# **Appendix 2: Recommended amendments**

## Appendix 2: Recommended amendments

Recommended insertions are shown <u>underlined</u> and recommended deletions are shown <del>struck through</del>.

Recommended amendments shown highlighted grey are those made as a result of other hearings, as noted for each amendment. They are included here for context only.

## HPW – How the Plan Works

#### **HPW - Cross Boundary Matters**

HPW13	Growth Management		
Issue		Local Authority	Process
Effects on rural character of small allotments			
sites <sup>1</sup> on the boundary with Christchurch City and			
the management of rural residential growth.			

## **Definitions**

BALANCE LAND	In relation to the creation of a site through subdivision, or the erection of a residential unit on a site, that does not comply with the provisions relating to minimum site size, means the additional area of land that would be required to comply with the provisions relating to minimum site size. Balance Land excludes:	
	a	
	but, other than as described in a., b., and c. above, does include land held in pastoral lease Crown Pastoral Lease <sup>2</sup>	
NET DENSITY	The number of lots sites or household units per hectare (whichever is the greater).	
UNDERSIZED	An allotment A site <sup>5</sup> that does not achieve the minimum area allowed for in the relevant part of the district.	
ALLOTMENT		
SITE <sup>4</sup>		

<sup>&</sup>lt;sup>1</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>2</sup> DPR-0422.028 FFNC

<sup>&</sup>lt;sup>3</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>4</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>5</sup> DPR-0379.021 J Thomson

# EI – Energy and Infrastructure

EI-REQ22	Fencing and Outdoor Storage	
NCZ	7. No new fences over 1m in height may be located between any	
LCZ	building façade and the street or a private right of way or	
TCZ	shared access over which the allotment site <sup>6</sup> has legal access.	
GIZ		
LFRZ		

# TRAN – Transport

## Objectives and Policies

TRAN-P6	Enable safe, multi-modal connections that support walking, cycling, and access to public transport and public transport facilities through land use activities and subdivision development that:
	<ul> <li></li> <li>3. Manage the number and design of cul de sacs, rear lots sites<sup>7</sup> and accessways;</li> <li></li> </ul>

## Rule Requirements

TRAN-REQ19	Land Transport Infrastructure Formation Standards	
CMUZ		
GIZ	4. Footpaths shall be formed on both sides of Local Roads in	
RESZ	locations where:	
	a The road is shown on an ODP; or	
	b The adjacent land contains Small Site Development or	
	Comprehensive Development. The road adjoins a site that	
	contains, or is proposed through the subdivision to contain,	
	Small Site Development or Comprehensive Development.8	

<sup>&</sup>lt;sup>6</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>7</sup> DPR-0379.021 J Thomson

<sup>8</sup> DPR-0409.030 Hughes

## PA – Public Access

## Objectives and Policies

<b>PA-Objectives</b>		
PA-O1	Selwyn's community has People have access to and along the District's key surface water bodies and coastal marine area.	
PA-O2	Public open space and public access activities do not adversely affect the The <sup>11</sup> conservation values of the District's surface water bodies	
	and coastal marine area are protected. 12	
PA-Policies		
PA-P1	Require public access to and along listed surface water bodies and the coastal marine area in and adjoining townships, and in specified rural areas, as identified in PA-SCHED1, PA-SCHED2 or PA-SCHED3, where:	
PA-P2	Dequire the creation of ecological ctrins or ecological reserves to maintain and enhance water quality rinarian vegetation, and the 14	
PA-PZ	Require the creation of esplanade strips or esplanade reserves to maintain and enhance water quality, riparian vegetation, and the natural character and margins <sup>15</sup> of surface water bodies and the coastal marine area.	

### Rule Requirements

PA-REQ5	Access Strips Esplanade Strips for Runanga Access 16	
GRUZ	1. An access esplanade 17 strip shall be provided where any	
MPZ	subdivision creates an allotment adjoining any water body listed in PA-SCHED3 – Water Bodies Where Access Esplanade Strip Required.	Matters for discretion:  a. Whether the non provision of an access esplanade <sup>20</sup> strip can be justified because of alternative arrangements to provide
	2. The access esplanade <sup>19</sup> strip shall be provided to and along the water body, and shall contain all of the following features:	legal access to any Site of Significance to Ngāi Tahu listed in any of:

<sup>&</sup>lt;sup>9</sup> DPR-0422.178 FFNC, DPR-0427.057 DOC

<sup>&</sup>lt;sup>10</sup> DPR-0422.178 FFNC

<sup>&</sup>lt;sup>11</sup> DPR-0427.058 DOC

<sup>&</sup>lt;sup>12</sup> DPR-0427.058 DOC

<sup>&</sup>lt;sup>13</sup> DPR-0207.036 SDC, DPR-0422.180 FFNC

<sup>&</sup>lt;sup>14</sup> DPR-0427.061 DOC

<sup>&</sup>lt;sup>15</sup> DPR-0427.061 DOC

<sup>&</sup>lt;sup>16</sup> DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>17</sup> DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>18</sup> Consequential amendment to DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>19</sup> DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>20</sup> DPR-0379.044 J Thomson

