

# DISTRICT PLAN REVIEW

Home Based Business (RE008)

**PREPARED FOR** Selwyn District Council

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# Executive Summary

Selwyn District Council (Council) is undertaking a review of the Selwyn District Plan, which is a requirement of Section 79(1) of the Resource Management Act. One of the workstreams associated with the District Plan review is home-based businesses. The purpose of this workstream is to undertake an assessment of home-based business activity, in both the Living and Rural Zones, as well as larger scale businesses in Living zones in Key, Service and Rural Activity Centres (as defined in Selwyn 2031: District Development Strategy).

The purpose of this report is to provide an overview of the range and nature of potential effects arising from home-based business activities in the Living and Rural Zones, and general business activities within the Living Zone. Based on the information gathered, this report provides recommendations on the provisions for

- Home-based occupations in the Proposed District Plan; and
- Potential business activities in Living Zones within Rolleston, Lincoln, West Melton, Prebbleton, Darfield, Leeston, Coalgate, Dunsandel, Southbridge and Castle Hill, which are areas specifically addressed in Selwyn 2031: District Development Strategy as fulfilling a commercial role.

At its very simplest, a home-based business is an activity for the purposes of deriving an income that is undertaken from the home. It relies on the home still fulfilling its primary role as being a building for residential and domestic purposes. Home-based businesses are not limited to residential-zoned sites however, they can also establish in rural-zoned sites.

Home-based businesses can have both positive and negative effects. Home-based businesses are an effective way of establishing a small business without the capital outlay required for a business-zoned site. However depending on the business and the scale, home-based businesses can create effects that erode the residential character of an area with additional traffic movements, signs and increased noise.

Commercial activities that establish in residential and rural zoned land and do not have a primarily domestic purpose are not home-based businesses. These are referred to through this report as "business activities".

## Selwyn District Plan

While the Selwyn District Plan manages land uses in the Living and Rural Zones, it does not specifically manage home-based businesses in the Living Zones. While there is no definition for home-based businesses in the Township Volume, the Rural Volume contains the following definition:

*includes the use of a site for an occupation, business, trade or profession in conjunction with the use of the same site for residential activities. A home based occupation is undertaken by a person(s) permanently residing on the site.*

The objectives, policies and rules in the Selwyn District Plan do not specifically address home-based business for either Living or Rural Zones, however they do set out the expectations and approach to business activities in both areas, including the need for high quality residential amenity in the Living Zones. Home-based businesses as well as business activities are generally managed in the Selwyn District Plan through rules focused on the effects on character, quality of the environment and amenity values rather than the activities themselves. The District Plan is not directive in its approach to either encouraging or discouraging business activities into or out of the Living Zones.

In terms of business activities in the Living Zones, the District Plan specifies, among other things, the following:

- Service stations – discretionary activity;
- Veterinary hospitals – discretionary activity;
- Hospitals, hospices and other facilities providing 24 hour medical care – discretionary activity;
- Any facilities for the temporary storage of solid and/or liquid waste delivered or conveyed on to the site – discretionary activity;
- Drive through retail outlets – discretionary activity;
- Mineral exploration – discretionary activity;
- Industrial activity – non-complying activity;

- Manufacture of any hazardous substance – non-complying activity;
- Drive-through retail outlets – non-complying activity;
- Transport depots – non-complying activity;
- Any activity that requires an offensive trade license issued under the Health Act 1956 – non-complying activity;
- Any facilities for the treatment and/or disposal of solid or liquid waste delivered or conveyed on to the site – non-complying activity;
- Disposal of any hazardous substance - non-complying activity;
- Plantations - non-complying activity;
- Generation of energy for distribution - non-complying activity;
- Manufacture of any hazardous substance, as either a product or by-product - non-complying activity;
- Mining or quarrying - non-complying activity;
- Correction facility - non-complying activity;
- Processing, composting or disposal on to land of any organic matter - non-complying activity;
- Quarantine Facilities - non-complying activity; and
- Transport depots - non-complying activity.

The effect of this approach is that other than the activities listed above which require resource consent, all business activities are enabled in the Living Zones (no matter how large or small) so long as the activity can comply with all the standards. There is no requirement for there to be a residential component on the site, although the number of people employed on the site must be less than two full time employees that live off-site. The gross floor area of any building(s) other than a dwelling must not exceed 300m<sup>2</sup>. There are standards regarding maximum traffic generation depending on the classification of the road, although this is not specific to home based businesses or business activities.

The standards most relevant to undertaking business activities in the Living Zone include signs (Rule 7.1), noise (Rule 10.6), lightspill (Rule 10.7) and activities and hours of operation (Rule 10.9). There are no specific parking standards for home-based businesses, but there are parking requirements for a range of activities including residential, offices, industrial etc.

The District Plan recognises the Rural Zones as being primarily for business, with rules designed to allow people to undertake farming and other business activities. The Rural Volume adopts a similar approach to the Township Volume and activities are permitted so long as they comply with all the standards and are not specifically listed as a discretionary or non-complying activity.

The activities specifically identified include:

- Boarding catteries and kennels – restricted discretionary activity
- Any activity which requires an Offensive Trade Licence under the Health Act 1956 – discretionary activity;
- Any activity which involves the composting of organic material, where that material is brought on to the site except where additional material such as saw dust or straw is required as part of the process of composting pigs – discretionary activity;
- Any activity which involves the manufacture of fertiliser from organic material, where that material is brought on to the site – discretionary activity;
- Camping ground facilities – discretionary activity;
- Prisons or detention centres– discretionary activity; and
- Any other industrial activity, except for other industrial activity being a home based occupation – non-complying activity.

In addition to the rules which apply to all Rural Zones, the rules outline activities specific to particular areas. Home-based businesses are specifically identified as a permitted activity in Port Hills, Malvern Hills and High Country.

The approach of the Rural Zones is similar to the Living Zone where home-based businesses are not specifically listed as an activity, and instead standards are relied upon to manage any effects. The effect of this is that there is maximum flexibility as to the activities that can be undertaken. However there is similarly no limit on the business activities that can be established in the Rural Zone without need for a domestic or residential component (i.e. a purely commercial use). The only limits are on rural based industries and other industries.

Rural based industries are permitted so long as the activity occupies a maximum space of 100m<sup>2</sup> and no more than 2 full time equivalent employees. Rule C9.4 is similar in that it relates to the scale of non-residential and non-rural activities and establishes a maximum area associated with these activities (not necessarily floor space within a building). There are standards which home-based businesses would be required to comply, although these are not specific to home-based businesses and apply to all activities in the Rural Zones, including vehicle movements (Rule C9.13), noise and vibration (Rule C9.16), blasting and vibration (Rule C9.17), glare (Rule C9.18), and dust (Rule C9.19).

### Key Documents

The following key strategic planning documents are relevant to the management of home-based business and business activities:

- a) Canterbury Regional Policy Statement (CRPS);
- b) Selwyn 2031: District Development Strategy, including implementation of the Selwyn 2031 Activity and Township Networks
- c) The Ellesmere and Malvern Area Plans; and
- d) Mahaanui Iwi Management Plan.

Two baseline assessment reports prepared for the Business Topic are also relevant, being:

- a) Selwyn Business Zone Policy Assessment (Property Economics, October 2017); and
- b) Existing Out of Centre Business Activities in Small Rural Towns (Planz Consultants, November 2017)

The objectives and policies in the CRPS are slightly conflicting. While a number of objectives and policies encourage business activities to be located in the Centres, there are also an equivalent number of objectives and policies which ensure business activities are located in “appropriate locations” but do not provide any further guidance on what these might be or criteria by which to determine whether an area is “appropriate”. Centres are not necessarily business-zoned land, but instead include the whole urban areas of the townships including residential areas. Thus the CRPS does not direct business activities into business zoned land, but the general urban areas that comprise a Centre. The CRPS does not touch at all on home-based businesses, and instead addresses business at a more strategic level.

Selwyn 2031: District Development Strategy provides an overarching strategic framework for achieving sustainable growth across the Selwyn district to 2031, so that Selwyn can achieve its Vision to “grow and consolidate Selwyn District as one of the most liveable, attractive and prosperous places in New Zealand for residents, businesses and visitors.”<sup>1</sup> Four key actions have been identified with respect to business, including building on economic strengths and higher quality living and business environments.

The Township Network assigns an Activity Centre category to each township along with outcomes that are sought for protecting the character of the rural area and individual towns, strengthening community wellbeing and achieving higher quality living and business environments. Selwyn 2031: District Development Strategy supports the development of the Centres as the focus for business activities, however it does not distinguish between Business or Living zoned areas, and instead considers the urban extent of each Centre as a whole. The Selwyn 2031: District Development Strategy establishes the role of each Centre and creates a hierarchy of towns to guide business activity.

Area Plans were developed for Malvern and Ellesmere as identified as an action in the Selwyn 2031: District Development Strategy. Area Plans are non-statutory long-term strategic urban growth plans covering a wide geographic area and incorporating a number of townships. These plans provide high-level planning direction to guide the growth and sustainable management of the townships identified through to the year 2031, to assist in the delivery of the Selwyn 2031: District Development Strategy.

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<sup>1</sup> Selwyn 2031 (p. 8)

These Area Plans show that most of the rural townships do not have any Business Zoned land. This means that the small amount of business activity is located on Living Zoned sites. In addition, the recommendations of the Area Plans are that the towns are not large enough or have sufficient population growth projections to warrant zoning any land as Business. In order to enable these townships to continue providing the rural township role and providing some services to the surrounding rural area, business activities must continue to be enabled in Living Zoned sites in these areas.

Selwyn Business Zone Policy Assessment, undertaken by Property Economics (October 2017) comprised an assessment of the Business 1 and Business 2 Zones in the District as they relate to the commercial centre network.

The report emphasises the importance of recognising and maintaining a hierarchy of Activity Centres, with Rolleston Town Centre at the top of the hierarchy with Lincoln, Darfield and Leeston fulfilling a lesser role. The third tier includes West Melton, Prebbleton, Southbridge, Hororata, Coalgate, Castle Hill and Kirwee which play a supporting role to the larger Key Activity Centres which are the two higher tiers in the hierarchy.

While the Selwyn Business Zone Policy Assessment did not address home-based businesses, there are some implications for the management of home-based businesses. The main message is to manage commercial activities throughout the District to preserve the integrity and economic viability of the Centres. The Centres are recognised not only for their economic role in the well-being of the District, but also improving efficiency and accessibility for consumers by clustering business activities. They act as the heart of the community, providing a place for social gatherings / events for the local community and a sense of place.

A further analysis of business activities in small rural towns was undertaken by Planz Consultants (November 2017). The report assesses six different options for managing existing business activities in small settlements ranging from status quo to specific smaller township business zoning. Having considered the options, the report concludes that the most effective and efficient suite of provisions would be the application of a 'Policy Overlay' to recognise and provide for business activities in small settlements, in combination with embedding more benign activities (accommodation and homebased businesses) within the underlying residential zone provisions. The report considers such an approach provides some certainty to existing operators that their activities are lawfully established and provides some flexibility for adaption, as well as maintaining residential amenity and character.

No specific policies relating to home-based businesses / business activities were identified in the Mahaanui Iwi Management Plan.

### **The Approach of Other District Plans**

Five district plans were reviewed in terms of management of home-based businesses and business activities in the residential and rural zones as they are second generation Plans that have been recently reviewed (Christchurch District Plan, Queenstown Lakes District Council Proposed District Plan, Auckland Unitary Plan (Partly Operative) and Hamilton District Plan (Operative in Part) or are an adjoining authority (Waimakariri District Plan). All five district plans address these activities in very different ways. In Hamilton, offices began establishing in the residential areas as a cheaper alternative to the central city which led to a failing CBD in terms of economic activity and vibrancy. In response, the District Plan adopted an approach of enabling home-based businesses up to 40% of the residential floor area, but any activities that do not meet all of the home-based business standards are deemed not to be a home-based business and require a resource consent.

At the other end of the spectrum, the Waimakariri District Plan does not identify home-based business as a specific activity and relies instead on permitted activity standards. Most of the district plans enable a sliding scale between home-based businesses at one end and business activities at the other through non-compliance with home-based business standards being a discretionary activity.

In all five district plans, home-based businesses are permitted in the general residential zones provided they meet all the standards specific to that activity as well as the more general district-wide rules. In the more intensive residential zones, home-based businesses generally require resource consent. Standards applying to home-based businesses include:

- Maximum gross floor area of the building, plus the area used for outdoor storage area;
- Number of employees;
- Residency of employees;
- Location of the activity;

- Limits on the goods retailed;
- Hours of operation;
- Location of parking areas;
- Number, location and sizes of signs;
- Maximum number of vehicle trips;
- Storage of materials;
- Number and frequency of heavy vehicle trips; and
- Generation of nuisances including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects

In the district plans evaluated, there are a range of business activities which are classified separately to home-based businesses in the residential and rural zones. Some of the more common business activities listed include retail, dairies, offices, commercial activities, industrial activities, cafes and restaurants, care of children, bed and breakfast and homestay accommodation. Each district plan assessed classifies each of the activities quite differently and there is little alignment between the district plans in terms of activity status.

### **Broad Options for Managing Home-Based Businesses**

Four broad approaches were considering for managing home-based businesses: These are summarised below, with Table 11 outlining the respective advantages and disadvantage of each option.

Option 1: Enable all business activities

Option 2: Status quo (i.e the current approach of the Operative District Plan)

Option 3: Restrict business activities to only home based businesses

Option 4: Discourage business activities including home-based business

Option 3 is considered to provide the best balance of enabling home-based businesses, while focusing larger commercial activities into the Centres and towns (including commercial and industrial areas of towns). This option involves:

- Enabling home-based businesses as a permitted activity in both Living and Rural zones;
- Clear unambiguous standards to manage the scale of the activity. This is to ensure that the home-based business is secondary to the use of the site as a place of residence. It also manages the effects of the activity and ensures that the character and amenity are not adversely affected;
- Activities that cannot meet all standards for home-based business are not home-based businesses;
- Business activities not meeting the standards for home-based businesses will require resource consent; and
- Some business activities will be specifically listed that are appropriate in the Living and Rural Zones such as preschools.

This approach will preserve the integrity and economic viability of the Centres (as defined by the report Selwyn Business Zone Policy Assessment), which have an economic role in the well-being of the District, but also improving efficiency and accessibility for consumers by clustering business activities. They act as the heart of the community, providing a place for social gatherings / events for the local community and a sense of place. Options 3 and 4 would support the integrity and economic viability of the Centres, whereas Options 1 and 2 allow economic leakage from the Centres and undermine the social function of Centres by dispersing activity throughout the District. This risk is outlined in the report Selwyn Business Zone Policy Assessment.

There are many advantages to enabling home-based businesses, provided the policy and rule framework manages the effects to retain the integrity of the residential and rural zones, their character and amenity. Option 3 enables home-based businesses to establish so long as the activity is secondary to the use of the site as a place of residence. This applies to both rural and residential areas.

Rural areas are different from the Living Zone in that the productive capacity of the land in the Rural Zone must be enabled. This requires Plan provisions which provide for rural commercial and rural industry

activities. However other commercial activities that do not require a rural site should be limited to protect the integrity and vibrancy of the District's key Centres.

Selwyn's smaller rural settlements require a different approach. The most significant issue for these towns is to enable flexibility to establish commercial activities without the need for specific Business Zones which may either constrain development of residential or remain vacant. The most effective and efficient approach is that they are zoned as Living Zones, but have an overlay or precinct which provides for business activities. This approach would work in combination with the District-wide approach of enabling home-based businesses in the Living Zones.

## Recommended Amendments

In order to retain residential as the primary purpose of a site in the Living Zone, it is recommended that the scale of the home-based business be controlled through inclusion of a standard in the district plan. District plans throughout New Zealand use two mechanisms for managing the size of home-based businesses: either setting a maximum percentage of the floor area, or a maximum floor area. Either of these approaches will effectively control the scale of the home-based business and ensure that the primary purpose of the zone (be it residential or rural, depending on the zone) be retained. This same approach can be used in the Rural Zone to ensure that rural uses remain predominant.

There were no issues identified by the Selwyn District Council (SDC) team with regards to the maximum number of persons employed by the home-based business. This standard is recommended to be retained for both Living Zones and the Rural Zone.

Virtually all of the district plans reviewed manage vehicle movements, although three of them specifically manage traffic generation associated with home-based businesses. The standards for traffic generation as contained in the Selwyn District Plan are similar to those in other district plans and therefore no changes to these are recommended.

The current definition establishes three matters:

1. Includes the use of a site for an occupation, business, trade or profession;
2. Recognises the use of the same site for residential activities; and
3. Requires the activity to be undertaken by a person(s) permanently residing on the site.

It is recommended that the definition largely be retained, with the additional recognition that the activity is secondary to the use of the site as a dwelling. The clarification that activities which do not meet all of the standards relevant to home-based businesses are not home-based businesses could be contained in either the definition or at the start of the standards themselves.

The Operative District Plan does not contain any objective specific to home-based business and there probably is no need to include specific objectives on this topic. Instead, home-based businesses could be managed by objectives which seek to achieve the following outcomes:

- Maintaining the character and amenity of each zone;
- Recognising the economic and social importance of the Centres; and
- Protecting Centres as the focal points for employment, community activities, retail, services and industrial activities.

In terms of the Rural Zone, objectives are valuable to set the direction and establish that rural environments are for rural activities (e.g. those activities that depend on the primary productive capacity).

Policies are the means by which the objectives are achieved. In order to implement Option 3, it is recommended that policies be drafted to provide policy support for the approach. The policies should spell out the broad approach being taken i.e. that homebased business are permitted but must meet standards. Activities not meeting all standards are not considered home based business.

A policy could also establish the approach to controlling the effects of home-based business activity standards as follows:

- Are ancillary / secondary to the residential activity of the site.
- Avoid adverse effects on the neighbourhood, character, amenity and the transport network.



- Take place within dwellings or ancillary buildings.
- Involve no outdoor storage of vehicles, equipment or goods visible from a public place.
- Are compatible with the character and amenity of the locality, in terms of location, type and scale of activity, number of visitors to the site, and hours of operation.
- Character and amenity:
  - Residential activities remain the dominant activity in Living Zones.
  - Activities in Living Zones are compatible with residential amenity.
  - Adverse effects of activities on the amenity values of the locality shall be minimised including effects of noise, glare, odour, dust, smoke, fumes and other nuisances.
  - Activities complement rural character.
- Resource consent will be required for business activities (i.e. activities that are not home-based businesses) and activities will only be considered to be appropriate if:
  - The adverse effects on all zones are avoided, remedied or mitigated;
  - Are of an appropriate size to maintain character of the site;
  - Do not detract from the vitality, role and function of the Centres;
  - Industries, services and non-residential activities of an urban type and scale unrelated to rural production activities are not located in rural zones.
  - Avoid creating reverse sensitivity effects;
  - Contain and manage adverse effects on-site;
  - Avoid, remedy or mitigate adverse effects on traffic movement and the road network; and
  - Activities are compatible with the scale and intensity of development anticipated within the zone.

A supplementary policy should enable rural industries and rural commercial services which are legitimate activities appropriate for the Rural Zone.

There needs to be a strong policy which would allow a commercial development to be declined if it posed a significant threat to the Centres, in terms of their role, function and viability. This is a recommendation of the Selwyn Business Zone Policy Assessment and would complement the recommended approach for home-based business.

It is recommended that rules be drafted which address the following matters for home-based businesses:

- A requirement for at least one person engaged in the home-based business must use the dwelling on the site as their principal place of residence;
- Maximum number of people employed who do not live on site;
- Maximum size of the home-based business, controlled through either a maximum percentage of the gross floor area of the dwelling and accessory buildings or maximum floor area;
- Hours of operation in terms of visits to the home. Hours of operation is not relevant for activities such as offices so it is more appropriate to manage the effects of the activity, such as customers visits or trips associated with the business;
- Vehicle movements and types of vehicles;
- Visual effects of the activity. This may include matters such as locating the activity inside a building and the location and screening of storage of goods associated with the home-based business;
- Number and size of signs;
- Nuisance including noise, dust, vibration, fumes; and
- Provision of parking.

Depending on the structure of the district plan, some of these standards may not be specific to home-based business but may be applicable to management of the wider zone, e.g. signage. If this is the case, there must be adequate signposting to the other District-wide rules that must be complied with.

It is recommended that the rule framework acknowledges that some other business activities are more appropriate in the Living and Rural Zones than in Business Zones such as pre-schools. It is recommended these activities are given a more enabling activity status such as restricted discretionary to indicate that they may be appropriate, if the effects can be appropriately managed.

It is recommended that activities that should be located in the Business Zones, and particularly those that should be located in Centres are classified as non-complying in the Living and Rural Zones to indicate that they are not appropriate. However for the smaller villages and settlements that do not have Business Zoned sites, a more nuanced approach through an overlay is recommended to enable maximum flexibility in the use of the sites whilst still retaining residential amenity.

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# 1. Introduction

Selwyn District Council (Council) is undertaking a review of the Selwyn District Plan. This is a requirement of Section 79(1) of the Resource Management Act (RMA) that local authorities must commence a review of district plan provisions if the provision has not been the subject of a proposed plan, a review, or a change by the local authority during the previous 10 years.

Section 35 of the RMA also requires Councils to monitor the efficiency and effectiveness of policies, rules, or other methods in its plan. Council has undertaken this task by identifying workstreams where key matters can be assessed and considered, with a view to informing the review of the District Plan.

One of these workstreams is home-based businesses. The purpose of this workstream is to undertake an assessment of home-based business activity, as well as larger scale businesses in Living Zones in Key, Service and Rural Activity Centres, as defined in Selwyn 2031: District Development Strategy

This report collates all the findings and recommendations associated with management of home-based businesses. This report is in two parts;

1. Sections 2-5 are essentially a stocktake of the home-based business provisions in the Selwyn District Plan, as well as comparing this approach with five other district plans. These sections also summarise higher level strategic documents such as the Canterbury Regional Policy Statement, Selwyn 2031: District Development Strategy, Area Plans and Mahaanui Iwi Management Plan. While not all of these are statutory documents, they nonetheless provide high level strategic guidance and direction.
2. Section 7 contains recommendations as to the future management of home-based businesses and business activities in the Living and Rural Zones. Key considerations include:
  - the appropriate scale of home-based businesses;
  - the appropriate scale for business activities to be located in Business Zones; and
  - appropriate types of businesses.

