.

#### **Methods**

District Plan Policies

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

District Plan Rules

- Natural Hazards
- Subdivision

Information

- Notice on LIMs (Land Information Memoranda) for properties in identified areas

### **Policy B3.1.4**

**Ensure any new dwelling or principal building located in the Living 1A or Living 2A zone at Tai Tapu is designed or sited to avoid flooding in a 2% Annual Event Probability (AEP) flood event.**

#### **Explanation and Reasons**

Parts of the residential area at Tai Tapu are flooded through the ponding of stormwater in heavy or prolonged rainfall. The township is lower than the surrounding land, which also makes it vulnerable to flooding should the Halswell River breach its banks. No research has been done on likely breakout points or flood channels from the Halswell River, to enable the Council to assess the likely risk and effects of flooding from this source.

A 2% AEP flood event is commonly referred to as a 1 in 50 year flood. This policy corresponds to the requirements of the New Zealand Building Code. The minimum floor height needed to comply with Policy B3.1.4 will vary between allotments in the zones. Section B4.1 – Residential and Business Development addresses expansion of Tai Tapu township through the rezoning and

subdivision of surrounding land. Policy B3.14 applies to erecting buildings because there are vacant allotments in the existing Living zones at Tai Tapu.

Minimum floor levels have been set to apply to new buildings or principal buildings in Tai Tapu. These floor levels will ensure that the potential for flood damage to occur to buildings and the associated intangible damages are minimised. In addition to minimum floor levels, the District plan contains rules on the location of new buildings in the Living 2A zone and earthworks throughout Tai Tapu. The minimum floor and building location controls are in response to the level of flood risk at Tai Tapu. The rest of Tai Tapu is vulnerable to ponding as the principal flood hazard.

It should be noted that compliance with Policy B3.1.4 will not prevent an entry on a Certificate of Title under section 74 of the Building Act 2004.

## Methods

District Plan Rules

- Natural Hazards

Information

- Notice on LIMs (Land Information Memoranda) for properties in identified areas

## Policy B3.1.5

**Ensure any earthworks undertaken in the Living 1A or Living 2A Zones at Tai Tapu do not divert or displace floodwater on to other people's property with adverse effects that are more than minor.**

## Explanation and Reasons

Land in the Living 1A and 2A Zones at Tai Tapu is lower than the surrounding land and is prone to flooding. Earthworks to raise the level of allotments in these zones or to create building mounds for houses, can divert floodwater on to surrounding properties. This activity can increase the level of flooding on surrounding properties.

Policy B3.1.5 is to avoid this effect. It applies to activities in the Living 1A or 2A Zones that divert floodwater on to any other property whether it is in the Living 1A or 2A Zone or in the surrounding Rural Zone.

## Methods

District Plan Rule

- Earthworks

Local Government Act

## Policy B3.1.6

**Ensure any measures proposed to mitigate a potential natural hazard:**

- **Do not lead to or intensify a potential natural hazard elsewhere; and**
- **That any other adverse effects on the environment are avoided, remedied or mitigated.**

## Explanation and Reasons

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

## Method

District Plan Rules

- Activities near waterbodies
- Earthworks
- Buildings
- Natural Hazards

## Policy B3.1.7

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

## Explanation and Reasons

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

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

## Methods

District Plan Policies

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

District Plan Rules

- Subdivision

## **Policy B3.1.8**

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

### **Explanation and Reasons**

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

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

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

### **Methods**

Advocacy

- Encouraging and supporting relevant research work

Information

- Recording relevant information as opportunities arise.

## **Policy B3.1.9**

**To take a monetary contribution to help fund the costs of mitigating actual or potential natural hazards of an activity on areas beyond the boundary of the site.**

### **Explanation and Reasons**

Some activities can cause effects on land or waterbodies which are beyond the boundaries of the site where the activity is taking place. For example, activities which increase the risk of flooding or slips on other people's land. Where an activity runs the risk of ongoing effects on the environment, the Council usually requires the developer to enter into a bond, to ensure these funds are available should they be needed in the future. However, a monetary contribution may be more appropriate in some cases, for example, where works are required on other land from the outset.

## **NATURAL HAZARDS – ANTICIPATED ENVIRONMENTAL RESULTS**

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

- Increased awareness in the community of the risk and nature of natural hazards and how to respond.

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

## **NATURAL HAZARDS – MONITORING**

See Part E, Appendix 1.