#### Matters for Control or Discretion

PA-MAT3	Access to Reserves and Strips	
All Zones		
	2. Whether public access would result in an acceptably low risk to public health and public safety. <sup>21</sup>	

### Schedules

PA-SCHED3 – Water Bodies Where Access Strip Esplanade Strip for Rūnanga Access <sup>22</sup> Required		
Water Body Location Minimum Width		
Waikekewai Creek	As shown in Figure PA-FIG2 Waikekewai Creek - Access Esplanade <sup>23</sup> Strip	10m
Unnamed Drain	McLachlans Road at Taumutu, as shown in Figure PA-FIG3 Un-named Drain,	10m
	McLachlans Road - <del>Access</del> <u>Esplanade</u> <sup>24</sup> Strip	

### **Figures**

Figure PA-FIG2 Waikekewai Creek - Access <u>Esplanade</u><sup>25</sup> Strip Figure PA-FIG3 Un-named Drain, McLachlans Road - Access <u>Esplanade</u><sup>26</sup> Strip

<sup>&</sup>lt;sup>21</sup> DPR-0422.185 FFNC

<sup>&</sup>lt;sup>22</sup> Consequential amendment to DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>23</sup> Consequential amendment to DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>24</sup> Consequential amendment to DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>25</sup> Consequential amendment to DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>26</sup> Consequential amendment to DPR-0379.044 J Thomson

## SUB-Subdivision

#### **SUB-Overview**

#### **SUB-Overview**

Rules SUB-R1 to SUB-R15 address subdivision of different types in zones, while rules SUB-R16 to SUB-R27 contain additional provisions for subdivision in specific parts of the District, such as areas subject to natural hazards, or where noise from nearby activities may be an issue. SUB-R26 addresses reverse sensitivity and the health and wellbeing of people and their amenity values and implements the Noise Chapter provisions.<sup>27</sup> As such, subdivision in areas subject to rules SUB-R16 to SUB-R27 will need consent under two (or more) rules.

A single subdivision may also require consent under two (or more) rules where more than one type of subdivision is proposed as part of a single application. For example, a residential subdivision relying mainly on SUB-R1 may also seek consent under SUB-R9 to provide for small site development sites within the wider subdivision.<sup>28</sup>

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### Objectives and Policies

SUB-Objective	SUB-Objectives Superior Superi	
SUB-O1	Subdivision design and layout maintains or enhances the amenity values results in the efficient use of land and is compatible with the	
	role, function, and planned form <sup>29</sup> of the zone.	
<b>SUB-Policies</b>		
SUB-P1	<ol> <li>Avoid the creation of any site that cannot contain a residential unit as a permitted or controlled activity, unless the site:         <ol> <li>is in the General Rural Zone or Māori Purpose Zone, the overall residential density of the subdivision complies with the zone standard and a land use consent to establish or retain a residential unit on the site has been considered with the subdivision consent and granted; or</li> <li>is within a Commercial and Mixed Use Zone, General Industrial Zone, Dairy Manufacturing Zone, or Port Zone; or</li> <li>shall be used only to house for the provision of of infrastructure, a reserve or for some other community purpose specified in the subdivision application; and that purpose will not result in the need for a residential unit.</li> </ol> </li> </ol>	
SUB-P2	Ensure that every site created by subdivision has <u>potential for</u> <sup>31</sup> safe and efficient access for motorists, pedestrians, and cyclists, consistent with that required for the intended use of the site.	

<sup>&</sup>lt;sup>27</sup> Recommendation of the Officer's right of reply report for Hearing 17 – Noise

<sup>&</sup>lt;sup>28</sup> DPR-0456.002 Four Stars and Gould

<sup>&</sup>lt;sup>29</sup> DPR-0414.079 Kāinga Ora

<sup>30</sup> DPR-0367.091 Orion

<sup>&</sup>lt;sup>31</sup> DPR-0422.194 FFNC

SUB-P10 <sup>32</sup>	Manage the temporary adverse visual amenity and nuisance effects associated with preparing land for subdivision. <sup>33</sup>	
SUB-PA <sup>34</sup>	Within the General rural zone, ensure that subdivision does not compromise the use of highly productive land for rural production	
	activities that are reliant on the soil resource of the land. <sup>35</sup>	

#### Rules

SUB-Rule List	
SUB-R11	Open Space Subdivision Subdivision to Create Undersized Sites <sup>36</sup>
SUB-RA	Subdivision to Create Point Strips <sup>37</sup>

SUB-R1	Subdivision in the Residential Zones	
RESZ	Where this activity complies with the following rule requirements:	
	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>38</sup>	
SUB-R2	Subdivision in the General Rural Zone	
GRUZ	And this activity complies with the following rule requirements: SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>39</sup>	
	Matters of control: c. The potential for reverse sensitivity effects with activities on surrounding sites, and the management of these effects. <sup>40</sup>	