This will then lead to recommended District Plan provisions including definitions, objectives, policies and rules which are contained in Section 7.4 of this report.

## 2. Managing Home-based Business

### 2.1 What is a Home-based Business?

At its very simplest, a home-based business is an activity for the purposes of deriving an income that is undertaken from the home. It relies on the home still fulfilling its primary role as being a building for residential and domestic purposes. It always involves a member of the household unit residing on the site, and may involve other employees that do not live on the site. The occupation, business, trade, craft or profession is a secondary and lesser use of the site, compared to the primary residential activities.

Home-based businesses are usually undertaken inside a building, whether it be the dwelling or an accessory building, but they may also be undertaken outside depending on the activity.

Some home-based businesses require clients or customers to visit the site such as hairdressers, while others may be purely self-contained e.g. data analysis.

Home-based businesses are not limited to residential-zoned sites however, they can also establish in rural-zoned sites. Home-based businesses in the rural areas are a little more complex to manage because often the primary purpose of a rural site is to generate income from the primary productive potential of the land, with domestic uses being secondary.

For clarity, business activities that establish in residential and rural zoned land and do not have a primarily domestic purpose are not home-based businesses. Examples of this is where offices establish a purpose-built building in a residential zone and do not have any residential activity.

District plans often contain specific definitions and rules to manage home-based businesses, and ensure that the primary purpose and role of the sites remains residential. Other terms used to describe this concept are:

- home occupations

- work from home
- home businesses

For the purposes of this report, non-residential activities that are of a commercial nature are referred to as “business activities”.<sup>2</sup>

## 2.2 Operative District Plan Provisions

The Operative Selwyn District Plan manages both home-based businesses as well as larger businesses in the Living and Rural Zones. This section summarises the provisions for both zones.

### 2.2.1 Definitions

While the Selwyn District Plan manages land uses in the Living and Rural Zones, it does not specifically list home-based business in the Living Zones. There is no definition for home-based businesses in the Living Zone. In contrast the Rural Volume contains the following definition:

*includes the use of a site for an occupation, business, trade or profession in conjunction with the use of the same site for residential activities. A home based occupation is undertaken by a person(s) permanently residing on the site.*

### 2.2.2 Objectives and Policies

The objectives and policies do not specifically address home-based business for either Living or Rural Zones, however they do set out the expectations and approach to business activities in both areas.

#### Living Zones

Rather than focusing on specific activities in the Living Zones, the objectives and policies recognise the need for high quality residential amenity.

##### **Objective B3.4.1**

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

##### **Objective B3.4.2**

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

##### **Policy B3.4.3**

*To provide Living zones which:*

- *are pleasant places to live in and provide for the health and safety of people and their communities;*
- *are less busy and more spacious than residential areas in metropolitan Centres;*
- *....*

The explanation to Policy B3.4.3 provides more clarity around the landuses that are appropriate and can be expected in the Living Zones:

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

There is clear recognition by the objectives and policies that a variety of activities can be expected in the urban areas. This is embodied by Policy B3.4.2 in particular:

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

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<sup>2</sup> The recent report titled Community and Recreation Facilities (Barker Planning, December 2017) adopts the term “non-residential” activities for community facilities and recreational facilities. To avoid duplication and confusion, this report refers to commercial activities in Living and Rural Zones that have no component of residential activity as “business activities”. However many of the district plans evaluated as comparisons do use the term non-residential activities in their objectives, policies and rules. Where these provisions are quoted or otherwise referred to, “non residential activities” is used to accurately reflect those provisions.

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

This policy suggests that the District Plan has an enabling approach to managing activities in zones, with a focus instead on controlling their adverse effects on character, quality of the environment and amenity values. With the focus on controlling adverse effects, the management of business activities also requires consideration of other aspects such as:

- traffic generation
- signage
- noise, vibration, dust, glare, lighting etc.

There are policies regarding these some of these aspects, although again not specific to home-based businesses. The policies outlined below relate to various environmental effects:

**Policy B3.4.10 Noise**

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

**Policy B3.4.11 Noise**

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

**Policy B3.4.12 Glare**

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

**Policy B3.4.14 Dust**

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

**Policy B3.4.15 Vibration**

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

Policy B3.4.16 recognises that non-residential activities will occur in Living Zones, but is constrained to addressing only the operating hours generated by non-residential activities (it is noted that the policy heading does not accurately reflect the focus of the policy):

**Policy B3.4.16 Scale and Nature of Activities**

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

Similarly, Policy B3.4.18 recognises the establishment of non-residential activities in the Living Zone but addresses the effects of vehicle and pedestrian movements:

**Policy B3.4.18 Traffic**

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

Policy B3.4.22 addresses signs in the Living Zone, and supports the objective for Living zones to maintain an environment which is less busy and more spacious than a metropolitan area. Large areas of signs or advertising hoardings may add to an impression of a 'busier', more metropolitan area. However, the Policy recognises that well-managed signs may be appropriate:

**Policy B3.4.21 Outdoor Signs and Noticeboards**

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

- Adverse effects on the visibility or safety of pedestrians, cyclists or motorists;

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

#### **Policy B3.4.22 Outdoor Signs and Noticeboards**

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

Although it is located in the Township Volume, Policy B3.4.8 recognises that the Rural Zone around a township can be an alternative area to locate certain activities which cannot locate in Living zones due to adverse effects, and there is no appropriate Business zone. This policy recognises that not all townships will have a business zone and that it may be appropriate for business activities to establish in the surrounding Rural Zones.

#### **Policy B3.4.8**

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

Policy B4.3.107 also seeks to enable non-residential activities in Key Activity Centres, however it is not specific or directive about which zones these activities should be enabled within:

#### **B4.3.107**

*Enable a wide range of commercial, leisure, cultural, community and civic services to occur within Key Activity Centres to ensure efficiencies in infrastructure, accessibility and transportation.*

There are some business policies that are specific to certain areas. These are outlined below:

**Table 1 Specific Policies**

Location	Provision	Text	Policy Intent
Darfield	Policy B4.3.23	Encourage new residential and business development on sites in existing Living and Business zones if such sites are available and appropriate for the proposed activity.	Establishment of business activities is encouraged in existing Living and Business zones in preference to other zones. This is to encourage uptake and use of vacant but zoned sites.  There are slight differences in these policies depending on whether there is any existing zoned Business land in each of the townships.
Dunsandel	Policy B4.3.34		
Coalgate	Policy B4.3.19		
Doyleston	B4.3.29		
Glentunnel	B4.3.40		
Hororata	B4.3.43		
Kirwee	B4.3.46		
Sheffield / Waddington	B4.3.78		
Southbridge	B4.3.83		
Springfield	B4.3.87		
Castle Hill	Policy B4.3.15	Encourage new residential or business activities to use sites in the existing Living 1 Zone, provided the use of any such site complies with Policy 3 and the policies of the District Plan.	The approach to Whitecliffs is generally the same as the other settlements; that is, to use the existing vacant zoned sites in preference to rezoning. However the Policy recognises that some sites zoned as Living 1 Zone of Whitecliffs may not be
Whitecliffs	B4.3.103		



Location	Provision	Text	Policy Intent
			suitable for residential or business activities. Some areas are prone to flooding from stormwater runoff from the Malvern Hills. Some sites south of Whitecliffs Road are subject to erosion from the Selwyn River/Waikirikiriri. Conventional on-site effluent treatment and disposal systems will not work on some sites due to ground conditions.
Arthur's Pass	Policy B4.3.12	Encourage new residential or business development to occur either by: The rezoning of land in the Rural Zone between SH 73 and the Bealey River; or The redeveloping of sites in the existing Living 1 Zone.	Use of land for residential or business development should be in appropriately zoned land – either through rezoning in a specific area, or redevelopment of existing Living 1 Zoned sites.
	Policy B4.3.13	Ensure that any land in the Rural Zone used for residential or business development is not: Unstable or subject to flooding; or Contaminated.	

In summary, the approach of the objectives and policies in regards to businesses establishing in the Living Zones is enabling with a focus on managing the adverse effects on character, quality of the environment and amenity values. The District Plan is not directive in its approach to either encouraging or discouraging businesses into or out of the Living Zones.

### **Rural Zones**

In terms of the Rural Volume, there are two main objectives which guide the activities and buildings within the Rural Zones:

#### **Objective B3.4.1**

*The District's rural area is a pleasant place to live and work in.*

#### **Objective B3.4.2**

*A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.*

The explanation to these objectives recognises the importance of quality of the environment, and that this is achieved through policies and rules to manage effects such as noise, vibration, outdoor signage, glare and odour. The policies and rules allow for day to day farming and other activities which have effects typical of a rural area, but manage activities that have potentially more significant adverse effects. The Rural zone is recognised principally as a business area rather than a residential area in the Plan.

In a similar approach to the Township Volume, Policy B3.4.1 recognises that a variety of activities are appropriate in the Rural Zone:

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

*Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.*

The explanation to the policy provides more detail, and recognises that residential activities occur in the Rural Zone, both ancillary to farming and other business activities, and as the principal use of the site.

Policy B3.4.4 specifically addresses rural based industrial activities, which are defined as an industrial activity that involves the use of raw materials or primary products which are derived directly from the rural environment, including agricultural, pastoral, horticultural, forestry, viticultural and crops. The policy

considers that effects associated with permitted small scale rural-based industrial activities are appropriate in all rural areas, while other type of industrial activities may have more significant effects.

**Policy B3.4.4**

*Ensure that any adverse effects arising from “rural based” industrial activities in the Rural (Inner Plains) Zone of a size and scale beyond what is permitted by the District Plan and “other” types of industrial activities in all Rural zones are avoided, remedied or mitigated to the extent that the adverse effects are no more than minor.*

The objectives and policies in the Rural Zones recognise the importance of amenity effects as follows:

**Policy B3.4.11 Glare and Nightglow**

*Avoid night lighting shining directly into houses, other than a house located on the same site as the activity, or from vehicles using roads in the District.*

**Policy B3.4.13 Noise**

*Recognise temporary noise associated with short-term, seasonal activities as part of the rural environment, but ensure continuous or regular noise is at a level which does not disturb people indoors on adjoining properties.*

**Policy B3.4.15 Vibration**

*Avoid, remedy or mitigate adverse effects caused by excessive or prolonged vibration.*

**Policy B3.4.16 Dust**

*Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.*

The recognition of potential reverse sensitivity effects is prevalent in the objectives and policies. It is recognised in the objective, as well as Policy B3.4.21. While this is not unique to home-based businesses, it is a reflection of the business activities (including farming) which occur in the Rural Zone:

**Policy B3.4.21**

*Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity.*

In summary, the objectives and policies in the Rural Volume recognise that business activities and in particular those associated with primary production, are appropriate. The policies in particular seek to retain amenity through management of effects such as noise, vibration, lighting, glare and dust. While these are not in any way specific to home-based business, the policies set an expectation for such activities.

## 2.2.3 Rules

### Living Zones

Building on Objective B3.4.2 and Policy B3.4.2, the rules in the Plan enable any activity, including business activities, to be established in the Living Zones, provided any effects of the activity are compatible with the character of the zone within which it will be established. The Plan achieves this by focusing largely on the amenity standards rather than the activities themselves. Chapter C1 outlines the rules for the Living Zone but does not contain any rules that relate solely to home-based business.

There are several business activities in the Living Zones which are attributed a particular activity status. These include:

- Service stations – discretionary activity;
- Veterinary hospitals – discretionary activity;
- Hospitals, hospices and other facilities providing 24 hour medical care – discretionary activity;
- Any facilities for the temporary storage of solid and/or liquid waste delivered or conveyed on to the site – discretionary activity;
- Drive through retail outlets – discretionary activity;

- Mineral exploration – discretionary activity;
- Industrial activity – non-complying activity;
- Manufacture of any hazardous substance – non-complying activity;
- Drive-through retail outlets – non-complying activity;
- Transport depots – non-complying activity;
- Any activity that requires an offensive trade license issued under the Health Act 1956 – non-complying activity;
- Any facilities for the treatment and/or disposal of solid or liquid waste delivered or conveyed on to the site – non-complying activity;
- Disposal of any hazardous substance - non-complying activity;
- Plantations - non-complying activity;
- Generation of energy for distribution - non-complying activity;
- Manufacture of any hazardous substance, as either a product or by-product - non-complying activity;
- Mining or quarrying - non-complying activity;
- Correction facility - non-complying activity;
- Processing, composting or disposal on to land of any organic matter - non-complying activity;
- Quarantine Facilities - non-complying activity; and
- Transport depots - non-complying activity.

Other than the activities listed above, all business activities are permitted in the Living Zones (no matter how large or small) so long as the activity can comply with all the standards. There is no requirement for there to be a residential component on the site.

Rule 10.8.1.1 requires no more than two full time equivalent staff employed on the site live off site, while Rule 10.8.1.2 limits the gross floor area for building(s) other than a dwelling to 300m<sup>2</sup>. There are standards for vehicle movements although these are not specific to home-based businesses or business activities. State Highways, arterial roads and collector roads have a maximum of 40 per day plus 4 heavy vehicle movements per day, while local Roads: 20 per day plus 2 heavy vehicle movements per day.

The standards most relevant to undertaking business activities in the Living Zone include the following:

- Signs (Rule 7.1 where the sign can be a maximum of 2m height and 1m<sup>2</sup> area)
- Noise (Rule 10.6)
- Lightspill (Rule 10.7); and
- Activities and hours of operation (Rule 10.9).

There are no specific parking standards for home-based businesses, but there are parking requirements for a range of activities including residential, offices, industrial etc.

### **Rural Zones**

The Plan recognises the Rural Zones as being primarily for business, with rules designed to allow people to undertake farming and other business activities. Chapter 9 in the Rural Volume sets out the rules relevant to the Rural Zones. The Rural Volume adopts a similar approach to the Township Volume and activities are permitted so long as they comply with all the standards and are not specifically listed as a discretionary or non-complying activity.

The activities specifically identified include:

- boarding catteries and kennels – restricted discretionary activity
- any activity which requires an Offensive Trade Licence under the Health Act 1956 – discretionary activity;

- Any activity which involves the composting of organic material, where that material is brought on to the site except where additional material such as saw dust or straw is required as part of the process of composting pigs – discretionary activity;
- Any activity which involves the manufacture of fertiliser from organic material, where that material is brought on to the site – discretionary activity;
- Camping ground facilities – discretionary activity;
- Any other industrial activity, except for other industrial activity being a home based occupation – non-complying activity.

In addition to the rules which apply to all Rural Zones, the rules outline activities specific to particular areas. Home-based businesses are specifically identified as a permitted activity in Port Hills, Malvern Hills and High Country.

Non-rural based activities are permitted so long as the activity occupies a maximum space of 100m<sup>2</sup> and no more than 2 full time equivalent persons are employed (Rule C9.4).

There are standards which home-based businesses would be required to comply with, although these are not specific to home-based businesses and apply to all activities in the Rural Zones:

- Vehicle movements (Rule C9.13);
- Noise and vibration (Rule C9.16);
- Blasting and vibration (Rule C9.17);
- Glare (Rule C9.18); and
- Dust (Rule C9.19).

In summary, the approach of the Rural Zones is similar to the Living Zone where home-based businesses are not specifically listed as an activity, and instead standards are relied upon to manage any effects. The effect of this is that there is maximum flexibility as to the activities that can be undertaken. There is no limit on the business activities that can be established in the Rural Zone without need for a domestic or residential component (i.e. a purely commercial use). The only limits are on rural based industries and other industries in terms of area and number of employees.

### 3. Strategic Planning Documents

To inform our understanding of home-based businesses, we have undertaken a review of the following key strategic planning documents:

- a) the Canterbury Regional Policy Statement;
- b) Selwyn 2031: District Development Strategy, including the implementation of the Selwyn 2031 Activity and Township Networks
- c) The Ellesmere and Malvern Area Plans; and
- d) Mahaanui Iwi Management Plan.

The following sections provide a summary of this review, as it relates to home-based businesses and businesses in the Living and Rural Zone.

#### 3.1 Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement (revised 2017) gives an overview of the significant resource management issues facing the region, including issues of resource management significance to Ngāi Tahu. The purpose of the CRPS is to set out objectives, policies and methods to resolve those resource management issues and to achieve the integrated management of the natural and physical resources of Canterbury. District Plans are required by Section 75(3) of the Resource Management Act to give effect to any relevant Regional Policy Statement.

The CRPS directs territorial authorities to set out objectives, and policies, and may include methods in district plans which establish an approach for the integrated management of urban and zoned rural residential development with the primary focus of ensuring consolidated, well-designed and more



sustainable urban patterns including the avoidance, remediation or mitigation of reverse sensitivity effects.<sup>3</sup>

**Rural Residential** is defined in the CRPS as:

*zoned residential development outside or on the fringes of urban areas which for primarily low density residential activities, ancillary activities and associated infrastructure.*

This definition is limited to Chapter 5 areas – outside of the Greater Christchurch. Rural residential activities in Greater Christchurch (Chapter 6) has a different definition related to density which is outlined below.

**Urban<sup>4</sup>** is defined in the CRPS as:

*A concentration of residential, commercial and/or industrial activities, having the nature of town or village which is predominantly non-agricultural or non-rural in nature.*

The CRPS contains objectives, policies and definitions which apply to an area delineated as “Greater Christchurch” on Map A. This area includes some towns within Selwyn including Lincoln, Prebbleton, Rolleston, Tai Tapu, West Melton and Springston. Relevant definitions in the Greater Christchurch section include:

**Business or business activities** - means land or activities that include commercial and industrial and any ancillary activity

**Commercial activities** - means retail, office and other commercial service activities but does not include industrial activities.

**Industrial** - means the manufacturing, assembly, packaging, wholesaling or storage of products or the processing of raw materials and other ancillary activities.

**Rural activities** - means activities of a size, function, intensity or character typical of those in rural areas and includes:

- Rural land use activities such as agriculture, aquaculture, horticulture and forestry.
- Businesses that support rural land use activities.
- Large – footprint parks, reserves, conservation parks and recreation facilities.
- Residential activity on lots of 4 ha or more.
- Quarrying and associated activities.
- Strategic infrastructure outside of the existing urban area and priority areas for development.

**Rural residential activities** - means residential units outside the identified Greenfield Priority Areas at an average density of between 1 and 2 households per hectare

**Urban activities** - means activities of a size, function, intensity or character typical of those in urban areas and includes:

- Residential units (except rural residential activities) at a density of more than one household unit per 4 ha of site area;
- Business activities, except those that fall within the definition of rural activities;
- Sports fields and recreation facilities that service the urban population (but excluding activities that require a rural location);
- Any other land use that is to be located within the existing urban area or new Greenfield Priority Area.

As the Selwyn District Plan is required to give effect to the CRPS, the relevant objectives and policies in the context of home-based businesses are summarised below. The objectives relating to business activities are not directive in how or where business activities are to be provided for. For example, Objective 5.2.1 seeks the following:

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<sup>3</sup> Method 2, page 5-9 of the CRPS

<sup>4</sup> Note this definition applies to Chapter 5 – Land use and infrastructure

*Development is located and designed so that it functions in a way that:*

- 1. achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and*
- 2. enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:*

*...*

*(c) encourages sustainable economic development by enabling business activities in appropriate locations;*

*(e) enables rural activities that support the rural environment including primary production;*

Objective 5.2.1 recognises that business activities are essential for contributing to the economic well-being of the region, but does not provide guidance on what is an "appropriate location". The policies that achieve this objective do not provide any further guidance. Policy 5.3.1 addresses regional growth as follows:

*To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:*

*...*

- 2. encourage within urban areas, housing choice, recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;*

*....*

Policy 5.5.3 Management of Development takes a similar approach:

*To ensure that substantial developments are designed and built to be of a high-quality, and are robust and resilient:*

- 1. through promoting, where appropriate, a diversity of residential, employment and recreational choices, for individuals and communities associated with the substantial development; and*
- 2. where amenity values, the quality of the environment, and the character of an area are maintained, or appropriately enhanced.*

Policy 5.3.12 Rural Production recognises that a wide range of business activities are appropriate in the rural areas, not just those that depend on the productive capacity of the land:

*Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:*

*...*

- 2. enabling tourism, employment and recreational development in rural areas, provided that it:*

*(a) is consistent and compatible with rural character, activities, and an open rural environment;*

*(b) has a direct relationship with or is dependent upon rural activities, rural resources or raw material inputs sourced from within the rural area;*

*(c) is not likely to result in proliferation of employment (including that associated with industrial activities) that is not linked to activities or raw material inputs sourced from within the rural area; and*

*(d) is of a scale that would not compromise the primary focus for accommodating growth in consolidated, well designed and more sustainable development patterns.*

*...*

In terms of the objectives and policies specific to Greater Christchurch, the CRPS takes a slightly more directive approach to business activities in terms of encouraging the consolidation of business activities in a Centre e.g. Objective 6.2.5:

**Objective 6.2.5 Key activity and other Centres**

*Support and maintain the existing network of Centres below as the focal points for commercial, community and service activities during the recovery period:*

- 1. The Central City*
- 2. Key Activity Centres*
- 3. Neighbourhood Centres.*

*These Centres will be high quality, support a diversity of business opportunities including appropriate mixed-use development, and incorporate good urban design principles.*

*The development and distribution of commercial activity will avoid significant adverse effects on the function and viability of these Centres*

However this is balanced by Objective 6.2.6 which supports retaining industrial areas for industrial activities, but also enables business activities to be provided for in appropriate locations:

*Objective 6.2.6 Business land development*

*Identify and provide for Greater Christchurch's land requirements for the recovery and growth of business activities in a manner that supports the settlement pattern brought about by Objective 6.2.2, recognising that:*

- 1. The greenfield priority areas for business in Christchurch City provide primarily for the accommodation of new industrial activities;*
- 2. Except where identified for brownfield redevelopment, areas used for existing industrial activities are to be used primarily for that purpose, rather than as a location for new commercial activities;*
- 3. New commercial activities are primarily directed to the Central City, Key Activity Centres, and neighbourhood Centres;*
- 4. A range of other business activities are provided for in appropriate locations; and*
- 5. Business development adopts appropriate urban design qualities in order to retain business, attract investment and provide for healthy working environments.*

Policy 6.3.6 in particular encourages consolidation of business activities into the Centres:

*Policy 6.3.6 Business land*

*To ensure that provision, recovery and rebuilding of business land in Greater Christchurch maximises business retention, attracts investment, and provides for healthy working environments, business activities are to be provided for in a manner which:*

- 1. Promotes the utilisation and redevelopment of existing business land, and provides sufficient additional greenfield priority area land for business land through to 2028 as provided for in Map A;*
- 2. Recognises demand arising from the relocation of business activities as a result of earthquake-damaged land and buildings;*
- 3. Reinforces the role of the Central City, as the city's primary commercial centre, and that of the Key Activity Centres;*
- 4. Recognises that new commercial activities are primarily to be directed to the Central City, Key Activity Centres and neighbourhood Centres where these activities reflect and support the function and role of those Centres; or in circumstances where locating out of centre, will not give rise to significant adverse distributional or urban form effects;*
- 5. Recognises that new greenfield priority areas for business in Christchurch City are primarily for industrial activities, and that commercial use in these areas is restricted;*
- 6. Recognises that existing business zones provide for a range of business activities depending on:*
  - (i) the desired amenity of the business areas and their surrounds; and*
  - (ii) the potential for significant distributional or urban form effects on other Centres from new commercial activity.*
- 7. Utilises existing infrastructure availability, capacity and quality;*

8. Ensures reverse sensitivity effects and conflicts between incompatible activities are identified and avoided or mitigated against;
9. Ensures close proximity to labour supply, major transport hubs and passenger transport networks;
10. Encourages self-sufficiency of employment and business activities within communities across Greater Christchurch;
11. Promotes, where appropriate, development of mixed-use opportunities, within Key Activity Centres provided reverse sensitivity issues can be appropriately managed; and
12. Incorporates good urban design principles appropriate to the context of the development.