## B3.2 HAZARDOUS SUBSTANCES – ISSUES

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

### What is a Hazardous Substance?

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

HSNO section 6 states:

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

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

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

or

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

### What are the Issues?

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

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

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

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

## **Regulatory Controls**

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

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

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

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

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

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

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

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

## **Other Legislation**

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

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

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

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

## **Hazardous Waste Management**

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

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

## HAZARDOUS SUBSTANCES – STRATEGY

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

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

## HAZARDOUS SUBSTANCES – OBJECTIVES

### Objective B3.2.1

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

### Objective B3.2.2

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

### Explanation and Reasons

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

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

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

## **HAZARDOUS SUBSTANCES – POLICIES AND METHODS**

### **MANUFACTURE AND STORAGE**

#### **Policy B3.2.1**

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

#### **Explanation and Reasons**

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

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

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

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

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

## Methods

### District Plan Rules

- Hazardous Substances

### Other Legislation

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

### Regional Council Rules

- To control the discharge of hazardous substances

## Policy B3.2.2

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

## Explanation and Reasons

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

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

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

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

## Method

### District Plan Rules

- Hazardous Substances

## **Policy B3.2.3**

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

### **Explanation and Reasons**

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

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

### **Method**

District Plan Rules

- Hazardous Substances

## **TRANSPORT**

## **Policy B3.2.4**

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

### **Explanation and Reasons**

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

### **Method**

District Plan Rule

- Transport of Hazardous Substances

Disposal

## **Policy B3.2.5**

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

### **Explanation and Reasons**

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

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

### **Method**

District Plan Policy

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

## **Policy B3.2.6**

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

## **Policy B3.2.7**

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

### **Explanation and Reasons**

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

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

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

## Methods

District Plan Rule

- Hazardous Substances

Trade Waste Bylaws

Advocacy

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

## Policy B3.2.8

**To take a monetary contribution to help fund the costs of mitigating actual or potential pollution of an activity on areas beyond the boundary of the site.**

### Explanation and Reasons

Some activities can cause effects on land or waterbodies which are beyond the boundaries of the site where the activity is taking place. For example, activities which leach contaminants and pollute land and water supplies downstream. Where an activity runs the risk of ongoing effects on the environment, the Council usually requires the developer to enter into a bond, to ensure these funds are available should they be needed in the future. However, a monetary contribution may be more appropriate in some cases, for example, where works are required on other land from the outset.

## HAZARDOUS SUBSTANCES — ANTICIPATED ENVIRONMENTAL RESULTS

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

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

## HAZARDOUS SUBSTANCES — MONITORING

Please refer to Part E, Appendix 1.

## Method

District Plan Rules

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

## BUILDING DESIGN

### Policy B3.4.22

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

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

## Explanation and Reasons

For most places, the District Plan does not have provisions that tell people what colour, shape or materials to use when building structures. The Council thinks this is a matter of personal choice. The Plan does, however have rules for the height, bulk of buildings and recession planes, to avoid adverse effects of shading and loss of privacy or outlook, on adjoining sites.

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

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

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

### Building Act 2004

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

## Method

District Plan Rules

- Height of Buildings (All Zones)

- Size of Buildings (Living zones)
- Recession Planes (All Zones)

### **Policy B3.4.23**

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

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

#### **Explanation and Reasons**

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

#### **Method**

Information

- Make people aware of any township concept plans where appropriate

### **Policy B3.4.24**

**In all zones in townships, ensure buildings:**

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

#### **Explanation and Reasons**

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

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

#### **Method**

District Plan Rules

- Recession Planes (all zones)

- Building Height (all zones)
- Building Setbacks (all zones)

## **Policy B3.4.25**

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

### **Explanation and Reasons**

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

### **Method**

District Plan Rules

- Building Setbacks (all zones)

## **Policy B3.4.26**

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

### **Explanation and Reasons**

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

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

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

### **Method**

District Plan Rules

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

- Landscaping (Living zones)
- Building Height (Living zones)
- Building Size (Living zones)

### **Policy B3.4.27**

**To take a monetary contribution to help fund the costs of mitigating actual or potential natural hazards, pollution or other effects of an activity on areas beyond the boundary of the site.**

#### **Explanation and Reasons**

Some activities can cause effects on land or waterbodies, which are beyond the boundaries of the site where the activity is taking place. For example, activities which increase the risk of flooding or slips on other people's land, or activities which may leach contaminants and pollute land and water supplies downstream. Where an activity runs the risk of ongoing pollution or other effects on the environment, the Council usually requires the developer to enter into a bond, to ensure these funds are available should they be needed in the future. However, a monetary contribution may be more appropriate in some cases, for example, where works are required on other land from the outset.

## **CASTLE HILL VILLAGE**

### **Policy B3.4.28**

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

#### **Explanation and Reasons**

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

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

Policy B3.4.28 is implemented by a set of rules for erecting buildings as permitted activities (no resource consent needed). The rules are quite specific, but are a change from past planning schemes when all buildings needed a resource consent. Alternatively, a person may apply for a resource consent to erect a building that does not comply with the rules. Any resource consent application will be assessed on whether the proposed building design is in keeping with the 'alpine chalet' design and theme.