<sup>&</sup>lt;sup>32</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>33</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>34</sup> DPR-0353.190 HortNZ, DPR-0422.203 FFNC

<sup>&</sup>lt;sup>35</sup> DPR-0353.190 HortNZ, DPR-0422.203 FFNC

<sup>&</sup>lt;sup>36</sup> DPR-0353.193 HortNZ

<sup>&</sup>lt;sup>37</sup> DPR-0207.037 The Council

<sup>&</sup>lt;sup>38</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>39</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>40</sup> DPR-0142.027, DPR-0142.030 NZ Pork, DPR-0353.185, DPR-0353.186 HortNZ

SUB-R3	Subdivision in the Commercial and Mixed Use Zones, General Ind	ustrial Zone, Knowledge Zone, and Port Zone
CMUZ GIZ KNOZ PORTZ	Where this activity complies with the following rule requirements: SUB REQ12 Land Disturbance and Earthworks for Subdivision <sup>41</sup>	
SUB-R4	Subdivision in the Dairy Processing Zone	
DPZ	And this activity complies with the following rule requirements: SUB-REQ6 Access <sup>42</sup> SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>43</sup>	Activity status when compliance not achieved:  4. When compliance with any of SUB-R4.1.a. is not achieved: Refer to SUB-R11 Open Space Subdivision Subdivision to Create Undersized Sites.
SUB-R5	Subdivision in the Grasmere Zone	
GRAZ	And this activity complies with the following rule requirements: SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>45</sup>	
SUB-R6	Subdivision in the Māori Purpose Zone	
MPZ	Activity Status: CON And this activity complies with the following rule requirements: SUB-REQ6 Access <sup>46</sup>	Activity status when compliance not achieved:  4. When compliance with any of SUB-R6.1.a. is not achieved: Refer to SUB-R11 Open Space Subdivision Subdivision to Create Undersized Sites.

<sup>41</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>42</sup> DPR-0375.108 WKNZTA

<sup>&</sup>lt;sup>43</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>44</sup> Consequential to DPR-0353.193 HortNZ

<sup>&</sup>lt;sup>45</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>46</sup> DPR-0375.108 WKNZTA

<sup>&</sup>lt;sup>48</sup> Consequential to DPR-0353.193 HortNZ

SUB-R7	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>47</sup> Subdivision in the Porters Ski Recreation <sup>49</sup> Zone	
SKIZ PRZ <sup>50</sup>	And this activity complies with the following rule requirements: SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>51</sup>	<b>::</b>
SUB-R8	Subdivision in the Terrace Downs Zone	
TEZ	Where this activity complies with the following rule requirements: SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>52</sup>	<b>::</b>
SUB-R9	Subdivision in the Residential Zones to Facilitate Small Site Develo	ppment
GRZ LRZ SETZ	<ul> <li>Where:         <ul> <li>Every small site development site created, but excluding any rear site, contains a road frontage width not less than 12m.</li> </ul> </li> <li>The minimum and maximum net site areas shall not apply to sites used exclusively for access, reserves, or infrastructure, or which are wholly subject to a designation.<sup>53</sup></li> </ul>	

<sup>&</sup>lt;sup>47</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>49</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone

<sup>&</sup>lt;sup>50</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone

<sup>&</sup>lt;sup>51</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>52</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>53</sup> DPR-0367.101 Orion

	And this activity complies with the following rule requirements:	
	And this activity complies with the following rule requirements:	
	SUB DECAS Land Bird along and Earth and a Co. C. J. 1111 54	
	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>54</sup>	
SUB-R10	Subdivision in the Residential Zones of Comprehensive Developme	ent
GRZ		
LRZ	Where:	
SETZ	a. The net site area of each site created shall not exceed 300m <sup>2</sup> .	
	The maximum net site area shall not apply to sites used	
	exclusively for access, reserves, or infrastructure, or which are	
	wholly subject to a designation; <sup>55</sup> and	
	Notification:	
	3. Any application arising from SUB-R10.1 shall not be subject to	
	public or limited notification and shall be processed on a non-	
	notified basis. <sup>56</sup>	
SUB-R11	Open Space Subdivision Subdivision to Create Undersized Sites <sup>57</sup>	
GRUZ		
DPZ	Where:	
MPZ	a. Every undersized site is at least 1ha in net area, except that	
	this shall not apply to sites used exclusively for access,	
	reserves, or infrastructure, or which are wholly subject to a	
	designation. <sup>58</sup> ;	
	b. Any cluster contains no more than 3 existing or proposed	
	sites, except that in SCA-RD7 any cluster contains no more	
	than 5 existing or proposed sites <sup>59</sup> ;	
	C	
	j	

<sup>54</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>55</sup> DPR-0367.102 Orion

<sup>&</sup>lt;sup>56</sup> DPR-0358.212 RWRL, DPR-0363.201 IRHL, DPR-0374.207 RIHL, DPR-0384.219 RIDL