Again, this is balanced by Policy 6.3.8 which enables business and mixed use developments in brownfield land so long as there are not significant adverse distributional or urban form effects on the Central City, Key Activity Centres and neighbourhood Centres, or give rise to significant reverse sensitivity effects.

In summary, the objectives and policies in the CRPS are slightly conflicting. There are a number of objectives and policies which encourage business activities to be located in the Centres, but there are also an equivalent number of objectives and policies which ensure business activities are located in “appropriate locations” but do not provide any further guidance on what these might be or criteria by which to determine whether an area is “appropriate”. Centres are not necessarily business-zoned land, but instead include the whole urban areas of the townships including residential areas. Thus the CRPS does not direct business activities into business zoned land, but the general urban areas that comprise a Centre.

The CRPS does not touch at all on home-based businesses, and instead addresses business at a more strategic level. Therefore home-based businesses or other business activities could be located in a wide range of locations consistent with these objectives and policies.

## 3.2 Selwyn 2031: District Development Strategy

The purpose of this strategic plan is to provide an overarching strategic framework for achieving sustainable growth across the Selwyn district to 2031, so that Selwyn can achieve its Vision to “grow and consolidate Selwyn District as one of the most liveable, attractive and prosperous places in New Zealand for residents, businesses and visitors.”<sup>5</sup>

To achieve this vision, Selwyn 2031 considers what key actions are required to residential environments, business areas and access to employment in order to enhance the quality of lifestyle choices, promote economic prosperity and contribute to the district’s self-sufficiency. Four key actions have been identified with respect to business:

Table 2 Summary of Key Actions relating to business

Action	Anticipated Outcome
New Strategic Developments	Cater for projected residential and business growth until at least 2031 through the development of over 900 hectares of land that has been rezoned and/or identified as a greenfield priority area within the Land Use Recovery Plan and District Plan.
Building on Economic Strengths	Facilitating development within existing or identified priority business areas within Rolleston and Lincoln.
Higher Quality Living and Business Environments	Achieve safe, functional and attractive living and business environments by requiring new development to occur in accordance with outline development plans, design guidelines and to give effect to higher level strategic planning documents.
Better Monitoring	Establish and implement systems to monitor the outcomes sought by Selwyn 2031, including the rate of uptake of residential and business land.

Another feature of this strategy is the creation of a Township Network, which assigns an Activity Centre category to each township along with aspirations for protecting the character of the rural area and

<sup>5</sup> Selwyn 2031 (p. 8)

individual towns, strengthening community wellbeing and achieving higher quality living and business environments. These township networks and their roles are noted in the table below:

Table 3 Township Network and Associated Functions

Township Network	Town	Function	Comment
District Centre	Rolleston	<ul style="list-style-type: none"> <li>Estimated population range: 12,000 +</li> <li>Functions as the primary population, commercial and industrial base of the district.</li> </ul>	Rolleston is identified as a <b>Key Activity Centre</b> . These are existing commercial/business Centres which have been identified as focal points for employment, community activities, and the transport network: and which are suitable for more intensive mixed-use development
Sub-District Centre	Lincoln	<ul style="list-style-type: none"> <li>Estimated population range: 6,000 - 12,000</li> <li>Functions independently with a range of residential, commercial and industrial activities while providing support to surrounding Service and Rural Townships.</li> </ul>	Lincoln is identified as a <b>Key Activity Centre</b>
Service Townships	West Melton, Prebbleton, Darfield and Leeston	<ul style="list-style-type: none"> <li>Estimated population range: 1,500 - 6,000</li> <li>Function is based on providing a high amenity residential environment and primary services to Rural Townships and surrounding rural area</li> </ul>	<p>Darfield and Leeston are identified as a <b>Key Activity Centre</b>.</p> <p>West Melton and Prebbleton are identified as a <b>Service Activity Centre</b>. These Centres will provide goods and services to residents of the town as well as the wider rural area. However there will still be a reliance on the Key Activity Centres for larger scale businesses and more variety in retail and commercial activities</p>
Rural Townships	Arthur's Pass, Coalgate, Doyleston, Dunsandel, Glentunnel, Hororata, Kirwee, Lake Coleridge, Sheffield, Southbridge, Springfield, Springston, Tai Tapu, Waddington, Whitecliffs	<ul style="list-style-type: none"> <li>Estimated population range: up to 1,500</li> <li>Function is based on village characteristics with some services offered to the surrounding rural area.</li> </ul>	Colgate, Dunsandel and Southbridge are noted as <b>Rural Activity Centres</b> . These are the smallest activity Centres and are primarily focused on convenience of local residents with some services offered to the surrounding rural area. For more variety in retail and commercial activities these Centres will rely on the Service Activity Centres or the Key Activity Centres.

Selwyn 2031: District Development Strategy supports the development of the Centres as the focus for business activities, however it does not distinguish between business or living zoned areas, and instead



considers the urban extent of each Centre as a whole. The Selwyn 2031: District Development Strategy establishes the role of each Centre and creates a hierarchy of towns to guide business activity.

### 3.3 Area Plans

The preparation of an Area Plan for Malvern and Ellesmere was identified as an action in the Selwyn 2031: District Development Strategy. Area Plans are non-statutory long-term strategic urban growth plan covering a wide geographic area and incorporating a number of townships. The primary purpose of these plans is to provide high-level planning direction to guide the growth and sustainable management of the townships identified through to the year 2031, to assist in the delivery of the Selwyn 2031: District Development Strategy.

With respect to business, the Selwyn 2031: District Development Strategy sets the following expectations for the Area Plans for Malvern and Ellesmere:

- Identify business land needs and location with a focus on a clear activity centre network (based on the Selwyn District Commercial Centre Assessment).
- Manage the location and scale of rural residential activities in accordance with the Rural Residential Strategy 2014 within the greater Christchurch area and through the Malvern and Ellesmere Area Plan process.
- Consider local commercial and industrial needs.
- Consider the potential land use changes and economic benefits that may arise out of the development of CPW scheme and the demands this may have for business land and services.
- An Area Plan for Malvern should consider how to appropriately control a potential intensification and increase in land use and employment from the CPW scheme to consolidate urban growth and protect the rural character and amenity

The following provides a brief summary of key messages/findings in each Area Plan.

#### 3.3.1 Ellesmere 2031: Ellesmere Area Plan / Mahere-ā-Rohe o Waihora

The primary purpose of the Ellesmere Area Plan is to provide high-level planning direction to guide the growth and sustainable management of each township in the Ellesmere area (Dunsandel, Doyleston, Leeston, Southbridge and Rakaia Huts) through to the year 2031, to assist in the delivery of the Selwyn 2031: District Development Strategy.

The following table summarises the key points and high-level objectives relating to business (note that no specific comments are made with respect to home-based businesses).

Table 4 Summary of the Business Projections for Townships in the Ellesmere Area Plan

Township (those in bold are key to SDP review)	Township Network Type	Comments
<b>Dunsandel</b>	Rural Township	The township includes a 1.2ha area of Business 1 zoned land that is comprised of approximately 10 sections. There is no demand for additional business land in the township. The Business 1 zone fronts State Highway 1, with the retail and commercial activities operating from within it predominantly serving passing trade clientele. Employment in Dunsandel is not projected to increase from its current level, with the existing Business 1 zoned area being identified as being adequate to accommodate any increase in demand.
<b>Leeston</b>	Service Township	Leeston comprises of Living 2 and 2A zones, Living 1 and Living 2 Deferred Zone, and Business 1.  There is currently 17 hectares of Business 1 zoned land in Leeston, which is predominantly contained within the town centre. The town centre is supplemented by two smaller business zones that are each no greater than one hectare in size. The Business 1 zone is comprised of approximately 70 sections in total.

Township (those in bold are key to SDP review)	Township Network Type	Comments
		There is relatively strong retail and commercial growth projected for Leeston through to 2031, with a land shortfall of 8,000m <sup>2</sup> having been identified. However, it is anticipated that this growth can be accommodated within the existing Business 1 zone land holdings and premises and that no additional land is required over the next 15 years.
<b>Doyleston</b>	Rural township	<p>Employment in Doyleston is primarily in the rural sector, with the balance being in retail and commercial sector and the industrial sector.</p> <p>There is currently no Business 1 land zoned in Doyleston for retail or commercial activities. There is however an existing established service station and associated workshop on the main street of the township. An expert retail assessment indicates that there is no requirement for a Business 1 zone within the Ellesmere 2031 planning horizon.</p> <p>It is anticipated that any growth in this sector will be able to be accommodated within the existing industrial-zoned land.</p>
<b>Rakaia Huts</b>	Rural township	<p>There is no Business 1 or Business 2 land use zonings in Rakaia Huts, which reflects the absence of any recognised businesses or services in the settlement, with the exception of the camping ground.</p> <p>The retail assessment has confirmed that there is insufficient demand identified to support the active zoning of additional Business 1 or Business 2 land.</p>
<b>Southbridge</b>	Rural township	<p>The township includes a 2.7 hectare area of Business 1 zoned land that is comprised of approximately 19 sections. The retail assessment has confirmed that there is no demand for additional business land in the township. There are a number of vacant premises and a significant amount of non-retail or commercial focused activities within the town centre. The remaining retail and commercial businesses are likely to perform well below optimal levels, with there being capacity within the existing business zone to accommodate growth through to 2031.</p> <p>Retail experts have identified that there is a shortfall of 5,000m<sup>2</sup> of industrial land in the township. However, because there is a significant amount of vacant potential land it may be that most or all future industrial growth can be accommodated in the existing Business 2 zoned land, negating the need for additional business-zoned land.</p>

### 3.3.2 Malvern 2031: Malvern Area Plan / Mahere-ā-Rohe

The Malvern Area Plan, similar to the Ellesmere Area Plan, provide high-level planning direction to guide the growth and sustainable management of each township in the Malvern area (Darfield, Arthur's Pass Village, Castle Hill, Coalgate, Glentunnel, Hororata, Kirwee, Lake Coleridge Village, Sheffield / Waddington, Springfield, Whitecliffs) through to the year 2031, to assist in the delivery of the Selwyn 2031: District Development Strategy.

The following table summarises the key points and high-level objectives relating to business (Note that no specific comments are made with respect to home-based businesses).

Table 5 Summary of the Business Projections for Townships in the Malvern Area Plan

Township (those in bold are key to SDP review)	Township Network Type	Comments
<b>Darfield</b>	Service Township	<p>Darfield is also the largest retail and commercial centre, representing 41% of Malvern Township based employment in that sector. Darfield also has the most industrial based employment, representing 60% of all Malvern areas township based industrial employment.</p> <p>Darfield also has a number of areas which provide for retail, commercial and industrial activities. There is currently 18.8 hectares of Business 1 zoned land in Darfield .</p> <p>The retail and commercial employment growth projected in Darfield through to 2031 equates to around an additional 3.2 hectares of Business 1 land, although the Council anticipates that some of this would be supported in existing businesses. A shortfall of less than 2 hectares of additional Business 1 land has been identified for Darfield out to 2031.</p> <p>Any demand for additional Business 1 land will be some time away, and maybe not until the 2020's.</p> <p>There is sufficient capacity in the existing Business 2 zoned land to the east of the town centre to cater for anticipated industrial demand within the Area Plan planning horizon.</p>
<b>Arthur's Pass Village</b>	Rural Township	<p>It does not have any dedicated Business 1 or Business 2 zones, with retail and commercial growth developing in a piecemeal fashion along State Highway 73. The expansion of businesses is limited to retro-fitting existing dwellings or redeveloping existing residential sections in the absence of a dedicated Business 1 zone and vacant land available within it.</p> <p>No new areas for residential or business purposes have been identified as being necessary to be proactively zoned by Council in response to projected population growth within Arthur's Pass Village over the Malvern 2031 planning horizon.</p>
<b>Castle Hill</b>	Rural Township	<p>Castle Hill Village is subject to a single Living 1A land use zoning, supplemented by an 8.2 hectare area of undeveloped Business 1A zoned land to cater for commercial activities including future tourism-based services and retailers. There are no established retail, commercial or industrial type activities operating in the village, and the expert retail assessment has identified that there was no demand identified for additional business or industrial land in the township.</p>
<b>Coalgate</b>	Rural township	<p>The township includes a 1.4 hectare area of Business 1 zoned land and a further 7.4 hectares of Business 2 zoned land. There are approximately three business sections and two industrial sections within Coalgate, which have average allotment sizes of 3,817 square metres and 2.4 hectares, respectively. The expert retail assessment records a small shortfall of 1,000 square metres of business land, but identifies that there is no demand for additional industrial land in the township.</p> <p>Overall, there is considered to be sufficient available land to accommodate the projected population growth and demand in Coalgate through to 2031 without Council proactively zoning additional residential, business or industrial greenfield land.</p>
<b>Glentunnel</b>	Rural township	<p>There is no business or industrial zoned land in Glentunnel. There are local services established within the township and nearby Coalgate and there may be scope to recognise these existing activities through the District Plan review process.</p>

Township (those in bold are key to SDP review)	Township Network Type	Comments
<b>Hororata</b>	Rural township	<p>There are no Business 1 or Business 2 land use zonings in Hororata, although there are local services established within the township. The retail assessment has identified a shortfall of 1,000 square metres of Business 1 zoned land for the retail and commercial needs of the community, with the existing activities comprising home-based offices. A further 1,000 square metre shortfall of Business 2 industrial land is also identified, noting that the primary industrial activities are an earthmoving business and seafood processing plant that are operating from rural land.</p> <p>The retail assessment establishes that there is insufficient demand identified to support the active zoning of additional Business 1 or Business 2 land, although there may be scope to recognise existing activities through the District Plan Review process.</p>
<b>Kirwee</b>	Rural township	<p>The District Plan does not contain Business 1 or Business 2 land use zonings in Kirwee, although there are local services established within the township. An expert retail assessment identifies a shortfall of 1,000 square metres of Business 1 zoned land for the retail and commercial needs of the community. There is no identified shortfall Business 2 industrial land.</p> <p>The retail assessment considers there is insufficient demand identified to support the active zoning of additional Business 1 or Business 2 land, although there may be scope to recognise existing activities through the District Plan Review process.</p> <p>No new areas for residential of business purposes have been identified as being necessary to be proactively zoned by Council in response to projected population growth within the Malvern 2031 planning horizon.</p>
<b>Lake Coleridge Village</b>	Rural township	<p>There is no business zoned land in Lake Coleridge Village, with an expert retail assessment establishing that there is insufficient demand identified to support the active zoning of additional Business 1 or Business 2 land.</p>
<b>Sheffield / Waddington</b>	Rural townships	<p>The District Plan does not prescribe any Business 1 or Business 2 land use zonings in Sheffield or Waddington, although there are local services established within the township. An expert retail assessment identified a shortfall of 600 square metres of Business 1 zoned land for the retail and commercial needs of the Sheffield and no shortfall is identified for Waddington. There is a further 1,000 square metres shortfall of Business 2 industrial land identified for Sheffield, but no shortfall identified for Waddington.</p> <p>The expert retail assessment establishes that there is insufficient identified demand to support the active zoning of additional Business 1 or Business 2 land in Sheffield or Waddington.</p>
<b>Springfield</b>	Rural township	<p>There is no Business 1 or Business 2 land use zonings in Springfield, although there are a number of businesses and community facilities established along the alignment of State Highway 73. An expert retail assessment identifies a shortfall of 1,000 square metres of Business 1 zoned land is identified for the retail and commercial needs of the Springfield 60 and a further 1,000 square metres shortfall of Business 2 industrial land.</p> <p>An expert retail assessment identifies there is insufficient demand identified to support the active zoning of additional Business 1 or Business 2 land.</p>

Township (those in bold are key to SDP review)	Township Network Type	Comments
<b>Whitecliffs</b>	Rural township	There is insufficient demand identified to support the active zoning of any Business 1 or Business 2 land.

What these area plans show is that most of the rural townships do not have any Business Zoned land. This means that the small amount of business activity is located on Living Zoned sites. In addition, the recommendations of the Area Plans is that the towns are not large enough or have sufficient population growth projections to warrant zoning any land as Business. In order to enable these townships to continue providing the rural township role and providing some services to the surrounding rural area, business activities must continue to be enabled in Living Zoned sites in these areas.

### 3.4 Mahaanui Iwi Management Plan

The Mahaanui Iwi Management Plan provides a policy framework for the “protection and enhancement of Ngāi Tahu values, and for achieving outcomes that provide for the relationship of Ngāi Tahu with natural resources across Ngā Pākihi Whakatekateka o Waitaha and Te Pātaka o Rākaihautū.”<sup>6</sup>

No specific policies relating to home based businesses / business activities were identified.

### 3.5 Baseline Assessment Reports for Business Topic

Two reports prepared for the Business Topic of the District Plan have also been reviewed. A summary of each, as they relate to business activities (including home based businesses) in the Living Zone and home-based business activities in the Rural Zone are discussed in the sections below.

#### 3.5.1 Selwyn Business Zone Policy Assessment

This report was undertaken by Property Economics and comprised an assessment of the Business 1 and Business 2 Zones in the District as they relate to the commercial centre network.<sup>7</sup> The purpose of the report was to recommend an approach to deliver an economically efficient network, and appropriately manage potential economic effects of future commercial development in the context of the RMA and the envisaged role and function of each centre as outlined in the Selwyn 2031 District Development Strategy.

The central consideration of this report is the definition of an Activity Centre from Selwyn 2031. An activity Centre is described as:

*An Activity Centre is the existing commercial / business centre identified as focal points for employment, community activities, retail, service or conveniences.*

The report emphasises the importance of recognising and maintaining a hierarchy of Activity Centres, with Rolleston Town Centre at the top of the hierarchy and Lincoln, Darfield and Leeston fulfilling a lesser role. The third tier includes West Melton, Prebbleton, Southbridge, Hororata, Coalgate, Castle Hill and Kirwee which play a supporting role to the larger Key Activity Centres (which comprises the two higher tiers). To support a commercial hierarchy, the report recommends that Rolleston in particular and Lincoln to a lesser extent require policy recognition in the Proposed Selwyn District Plan to ensure they can fulfil their role and function in the way envisaged by the Selwyn 2031 Strategy, including managing potential from unforeseen future commercial development not located in these Centres.

The report also recommends policies and rules that ensure out-of-centre commercial development is tested to ensure that existing Centres are not likely to be adversely affected in a RMA context. The report recommends the following maximum floor areas:

<sup>6</sup> P. 17 Mahaanui Iwi Management Plan

<sup>7</sup> Selwyn Business Zone Policy Assessment, Property Economics (October 2017)

Table 6: Summary of recommended approach to commercial activities

(derived from the report Selwyn Business Zone Policy Assessment, Property Economics (October 2017))

Commercial Activity Type	Rolleston Town Centre	Business 2 (Industrial)	Service and Rural Activity Centres
Individual retail tenancy	Not restricted	Restricted to food and beverage stores Any other retail to be non-complying activity	<450m <sup>2</sup> permitted activity > 451m <sup>2</sup> restricted discretionary activity
Large format retail	Restricted to stores over 450m <sup>2</sup> and assessed as a discretionary activity  Provision for no more than two small (below 450m <sup>2</sup> ) food and beverage stores within such a development	Not specified	> 450m <sup>2</sup> discretionary activity
Supermarkets	Not specified	Not specified	> 1000m <sup>2</sup> restricted discretionary activity
Individual office tenancy	Not restricted	Restricted to ancillary office activity to the primary activity on the site  Stand alone office developments are to be restricted	< 200m <sup>2</sup> permitted activity
Industrial activities	Not specified	Not restricted	Not specified

While the Selwyn Business Zone Policy Assessment report did not address home-based businesses, there are some implications for the management of home-based businesses. The main message is to manage commercial activities throughout the District to preserve the integrity and economic viability of the Centres. The Centres are recognised not only for their economic role in the well-being of the District, but also improving efficiency and accessibility for consumers by clustering business activities. They act as the heart of the community, providing a place for social gatherings / events for the local community and a sense of place.

### 3.5.2 Existing out of Centre Business Activities in Small Rural Towns

An analysis of business activities in small rural towns was undertaken by Planz Consultants.<sup>8</sup> The purpose of this report is to identify, map and broadly define existing business and business activities located within Selwyn District's smaller settlements; and explore a range of regulatory mechanisms under the RMA that may be used to recognise and provide for these activities under the proposed Selwyn District Plan. Under the operative Selwyn District Plan, many business activities in smaller rural towns are operating under a residential zone or on the outskirts of the towns (in a rural zone) by either assumed 'existing use rights' or resource consents.