<sup>&</sup>lt;sup>57</sup> DPR-0353.193 HortNZ

<sup>&</sup>lt;sup>58</sup> DPR-0367.103 Orion

<sup>&</sup>lt;sup>59</sup> DPR-0104.003 L Travnicek

SKIZ PRZ <sup>66</sup>	And this activity complies with the following rule requirements:	•••
GRAZ		
	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>65</sup>	
MPZ		
DPZ	And this activity complies with the following rule requirements:	
GRUZ		
SUB-R12	Boundary Adjustment in All Zones	
	In the Māori Purpose Zone, as set out in SUB-R5 <sup>64</sup>	
	In the Dairy Processing Zone, as set out in SUB-R4	
	In the General Rural Zone, as set out in GRUZ-R2	
	And this activity complies with the following rule requirements:	
	or miner are whony subject to a designation.	
	or which are wholly subject to a designation. <sup>63</sup>	
	residential unit. 62 The minimum net site area shall not apply to sites used exclusively for access, reserves, or infrastructure,	
	excluding any area which cannot be used to erect a	
	R2.1.a, SUB-R4.1.a or SUB-R5.1.a, as relevant to the site,	
	erected on the site, is of sufficient size to comply with SUB-	
	restricting the number of residential units which may be	
	the application, Balance Land or any other legal mechanism	
	g. Every site that contains, or is proposed to contain as part of	
	International Airport Noise Control Overlay <sup>61</sup>	
	Overlay listed in SUB-R26.1 – SUB-R26.6 a Christchurch	
	d. No <del>cluster</del> <u>undersized site</u> <sup>60</sup> is located within a <u>Noise Control</u>	

<sup>&</sup>lt;sup>60</sup> Recommendation of the s42A report for Hearing 17 – Noise

<sup>&</sup>lt;sup>61</sup> DPR-0448.052 NZDF, also Recommendation of the s42A report for Hearing 17 – Noise

<sup>&</sup>lt;sup>62</sup> DPR-0142.028 NZ Pork

<sup>63</sup> DPR-0367.103 Orion

<sup>&</sup>lt;sup>64</sup> DPR-0142.028 NZ Pork

<sup>65</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>66</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone

TEZ		
	SUB-REO12 Land Disturbance and Earthworks for Subdivision <sup>67</sup>	
RESZ	···	
	And this cation and the control of the the fellowing mile and the control of the	•••
CMUZ	And this activity complies with the following rule requirements:	
GIZ		
KNOZ	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>68</sup>	
PORTZ		
SUB-R13	Subdivision to Create Access, Reserve, or Infrastructure Sites in Al	I Zones
All Zones	Activity status: CON	
	3. Subdivision to create any site to be used solely to house for	
	the provision of 69 infrastructure.	
	the provision of	
	And every site complies with the following rule requirements:	
	And every site compiles with the following rule requirements.	
	CUD DECA13 to add Distriction and Facility and a face Calculation 70	
	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>70</sup>	
SUB-RA	Subdivision to Create Point Strips <sup>71</sup>	
All Zones	Activity Status: RDIS <sup>72</sup>	Activity status where compliance not achieved:
	1. The creation of a point strip <sup>73</sup>	4. When compliance with any of SUB-RA.1 is not achieved: DIS <sup>81</sup>
	Where:	
	a. The purpose of the point strip is limited to managing access	
	from a site to a road; and <sup>74</sup>	
	nom a site to a road, and	

<sup>&</sup>lt;sup>67</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>68</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>69</sup> DPR-0367.105 Orion

<sup>&</sup>lt;sup>70</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>71</sup> DPR-0207.037 The Council

<sup>72</sup> DPR-0207.037 The Council

<sup>&</sup>lt;sup>73</sup> DPR-0207.037 The Council

<sup>74</sup> DPR-0207.037 The Council

<sup>81</sup> DPR-0207.037 The Council

GRUZ DPZ	And this activity complies with the following rule requirements:	<b></b>
PORTZ		
KNOZ	SUB REQ12 Land Disturbance and Earthworks for Subdivision <sup>82</sup>	
GIZ		
CMUZ	And this activity complies with the following rule requirements:	
RESZ		
SUB-R14	Subdivision to Create Emergency Services Facility Sites in All Zone	S
	processed on a non-notified basis. <sup>80</sup>	
	shall not be served on any person and the application shall be	
	to the road controlling authority. In all other cases, notice	
	written approval, the application shall be limited notified only	
	3. Any application arising from SUB-RA.1. shall not be subject to public notification. If the road is a State Highway, absent their	
	Notification:  2. Any application arising from SLIP PA 1, shall not be subject to	
	Netification	
	c. The width of the point strip required to achieve the purpose. <sup>79</sup>	
	the purpose. <sup>78</sup>	
	b. Whether a point strip is the most effective method to achieve	
	a. The purpose of the point strip. <sup>77</sup>	
	to consideration of:	
	2. The exercise of discretion in relation to SUB-RA.1 is restricted	
	Matters for discretion:	
	stage of the subdivision. <sup>76</sup>	
	authority for the road <sup>75</sup> on the deposit of the plan for each	
	b. The point strip(s) will transfer to Council the road controlling	

<sup>&</sup>lt;sup>75</sup> DPR-0375.112 WKNZTA

<sup>&</sup>lt;sup>76</sup> DPR-0207.037 The Council

<sup>77</sup> DPR-0207.037 The Council

<sup>&</sup>lt;sup>78</sup> DPR-0207.037 The Council

<sup>&</sup>lt;sup>79</sup> DPR-0207.037 The Council

<sup>&</sup>lt;sup>80</sup> DPR-0358.238 RWRL, DPR-0363.227 IRHL, DPR-0374.233 RIHL, DPR-0384.245 RIDL

<sup>82</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

GRAZ MPZ TEZ	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>83</sup>	
SKIZ PRZ <sup>84</sup>	And this activity complies with the following rule requirements:	
	SUB-REQ12 Land Disturbance and Earthworks for Subdivision <sup>85</sup>	
SUB-R24	Subdivision and Public Access	
GRUZ MPZ	<ul> <li>Activity Status: CON</li> <li>13. Subdivision where an allotment adjoins any lake or river listed in PA-SCHED3 – Water Bodies Where Access Strip Esplanade Strip for Rūnanga Access<sup>86</sup> Required. This rule does not apply to any subdivision under SUB-R15.</li> <li>Where this activity complies with the following rule requirements:</li> <li>PA-REQ5 Access Strips Esplanade Strips for Runanga Access<sup>87</sup></li> </ul>	
All Zones	Activity Status: RDIS  20. Subdivision where an allotment smaller than 4ha is created adjoining a river or lake not listed in any of:  c. PA-SCHED3 – Water Bodies Where Access Strip Esplanade Strip for Rūnanga Access <sup>88</sup> Required	

<sup>83</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>84</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone

<sup>85</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora

<sup>&</sup>lt;sup>86</sup> Consequential amendment to DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>87</sup> Consequential amendment to DPR-0379.044 J Thomson

<sup>&</sup>lt;sup>88</sup> Consequential amendment to DPR-0379.044 J Thomson

## Rule Requirements

SUB-REQ8	Corner Splays	
GRUZ DPZ		Notification:
GRAZ		8. Any application arising from SUB-REQ8.6. shall not be subject to
MPZ		public or limited notification and shall be processed on a non-
SKIZ PRZ <sup>89</sup>		notified basis. notification. If the intersection is with a State
TEZ		Highway, absent their written approval, the application shall be
		limited notified only to the road controlling authority. In all other
		cases, notice shall not be served on any person and the application shall be processed on a non-notified basis. <sup>90</sup>
SUB-REQ11	Point Strips <sup>91</sup>	Shall be processed on a non-notined basis.
All Zones	1. No point strip shall be created.	Activity status where compliance not achieved:
		2. When compliance with any of SUB-REQ11.1. is not achieved:
		RDIS
		Where:
		a. The purpose of the point strip is limited to managing access
		from a site to a road; and
		b. The point strip(s) will transfer to Council on the deposit of the
		plan for each stage of the subdivision.
		3. When compliance with any of SUB-REQ11.2. is not achieved: DIS
		Matters for discretion:
		4. The exercise of discretion in relation to SUB-REQ11.2. is
		restricted to consideration of:
		a. The purpose of the point strip.

<sup>&</sup>lt;sup>89</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone <sup>90</sup> DPR-0375.111 WKNZTA

<sup>&</sup>lt;sup>91</sup> DPR-0207.037 The Council

		b. Whether a point strip is the most effective method to
		achieve the purpose.
		c. The width of the point strip required to achieve the
		<del>purpose.</del>
SUB-REQ12	Land Disturbance and Earthworks for Subdivision <sup>92</sup>	
All Zones	1. Land disturbance or earthworks directly associated with the	Activity status when compliance not achieved:
	development of land for subdivision has a maximum area of	2. When compliance with any of SUB-REQ12.1 is not achieved:
	<del>1,000m².</del>	RDIS
		Matters for discretion:
		3. The exercise of discretion in relation to SUB-REQ12.2 is
		restricted to consideration of:
		a. The extent of amenity effects on neighbouring properties, and
		on the road network, of heavy vehicle and other vehicular
		traffic generated as a result of the activity.
		b. The extent of any potential dust nuisance, and water or wind
		erosion effects associated with the activity.
		c. The extent of any adverse effects from vibration associated
		with the activity.
		d. Whether the activity will affect the future development
		potential of land for permitted activities, taking account of the
		proposed nature of filling material and the degree of
		compaction.