A previous survey of business activities in smaller rural towns identified that every settlement contained a spatially disparate range of:

- Accommodation;
- Business / Retail;

<sup>8</sup> Existing Out of Centre Business Activities in Small Rural Towns, Planz Consultants, November 2017



- Community; and
- Industrial Activities.

The report considered Rule 10.8.1.3 (which is the vehicle movement rule) is likely to be the primary constraint on the establishment of business in the Living Zones given the relatively low thresholds set for vehicle movements. A 40 movement per day (20 in and 20 out) threshold for most business activities is very low and therefore it is only those of a relatively benign traffic nature (for example a small B & B or home office) that would be able to meet that standard. Such activities are therefore reliant on existing use rights (if they are able to be demonstrated) or resource consents, although very few of these were able to be identified in the Council's records. In other words, the District Plan is unlikely to be providing such uses with any degree of protection, or flexibility in terms of enabling these activities outside of their section 10 existing use rights (where these could be demonstrated).

The report considered that in terms of commercial activities in the Rural Zone, some of the activities such as the smaller accommodation businesses (below 100m<sup>2</sup>) may be able to meet the standards however most are again reliant on existing use rights (if they are able to be demonstrated) or resource consents. Once again, the report concludes that the District Plan is unlikely to be providing for these larger existing business activities.

The report recommends that for Selwyn's smaller settlements, the most appropriate district plan approach is one which:

- Recognises and provides for the enablement of social and economic wellbeing from business activities;
- Provides ongoing certainty for the range of uses and functions represented by these activities as physical resources;
- Manages the scale and range of adverse environmental effects generated by these activities, particularly on sensitive adjoining residential uses; and
- Is both efficient and effective in terms of preparation and implementation of the District Plan.

The report assesses six different options for managing existing business activities in small settlements ranging from status quo to specific smaller township business zoning. Having considered the options, the report concludes that the most effective and efficient suite of provisions would be the application of a 'Policy Overlay' to recognise and provide for business activities in small settlements, in combination with embedding more benign activities (accommodation and home-based businesses) within the underlying residential zone provisions. The report considers such an approach provides some certainty to existing operators that their activities are lawfully established and provides some flexibility for adaption, as well as maintaining residential amenity and character.

The report provides more detail on what this approach may comprise:

1. Specific policy framework: To provide for small scale business activities as identified on planning maps, whilst acknowledging the need to retain compatibility with the adjoining residential or rural amenity.
2. Map 'Small Settlement Business Overlay': Identify on the Planning Maps, as one overlay, those sites identified in Attachment B as being defined as either Retail or Industrial.
3. Specific Plan Exemptions: Identify those rules that would not apply to those activities that are notated as 'Small Settlement Business Overlay'. Within an orthodox district plan approach, these would include exclusions for:
  - Building coverage;
  - A higher threshold (than 40) for vehicle movements able to be generated on the site per day for Collector or Arterial roads;
  - A higher threshold for signage provision;
  - Extended hours of operation;
  - Staff members, not resident to the site; and
  - Industrial or Retail activities being undertaken from the site.
4. Specific Plan Provisions that would apply: Ensure retention of those provisions which seek to manage amenity effects, especially on adjoining residential amenity or the public realm. Within an orthodox district plan approach, these would include retention of:

- Parking, loading and access;
- Recession planes;
- Maximum lux levels;
- Maximum noise levels;
- Landscaping requirements; and
- General provisions as these relate to subdivision, earthworks, heritage and notable trees.

The recommendations of the report “Existing Out of Centre Business Activities in Small Rural Towns” will require a different approach than simply enabling home-based business in Selwyn’s small rural towns. Flexibility will be key to enabling these areas to provide economic opportunities whilst retaining the urban amenity and avoiding incompatible activities establishing next to residential development. The report “Existing Out of Centre Business Activities in Small Rural Towns” recommends that a policy overlay for small rural towns be applied to allow more leniency with the establishment of businesses. This will be a different approach from the rest of the District where business activities are focused and encouraged into Business Zones and town centres, rather than Rural and Living Zones. The relationship between this approach and the recommendations for managing home-based business is outlined in Section 7.4.

## 4. Effects of Home-based Businesses

### 4.1 Experience in Selwyn District

In September 2017, Stantec met with the following Council staff members to discuss any issues that have arisen from home based businesses, to determine any gaps or problems with the implementation of the current rules. The Council officers contacted included:

- Benjamin Rhodes – Team Leader Strategy and Policy
- Jocelyn Lewes – Strategy and Policy Planner
- Rachael Carruthers – Resource Management Planner
- Billy Charlton – Regulatory Manager
- Simon Thompson – Compliance Officer
- Susan Atherton – Compliance Officer

Subsequent to these meetings, a site visit to the following townships was undertaken to ensure familiarity with the existing environment, and to get an understanding of the issues identified during the previous day’s meetings:<sup>9</sup>

- Leeston
- Lincoln
- Prebbleton
- Rolleston

The issues identified by the relevant Council staff, are summarised below:

#### Within the Township Volume

- Home based businesses are defined in the Rural Volume, but not in the Township Volume of the Plan;
- Within the Living Zone, Council can receive complaints as follows:
  - From residents relating to traffic movements / volumes to and from a business;
  - From residents relating to noise resulting from the activity and movement on/off site; and

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<sup>9</sup> As recommended by Council staff

- From businesses that available on-street parking cannot be used to meet permitted standards; and
- The scale of businesses does not “match” the definition. For example, cake decorators, a legitimate home-based business, are technically defined as industrial activities as they are manufacturing a product.

#### Within the Rural Volume

- As soon as someone is employed that does not live on site, the activity is no longer a home-based business. This may or may not require a resource consent, depending on the nature and scale of the activity. In some cases where a resource consent is required, there may be little or no additional adverse effects created from this employee that does not live on the site; and
- There is a discrepancy in scale: for instance, 100m<sup>2</sup> is enabled for home-based businesses in the Rural Volume, and 300m<sup>2</sup> in the Township Volume. Council staff noted this as an issue for accountants/ lawyers/ videographers (established in a dwelling or shed) who may wish to have their offices on site.

## 4.2 Summary of Effects

Home-based businesses can have both positive and negative effects. On one hand, home-based businesses are an effective way of establishing a small business without the capital outlay required for a business-zoned site. Depending on the business and the scale, home-based businesses can create effects that erode the residential character of an area with additional traffic movements, signs and increased noise. Based on previous experience with managing home-based businesses, the positive and negative effects are outlined below.

Table 7 Summary of Effects of Home-based Businesses

Effect	Living Zones	Rural Zone
<b>Environmental</b>		
Reduced vehicle movements by enabling people to work from home	✓	✓
Reduced pollution from vehicles as services can be located within neighbourhoods	✓	
Negative effects on residential character: <ul style="list-style-type: none"> <li>• Signs (clutter)</li> <li>• Car parking, concreted front yards (car parking requirements lead to this)</li> <li>• Greater volumes of traffic on roads that were not intended for that volume of traffic</li> <li>• Heavier types of vehicles than anticipated in the residential area</li> <li>• Hours of vehicle movements</li> <li>• Increased activity</li> <li>• Noise and vibration</li> <li>• Longer hours of activity</li> </ul>		
Negative impact on the amenity values of neighbours with more mixed uses	✓	
Negative impact on the rural character		✓
Risk of incompatible activities establishing and reverse sensitivity issues	✓	✓
Negative effects on rural character:		✓

Effect	Living Zones	Rural Zone
<ul style="list-style-type: none"> <li>• Signs</li> <li>• Greater volumes of traffic on roads that were not intended for that volume of traffic</li> <li>• Hours of vehicle movements</li> <li>• Increased activity</li> </ul>		
<b>Social</b>		
Reduced time spent travelling	✓	✓
Provides convenience to the neighbourhood	✓	
Provides activity during work hours resulting in increased security	✓	✓
Provides freedom of choice	✓	✓
Convenience for the homeowner	✓	✓
Provides diverse services in a residential area	✓	
Spreads the traffic volumes more evenly across the District, reducing travel times and congestion	✓	✓
Risk of socially undesirable activities establishing	✓	✓
Undermining of the Centres as the community focus and heart	✓	
<b>Economic</b>		
Enabling people to provide for their economic well-being	✓	✓
Provides flexibility for work opportunities	✓	✓
Promotes entrepreneurship	✓	✓
Maximise use of the home as an asset	✓	✓
Enables economic growth	✓	✓
Enables small start-up businesses to establish in a cost-effective way	✓	✓
Decreased cost of finding sites large enough to accommodate the activity	✓	✓
Financial benefit for the business and the homeowner	✓	✓
Negative impact on the Integrity of the Centres: <ul style="list-style-type: none"> <li>• Reduced economic viability</li> <li>• Reduced vitality</li> <li>• Home based businesses drawing business away from Centres (leakage)</li> <li>• Less demand for commercial buildings and empty commercial buildings</li> </ul>	✓	✓
<b>Cultural</b>		
Strengthens the family unit with integrated work and live on the same site	✓	✓
Strengthens the community and neighbourhood	✓	

## 5. Approaches in Other District Plans

### 5.1 Overview

The following five district plans have been benchmarked in terms of the approach to managing home based businesses:

- Christchurch District Plan<sup>10</sup>;
- Waimakariri District Plan<sup>11</sup>;
- Queenstown Lakes District Council Proposed District Plan<sup>12</sup>;
- Auckland Unitary Plan (Partly Operative)<sup>13</sup>; and
- Hamilton District Plan (Operative in Part)<sup>14</sup>.

The Christchurch and Waimakariri plans have been benchmarked on the basis of SDC's scope of works for this project<sup>15</sup>, while the three additional plans have been chosen on the basis of alignment with the following:

- Second generation plans;
- Plans that have recently been reviewed; and
- Best practice for the particular topic being investigated.<sup>16</sup>

### 5.2 Methodology

The approaches of each of the five plans to home based businesses has been assessed by comparing and summarising the relevant content under the following topics/categories:

- Definitions/terms
- Objectives and policies
- Rules
  - Activity status of home-based businesses
  - Standards for home-based businesses
  - Activity status if non-compliance with one or more standards
  - Commercial, retail or industrial activities in Residential zones
  - Other relevant rules eg signs, traffic generation, parking requirements, specific amenity rules (noise, dust, vibration etc).

The details of the benchmarking assessment is contained within the table contained in Appendix C.

### 5.3 Comparison

#### 5.3.1 Definitions

All definitions across the five plans vary considerably. All of the district plans reviewed referred to "home occupation" apart from Hamilton District Plan who called the activity "home-based business". While the Hamilton District Plan includes an extensive list of business activities that are excluded from being a home-

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<sup>10</sup> <http://districtplan.ccc.govt.nz/pages/plan/book.aspx?exhibit=DistrictPlan>

<sup>11</sup> <https://www.waimakariri.govt.nz/your-council/council-documents/district-plan/district-plan-chapters/>

<sup>12</sup> <http://www.qldc.govt.nz/planning/district-plan/proposed-district-plan/proposed-district-plan-chapters/>

<sup>13</sup> [http://unitaryplan.aucklandcouncil.govt.nz/pages/plan/Book.aspx?exhibit=AucklandUnitaryPlan\\_Print](http://unitaryplan.aucklandcouncil.govt.nz/pages/plan/Book.aspx?exhibit=AucklandUnitaryPlan_Print)

<sup>14</sup> <http://www.hamilton.govt.nz/our-council/council-publications/districtplans/PODP/Pages/default.aspx>

<sup>15</sup> Project Scope of Works - Home Based Business Activities in Living and Rural Zones and Business Activities (not home based) in Living Zones, 19 June 2017

<sup>16</sup> Email from Jocelyn Lewes, 4 September 2017

based business, the Auckland Unitary Plan excludes produce sales and Queenstown Lakes Proposed District Council excludes homestay (presumably because this activity is specifically listed as its own activity). The other two Plans do not constrain the types of business activities.

The way the definitions refer to the site varies also – Christchurch District Plan refers to a “residential unit”, Waimakariri District Plan refers to “a site used for residential purposes”, Queenstown Lakes District Plan refers to “site for a residential activity”, the Auckland Unitary Plan refers to “use of the site as a dwelling” and Hamilton District Plan refers to “residential use of the site”.

Most of the District Plans recognise that the home-based business is secondary to the dominant use of the site for residential purposes. This is achieved through wording such as “primary use of the site”, “secondary to the use of the site as a dwelling” and “incidental to the residential use of the site”. In the context of home-based business, there is little difference between the use of the words “secondary” and “incidental”.

None of the district plans reviewed have separate definitions for residential and rural home-based businesses. Hamilton City District Plan does not have any rural zones.

The definitions also recognise the need for a person residing on the site to be involved in the home-based business. Christchurch District Plan requires a person who resides permanently within the residential unit, Waimakariri requires a maximum of two full time equivalent people to be employed with at least one residing on the site. Queenstown Lakes Proposed District Plan does not limit the number of people employed in the definition but it must be undertaken by person(s) living permanently on the site, and Hamilton District Plan requires the principal operator of the home business to be a permanent resident on the site.

In summary, overall impressions of the definitions for home-based business are:

- Christchurch District Plan and Auckland Unitary Plan definitions are the most simple and concise;
- Waimakariri District Plan is the only definition to include a standard by limiting the number of employees to two (at least one of whom resides on site);
- The Hamilton District Plan definition is very long by comparison to the other plans due to the listing of businesses excluded from the definition;
- Hamilton District Plan uses the alternative title of “home-based business”;
- Three of the District Plans assessed exclude certain activities from the definition;
- The way that residential units are referred to varies, but the requirement that the home-based business occurs on a residential site is common to all Plans;
- Most of the District Plans recognise that the home-based business is secondary to the dominant use of the site for residential purposes; and
- The definitions recognise the need for a person residing on the site to be employed in the home-based business.

### 5.3.2 Objectives and Policies

Many of the District Plans reviewed recognise home-based businesses in the objective and policy framework. Each of the objective and policy frameworks is summarised below.

#### Christchurch District Plan

While the Christchurch District Plan does not have a specific objective addressing home-based businesses, Policy 14.2.4.3 ensures that home-based business is secondary in scale to the residential use of the property. The objective to which this policy is derived seeks to achieve high quality residential environments which have a high level of amenity and local character. It is clear from the objective and the policy that the main area of concern with regards to home-based businesses is on amenity and character of the residential area. Limiting the home-based business to a secondary function to the primary residential activity ensures that the residential amenity and character remains.

The Christchurch District Plan refer to “non-residential business” although this term is not defined.

In terms of non-residential activities other than home-based businesses, the Christchurch District Plan through Objective 14.2.6 seeks to manage non-residential activities so that residential activities remain the dominant activity in the residential zone. The Objective is highly directive and restricts residential activities,



unless the activity has a strategic or operational need to locate within a residential zone or is existing guest accommodation on defined sites. This Objective is achieved by a series of policies which:

- Ensure that non-residential activities do not have significant adverse effects on residential coherence, character, and amenity;
- Enable existing non-residential activities to continue and support their redevelopment and expansion provided they do not have a significant adverse effect on the character and amenity of residential zones;
- Restrict the establishment of non-residential activities, especially those of a commercial or industrial nature;
- Limits small scale retailing in type and location to appropriate corner sites on higher order streets in the road hierarchy;
- Ensure non-residential activities are of a small scale and compatible with residential activities;
- Ensure non-residential activities are focussed on meeting the needs of the local residential community;
- Ensure new non-residential activities do not compromise the role of the Residential Central City Zone, the Central City Business Zone, or the aim of consolidating that area of the Central City or the Central City Mixed Use Zones;
- Enable the on-going operation, use and redevelopment of existing fire service facilities; and
- Protect residential amenity by controlling the character, scale and intensity of non-residential activities.

Policy 17.2.2.5 is highly directive with regards to managing industrial and commercial activities in the rural areas. The policy seeks to avoid the establishment of industrial and commercial activities that are not dependent on or directly related to the rural resource unless they:

- have a strategic or operational need to locate on rural land; or
- provide significant benefits through utilisation of existing physical infrastructure; and
- avoid significant, and remedy or mitigate other, reverse sensitivity effects on rural productive activities;
- will not result in a proliferation of associated activities that are not reliant on the rural resource; and
- will not have significant adverse effects on rural character and amenity values of the local environment or will not cause adverse effects that cannot be avoided, remedied or mitigated.

### **Waimakariri District Plan**

The Waimakariri District Plan contains Policy 12.1.1.19 which enables home occupations where ancillary to a residential purpose within Land Use Recovery Plan greenfield priority areas.

In terms of other business activity, the Waimakariri District Plan directs retail activities away from the Rural Zones. The Plan directs office activity into Key Activity Centres by avoiding office activity, other than ancillary office uses, within Residential, Business 2 and Rural Zones. This Policy recognises the potential for non-residential activities to weaken the economic importance of Key Activity Centres. In this respect, the objectives and policies of the Waimakariri District Plan are similar to the Christchurch District Plan by recognising the potential for non-residential activities on residential sites to adversely affect Centres and key business areas.

### **Hamilton District Plan**

The objectives and policies in the Hamilton District Plan address home-based businesses directly. Objective 4.2.6 requires that residential activities remain the dominant activity in Residential Zones. This Objective is delivered by Policy 4.2.6a which states that non-residential activities should not establish in residential areas, unless the adverse effects on all zones are avoided, remedied or mitigated, and Policy 4.2.6c which sets out the following requirements for home-based businesses:

- Be ancillary to the residential activity of the site;
- Avoid adverse effects on the neighbourhood, character, amenity and the transport network;
- Take place within dwellings or ancillary buildings;
- Involve no outdoor storage of vehicles, equipment or goods visible from a public place; and

- Be compatible with the character and amenity of the locality, in terms of location, type and scale of activity, number of visitors to the site, and hours of operation.

Policy 4.2.6e requires that non-residential activities shall be of an appropriate size to maintain character of the site.

Objective 4.2.7 of the Hamilton District Plan seeks to ensure that activities in Residential Zones are compatible with residential amenity, and this is achieved by Policy 4.2.7a which minimises adverse effects of amenity including noise, glare, odour, dust, smoke, fumes, other nuisances, traffic, parking, and transport networks.

### **Auckland Unitary Plan**

The objectives and policies in the Auckland Unitary Plan do not address home-based businesses specifically but do focus on the effects of non-residential activities. The residential objectives recognise that non-residential activities provide for the community's social, economic and cultural well-being, but need to remain in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

The residential policies enable non-residential activities that:

- (a) support the social and economic well-being of the community; and
- (b) are compatible with the scale and intensity of development anticipated within the zone; and
- (c) avoid, remedy or mitigate adverse effects on residential amenity; and
- (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metropolitan Centre Zone and the Business – Town Centre Zone.

Objectives H19.2.1 sets the high level direction for the rural areas by recognising that these are where people work, live and recreate and where a range of activities and services are enabled to support these functions. Objective H19.2.5 is more focused on rural industries, rural commercial services and non-residential activities and states that industries, services and non-residential activities of an urban type and scale unrelated to rural production activities are not located in rural zones. This is implemented by Policy H19.2.6 seeks to enable rural industries and rural commercial services only where they have a direct connection with the resources, amenities, characteristics and communities of rural areas. This policy also manages rural industries, rural commercial services and other non-residential activities to:

- avoid creating reverse sensitivity effects;
- contain and manage adverse effects on-site; and
- avoid, remedy or mitigate adverse effects on traffic movement and the road network.

Objective H19.5.5.2.2 specifically mentions home occupation activities and supports these where they are consistent the coastal landscape character and natural environmental values of the area.

### **Queenstown Lakes Proposed District Plan**

The Objectives in the Residential Zones of the Queenstown Lakes Proposed District Plan seek to generally discourage commercial development except when it is small scale and generates minimal amenity impacts. Policies 7.2.9.1-4 establish parameters around non-residential development including:

- Commercial activities that directly serve the day-to-day needs of local residents, or enhance social connection and vibrancy of the residential environment may be supported;
- Retaining residential amenity;
- Avoiding adverse effects on the viability of a nearby centre;
- Low scale and intensity (100m<sup>2</sup> or less gross floor area);
- Does not adversely affect the local transport network and the availability of on-street parking;
- Must not generate adverse noise effects;
- Must be of a design, scale and appearance compatible with its surrounding residential context;
- Located and designed to maximise or encourage walking, cycling and public transport patronage
- Avoid non-residential activity that would undermine the viability of the District's commercial zones.

Medium Density Residential has an additional component to its objective – the activity must not compromise the primary purpose of the zone for residential use. Commercial development is actively discouraged in the High Density Residential Zone by Objective 9.2.5 except when it is small scale and generates minimal amenity impacts

The Large Lot Residential Zone has Policy 11.2.2.1 which provides for home occupation as permitted activities.

Objective 21.2.9 applies to the Rural Zone and ensures commercial activities do not degrade landscape values, rural amenity, or impinge on farming activities. This is achieved by Policy 21.2.9.1 which requires commercial activities in the Rural Zone to have a genuine link with the rural land resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone. Policy 21.2.9.2 avoids the establishment of commercial, retail and industrial activities where they would degrade rural quality or character, amenity values and landscape values.

Policy 21.2.10.3 enables the establishment of complementary activities such as commercial recreation or visitor accommodation located within farms.

The Proposed Plan contains objectives and policies enabling rural industrial activities within the Rural Industrial Sub Zones, that support farming and rural productive activities, as well as providing for limited retail and administrative activities within the Rural Industrial Sub Zone on the basis it is directly associated with and ancillary to the Rural Industrial Activity on the site.

### Overall Impressions

The objectives and policies of each District Plan recognise that home-based businesses are appropriate so long as they do not adversely affect the amenity and character of the residential area. The policies outline how this is to be achieved through ensuring that the home-based business is secondary to the residential purpose of the site, and managing effects such as noise, glare, odour, dust, smoke, fumes, other nuisances, traffic, parking, and transport networks.

The objectives and policies also address non-residential activities including business activities located in a residential zone. This is essentially different from home-based enterprises and is usually where a residential site is used entirely for business purposes. The objectives and policies on this matter seek to protect the amenity and character of the residential, but also recognise the potential for these activities to detract from the vitality and economic viability of the business Centres.