<sup>92</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

#### Matters for Control or Discretion

SUB-MAT1	Size and Shape
RESZ	<ul> <li></li> <li>The extent to which the proposal provides a variety of site sizes that are in keeping with the recognised or anticipated character planned form<sup>93</sup> of the area.</li> <li></li> </ul>
SUB-MAT2	Context
RESZ	<ol> <li>The extent to which the subdivision integrates with its surroundings, and natural cultural features, 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 maintain amenity values, and manages the potential for reverse sensitivity effects on rural production activities across the rural-urban interface. The degree to which the design and layout of roads, footpath patterns, and the layout of sites complements the design and layout of any adjoining urban areas.</li> <li>Whether water races are located in prominent locations such as along the front of sites rather than along rear boundaries.</li> <li>Whether existing mature trees can be practically retained in public spaces.</li> </ol>
SUB-MATA <sup>96</sup>	Highly Productive Land <sup>97</sup>
GRUZ <sup>98</sup>	<ol> <li>Where any site contains highly productive land and is not for the provision of important infrastructure or natural hazard mitigation works, how any potential cumulative loss within the District of the:         <ul> <li>a. availability of highly productive land for rural production activities will be avoided if possible, or otherwise mitigated; and</li> <li>b. productive capacity of highly productive land will be avoided if possible, or otherwise mitigated.</li> </ul> </li> <li>2. Where any site contains highly productive land and is for the provision of important infrastructure or natural hazard mitigation works, the functional need or operational need for that site.</li> </ol>

<sup>93</sup> DPR-0414.134 Kāinga Ora

<sup>&</sup>lt;sup>94</sup> Consequential amendment to DPR-0142.030 NZ Pork, DPR-0353.186 HortNZ

<sup>95</sup> DPR-0142.030 NZ Pork, DPR-0353.186 HortNZ

<sup>&</sup>lt;sup>96</sup> DPR-0353.185 HortNZ, DPR-0422.216 FFNC

<sup>&</sup>lt;sup>97</sup> DPR-0353.185 HortNZ, DPR-0422.216 FFNC

<sup>&</sup>lt;sup>98</sup> DPR-0353.185 HortNZ, DPR-0422.216 FFNC

<sup>99</sup> DPR-0353.185 HortNZ, DPR-0422.216 FFNC

<sup>&</sup>lt;sup>100</sup> DPR-0353.185 HortNZ, DPR-0422.216 FFNC

## EW – Earthworks

#### Objectives and Policies

SUB-P10 EW-	Manage the temporary adverse visual amenity and nuisance effects associated with preparing land for subdivision. 102
<u>PA</u> <sup>101</sup>	

#### Rules

EW-Rule List	
EW-R6 <sup>103</sup>	Earthworks <sup>104</sup> for Subdivision <sup>105</sup>

EW-R2	Earthworks	
All Zones,	Activity status: PER	Activity status when compliance not achieved:
except GRAZ	1. All other Earthworks not covered by EW-R1 or EW-R6. 106	2. When compliance with any EW-Rule Requirement rule
and DPZ.		requirement107 listed in this rule is not achieved: Refer to EW-
		Rule Requirements relevant rule requirement. 108
EW-R3	Earthworks in the Grasmere Zone	
GRAZ	Activity status: PER	
	1. All other Earthworks not covered by EW-R1 or EW-R6. 109	
EW-R4	Earthworks in the Dairy Processing Zone	
DPZ	Activity status: PER	Activity status when compliance not achieved:
	1. All other Earthworks not covered by EW-R1 or EW-R6. 110	
	Where this activity complies with the following rule	
	requirements:	

<sup>101</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>102</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>103</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

 $<sup>^{104}</sup>$  DPR-0409.015 Hughes, DPR-0410.001 Urban Estates, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>105</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>106</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>107</sup> Recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>108</sup> Recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>109</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>110</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

	NH-REQ4 Natural Hazards and Earthworks <sup>111</sup>	2. When compliance with any EW-Rule Requirement rule
		requirement listed in the rule is not achieved: Refer to EW-
		Rule Requirements relevant rule requirement. 113
EW-R6 <sup>114</sup>	Earthworks <sup>115</sup> for Subdivision <sup>116</sup>	
All Zones <sup>117</sup>	Activity status: PER <sup>118</sup>	Activity status when compliance not achieved:
	1. Earthworks <sup>119</sup> directly associated with the development of land	2. When compliance with any of EW-R6.1 is not achieved: RDIS <sup>128</sup>
	for subdivision <sup>120</sup>	3. When compliance with any EW-Rule Requirement or NH-Rule
		Requirement listing rule requirement listed in this rule is not
	Where:	achieved: Refer to relevant Rule Requirements rule requirement 130
	a. The maximum area of land subject to the works is 1,000m <sup>2</sup> . 121	
		Matters for discretion:
	And where this activity complies with the following rule	5. The exercise of discretion in relation to EW-R6.2 is restricted to
	requirements <sup>122</sup>	consideration of:131
	EW-REQ2 Maximum Slope Gradient <sup>123</sup>	a. any adverse effects from the earthworks in terms of visual
	EW-REQ3.2 Excavation and Filling <sup>124</sup>	amenity, landscape context and character, views, outlook,
	EW-REQ3.6 Excavation and Filling <sup>125</sup>	overlooking and privacy from raising ground levels;132
	EW-REQ5 Bunding <sup>126</sup>	

<sup>&</sup>lt;sup>111</sup> Recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>112</sup> Recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>113</sup> Recommendation of s42A report for Hearing 15: Earthworks

<sup>114</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>115</sup> DPR-0409.015 Hughes, DPR-0410.001 Urban Estates, also recommendation of s42A report for Hearing 15: Earthworks

<sup>116</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>117</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>118</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>119</sup> DPR-0409.015 Hughes, DPR-0410.001 Urban Estates, also recommendation of s42A report for Hearing 15: Earthworks

<sup>120</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>121</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>122</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>123</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>124</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>125</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>126</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>128</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>129</sup> Amendment to that proposed in the recommendation of s42A report for Hearing 15: Earthworks, for consistency with drafting protocol

<sup>130</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, amendment to that proposed in the recommendation of s42A report for Hearing 15: Earthworks, for consistency with drafting protocol

<sup>&</sup>lt;sup>131</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>132</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

111 2504 11 11 15 11 1 127	
NH-REQ4 Natural Hazards and Earthworks <sup>127</sup>	b. any potential dust nuisance, sedimentation, and water or wind
	erosion effects can be avoided or mitigated; 133
	c. the amenity effects on neighbouring properties, and on the
	road network, of heavy vehicle and other vehicular traffic
	generated as a result of earthworks can be avoided or
	mitigated; <sup>134</sup>
	d. any changes to the patterns of surface drainage or subsoil
	drains would result in a higher risk of drainage problems,
	inundation run-off, flooding, or raise the water table; 135
	e. any alteration to natural ground levels in the vicinity and,
	consequently, to the height and bulk of buildings that may be
	erected on the site; 136
	f. the degree to which the resultant levels are consistent with
	the surrounding environment; 137
	g. the need for a Construction Management Plan (including a
	Dust Management Plan), containing procedures, which shall
	be implemented, that establish management and mitigation
	measures for the activity that ensure that any potential
	adverse effects beyond the property boundary are avoided,
	remedied, or mitigated. 138
<u> </u>	· —————

<sup>127</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>133</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>134</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>135</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>136</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>137</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

<sup>&</sup>lt;sup>138</sup> DPR-0207.038 The Council, DPR-0414.133 Kāinga Ora, also recommendation of s42A report for Hearing 15: Earthworks

## UG – Urban Growth

#### Schedules

### UG-SCHED1 - Residential 39 Growth Area ODP Criteria

3. The following features and outcomes are to be illustrated on an indicative subdivision concept plan containing lot site to accompany the ODP; shall be considered and where relevant provided for: 141

..

## RESZ – Residential Zones

#### **RESZ-Matters for Control or Discretion**

RESZ-MAT7	Fences	
All Zones	•••	
	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 site 142 has legal use of any part, is dominated by garden planting and the residential unit, rather than front fencing.	

## GRUZ – General Rural Zone

### Objectives and Policies

GRUZ-P2	Avoid the development of residential units on sites that are smaller than the required minimum site size, except where:
	<ul> <li>the minimum residential density requirement is achieved through balance land that adjoins the proposed undersized allotment site<sup>143</sup> in a coherent form to maintain a predominance of open space immediately surrounding the undersized allotment site<sup>144</sup>; or</li> </ul>

<sup>&</sup>lt;sup>139</sup> Recommendation of the Right of Reply report for Hearing 3: Urban Growth

<sup>&</sup>lt;sup>140</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>141</sup> Recommendation of the s42A report for Hearing 3: Urban Growth

<sup>&</sup>lt;sup>142</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>143</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>144</sup> DPR-0379.021 J Thomson

#### Rules

GRUZ-R5	Residential Unit (Including Relocated Residential Units) <sup>145</sup> on an Undersized Site	
	Matters for discretion:  2. The exercise of discretion in relation to GRUZ-R5.1 is restricted to the following matters:	<b></b>
	e. Any effects of access from the residential unit on the undersized site on the safety and efficiency of the road network, including cumulative effects from other residential units on undersized allotments sites <sup>146</sup> , and whether a shared vehicular accessway is appropriate for more than one residential unit;	

#### Schedules

GRUZ-SCHED1 - Mineral Extraction Sites where a setback for sensitive activities applies Subject to a Reverse Sensitivity Buffer Note: A quarry or mine may be located within part of an allotment a site 148 rather than the entire extent.

# NCZ – Neighbourhood Centre Zone

NCZ-REQ4	Fencing and Outdoor Storage
	No new fences over 1m in height shall be located between any
	building façade and the street or a private right of way or
	shared access over which the <del>allotment</del> <u>site</u> 149 has legal access.