Only the Auckland Unitary Plan addresses home-based businesses in the context of the rural environment. Mostly the objectives and policies recognise the productive potential of rural land and its ability to generate income. The Christchurch City District Plan and Auckland Unitary Plan are the most directive in avoiding industrial and commercial activities in the rural areas. The policy framework seeks to avoid the establishment of industrial and commercial activities that are not dependent on or directly related to the rural resource, while recognising that rural industry is a legitimate rural activity.

### 5.3.3 Rules for Home-based Businesses

In all five district plans, home-based businesses are permitted in the general residential zones provided they meet all the standards specific to that activity as well as the more general district-wide rules.

There are two main approaches – some district plans specifically identified home-based businesses as a permitted activity (e.g. Hamilton District Plan) while others remained silent as activities that were not specifically identified were permitted activities provided they met all the permitted activity standards in the Plan (e.g. Waimakariri District Plan).

However this approach was not mirrored in the higher density residential areas. In the Residential Central City Zone of Christchurch, home-based businesses are a discretionary activity as it is not a specified activity. Likewise, they are a discretionary activity in Hamilton's Medium Density Residential Zone.

The standards specific to home-based businesses were varied. The following is a summary of the standards used.

Table 8 Standards Applying to Home-based Businesses

Matters Addressed by Standards	Examples of Standards
Maximum gross floor area of the building, plus the area used for outdoor storage area	<ul style="list-style-type: none"> <li>Maximum total area to be used for the home-based business 40m<sup>2</sup> (Christchurch City uses this for both residential and rural zones).</li> <li>Maximum net floor area of 60m<sup>2</sup> (Queenstown Lakes).</li> </ul>

Matters Addressed by Standards	Examples of Standards
	<ul style="list-style-type: none"> <li>Maximum net floor area of home occupation activities shall be 150m<sup>2</sup> in Rural Zones (Queenstown Lakes).</li> <li>Not exceed 30% of the total gross floor area of buildings on the site (Hamilton).</li> </ul>
Number of employees and residency	<ul style="list-style-type: none"> <li>Maximum number of two FTE persons employed in the home occupation who reside permanently elsewhere than on the site (Christchurch City).</li> <li>No more than four people in total may work in the home occupation (Auckland).</li> <li>No more than two people who do not use the dwelling as their principal place of residence may work in the home occupation (Auckland).</li> <li>No more than one full time equivalent person from outside the household shall be employed in the home occupation activity (Queenstown Lakes).</li> <li>At least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence (Auckland).</li> <li>Employ no more than 2 people, one of whom must reside on the site on a permanent basis (Hamilton).</li> </ul>
Location of the activity	<ul style="list-style-type: none"> <li>All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building (Queenstown Lakes).</li> <li>Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs (Hamilton).</li> <li>Activities and the storage of materials shall be indoors (Queenstown Lakes)</li> <li>Materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site (Auckland).</li> </ul>
Limits on the goods retailed	<ul style="list-style-type: none"> <li>Retailing shall be limited to the sale of goods grown or produced on the site, or internet-based sales where no customer visits occur (Christchurch City).</li> <li>Retail only those goods which have been manufactured, repaired, renovated or otherwise produced on the site (Hamilton).</li> <li>Goods sold from the home occupation must be: <ul style="list-style-type: none"> <li>(i) goods produced on site; or</li> <li>(ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or</li> <li>(iii) goods ancillary and related to a service provided by the home occupation (Auckland).</li> </ul> </li> </ul>
Hours of operation	<ul style="list-style-type: none"> <li>07:00 - 21:00 Monday to Friday; and</li> </ul>

Matters Addressed by Standards	Examples of Standards
	<p>08:00 - 19:00 Saturday, Sunday and public holidays (Christchurch City).</p> <ul style="list-style-type: none"> <li>The sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm (Auckland).</li> <li>Not generate vehicle trips or pedestrian traffic between 2000 to 0800 hours (Hamilton).</li> </ul>
Location of parking areas	<ul style="list-style-type: none"> <li>Visitor or staff parking areas shall not be within the front yard (Christchurch City).</li> </ul>
Number, location and sizes of signs	<ul style="list-style-type: none"> <li>Outdoor advertising shall be limited to a maximum area of 2m<sup>2</sup> (Christchurch City).</li> <li>Have only one sign with a maximum area of 0.6m<sup>2</sup>, a maximum dimension of 1m and having no part higher than 2m above the adjacent ground level. The sign must be attached to either a fence, wall or building (Hamilton).</li> </ul>
Maximum number of vehicle trips (i.e. one vehicle in and one vehicle out = two trips)	<ul style="list-style-type: none"> <li>10 per day (Queenstown Lakes).</li> <li>Car trips to and from the home occupation activity must not exceed 20 per day (Auckland).</li> </ul>
Storage of materials	<ul style="list-style-type: none"> <li>Activities and the storage of materials shall be indoors (Queenstown Lakes).</li> <li>No goods materials or equipment shall be stored outside a building (Queenstown Lakes).</li> <li>Storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view (Auckland).</li> <li>Materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site (Auckland).</li> <li>Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs (Hamilton).</li> </ul>
Number and frequency of heavy vehicle trips <sup>17</sup>	<ul style="list-style-type: none"> <li>None permitted (Queenstown Lakes).</li> <li>Heavy vehicle trips must not exceed two per week (Auckland).</li> <li>No more than one commercial vehicle associated with the home occupation may be on site at any one time (Auckland).</li> <li>Not generate any trips by a heavy motor vehicle (Hamilton).</li> </ul>
Generation of nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects	<ul style="list-style-type: none"> <li>Not create electrical interference with television and radio sets or other types of receivers in adjacent residential units.</li> </ul>

<sup>17</sup> Although used in the standards for home occupations, the term "heavy vehicle" is not defined in any of the district plans reviewed.

Matters Addressed by Standards	Examples of Standards
	<ul style="list-style-type: none"> <li>Not generate nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects – these shall be measured at the boundaries of the site.</li> </ul>

The approach to non-compliance of one or more of the standards also varies. Hamilton District Plan acknowledges that a home-based business can quickly overtake the residential uses on the site and takes a hard line, in that if the activity does not comply with all of the standards then it is not a home-based business. This means that any activity that does not comply with all of the standards is a non-residential activity such as offices, industry, retail etc. This makes the distinction between home-based businesses and non-residential activities very clear. Non-residential activities (which includes business activities) are a discretionary activity and there are stringent policies restricting non-residential activities.

In most of the other District Plans assessed, the activity becomes a discretionary activity with non-compliance of one or more standards.

In comparing the rules and standards for rural versus urban home-based businesses, there was a difference in the number and focus of standards. Christchurch District Plan had considerably less standards for rural zones, with only two standards (maximum gross floor area and maximum full time employees) versus seven standards for urban zones. However the standards for maximum gross floor area and maximum full time employees were the same for rural and urban.

There are no specific standards for home-based business in Waimakariri District Plan, and instead relies on the District-wide or zone standards such as maximum noise etc.

Queenstown Lakes Proposed District Plan contained the same number of standards for urban zones than rural (three standards) but they differed in their focus. Urban zones had maximum standards on traffic generation that the rural zones did not, but the rural zones were required to undertake all activities inside a building. The maximum floor areas differed too – 60m<sup>2</sup> for urban compared with 150m<sup>2</sup> for rural.

The home occupation standards in the Auckland Unitary Plan are generally identical across all residential and rural zones.

Hamilton City does not have any rural zones because there is no rural land within the City's boundaries.

### 5.3.4 Other Business Activities

The activities listed in the District Plans which were not home-based businesses were assessed to determine which other activities in the Residential and Rural Zones had been specifically identified as being a different activity to home-based businesses. The table below sets out the activities specifically listed and their activity status across the five District Plans.

Table 9 Summary of Business Activities Specifically Identified

Business Activities	Activity Status
Retail	<p>Permitted – produce sales in the rural zones (Christchurch)</p> <p>Permitted – must not exceed 20% of the net floor area of the sum of all buildings on any site. Goods retailed from any site shall be produced and/or processed, on the site including ancillary products and goods (Waimakariri).</p> <p>Controlled activity in the Rural Zone - goods produced on site (Queenstown Lakes)</p> <p>Non-complying (Auckland, Christchurch and Hamilton)</p>
Garden Centres	<p>Ranges from restricted discretionary through to non-complying (Auckland)</p> <p>Discretionary (Christchurch)</p>
Markets	Ranges from permitted through to non-complying (Auckland)
Storage and lock-up facilities	Ranges from discretionary through to non-complying (Auckland)
Convenience activities	Restricted discretionary (Christchurch)



Business Activities	Activity Status
Dairies	<p>Restricted discretionary (Auckland and Hamilton)</p> <p>Discretionary (Auckland)</p> <p>Non-complying (Christchurch)</p>
Service stations	<p>Discretionary (Auckland)</p>
Offices	<p>Range from permitted to discretionary (Auckland)</p> <p>Discretionary (Christchurch)</p> <p>Non-complying (Waimakariri, Queenstown Lakes, Hamilton)</p>
Commercial activities	<p>Permitted in High Density Residential comprising no more than 100m<sup>2</sup> of gross floor area (Queenstown Lakes)</p> <p>Discretionary (Queenstown Lakes and Christchurch)</p> <p>Discretionary in Large Lot Residential (Queenstown Lakes)</p> <p>Discretionary in the Rural Zone where ancillary to and located on the same site as recreational activities (Queenstown Lakes)</p> <p>Non-complying in Low Density Residential and Medium Density Residential (Queenstown Lakes)</p> <p>Non-complying (Auckland and Hamilton)</p>
Rural commercial activities	<p>Restricted discretionary or discretionary activities depending on the rural zone (Auckland)</p>
Industrial activities	<p>Discretionary (Christchurch)</p> <p>Non-complying (Christchurch, Queenstown Lakes, Auckland, Hamilton)</p> <p>Rural industrial activities permitted in the Rural Zones (Queenstown Lakes)</p>
Manufacturing and/or product assembling activities	<p>Prohibited (Queenstown Lakes)</p>
Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	<p>Prohibited (Queenstown Lakes)</p>
Rural industrial activities	<p>Permitted in the Rural Zones (Christchurch and Queenstown Lakes)</p> <p>Permitted - On-site primary produce manufacturing in the rural zones (Christchurch and Queenstown Lakes)</p> <p>Restricted discretionary or non-complying activities depending on the rural zone (Auckland)</p>
Cafes and restaurants	<p>Permitted in the Rural Zones if associated with a vineyard (Queenstown Lakes)</p> <p>Restricted discretionary in higher density residential areas and mixed use (Auckland)</p> <p>Discretionary in rural zone (Auckland)</p> <p>Discretionary in general residential zones (Auckland)</p>

Business Activities	Activity Status
	Restricted discretionary or non-complying activities depending on the zone - restaurants and cafes accessory to farming carried out on the same site (Auckland) Non-complying (Hamilton)
Care of children	Permitted with maximum of 4 non-resident children (Christchurch) Permitted with maximum 5 children (Hamilton) Restricted discretionary - six or more children (Hamilton)
Preschools	Permitted (Christchurch)
Vet Centres	Permitted with maximum of 4 animals accommodated (Christchurch) Discretionary (Auckland)
Health care facilities	Permitted (Christchurch) Restricted discretionary (Christchurch) Ranges from restricted discretionary to non-complying depending on size (Auckland) Discretionary (Hamilton) Integrated health care facilities restricted discretionary (Christchurch)
Bed and breakfast	Permitted with a maximum of 6 guests at one time and no guest accommodated for more than 90 days at a time (Christchurch)
Homestay accommodation	Permitted (Hamilton)
Boarding houses	Permitted up to 10 residents (Auckland) Discretionary accommodating more than 10 people (Auckland and Hamilton)
Visitor accommodation	Restricted discretionary (Hamilton) Discretionary for more than 10 people per site (Auckland and Christchurch)
Tourist and visitor activities	Discretionary in the Rural Zone (Auckland)
Conference facility	Non-complying (Hamilton)

This table shows that there are a range of business activities which are classified separately to home-based businesses in the residential and rural zones. Each district plan assessed classifies each of the activities quite differently and there is little alignment between the district plans in terms of activity status.

### 5.3.5 Other Relevant Standards

Each of the district plans assessed takes a different approach to the standards which home-based businesses must comply. Plans such as Hamilton District Plan contain most of the standards under the activity whilst others such as Christchurch District Plan requires users of the Plan to look elsewhere in other sections of the Plan. Both the Auckland Unitary Plan and the Hamilton District Plan are the most comprehensive in terms of having most of the relevant standards located with home-based business activity. The table below sets out the other general standards that home-based businesses must comply with order to be a permitted activity.

Table 10 District-wide Standards

Matters Addressed by Standards	Examples of Standards
Signs	<ul style="list-style-type: none"> <li>• The maximum symbol/lettering height shall be 200mm.</li> <li>• Maximum of 1 sign, 0.6m<sup>2</sup> area, max dimension 1m and maximum height from the ground 2m.</li> <li>• The display area of any sign facing a strategic or arterial road shall not exceed 3m<sup>2</sup>.</li> <li>• No more than 30 letters and/or symbols shall be displayed on each building frontage.</li> <li>• Letters and/or symbols shall be applied with no visible mounting structure.</li> <li>• The background shall not be differentiated from the fabric and colour of the rest of the façade.</li> <li>• Signs shall not extend above façade height.</li> <li>• Not more than one sign shall be erected per site.</li> <li>• The display area of any sign shall not exceed 0.6m<sup>2</sup>, except where a sign is facing a strategic or arterial road.</li> <li>• Free standing signs shall not exceed 2m in height.</li> <li>• On any site in any zone where the posted speed limit is greater than 70 km/hr there shall be not more than one sign visible from the State Highway per site.</li> <li>• Signs shall not project over a transport corridor or be located within a transport corridor</li> <li>• Signs shall not be placed so they block sight distances at intersections or driveways.</li> <li>• The type of image that cannot resemble a traffic sign or signal, contains reflective, fluorescent or phosphorescent materials, use flashing or revolving lights or lasers</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• 07:00-22:00 LAeq50 dB 22:00-07:00 LAeq 40 dB LAmax 65 dB</li> <li>• Monday to Saturday 7am-10pm and Sunday 9am-6pm 50dB LAeq</li> <li>• All other times 40dB LAeq and 75dB LAfmax</li> </ul>
Vibration	<ul style="list-style-type: none"> <li>• Occupied activity sensitive to noise: Night-time 10pm to 7am 0.3 mm/s and Daytime 7am to 10pm 2 mm/s</li> <li>• Other occupied buildings at all times 2 mm/s</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• No specific requirements over and above the residential requirements of 1 space/ unit, where that unit has less than 150 m<sup>2</sup> GFA, 2 spaces/ unit otherwise</li> <li>• 2 per household plus 1 per vehicle used solely for the home based business</li> <li>• 1 per dwelling except no additional space is required where both of the following apply:  (a) all employees live on the site of the home occupation; and</li> </ul>

Matters Addressed by Standards	Examples of Standards
	(b) goods and services are not sold from the site (except electronically or by mail/courier)
Traffic generation	<ul style="list-style-type: none"> <li>Not specifically addressed, high traffic generators are more than 50 vehicle trips per peak hour or 250 heavy vehicle trips per day (whichever is met first) 'Peak hour' are those hours between 15:00 and 19:00 hours on a weekday.</li> <li>Less than 499 vehicle movements per day is a permitted activity and no ITA is required</li> <li>Existing vehicle accesses to a strategic network or major arterial transport corridor generating greater than 100 vehicle movements per day requires an ITA.</li> </ul>
Glare	<ul style="list-style-type: none"> <li>All exterior lighting shall be directed away from the adjacent sites and roads, and downward to limit the effects on the night sky.</li> <li>No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</li> </ul>

While it undoubtedly avoids repetition by having district-wide standards contained elsewhere in the district plan, this approach necessitates Plan users to go to a number of chapters to find the standards which apply to home-based businesses. There is also uncertainty for the Plan users as to whether they have located all standards relevant to their activity. The advantage is that this approach lessens duplication.

## 5.4 Summary of District Plan Provisions

The approach of the five District Plans to home-based businesses undoubtedly reflects the issues of each of the districts or cities. In Hamilton, offices began establishing in the residential areas as a cheaper alternative to the central city which led to a failing CBD in terms of economic activity and vibrancy. In response, the District Plan adopted an approach of enabling home-based businesses up to 40% of the residential floor area, but any activities that do not meet all of the home-based business standards are deemed not to be a home-based business and require a resource consent. This approach is reflected in the objectives and policies which enable home-based businesses but discourage other non-residential activities, particularly business activities.

At the other end of the spectrum, district plans such as Waimakariri District Plan do not identify home-based business as a specific activity and rely instead on a home-based business or business activity complying with all the permitted activity standards.

Most of the district plans enable a sliding scale between home-based businesses at one end and business activities at the other through allowing non-compliance with home-based business standards as a discretionary activity.

In all five district plans, home-based businesses are permitted in the general residential zones provided they meet all the standards specific to that activity as well as the more general district-wide rules. In the more intensive residential zones, home-based businesses generally require resource consent.

Not all of the District Plans recognise home-based businesses or even business activities in the objectives and policies. Most are focused more on the amenity and character of the residential and rural zones, and from this flows the management of these activities by way of compliance with standards such as traffic generation and hours of operation.

In terms of the rules and standards relevant to home-based businesses and business activities, some district plans contain all the standards in one place while others rely on the general district-wide rules to avoid duplication.

While all of the District Plans identify specific activities (which includes business zones) for residential and living zones as separate to home-based businesses, the nature and activity status of these varies between the Plans.

## 6. Options

### 6.1 Broad Approach

Based on the review of other District Plans and the recommendations of the Property Economics and Planz Consultants reports four broad approaches have been developed for managing home-based businesses. These are summarised below, with Tables 11-14 outlining the respective advantages and disadvantage of each option.

#### Option 1: Enable all business activities

This option would mean that the district plan allowed any business activity in all zones, including residential and rural zones. No resource consent would be required and there would be no restriction on the type, location, or size of activity.

Table 11 Potential Costs and Benefits of Option 1

	Costs	Benefits
Social	<p>Unclear purpose of each zone.</p> <p>Greater risk of reverse sensitivity effects.</p> <p>Takes activity away from the towns.</p> <p>Dilutes urban form –a clear hierarchy of commercial Centres would no longer exist.</p> <p>Limited ability to impose restrictions on activities.</p> <p>Undermines the social role of the towns, and being a meeting place for communities.</p> <p>Enables residential and rural properties to no longer be used for residential purposes which will have an adverse effect on character.</p> <p>Increased traffic movements in streets designed for residential use only, the effects of which would not be adequately addressed.</p> <p>Difference in hours of operation for businesses, leading to dark, shut up converted houses at night. There may be security issues with this.</p> <p>Increases uncertainty for adjoining properties as to what the full range of activities anticipated on the site are</p>	<p>Allows a wide range of activities to establish in residential and rural areas to meet the needs of the community.</p> <p>Provides flexibility for work opportunities.</p> <p>Mix of uses and different hours of operation results in passive surveillance.</p> <p>Increases flexibility to respond to community needs, and changing markets for evolving social and community needs.</p>
Economic	<p>Undermines the “commercial hub” role of the towns.</p> <p>Leakage of economic activity away from the Centres.</p>	<p>Allows a wide range of activities to establish in residential and rural areas. High degree of flexibility for landowners.</p> <p>Activities and their locations can be responsive to the market.</p> <p>Increased rates revenue, from residential sites operating as commercial.</p>

Environmental	<p>Increased potential for inappropriate activities to establish.</p> <p>Hinders ability for Council to plan for appropriate infrastructure.</p> <p>Increased impacts on infrastructure including roads and wastewater.</p> <p>Adverse effects on amenity, eg from hours of operation, odour, noise, lighting, signs, traffic movements.</p> <p>No controls over location of activities, potentially resulting in inappropriate locations for some activities.</p> <p>Increased impermeable surfaces with sealed carparking – leading to stormwater disposal issues.</p> <p>Amenity for residential living for adjoining landowners can be affected by redevelopments</p>	Reduces need for travel
Cultural	Change in character.	

## Option 2: Status quo (current approach of the Operative District Plan)

This option involves no changes to current plan provisions. The current rules in the Plan enable any activity, including business activities, to be established in the Living Zones, provided any effects of the activity are compatible with the character of the zone within which it will be established. The Plan achieves this by focusing largely on the amenity standards rather than the activities themselves. Chapter C1 of the Township Volume outlines the rules for the Living Zone but does not contain any rules that relate solely to home-based business.

There are a number of business activities in the Living Zones which are attributed a particular activity status and require resource consent such as service stations, veterinary clinics, hospitals etc. Other than the specifically listed activities, all business activities are permitted in the Living Zones so long as the activity can comply with all the standards. There is no requirement for there to be a residential component on the site.

The most relevant standards, as set out in Rule 10.8.1, in the Operative Selwyn District Plan which restrict business activities in the Living Zones are:

- No more than two full time equivalent staff employed on the site live off site;
- Maximum gross floor area for building(s) other than a dwelling of 300m<sup>2</sup>; and
- Maximum of 40 vehicle movements per day plus 4 heavy vehicle movements per day for State Highways, arterial roads and collector roads. Local roads have a maximum vehicle generation of 20 per day plus 2 heavy vehicle movements per day.

The Rural Volume adopts a similar approach to the Township Volume, with some activities specifically identified as requiring a resource consent including boarding catteries and kennels, camping grounds, industrial activities (other than industry undertaken as a home based occupation) etc. Other than the specifically listed activities, all business activities are permitted so long as they comply with all the standards and are not specifically listed as a discretionary or non-complying activity. The most relevant standards in the Operative Selwyn District Plan which restrict non-rural activities in the Rural Zone are:

- Maximum space occupied of 100m<sup>2</sup>; and
- No more than 2 full time equivalent persons are employed.

In summary, the approach of the Rural Zones is similar to the Living Zone where home-based businesses are not specifically listed as an activity, and instead standards are relied upon to manage any effects. As a result there is maximum flexibility as to the activities that can be undertaken. There is no limit on the business activities that can be established in the Rural Zone without need for a domestic or residential



component (i.e. a purely commercial use). The only limits are on rural based industries and other industries in terms of area and number of employees.

Table 12 Potential Costs and Benefits of Option 2

	Costs	Benefits
Social	<p>Greater risk of reverse sensitivity effects.</p> <p>Potentially takes activity away from the towns.</p> <p>Unclear role of the zones eg there is no requirement for residential buildings and residential activities as the primary activity.</p> <p>Does not require properties to retain predominantly residential use.</p>	<p>Allows a wide range of activities to establish in residential and rural areas.</p> <p>Limits the size of the operation through employees and floor area thus retaining residential and rural character.</p> <p>Allows for a sustainable form of living and working which reduces vehicle trips.</p> <p>Mix of uses and different hours of operation results in passive surveillance.</p>
Economic	<p>Undermines the “commercial hub” role of the towns.</p> <p>Leakage of economic activity away from the Centres.</p>	<p>Activities and their locations can be responsive to the market.</p> <p>Increased rates revenue, from residential sites operating as commercial.</p>
Environmental	<p>Limited control on the effects eg size and traffic generation</p> <p>No limits on the types of activities that can establish so potential for inappropriate activities to establish.</p>	<p>Focus is on retaining the residential and rural character and amenity rather than the activity per se.</p> <p>Allows the ability to control traffic generation.</p>
Cultural		

### Option 3: Restrict business activities to only home based businesses

This option involves enabling home-based businesses but not allowing any other business activity to establish within the Living and Rural Zones that falls outside the definition of a home-based business. Activities other than home-based businesses would require a resource consent. If business activities were to be discouraged, then a discretionary or non-complying activity status would be appropriate. This approach would require clear objectives to set the strategic direction, and policies to achieve that outcome.

This option sets a clear expectation for activities which cannot comply with one or more of the home-based business standards. Such activities would not be classed as home-based businesses and would require a consent as another activity (depending on what the activity was).

This is an approach used by Hamilton District Plan, that unless an activity could meet all the standards for a home-based business, it is not a home-based business.

This option would logically still enable rural business activities which depend on the productive capacity of the rural environment to continue, but would discourage business activities such as industries which do not depend on primary production derived from the Rural Zone.

Table 13 Potential Costs and Benefits of Option 3

	Costs	Benefits
Social	<p>Reduced passive surveillance during the day with the loss of larger commercial operations and offices in residential and rural areas.</p> <p>Neighbourhood services not provided for.</p>	<p>Retains residential amenity and character.</p> <p>Retains the rural focus of rural zoned land.</p> <p>Properties retain predominantly residential and rural use.</p>

		<p>Allows for a sustainable form of living and working which reduces vehicle trips.</p> <p>Ensures that the occupier of the dwelling is involved in the commercial activity.</p> <p>Allows for a limited mix of activities in residential and rural areas.</p> <p>Mix of uses and different hours of operation results in passive surveillance.</p> <p>Provides flexibility for work opportunities.</p> <p>Certainty for landowners with regards to use and development of surrounding sites.</p>
Economic	<p>Does not provide cost effective options for businesses which are too big to qualify to be a home based business, but too small for commercial premises to be cost effective.</p> <p>Increased pressure on business zoned sites leading to increased cost to a business wishing to establish.</p>	<p>Increased number of offices and commercial activities establishing in the towns.</p> <p>Maximise use of the home as an asset.</p> <p>Allows a wide variety of home-based businesses to establish.</p> <p>Allows small scale businesses (that meet the standards for a home-based business) to establish in residential and rural areas.</p> <p>Strengthens the urban form –clear hierarchy of commercial Centres.</p> <p>Allows small businesses to establish in cost effective way.</p>
Environmental	<p>The potential for clustering of home-based businesses to occur which impacts on the residential and rural character.</p>	<p>Clear distinction between what is an acceptable home-based business and a larger commercial operation.</p> <p>Allows controls to ensure effects are acceptable eg maximum gross floor areas, maximum number of employees from outside the home, parking, landscaping, hours of operation.</p> <p>Strengthens the urban form –clear hierarchy of commercial Centres.</p> <p>Ability to specify activities appropriate for residential and rural areas.</p> <p>Allows the ability to control traffic generation.</p>
Cultural		<p>Retains the cultural fabric of the residential and rural areas.</p>

#### Option 4: Discourage all business activities

This option would mean that any business activity would be classified as a non-complying activity and would require resource consent. It would also enable all effects to be considered. This would enable the focus of the Living and Rural Zones to be for residential and rural production purposes respectively rather than any commercial activities. This option would involve the inclusion of objectives and policies relating to retaining the integrity of the residential areas for residential activities, and similarly the rural zones for rural purposes.

If this option were pursued, careful consideration would need to be given to defining rural production activities (which are to be encouraged) separately from business activities that were not dependent on the primary productive capacity of the rural environment (which would be discouraged).

This option would mean that home-based businesses would also be non-complying activities, regardless of size and would effectively prevent people working from home.

Table 14 Potential Costs and Benefits of Option 4

	Costs	Benefits
Social	<p>Reduces the ability for residents to access employment opportunities close to their homes.</p> <p>Reduced work flexibility for residents.</p> <p>As consent is required for any modification of an existing commercial activity, this can markedly reduce the flexibility and evolution of existing activities to change and adapt to meet the social needs of the community.</p> <p>Excludes commercial activities which perform a basic social function – dairy etc</p>	<p>Retains integrity of the residential areas for only residential activities.</p> <p>Retains the rural focus of rural zoned land.</p> <p>Strengthens the role of Centres as the social focal point for the community.</p> <p>Greater certainty for landowners of the activities and development of surrounding sites.</p>
Economic	<p>Does not provide a stepping stone for small business starting out.</p> <p>Does not provide for cost effective facilities for very small businesses (e.g. 1-2 employees).</p> <p>Greater costs of establishing small businesses (consenting costs, real estate).</p> <p>Increased risk of small businesses choosing to locate outside Selwyn District.</p> <p>Uncertainty costs of case by case applications for commercial activities</p>	<p>Strengthened role of Centres as the commercial hub.</p>
Environmental	<p>Signals that all business activities are inappropriate</p>	<p>Enables all the effects of business activities to be assessed.</p> <p>Retains the residential character and amenity.</p> <p>Strengthens the urban form –clear hierarchy of commercial Centres.</p> <p>More effective management of traffic as the traffic generation patterns will be more consistent across each zone.</p> <p>Allows accurate forecasting of infrastructure requirements based on expected location of activities.</p> <p>The appropriate location of commercial activities can be determined (e.g. towns and villages).</p> <p>Efficient use of rural land for only rural production purposes.</p>

Cultural		Retains the cultural fabric of the residential and rural areas.
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## 7. Recommendations

### 7.1 Recommended Approach

Of all of the options outlined above, Option 3 is considered to provide the best balance of enabling home-based businesses, while focusing all other business activities into the Centres and towns. This option involves:

- Enabling home-based businesses as a permitted activity in both rural and residential zones;
- Clear unambiguous standards to manage the scale of the activity. This is to ensure that the home-based business is secondary to the use of the site as a place of residence. It also manages the effects of the activity and ensures that the character and amenity are not adversely affected;
- Activities that cannot meet all standards for home-based business are not home-based businesses;
- Business activities not meeting the standards for home-based businesses will require resource consent. This could be as a discretionary or non-complying activity; and
- For clarity, some business activities will be specifically listed that are appropriate in the Living and Rural Zones such as childcare.

The report 'Selwyn Business Zone Policy Assessment' (Property Economics, October 2017) recommended managing commercial activities throughout the District to preserve the integrity and economic viability of the Key Activity Centres, with the Service Activity Centres and Rural Activity Centres placed further down the Centres hierarchy. The report recognises Centres not only for their economic role in the well-being of the District, but also improving efficiency and accessibility for consumers by clustering business activities. They act as the heart of the community, providing a place for social gatherings / events for the local community and a sense of place. Options 3 and 4 would support the integrity and economic viability of the Centres, whereas Options 1 and 2 allow economic leakage from the Centres and undermine the social function of Centres by dispersing activity throughout the District.

As outlined in the report Selwyn Business Zone Policy Assessment, there is the potential for commercial and industrial activities in both the rural and residential zones to adversely affect the viability and vitality of the Centres. Thus it is recommended that Option 3 be applied to both rural and residential environments.

There are many advantages to enabling home-based businesses as outlined earlier in this report, provided the policy and rule framework manages the effects to retain the integrity of the residential and rural zones, and their character and amenity. Option 3 enables home-based businesses to establish so long as the activity is secondary to the use of the site as a place of residence. This applies to both rural and residential areas.

Rural is different in that the productive capacity of the land must be enabled, however it is other commercial activities that do not require a rural site that should be limited rather than rural industries, processing of rural produce and the like.

Consideration was given to business activities in small rural towns and the recommendations of the report 'Existing Out of Centre Business Activities in Small Rural Towns' (Planz Consultants, November 2017). By constraining business activities in the residential and rural zones to just home-based business, there is a risk that the economic development of the smaller rural towns that do not have business zones is unreasonably constrained. However the report by Planz Consultants recommends the application of a 'Policy Overlay' to recognise and provide for business activities in small settlements, in combination with embedding more benign activities (accommodation and home-based businesses) within the underlying residential zone provisions. The report considers such an approach provides some certainty to existing operators that their activities are lawfully established and provides some flexibility for adaptation, as well as maintaining residential amenity and character. The effect of a policy overlay applied to the smaller rural towns is that business development will not be constrained by the adoption of Option 3.

## 7.2 Scale

In reviewing other district plans, scale of the home-based business is achieved by standards managing the following matters:

- Maximum gross floor area of the building, plus the area used for outdoor storage area; and
- Number of employees and residency.

The Operative Selwyn District Plan already manages both of these matters with regards to business activities in the following way:

Living Zones:

- Maximum gross floor area for building(s) other than a dwelling of 300m<sup>2</sup>;
- No more than two full time equivalent staff employed on the site live off site;

Rural Zone:

- Maximum space occupied of 100m<sup>2</sup>; and
- No more than two full time equivalent persons are employed.

The feedback from Council staff is that the maximum space / floor area standard for the Rural Zone is disproportionately small when compared with the standard for the Living Zone.

In terms of the Living Zones, most residential sites are larger than 600m<sup>2</sup>. The current standard of 300m<sup>2</sup> would mean that half the site is used for business purposes which has the effect of the site no longer being predominantly for residential purposes (notwithstanding the maximum site coverage rule of 40%).

Three of the district plans reviewed contained maximum size limits on the home-based business, ranging from 40m<sup>2</sup> (Christchurch), 60m<sup>2</sup> (Queenstown Lakes) and 30% (Hamilton) of the gross floor area. An assessment of the approach of other district plans throughout New Zealand revealed that there are two mechanisms being used for managing the area of home-based businesses (see Appendix D):

- a) Maximum percentage of the floor area; and
- b) Maximum floor area expressed as m<sup>2</sup>.

Research showed there is very little consistency throughout New Zealand in terms of the mechanism used to control the size of home-based businesses, or indeed the maximum size.

If the intent is to retain residential as the primary purpose of the site, then it is recommended that the size of home-based businesses be controlled through either of these mechanisms. A percentage standard would have the benefit of being responsive to the size of the dwelling and/or accessory buildings. Given the desire to provide a range of dwelling types and sizes, there is likely to be increased variety in the floor area and form of dwellings constructed. An example of this is that a maximum area that is appropriate for a large 300m<sup>2</sup> house will not be appropriate for a more modest 120m<sup>2</sup> villa. The villa example could well result in the entire house being used for business activities whilst still technically meeting all the standards. Controlling the floor area of the home-based business through a percentage is an effective method for ensuring that the residential use dominates, while being responsive to the floor area of the dwelling and/or accessory buildings. Other district plans range from a maximum percentage of 10% to 33%.

As outlined above, the size of home-based businesses can be controlled through a standard setting a maximum area expressed as a m<sup>2</sup>. The advantage of a maximum area approach is that it sets a consistent standard applicable to every Living zoned site, of every size, in every location. In terms of monitoring and compliance, an area standard is more easily applied and measured than a percentage. An approach to setting an appropriate maximum area is to consider the types of activities that are normally undertaken as home-based businesses, the number of employees and therefore floor area that activity would require. Other district plans range from a maximum floor area of 25m<sup>2</sup> to 150m<sup>2</sup>.

In terms of the Rural Zone, sites can range in size from small rural residential sites to very large farms. While rural properties have the space to accommodate some very large sheds, either a maximum percentage or a maximum floor area could be used to control the size. In terms of effects that are being managed, there will be no visual effects if the activities take place within a building. It is important however that the site is still used predominantly for rural activities. The district plans reviewed generally had the same floor area standards for rural and residential zones. It is recommended that the size of home-based businesses

in the Rural Zone be controlled through either of these mechanisms. Properties in the Rural Zone are capable of accommodating some very large sheds and accessory buildings. Thus a maximum percentage may be appropriate, up to a maximum floor area (whichever is the lesser of the two).

Materials or goods associated with the home-based business can be stored and worked on within a building. Space used for storage of goods would be included in the maximum area / percentage to be used by the home-based business.

There were no issues identified by the Council staff with regards to the maximum number of persons employed by the home-based business. There are two different aspects to this:

- a) Employees living on-site or off-site; and
- b) Number of full time equivalent employees.

The approach of the Operative Selwyn District Plan to limit the number of people employed outside the home to two is aligned with the other district plans reviewed. This standard is recommended to be retained for both Living Zones and the Rural Zone. Given that there are no standards for occupancy of dwellings, it is recommended that the number of people employed residing off-site is managed rather than the total number of people employed. The floor area standards will effectively control the size of the home-based business.

## 7.3 Vehicle Movements

Virtually all of the district plans reviewed manage vehicle movements, and three of them specifically manage traffic generation associated with home-based businesses. Queenstown Lakes has specific traffic generation standards for home-based businesses with no heavy vehicles permitted and a maximum of 10 vehicles per day (equivalent to 20 vehicle movements). The Auckland Unitary Plan has a maximum 20 vehicle movements per day associated with a home-based business, maximum two heavy vehicle movements per week and no more than one commercial vehicle associated with the home-based business may be on site at any one time. Hamilton District Plan does not allow any trips by a heavy motor vehicle to be generated by a heavy vehicle.

The Operative Selwyn District Plan contains standards for vehicle movements although these are not specific to home-based businesses or business activities. State Highways, arterial roads and collector roads have a maximum of 40 per day plus 4 heavy vehicle movements per day, while local Roads: 20 per day plus 2 heavy vehicle movements per day.

The vehicle generation rules for the Rural Zone are:

- Road unformed and, or not maintained by Council:
  - For any commercial or industrial related activity where access is required off an unformed and un-maintained road, excluding normal farming activities: Nil.
  - For any individual property access off an unformed and un-maintained road: 15 equivalent car movements per day per site.
- Road formed, sealed and maintained by Council:
  - State Highway and Arterial Roads: 30 equivalent car movements per day per site averaged over any one week period).
  - Local and Collector Roads: 60 equivalent car movements per day per site (averaged over any one week period).
- Road formed, unsealed and maintained by Council:
  - 60 equivalent car movements per day per site (averaged over any one week period).

Although there have been complaints to Council with regards to traffic generated by home-based businesses, the traffic generation rules are already reasonably generous for residential and rural sites. The standards for traffic generation as contained in the Selwyn District Plan are similar to those in other district plans and therefore no changes to these are recommended in terms of home-based businesses. Feedback from Council is that there have been a small number of complaints with regards to traffic generation by home-based businesses, but this is only a very small proportion of the large number of home-based business in the district. With all of these complaints, either no issue is found or there is marginal non-compliance.



## 7.4 Small Rural Towns

Building on the recommendations in the report “Existing Out of Centre Business Activities in Small Rural Towns”, Selwyn’s smaller settlements require a different approach. The most significant issue for these towns is to enable flexibility to establish commercial activities without the need for specific Business Zones which may either constrain development of residential or remain vacant. The most effective and efficient approach is that they are zoned as Living Zones, but have an overlay or precinct which provides for business activities. This approach would work in combination with the District-wide approach of enabling home-based businesses in the Living Zones.

The precinct or overlay would provide some flexibility for adaption of the existing businesses, as well as enabling the establishment of new business activities, so long as residential amenity and character was maintained. This would require new business activities to go through a consent activity, but could be supported by objectives and policies. The approach could consist of the following:

1. Specific objectives and policies
  - Set out the vision for the small rural towns
  - To provide for small scale business activities as identified in the small rural village on planning maps
  - Acknowledging the need to retain the character and amenity of the town; and
  - Avoiding reverse sensitivity effects.
2. Map ‘Small Settlement Business Overlay’: Identify on the Planning Maps, as one overlay
3. Enable home-based businesses in accordance with the rest of the Living Zones in the District;
4. Develop a rule and activity framework that encourages flexibility with business development whilst managing any adverse effects. Restricted discretionary activity status may be useful in this regard.
5. Development standards are that are more relaxed to enable businesses to develop, e.g.
  - Building coverage;
  - Vehicle movements;
  - Signs; and
  - Yards.
6. Development standards which manage amenity effects, especially on adjoining residential amenity or the public realm, e.g.:
  - Parking, loading and access;
  - Recession planes;
  - Maximum lux levels;
  - Maximum noise levels;
  - Landscaping requirements.

## 7.5 Recommended Amendments to Provisions

The following outlines principles to assist in drafting revised district plan provisions to manage home-based businesses.

### 7.5.1 Definitions

In the Operative Selwyn District Plan there is a definition for home-based business in the Rural Volume, but no definition for the Living Zones. It is recommended that there is one definition that applies to both Living and Rural Zones.

The current definition establishes three matters:

1. Includes the use of a site for an occupation, business, trade or profession;
2. Recognises the use of the same site for residential activities; and

3. Requires the activity to be undertaken by a person(s) permanently residing on the site.

The other district plans reviewed addressed additional matters in their definitions for home-based businesses including:

- undertaken within a residential unit (Christchurch);
- identifies activities which are excluded from the definition (Queenstown Lakes, Hamilton, Auckland); and
- recognition that the activity is secondary to the use of the site as a dwelling (Auckland).

It is recommended that the concept of the activity being secondary to the use of the site would be a useful addition to the definition.

The current definition includes all activities and given the focus on effects as outlined below in Section 7.5, it is recommended that this approach be retained, unless there are specific activities that the Council compliance and enforcement team are experiencing complaints upon.

The clarification that activities which do not meet all of the standards relevant to home-based businesses are not home-based businesses could be contained in either the definition or at the start of the standards themselves.

### 7.5.2 Objectives

The Operative District Plan does not contain any objective specific to home-based business and there probably is no need to include specific objectives on this topic. Instead, home-based businesses could be managed by objectives which seek to achieve the following outcomes:

- Maintaining the character and amenity of each zone;
- Recognising the economic and social importance of the Centres; and
- Protecting Centres as the focal points for employment, community activities, retail, services and industrial activities.

In terms of Rural Zones, objectives need to establish that rural environments are for rural activities (e.g. those activities that depend on the primary productive capacity). Thus activities such as rural industry should be enabled in the Rural Zone.

An objective supporting the rural character and amenity would also be useful to complement the urban objective in that regard.

### 7.5.3 Policies

Policies are the means by which the objectives are achieved. In order to implement Option 3, it is recommended that policies be drafted to provide policy support for the approach. The policies should spell out the broad approach being taken i.e that home-based businesses are permitted but must meet standards. Activities not meeting all standards are not considered home based business.

A policy could also establish the approach to controlling the effects of home-based business activity standards as follows:

- Are ancillary / secondary to the residential activity of the site.
- Avoid adverse effects on the neighbourhood, character, amenity and the transport network.
- Take place within dwellings or ancillary buildings.
- Involve no outdoor storage of vehicles, equipment or goods visible from a public place.
- Are compatible with the character and amenity of the locality, in terms of location, type and scale of activity, number of visitors to the site, and hours of operation.
- Character and amenity:
  - Residential activities remain the dominant activity in Living Zones.
  - Activities in Living Zones are compatible with residential amenity.

- Adverse effects of activities on the amenity values of the locality shall be minimised including effects of noise, glare, odour, dust, smoke, fumes and other nuisances.
- Activities complement rural character.
- Resource consent will be required for business activities (i.e. activities that are not home-based businesses) and activities will only be considered to be appropriate if:
  - The adverse effects on all zones are adequately avoided, remedied or mitigated;
  - Are of an appropriate size to maintain character of the site;
  - Do not detract from the vitality, role or function of the Centres;
  - Industries, services and business activities of an urban type and scale unrelated to rural production activities are not located in rural zones.
  - Avoid creating reverse sensitivity effects;
  - Contain and manage adverse effects on-site;
  - Avoid, remedy or mitigate adverse effects on traffic movement and the road network; and
  - Activities are compatible with the scale and intensity of development anticipated within the zone.

A supplementary policy should enable rural industries and rural commercial services which are legitimate activities appropriate for the Rural Zone.

There needs to be a strong policy which would allow a commercial development to be declined if it posed a significant threat to the Centres, in terms of their role, function and viability. This is a recommendation of the Selwyn Business Zone Policy Assessment and would complement the recommended approach for home-based business.

#### 7.5.4 Rules

The clarification that activities which do not meet all of the standards relevant to home-based businesses are not home-based businesses could be contained in either the definition or at the start of the standards themselves.

It is recommended that rules be drafted which address the following matters for home-based businesses:

- A requirement for at least one person engaged in the home based business must use the dwelling on the site as their principal place of residence;
- Maximum number of people employed who do not live on site;
- Maximum size, controlled through either a proportion of the gross floor area or a maximum floor area;
- Hours of operation in terms of visits to the home. Hours of operation is not relevant for activities such as offices so it is more appropriate to manage the effects of the activity, such as customers visits or trips associated with the business;
- Vehicle movements and types of vehicles;
- Visual effects of the activity. This may include matters such as locating the activity inside a building and storage of goods associated with the home-based business. Storage of materials associated with the home-based business should either be located within a building or screened from view from a public space;
- Number and size of signs;
- Nuisance including noise, dust, vibration, fumes; and
- Provision of parking.

Depending on the structure of the district plan, some of these standards may not be specific to home-based business, but may be applicable to management of the wider zone. If this is the case, there must be adequate signposting to the other District-wide rules that must be complied with.