<sup>&</sup>lt;sup>145</sup> Recommendation of the s42A report for Hearing 24: General Rural Zone

<sup>&</sup>lt;sup>146</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>147</sup> Recommendation of the s42A report for Hearing 24: General Rural Zone

<sup>&</sup>lt;sup>148</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>149</sup> DPR-0379.021 J Thomson

## LCZ – Local Centre Zone

LCZ-REQ5	Fencing and Outdoor Storage	
	1. No new fences over 1m in height shall be located between any	
	building façade and the street or a private right of way or	
	shared access over which the allotment site 150 has legal access.	

## GIZ – General Industrial Zone

GIZ-REQ5	Landscaping – Road Boundaries	
	5. The landscaping required in GIZ-REQ5.3 above shall consist only	
	of those species listed in APP4 - Landscape Planting, and for each allotment site <sup>151</sup> shall include:	

## PORTZ – Port Zone

PORTZ-REQ5	Landscaping – Road Boundaries	
	5. The landscaping required in PORTZ-REQ5.1 above shall consist	
	only of those species listed in APP4 - Landscape Planting, and	
	for each <del>allotment</del> <u>site</u> <sup>152</sup> shall include:	

# SKIZ PRZ<sup>153</sup>- Porters Ski Recreation Zone

SKIZ PRZ <sup>155</sup> -R2	Residential Unit	
	Where:	
	c. there is no more than one residential unit per allotment site. 156	

<sup>&</sup>lt;sup>150</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>151</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>152</sup> DPR-0379.021 J Thomson

<sup>153</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone

<sup>154</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone

<sup>155</sup> Recommendation of the s42A report for Hearing 27: Special Purpose - Terrace Downs Zone, Grasmere Zone & Porters Ski Zone

<sup>&</sup>lt;sup>156</sup> DPR-0379.021 J Thomson

## **Development Areas**

#### DA-Darfield

#### DFV-DA6

#### Land Use

Any noise sensitive activities shall be setback 60m from the General Industrial Zone and are also subject to any setback requirements in relation to noise from the State Highway. Larger lots sites 157 up to 2 ha shall be provided along the State Highway 73 frontage.

••••

#### DEV-DA7

#### **Land Use**

...

Larger lots sites 158 shall be provided along the northern boundary, adjacent the General Rural zone.

#### II-Lincoln

#### DEV-LI3

#### **Land Use**

... Lower intensity with larger lots sites 159 on the periphery will allow for greater setbacks and landscaping along the northern boundary and the Ellesmere Road and Edward Street boundaries.

#### DEV-LI7

#### **Land Use**

...

The Large Lot Residential Zone shall incorporate a variety of site sizes in a 'random' pattern but with a general approach of locating smaller sites (minimum 3000m²) around the outside of the zone, with larger lots sites 160 towards the centre. ...

<sup>&</sup>lt;sup>157</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>158</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>159</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>160</sup> DPR-0379.021 J Thomson

#### PR-Prebbleton

#### DEV-PR2

#### **Land Use**

The development area shall achieve a minimum net density of 10 households per hectare. Lower density allotments sites 161 are necessary on the north-eastern boundary of the area, to integrate the area with the adjoining General Rural Zone, preserve views towards the Port Hills and to increase the separation between future housing and Transpower's 220kV electricity pylons and lines located further to the north-east. ...

#### **RO-Rolleston**

#### DFV-RO1

#### Land Use

...

Lower density allotments sites 162 with a minimum lot site 163 size of 1,000m² are necessary on the eastern boundary to integrate the site with the adjoining General Rural Zone and to achieve a progressive transition between residential and rural densities. ...

#### DFV-RO7

#### **Open Space, Recreation and Community Facilities**

•••

A management plan shall be provided which addresses:

..

5. measures to maintain and manage open space and/or rural character, to manage plant pests and risk of fire hazard and to internalise adverse effects including measures to avoid nuisance effects on occupiers of adjacent rural residential allotments sites 164;

#### DEV-RO8

### **Open Space, Recreation and Community Facilities**

•••

A management plan shall be provided which addresses:

•••

5. measures to maintain and manage open space and/or rural character, to manage plant pests and risk of fire hazard and to internalise adverse effects including measures to avoid nuisance effects on occupiers of adjacent rural residential allotments sites<sup>165</sup>;

<sup>&</sup>lt;sup>161</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>162</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>163</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>164</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>165</sup> DPR-0379.021 J Thomson

...

# APP1 - How to apply for a Private Plan Change

Information to be submitted with a Plan Change Request The proposed activity:	
Water and waste:	<ul> <li>If on-site effluent treatment and disposal is being used, whether a specialist designed system is likely to be required to comply with the Canterbury Land and Water Regional Plan and New Zealand Building Code, and if so whether the proposed allotments sites 168 are large enough to accommodate these systems.</li> </ul>
Roads	<ul> <li>The roads from which allotments sites sites will obtain access.</li> <li></li> </ul>

<sup>&</sup>lt;sup>166</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>167</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>168</sup> DPR-0379.021 J Thomson

<sup>&</sup>lt;sup>169</sup> DPR-0379.021 J Thomson