The following activity status recommended is:

- home based businesses complying with all standards for home-based businesses – permitted activity
- Specifically listed business activities that are appropriate in the Living and Rural Zones and will not undermine the viability of the Centres (e.g. preschools) – restricted discretionary activity
- Other business activities – non-complying activity

## 7.6 Types of Activities

There are many types of activities which could potentially be home-based businesses. The policy and rule framework recommended above focuses on the effects of home-based businesses, and so long as home-based business can meet the standards then there is no need to constrain the type of activity.

There are a number of activities that will not be able to comply with the standards for home-based businesses because of the nature of the activities. For example medical facilities with several practitioners on one site are unlikely to be able to comply with the traffic generation rules and therefore would not be classed as a home-based business. The recommended approach to either being a home-based business because it complies with all the standards for a home-based business, or some other business activity that requires a resource consent makes this distinction very clear.

It is recommended that the rule framework needs to acknowledge that some business activities are more appropriate in the Living and Rural Zones than Business Zones such as pre-schools. These provide an important social function and are appropriate to be part of the residential and rural community. It is recommended these activities are given a more enabling activity status such as restricted discretionary to indicate that they may be appropriate if the effects can be appropriately managed.

It is recommended that business activities that are not appropriate in the Living or Rural Zones are classified as non-complying activities to provide a clear direction that these activities should be located in other parts of the District.

The Rural Zone will require a slightly different approach in that farming and rural production activities including rural industries should be enabled. The business activities that should be discouraged through a stringent activity status are those that do not depend on the primary rural resources such as industry (as different from rural industry), warehousing of commercial goods and offices.

## 7.7 Alignment with Higher Order Planning Documents

This section considers how well the recommended approach aligns with higher order planning documents and strategies.

Section 75(3) of the RMA requires district plans to give effect to—

- (a) any national policy statement; and
- (b) any New Zealand coastal policy statement; and
- (ba) a national planning standard; and
- (c) any regional policy statement.

In terms of management of home-based businesses, the Canterbury Regional Policy Statement is the most relevant of these documents. The recommended approach gives effect to Objective 5.2.1 in that it *supports sustainable economic development by enabling business activities in appropriate locations*. Living and Rural Zones are considered appropriate for home-based businesses which enables small scale economic activity. This is balanced by discouraging larger scale commercial operations to establish in Living and Rural Zones, in favour of encouraging them to establish in the Centres.

The recommended approach *enables rural activities that support the rural environment including primary production* by continuing to enable legitimate rural activities that rely on the primary productive capacity of the Rural Zone. In addition, Policy 5.3.12 recognises that a wide range of business activities are appropriate in the rural areas, but requires those activities to be:

- (a) *is consistent and compatible with rural character, activities, and an open rural environment;*
- (b) *has a direct relationship with or is dependent upon rural activities, rural resources or raw material inputs sourced from within the rural area;*

*(c) is not likely to result in proliferation of employment (including that associated with industrial activities) that is not linked to activities or raw material inputs sourced from within the rural area; and*

*(d) is of a scale that would not compromise the primary focus for accommodating growth in consolidated, well designed and more sustainable development patterns.*

...

Of particular note is Policy 5.3.12(c) which seeks to avoid proliferation of employment that is not linked to the productive capacity of the rural environment. The recommended approach to home-based business will support this outcome by discouraging other commercial activities not rural-based.

By focusing commercial activities into Centres rather than enabling them to be widely distributed, this helps achieve Policy 5.3.1(2) which seeks to *encourage within urban areas business opportunities of a character and form that supports urban consolidation.*

In particular, the recommended approach will achieve Policy 5.5.3(2) by ensuring amenity and character are maintained in the Living and Rural Zones

The CRPS takes a more directive approach to business activities in terms of encouraging the consolidation of business activities in a Centre such as Objective 6.2.5. This objective recognises the importance of the *network of centres as the focal points for commercial, community and service activities*. Objective 6.2.6(3) also directs that *new commercial activities are primarily directed to the Central City, Key Activity Centres, and neighbourhood centres*. Policy 6.3.6 in particular encourages consolidation of business activities into the centres. These are all achieved by the recommended approach which restrains larger-scale commercial activity in the Living and Rural Zones, while encouraging it to be located in the Centres.

In summary, the recommended approach for home-based businesses align with the objectives and policies in the CRPS and will assist in the Proposed District Plan giving effect to the CRPS as required by Section 75(3) of the RMA.

# Appendices





## Appendix A District Plan Provisions

Definitions from the Township Volume

<b>Ancillary Offices</b>	means any office activity forming part of and being incidental to a principal permitted or consented activity on the same allotment, and which forms an inseparable part of the business occupying the allotment and which occupies no more than 25% of the principal activity.
<b>Automotive and Marine Suppliers</b>	<p>means a business primarily engaged in selling automotive vehicles, marine craft, accessories to and parts for such vehicles and craft, and without limiting the generality of this term, includes suppliers of:</p> <ul style="list-style-type: none"><li>• boats and boating accessories;</li><li>• cars and motor cycles;</li><li>• auto parts and accessories;</li><li>• trailers and caravans;</li><li>• tyres and batteries; and</li><li>• any other goods allowed by any other definition under 'trade supplier'.</li></ul>
<b>Building Suppliers</b>	<p>means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, fixed decoration or outfitting of buildings and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"><li>• glaziers;</li><li>• locksmiths; and</li><li>• suppliers of:<ul style="list-style-type: none"><li>• awnings and window coverings;</li><li>• bathroom, toilet and sauna installations;</li><li>• electrical materials and plumbing supplies;</li><li>• heating, cooling and ventilation installations;</li><li>• kitchen and laundry installations, excluding standalone appliances;</li><li>• paint, varnish and wall coverings;</li><li>• permanent floor coverings;</li><li>• power tools and equipment;</li><li>• safes and security installations;</li><li>• timber and building materials; and</li><li>• any other goods allowed by any other definition under 'trade supplier'.</li></ul></li></ul>
<b>Catering Equipment Suppliers</b>	means a business primarily engaged in the selling or supplying of catering, foodservice and hospitality equipment
<b>Commercial Service:</b>	<p>means a business providing personal, property, financial, household, private or business services to the general public as a commercial activity and includes, but is not limited to:</p> <ul style="list-style-type: none"><li>• airline and entertainment booking services;</li><li>• betting shops;</li><li>• copy and quick printing services;</li></ul>



- customer banking facilities;
- customer postal services;
- counter insurance services;
- credit unions, building societies and investment co-operatives;
- drycleaning and laundrette services;
- electrical goods repair services;
- footwear and leather goods repair services;
- hairdressing and beauty salons and barbers;
- key cutting services;
- money lenders;
- real estate agents and valuers; and
- travel agency services.

**Farming and  
Agricultural  
Suppliers**

means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry and without limiting the generality of this term, includes:

- equestrian and veterinary suppliers;
- farming and horticultural equipment suppliers;
- seed and grain merchants;
- stock and station outlets; and
- suppliers of any other goods allowed by any other definition under 'trade supplier'.

**Garden and Patio  
Suppliers**

means a business primarily engaged in selling goods for permanent exterior installation or planting and without limiting the generality of this term, includes:

- garden Centres;
- landscape suppliers; and
- suppliers of:
  - bark and compost;
  - clothes hoists and lines;
  - conservatories, sheds and other outbuildings;
  - fencing, gates and trellises;
  - firewood;
  - garden machinery;
  - outdoor recreational fixtures and installations;
  - monumental masonry;
  - patio furniture and appliances;
  - paving and paving aggregates;
  - statuary and ornamental garden features;
  - swimming and spa pools; and
  - any other goods allowed by any other definition under 'trade supplier'.

<b>Hire Services</b>	<p>means a business primarily engaged in the hiring of machinery and equipment and includes:</p> <ul style="list-style-type: none"> <li>• servicing and maintenance of hire equipment</li> <li>• storing of hire equipment.</li> </ul> <p>But excludes:</p> <ul style="list-style-type: none"> <li>• premises for the hire or loan of books, video, DVD and other similar home entertainment items.</li> </ul>
<b>Industrial Clothing and Safety Equipment Suppliers Office</b>	<p>means a business primarily engaged in the sale or supply of personal protective equipment, workwear and related safety products and services.</p> <p>a place where administrative, business, clerical or professional and, or management activities are conducted.</p>
<b>Office Furniture, Equipment and Systems Supplies</b>	<p>means a business primarily engaged in selling goods for office-type use or consumption, and includes suppliers of computers, copiers, printers, office furniture and other related equipment.</p>
<b>Trade Suppliers</b>	<p>means a business engaged in sales to businesses and institutional customers and may also include sales to the general public, and wholly consists of suppliers of goods in one or more of the following categories:</p> <ul style="list-style-type: none"> <li>• automotive and marine suppliers;</li> <li>• building suppliers;</li> <li>• catering equipment suppliers;</li> <li>• farming and agricultural suppliers;</li> <li>• garden and patio suppliers;</li> <li>• hire services (except hire or loan of books, video, DVD and other similar home entertainment items);</li> <li>• industrial clothing and safety equipment suppliers; and</li> <li>• office furniture, equipment and systems suppliers.</li> </ul>

#### Relevant definitions (Rural Volume)

<b>Home Based Occupation</b>	<p>includes the use of a site for an occupation, business, trade or profession in conjunction with the use of the same site for residential activities. A home based occupation is undertaken by a person(s) permanently residing on the site.</p>
<b>Industrial Activity</b>	<p>means any activity involving the manufacturing, production, processing, assembly, disassembly, packaging, servicing, testing, repair, direct handling, distribution and/or warehousing of any materials, goods, products, machinery or vehicles, but excludes mining, mineral exploration and quarrying and, for the avoidance of doubt, harvesting activities associated with plantation forestry. For the purpose of this definition an industrial activity is further defined as being either of the following:</p> <p>(a) Rural Based Industrial Activity: means an Industrial Activity that involves the use of raw materials or primary products which are derived directly from the rural environment, including agricultural, pastoral, horticultural, forestry, viticultural and crops.</p>

Or

(b) Other Industrial Activity: means any other Industrial Activity that is not defined as a rural based industrial activity, as stated in (a) above

**Temporary Accommodation** includes the use of any building to house any person for residential or business activities on a site, while construction work is being undertaken on the site. Temporary accommodation may be provided for persons occupying the site on which construction work occurs, or for persons involved in the construction work.

The types of business activities that are enabled for in the operative district plan include:

Listed Activities in the Living Zone

Rule 1.1.2.2	Any of the activities listed in (a) to (h) below, irrespective of whether they comply with the conditions for permitted activities in Rules 2 to 11.
<b>Discretionary Activity</b>	<ul style="list-style-type: none"><li>(a) Any facilities for the temporary storage of solid and/or liquid waste delivered or conveyed on to the site. (This rule does not include rubbish bins or similar containers used to store solid waste on the site from which it is generated, until it is collected for refuse disposal.)</li><li>(b) Drive through retail outlets (except for those located on a site which has vehicular access onto any road in Prebbleton other than Springs Road – refer to Rule 1.1.3.2.</li><li>(c) Hospitals, hospices and other facilities providing 24 hour medical care.</li><li>(d) Mineral exploration.</li><li>(e) Service stations (except for those located on a site which has vehicular access onto any road in Prebbleton other than Springs Road – refer to Rule 1.1.3.2.</li><li>(f) The use of audible bird scaring devices</li><li>(g) The use of audible devices for modifying the effects of frost, hail or other weather conditions.</li><li>(h) Veterinary hospitals and other facilities providing 24 hour veterinary care.</li></ul>

Relevant objectives and policies

Objective B3.4.1	The District's rural area is a pleasant place to live and work in.
Objective B3.4.2	A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.
Policy B3.4.1	Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.
Policy B3.4.2	In the areas shown on the Planning Maps as the Port Hills, Malvern Hills and the High Country, restrict activities to those which use natural resources in the area, and activities which are ancillary to those uses or utilities.
Policy B3.4.3	Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.
Policy B3.4.4.	Ensure that any adverse effects arising from "rural based" industrial activities in the Rural (Inner Plains) Zone of a size and scale beyond what is permitted by the District Plan and "other" types of industrial activities in all Rural zones are avoided, remedied or mitigated to the extent that the adverse effects are no more than minor.

Objectives and policies in the Rural Zone

Objective B3.4.1	The District's rural area is a pleasant place to live and work in.
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Objective B3.4.2	A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.
Policy B3.4.1	Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.
Policy B3.4.4	Ensure that any adverse effects arising from “rural based” industrial activities in the Rural (Inner Plains) Zone of a size and scale beyond what is permitted by the District Plan and “other” types of industrial activities in all Rural zones are avoided, remedied or mitigated to the extent that the adverse effects are no more than minor.
Policy B3.4.11 Glare and Nightglow	Avoid night lighting shining directly into houses, other than a house located on the same site as the activity, or from vehicles using roads in the District.
Policy B3.4.13 Noise	Recognise temporary noise associated with short-term, seasonal activities as part of the rural environment, but ensure continuous or regular noise is at a level which does not disturb people indoors on adjoining properties.
Policy B3.4.15 Vibration	Avoid, remedy or mitigate adverse effects caused by excessive or prolonged vibration.
Policy B3.4.16 Dust	Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.
Policy B3.4.21	Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity.

#### Listed Activities in the Rural Zone

Rule 9.2.2 <b>(Non-Complying)</b>	All of the following activities shall be non-complying activities irrespective of whether they comply with all other rules in the Plan for permitted activities:
Rule 9.2.2.1	Any other industrial activity, except for an other industrial activity being a home <b>based occupation</b> .

#### Activities in the Port Hills, Malvern Hills and High Country (in the Rural Zone)

Rule 9.3.1 <b>(Permitted)</b>	Permitted activities in the areas shown on the Planning Maps as the Port Hills, Malvern Hills and High Country are limited to any one or more of the following:
Rule 9.3.1.1	The growing or rearing of crops or livestock, including forestry, viticulture and horticulture;
Rule 9.3.1.2	Recreation and tourism activities and facilities associated with the use of the natural resources in the area or the appreciation of the physical surroundings;
Rule 9.3.1.3	Areas for the conservation, protection and enhancement of natural resources;
Rule 9.3.1.4	Visitor accommodation, retail sales and other business activities any of which are ancillary to or associated with activities listed in Rules 9.3.1.1, Rules 9.3.1.2 or Rules 9.3.1.3;
Rule 9.3.1.5	Transport networks;
Rule 9.3.1.6	Mining and other industrial activities which involve the use or extraction of natural resources found in the area;
Rule 9.3.1.7	Education and research activities associated with the natural resources in the area or appreciation of the physical surroundings;

Rule 9.3.1.8	Residential activities and home based occupations and;
Rule 9.3.1.9	Community facilities, including schools;
Rule 9.3.1.10	In all areas, temporary military training activities

#### Scale of business and non-rural activities

Rule 9.4.1 <b>(Permitted)</b>	Any activity which is not a rural activity or a residential activity shall be a permitted activity if the following conditions are met:
Rule 9.4.1.1	The maximum area of any site covered by building(s), loading, storage and waste areas used for any other activity on the site does not exceed 100m <sup>2</sup> and no more than two full-time equivalent persons are employed in undertaking any other activity on the site; or
Rule 9.4.1.2	The activity is undertaken by either an approved tertiary education provider (as defined in the Education Act 1989) or a Crown Research Institute involving the use of land or buildings for the purpose of growing or rearing of crops or livestock and associated monitoring of the environment for research and education purposes but excluding conferencing, accommodation, recreation and retail activities.
Rule 9.4.2 <b>(Discretionary)</b>	Any activity which does not comply with Rule 9.4.1 shall be a discretionary activity.

#### Rural Based Industrial Activities

Rule 9.5.1 <b>(Permitted)</b>	Any rural based industrial activity shall be a permitted activity if the following conditions are met:
Rule 9.5.1.1	The maximum area of any site covered by any building(s), loading, storage and waste areas used for any rural based industrial activity on the site shall be 100m <sup>2</sup> .
Rule 9.5.1.2	No more than two full-time equivalent persons are employed in undertaking the activity on the site.
Rule 9.5.2 <b>(Discretionary)</b>	Any activity which does not comply with Rule 9.5.1 shall be a discretionary activity if one of the following standards and terms are met:
Rule 9.5.2.1	The site is located within the Outer Plains, as shown on the Planning Maps; or
Rule 9.5.2.2	Any building and/or operations expansion or addition associated with the poultry processing plant of Brinks South Island, 1310–1312 Main South Road, Weedons that occurs within land parcels Lot 1 and/or Lot 2 DP 20292; or
Rule 9.5.2.3	Any upgrading of the existing on-site irrigation waste disposal associated with the poultry processing plant of Brinks South Island, Main South Road, Weedons that occurs within land parcels Lot 4 DP 22430 and/or Lot 2 DP 83245; or
Rule 9.5.2.4	Any building and/or operations expansion or addition associated with the feedmill of Feedco Canterbury, 162 Selwyn Road, Broadfield that occurs within land parcel Lot 2 DP 61860.
Rule 9.5.3 <b>(Non-Complying)</b>	Any activity which does not comply with Rule 9.5.2 shall be a non-complying activity.

## Appendix B Selwyn 2031

Table 15 Relevant Excerpts from Selwyn 2031

Ref	Issues	Actions	Implementation
<b>STRATEGIC APPROACH TO MANAGING URBAN GROWTH</b>			
1	<p>PROVISION OF ZONED LAND FOR URBAN GROWTH</p> <ul style="list-style-type: none"> <li>Provide enough residential and business zoned land to accommodate projected growth in the District for at least the next 10 years</li> </ul>	<p>a) Prepare an Area Plan for:</p> <ul style="list-style-type: none"> <li>Malvern and the surrounding environs</li> <li>Ellesmere and the surrounding environs</li> </ul> <p>b) Implement the Rural Residential Strategy 2014 for the metropolitan greater Christchurch area.</p> <p>c) Participate in the review of the Land Use Recovery Plan process (to be undertaken by Environment Canterbury)</p> <p>d) Review existing Structure Plans for:</p> <ul style="list-style-type: none"> <li>Lincoln</li> <li>Rolleston and</li> <li>Prebbleton</li> </ul> <p>e) Establish and implement a system to monitor the uptake of existing zoned land (both residential and business) across the district.</p>	<p>With respect to the actions identified:</p> <p>a) Initiated by SDC in 2015</p> <p>b) Initiated by SDC in 2013</p> <p>c) 2015</p> <p>d) Initiated by SDC in 2015/2016</p> <p>e) Ongoing</p>
2	<p>INTEGRATED DEVELOPMENT WITHIN TOWNSHIPS</p> <ul style="list-style-type: none"> <li>Potential for new development to occur in an ad hoc manner, which does not integrate with the existing township or with the staging of core infrastructure.</li> </ul>	<p>a) Review the 'Residential and Business Development' Objectives and Policies of the District Plan to apply a strategic framework to the whole district.</p> <p>b) Require Outline Development Plans for all new residential and business greenfield and intensification areas prior to development occurring.</p> <p>c) Monitor the effectiveness of Outline Development Plans by assessing the level of integration and urban design qualities achieved by the built development.</p>	<p>With respect to the actions identified:</p> <p>a) District Plan Review</p> <p>b) District Plan Review</p> <p>c) Ongoing</p>
<b>INTEGRATION OF LAND USE AND INFRASTRUCTURE</b>			
12	<p>PROVISION OF COUNCIL INFRASTRUCTURE</p>	<p>a) Review Council's Growth Model to ensure that it provides a sound</p>	<p>With respect to the actions identified:</p>

Ref	Issues	Actions	Implementation
	<ul style="list-style-type: none"> <li>Providing for rapid population growth through the provision of zoned land will put pressure on the Council to ensure the availability of network infrastructure to service development in a timely, efficient and affordable manner.</li> </ul>	<p>basis for the next Activity Management Plan process.</p> <p>b) Review Activity Management Plans to ensure that new or upgraded water supplies and wastewater treatment and disposal facilities align with the projected population growth for each township.</p> <p>c) Investigate options for a revised rating structure to fund the provision of infrastructure.</p> <p>d) Amend LGA instruments to the extent necessary to provide for prioritised infrastructure programmes that identify capacity requirements and optimise available resources and funding to support the development of greenfield priority residential and business areas, key activity Centres, neighbourhood Centres, and intensification and brownfield areas</p>	<p>a) 2013/2014 Updated on an ongoing basis</p> <p>b) Activity Management Plan development for 2015/2025 Long Term Plan</p> <p>c) By June 2014</p>

#### COMPACT URBAN FORM

21	<p>URBAN FORM</p> <ul style="list-style-type: none"> <li>The ability for new urban growth to follow a logical, concentric pattern around existing townships to promote the efficient provision of infrastructure.</li> <li>A disjointed or elongated settlement pattern with poor accessibility to core business or community facilities will fail to facilitate social and cultural interaction within the community and discourages pedestrian and cycle activity</li> </ul>	<p>a) That consideration is given as to whether new growth areas promote a compact urban form in preparing strategic urban growth plans, including Structure Plans, Area Plans, Master Plans and Rural Residential Development Plans.</p> <p>b) Identify appropriate sites within existing urban areas of metropolitan greater Christchurch for intensified residential and mixed-use development and amend the District Plan to enable comprehensive development of these sites.</p> <p>c) Require ODPs for all intensification areas to ensure their integration</p>	<p>With respect to the actions identified:</p> <p>a) Ongoing</p> <p>b) To be provided to the Minister by 6 June 2014</p> <p>c) Ongoing</p>
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Ref	Issues	Actions	Implementation
		into the existing township.	
22	<p>URBAN/RURAL INTERFACE</p> <ul style="list-style-type: none"> <li>Ensuring that new urban growth, including rural-residential development, only occurs in and around existing townships and avoids the creation of new settlements.</li> <li>Extensive areas of rural residential development could blur the rural/urban contrast and result in an inefficient use of land.</li> <li>The ability to retain 'rural outlooks' and a sense of open space whilst expanding and intensifying townships</li> </ul>	<p>a) Ensure that residential and business growth within the metropolitan greater Christchurch area only occurs within identified 'priority' areas.</p> <p>b) Manage the location and scale of rural residential activities in accordance with the Rural Residential Strategy 2014 within the greater Christchurch area and through the Malvern and Ellesmere Area Plan process.</p> <p>c) Investigate merging of the Township Volume and the Rural Volume of the District Plan into one document as part of the review of the District Plan</p>	<p>With respect to the actions identified:</p> <p>a) Ongoing b) 2015/2017 c) District Plan Review</p>
ECONOMIC GROWTH			
26	<p>ADDITIONAL LAND REQUIRED FOR ACTIVITY CENTRES</p> <ul style="list-style-type: none"> <li>Need for increased retail and commercial floor space over the next 20 years to cater for the anticipated demand.</li> </ul>	<p>a) Area plans will identify business land needs and location with a focus on a clear activity centre network (based on the Selwyn District Commercial Centre Assessment).</p> <p>b) Develop the Rolleston and Lincoln Town Centres by implementing the Rolleston Town Centre Master Plan and the Lincoln Town Centre Spatial Plan.</p> <p>c) Investigating solutions to barriers to implementing the Rolleston Town Centre Master plan, including the need to modify or cancel the existing resource consents relating to land within the Rolleston Town Centre study area.</p> <p>d) Identify and implement programmes through the relevant LGA instruments for public facilities, services and amenity improvements at KACs and neighbourhood Centres.</p> <p>e) Identify trigger thresholds for office and retail</p>	<p>With respect to the actions identified:</p> <p>a) 2015/2016 b) 2014 onwards c) To be provided to the Minister by December 2014 d) To be provided to the Minister by December 2014 e) District Plan Review</p>

Ref	Issues	Actions	Implementation
		activities in industrial areas where these activities are likely to give rise to traffic/transport effects, particularly on larger commercial Centres, or result in reverse sensitivity effects.	
27	<p>SUPPORT FOR ACTIVITY CENTRES</p> <ul style="list-style-type: none"> <li>The need to ensure the districts lower growth Centres function and perform efficiently to ensure a productivity level that provides for the required level of service.</li> <li>Leeston town centre has a number of earthquake damaged and earthquake prone buildings.</li> <li>Increased demand for services in Service and Rural townships from productivity and landuse changes anticipated as result of the CPW scheme.</li> <li><b>With increased growth there will be more pressure on Council to allow businesses to establish outside activity Centres and into living and rural zones.</b></li> </ul>	<ul style="list-style-type: none"> <li>a) Amend the District Plan objectives, policies or rules to identify and support development of Activity Centres, and neighbourhood Centres, and manage the distribution of commercial activities that could adversely affect the function or viability, or investment in, those Centres.</li> <li>b) Facilitate through advice and guidance local businesses to help their growth and development. Particular support should be given to businesses in the smaller activity Centres to ensure these Centres are viable.</li> <li>c) Use a case management approach through relevant instruments, to support rebuilding of commercial businesses, particularly in Key Activity Centres, including the Leeston town centre.</li> <li>d) An Area plan for Malvern and its environs will consider the potential landuse changes and economic benefits that may arise out of the development of CPW scheme and the demands this may have for business land and services.</li> <li>e) Monitoring of business land uptake and the type of activities being established. Undertake a business activity review of the</li> </ul>	<p>With respect to the actions identified:</p> <ul style="list-style-type: none"> <li>a) District Plan Review</li> <li>b) Ongoing</li> <li>c) Ongoing</li> <li>d) 2015/2016</li> <li>e) Ongoing</li> <li>f) District Plan Review</li> <li>g) Ongoing</li> </ul>

Ref	Issues	Actions	Implementation
		f) District Plan to ensure business areas offer: <ul style="list-style-type: none"> <li>- Certainty for business function.</li> <li>- Clear definitions of retail; commercial and industrial activities;</li> <li>- Proximity to labour force;</li> <li>- Appropriate access to public transport;</li> <li>- Infrastructure capacity;</li> <li>- Room for expansion.</li> <li>- Appropriate locations and provisions for Key Activity Centres and;</li> <li>- Take into account the Township network and activity centre network.</li> </ul> g) Review the provisions for activities in the rural area to ensure they adequately provide for appropriate activities and are consistent with the RPS and LURP	
31	<b>COUNCIL SUPPORT FOR SMALL BUSINESSES</b> <ul style="list-style-type: none"> <li>• Council must ensure its processes are efficient and information on Council processes and requirements is easily accessible to help stimulate business growth</li> </ul>	a) Continue to provide advice, information and access to training for smaller businesses. b) Council to continually improve or enhance its customer service through efficient processes and better engagement.	With respect to the actions identified: a) Ongoing b) Ongoing
<b>DEVELOPMENT QUALITY</b>			
43	<b>SUBDIVISION QUALITY</b> <ul style="list-style-type: none"> <li>• Ensuring that new greenfield or intensification areas are developed in a co-ordinated manner, particularly when made up of multiple landowners.</li> </ul>	a) Monitor and review the effectiveness of ODPs through an assessment of the urban design merit of subsequent subdivision consents and the quality of built development. b) Monitor and review the effectiveness of the Council's Subdivision	With respect to the actions identified, all are noted as being "Ongoing."

Ref	Issues	Actions	Implementation
	<ul style="list-style-type: none"> <li>• Providing sufficient information and guidance to developers to achieve high quality living environments that meet the expectations of Council and the community.</li> <li>• Creating appropriate transport linkages for pedestrians, cycles and vehicles both within and through greenfield and intensification areas will be difficult to obtain without a wider strategic assessment of township networks</li> </ul>	<p>Design Guide, Medium Density Housing Design Guide and Commercial Design Guide in achieving high quality living and business environments.</p> <p>c) Review and update the Walking and Cycling strategy.</p> <p>d) Continue to liaise with Canterbury Regional Council regarding the provision of public transport.</p> <p>e) Refer to the Canterbury District Health Board's 'Integrated Recovery Planning Guide' when preparing or reviewing Council Design Guides.</p>	

# Appendix C    Comparison With Other District Plans

Category/Topic	Christchurch District Plan	Waimakiriri District Plan	Queenstown Lakes District Council Proposed District Plan	Auckland Unitary Plan (Partly Operative)	Hamilton District Plan (Operative)	Comments
<b>Definition/Term</b>	<p><b>Home Occupation:</b> means any occupation, including a profession, undertaken within a residential unit by a person who resides permanently within that residential unit.</p>	<p><b>Home Occupation:</b> means a retail activity or office where the primary use of the site is for residential purposes and the home occupation shall employ no more than two full time people equivalents, at least one of whom resides on site.</p> <p><b>Retail Activity:</b> means:</p> <p>a. any land, building or part of a building on or in which goods or services are displayed, sold, or offered for sale or hire direct to the public; or</p> <p>b. Within any Land Use Recovery Plan greenfield priority area, any land, building or part of a building in which goods or services are displayed, sold, or offered for sale or hire direct to the public and includes any Home Occupation.</p> <p>Retail Activity within a Land Use Recovery Plan greenfield priority area excludes any office, other than an office that is ancillary to the primary activity or any office for the purpose of a Home Occupation.</p>	<p><b>Home Occupation:</b> Means the use of a site for an occupation, business, trade or profession in addition to the use of that site for a residential activity and which is undertaken by person(s) living permanently on the site, but excludes homestay. This definition does not apply in the Three Parks Zone.</p> <p><b>Home Occupation (Three Parks Zone):</b> Means the use of a site for a non-residential activity (trade, occupation, profession, or business) in addition to the use of that site for a residential activity, where the non-residential activity occupies no more than 40m<sup>2</sup> of the GFA of all buildings on the site and where at least one person engaged in the non-residential activity resides permanently on the site and no more than one full-time equivalent person engaged in the activity resides permanently off-site. Home occupations exclude the operation of any visitor accommodation activity or homestay.</p> <p><b>Comments:</b> It is noted that Home Occupations are specifically listed as excluded from the definitions of:</p> <ul style="list-style-type: none"> <li>Commercial activity;</li> <li>Farming activity; and</li> <li>Farm building.</li> </ul>	<p><b>Home occupation:</b> Place where an occupation, business or homestay activity occurs which is secondary to the use of the site as a dwelling.</p> <p>Excludes:</p> <ul style="list-style-type: none"> <li>produce sales.</li> </ul> <p>This definition is nested within the Residential nesting table.</p> <p><b>Rural commercial services:</b></p> <p>Commercial services that:</p> <p>(a) have, as their principal function, a clear connection to, or provide services to:</p> <p>(i) rural production activities; or</p> <p>(ii) aquaculture activities; and</p> <p>(b) involve the sale of:</p> <p>(i) rural produce and other products produced by a handcraft industry or home occupation on the same site; or</p> <p>(ii) rural services that support rural production activities or aquaculture; and</p> <p>(c) may have some form of accessory depot, office, base, or storage area, from which the activity is normally operated or commenced. ...</p> <p><b>Comments:</b> It is noted that Home Occupations is specifically listed as excluded from the definition of Rural industries.</p>	<p><b>Home-based business:</b> Means an occupation, craft or profession which is incidental to the residential use of the site, where the principal operator of the home business is a permanent resident on the site. A home-based business excludes: activities involving heavy vehicles, panel beating, spray painting, motor vehicle repairs, motor vehicle dismantling, motor body building, servicing of internal combustion engines, fibreglassing, sheet metal work, wrought iron work or manufacture, bottle or scrap metal storage, rubbish collection, establishments for boarding domestic pets, funeral parlours, and the sale/trading of motor vehicles. The owner or occupier of a household unit is not precluded from carrying out normal maintenance and repair of domestic equipment including vehicles owned by the household owner/occupier.</p> <p><b>Comments:</b> The definition of ‘Offices’ notes that in that context ‘office’ shall exclude activities meeting the definition and performance standards for a ‘home-based business’.</p>	<p>All definitions across the five plans vary considerably in terms of scope and use of terminology.</p> <p>The Christchurch and Auckland definitions are considered the most simple and concise.</p> <p>Waimakiriri is the only definition to include a standard by limiting the number of employees to two (at least one of whom resides on site).</p> <p>The Hamilton definition is very long by comparison to the other plans due to the listing of businesses excluded from the definition. Hamilton also uses the alternative title of ‘home-based business’.</p> <p>While the Hamilton District Plan includes an extensive list of business activities that are excluded from being a home-based business, the Auckland Unitary Plan excludes produce sales and Queenstown Lakes Proposed District Council excludes homestay.</p> <p>The way that residential units are referred to varies, but the requirement that the home-based business occurs on a residential site is common to all Plans</p> <p>Most of the District Plans recognise that the home-based business is secondary to the dominant use of the site for residential purposes.</p> <p>The definitions recognise the need for a person residing on the site to be employed in the home-based business.</p>
<b>Objectives / Policies</b>	<p><b>Residential</b></p> <p><b>14.2.4 Objective - High quality residential environments</b></p> <p>High quality, sustainable, residential neighbourhoods which are well designed, have a high level of amenity, enhance local character and reflect the Ngāi Tahu heritage of Ōtautahi.</p> <p><b>14.2.4.3 Policy - Scale of home occupations</b></p> <p>Ensure home occupation activity is secondary in scale to the residential use of the property.</p> <p><b>14.2.6 Objective - Non-residential activities</b></p> <p>a. Residential activities remain the dominant activity in residential zones, whilst also recognising the need to:</p> <p>i. provide for community facilities and home occupations which by their nature and character typically need to be located in residential zones; and</p> <p>ii. restrict other non-residential activities, unless the activity has a strategic or operational need to</p>	<p><b>Retail Activity – Priority Areas</b></p> <p><b>Policy 12.1.1.19</b></p> <p>Manage retail activity within Land Use Recovery Plan greenfield priority areas in a way that:</p> <p>a. avoids adverse effects on the viability of Key Activity Centres;</p> <p>b. provides for local retail Centres limited in distribution and scale and demonstrates adherence to urban design principles;</p> <p>c. provides for future urban development options by avoiding retail activities within the Rural Zones;</p> <p>d. enables home occupations where ancillary to a residential purpose; ...</p> <p>h. ensures office activity is located within Key Activity Centres by avoiding office activity, other than ancillary office uses, within Residential, Business 2 and Rural Zones.</p>	<p><b>Low Density Residential</b></p> <p>7.2.9 Objective</p> <p>Generally discourage commercial development except when it is small scale and generates minimal amenity impacts.</p> <p>Policy 7.2.9.1</p> <p>Commercial activities that directly serve the day-to-day needs of local residents, or enhance social connection and vibrancy of the residential environment may be supported, provided these do not undermine residential amenity or the viability of a nearby centre.</p> <p>Policy 7.2.9.2</p> <p>Ensure any commercial development is low scale and intensity (100m<sup>2</sup> or less gross floor area) and does not adversely affect the local transport network and the availability of on-street parking.</p> <p>Policy 7.2.9.3</p> <p>Commercial activities that generate adverse noise effects are not supported in the residential environment.</p> <p>Policy 7.2.9.4</p> <p>Ensure any commercial development is of a design, scale and appearance</p>	<p><b>Residential</b></p> <p>Many of the relevant objectives and policies are common to a number of different types of residential zones including Large Lot Residential, Single House Zone, Mixed Housing Suburban Zone,</p> <p><b>Objectives H1.2.4, H2.2.4, H3.2.4, H4.2.3, H5.2.4, H6.2.9:</b></p> <p>Non-residential activities provide for the community’s social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.</p> <p><b>Policy H1.3.6, H3.3.7, H4.3.9, H5.3.8,</b></p> <p>Enable non-residential activities that:</p> <p>(a) support the social and economic well-being of the community; and</p> <p>(b) are compatible with the scale and intensity of development anticipated within the zone; and</p> <p>(c) avoid, remedy or mitigate adverse effects on residential amenity; and</p> <p>(d) will not detract from the vitality of the Business – City Centre Zone, Business</p>	<p><b>Objective 4.2.6</b></p> <p>Residential activities remain the dominant activity in Residential Zones.</p> <p><b>Policy 4.2.6a</b></p> <p>Non-residential activities should not establish in residential areas, unless the adverse effects on all zones are avoided, remedied or mitigated.</p> <p><b>Policy 4.2.6c</b></p> <p>Home-based businesses shall:</p> <p>i. Be ancillary to the residential activity of the site.</p> <p>ii. Avoid adverse effects on the neighbourhood, character, amenity and the transport network.</p> <p>iii. Take place within dwellings or ancillary buildings.</p> <p>iv. Involve no outdoor storage of vehicles, equipment or goods visible from a public place.</p> <p>v. Be compatible with the character and amenity of the locality, in terms of location, type and scale of activity, number of visitors to the site, and hours of operation.</p>	<p>Many of the District Plans assessed recognise home-based businesses in the objective and policy framework.</p> <p>The objectives and policies of each District Plan recognise that home-based businesses are appropriate so long as they do not adversely affect the amenity and character of the residential area. The policies outline how this is to be achieved through ensuring that the home-based business is secondary to the residential purpose of the site, and managing effects such as noise, glare, odour, dust, smoke, fumes, other nuisances, traffic, parking, and transport networks.</p> <p>The objectives and policies also address non-residential activities located in a residential zone. This is essentially different from home-based enterprises and is usually where a residential site is used entirely for non-residential purposes. The objectives and policies on this matter seek to protect the amenity and character of the residential, but also recognise the potential for these activities to detract</p>



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	<p>locate within a residential zone or is existing guest accommodation on defined sites.</p> <p><b>14.2.6.1 Policy - Residential coherence character and amenity</b></p> <p>Ensure that non-residential activities do not have significant adverse effects on residential coherence, character, and amenity.</p> <p><b>14.2.6.3 Policy - Existing non-residential activities</b></p> <p>a. Enable existing non-residential activities to continue and support their redevelopment and expansion provided they do not:</p> <p>i. have a significant adverse effect on the character and amenity of residential zones; or</p> <p>ii. undermine the potential for residential development consistent with the zone descriptions in Table 14.2.1.1a.</p> <p>Note: This policy also implements Objective 14.2.4</p> <p><b>14.2.6.4 Policy - Other non-residential activities</b></p> <p>Restrict the establishment of other non-residential activities, especially those of a commercial or industrial nature, unless the activity has a strategic or operational need to locate within a residential zone, and the effects of such activities on the character and amenity of residential zones are insignificant.</p> <p><b>14.2.6.5 Policy - Retailing in residential zones</b></p> <p>a. Ensure that small scale retailing, except for retailing permitted as part of a home occupation, is limited in type and location to appropriate corner sites on higher order streets in the road hierarchy.</p> <p><b>4.2.6.8 Policy - Non-residential activities in Central City residential areas</b></p> <p>Within Central City residential areas:</p> <p>i. ensure non-residential activities are of a small scale and compatible with residential activities;</p> <p>ii. ensure non-residential activities are focussed on meeting the needs of the local residential community or depend upon the high level of amenity inherent in the Residential Central City Zone;</p> <p>iii. ensure new non-residential activities do not compromise the role of the Residential Central City Zone, the Central City Business Zone, or the aim of consolidating that area of the Central City or the Central City Mixed Use Zones;</p>		<p>compatible with its surrounding residential context</p> <p><b>Medium Density Residential</b></p> <p>8.2.10 Objective</p> <p>Provide for limited small-scale commercial activities where such activities:</p> <ul style="list-style-type: none"> <li>contribute to a diverse residential environment;</li> <li>maintain residential character and amenity; and</li> <li>do not compromise the primary purpose of the zone for residential use.</li> </ul> <p>Policy 8.2.10.1</p> <p>Commercial activities that directly serve the day-to-day needs of local residents, or enhance social connection and vibrancy of the residential environment may be supported, provided these do not undermine residential amenity, the viability of the zone or a nearby Town Centre.</p> <p>Policy 8.2.10.2</p> <p>Ensure any commercial development is low scale and intensity and generates small volumes of traffic.</p> <p>Policy 8.2.10.3</p> <p>Commercial activities which generate adverse noise effects are not supported in the residential environment.</p> <p>Policy 8.2.10.4</p> <p>Commercial activities are suitably located and designed to maximise or encourage walking, cycling and public transport patronage.</p> <p>Policy 8.2.10.5</p> <p>Commercial activities are located at ground floor and provide a quality built form which activates the street, and adds visual interest to the urban environment.</p> <p>Policy 8.2.10.6</p> <p>Ensure any commercial development is of a design, scale and appearance compatible with its surrounding residential context</p> <p><b>High Density Residential</b></p> <p>9.2.5 Objective</p> <p>Generally discourage commercial development except when it is small scale and generates minimal amenity impacts.</p> <p>Policy 9.2.5.1</p> <p>Ensure any commercial development is low scale, is of limited intensity, and generates small volumes of traffic.</p> <p><b>Large Lot Residential</b></p>	<p>– Metropolitan Centre Zone and the Business – Town Centre Zone.</p> <p><b>Rural zones</b></p> <p><b>H19.2.1. Objectives – general rural</b></p> <p>(1) Rural areas are where people work, live and recreate and where a range of activities and services are enabled to support these functions.</p> <p><b>H19.2.5. Objectives – rural industries, rural commercial services and non-residential activities</b></p> <p>(1) Rural production activities are supported by appropriate rural industries and services.</p> <p>(2) The character, intensity and scale of rural industries and services are in keeping with the character of the relevant rural zone.</p> <p>(3) The rural economy and the well-being of people and local communities are maintained or enhanced by social, cultural and economic non-residential activities, while the area’s rural character and amenity is maintained or enhanced.</p> <p>(4) Industries, services and non-residential activities of an urban type and scale unrelated to rural production activities are not located in rural zones.</p> <p><b>H19.2.6. Policies – rural industries, rural commercial services and non-residential activities</b></p> <p>(1) Enable rural industries and rural commercial services only where they have a direct connection with the resources, amenities, characteristics and communities of rural areas.</p> <p>(2) Manage rural industries, rural commercial services and other non-residential activities to:</p> <p>(a) avoid creating reverse sensitivity effects;</p> <p>(b) contain and manage adverse effects on-site; and</p> <p>(c) avoid, remedy or mitigate adverse effects on traffic movement and the road network.</p> <p><b>Objective H19.5.5.2.2</b></p> <p><i>Recreational, marine transport, tourism and home occupation activities are supported where they are consistent the coastal landscape character and natural environmental values of the area.</i></p>	<p><b>Policy 4.2.6e</b></p> <p>Non-residential activities shall be of an appropriate size to maintain character of the site.</p> <p><b>Objective 4.2.7</b></p> <p>Activities in Residential Zones are compatible with residential amenity.</p> <p><b>Policy 4.2.7a</b></p> <p>Adverse effects of activities on the amenity values of the locality shall be minimised including:</p> <p>i. Effects of noise, glare, odour, dust, smoke, fumes and other nuisances.</p> <p>ii. Effects on traffic, parking, and transport networks</p>	<p>from the vitality and economic viability of the business Centres.</p> <p>None of the Plans addressed home-based businesses in the context of the rural environment. Instead, the objectives and policies recognise the productive potential of rural land and its ability to generate income.</p>



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	<p><i>iv. enable the on-going operation, use and redevelopment of existing fire service facilities; and</i></p> <p><i>v. protect residential amenity by controlling the character, scale and intensity of non-residential activities.</i></p> <p><b>Rural</b></p> <p><b>17.2.2.5 Policy - Establishment of industrial and commercial activities</b></p> <p>a. Avoid the establishment of industrial and commercial activities that are not dependent on or directly related to the rural resource unless they:</p> <p>i. have a strategic or operational need to locate on rural land; or</p> <p>ii. provide significant benefits through utilisation of existing physical infrastructure; and</p> <p>iii. avoid significant, and remedy or mitigate other, reverse sensitivity effects on rural productive activities;</p> <p>iv. will not result in a proliferation of associated activities that are not reliant on the rural resource; and</p> <p>v. will not have significant adverse effects on rural character and amenity values of the local environment or will not cause adverse effects that cannot be avoided, remedied or mitigated.</p>		<p>11.2.2 Objective</p> <p>Ensure the predominant land uses are residential and where appropriate, community and recreational activities.</p> <p>Policy 11.2.2.1</p> <p>Provide for residential and home occupation as permitted activities, and recognise that depending on the location, scale and type, community activities may be compatible with and enhance the environment.</p> <p>Policy 11.2.2.4</p> <p>Ensure that any commercial and non-residential activities, including restaurants maintain or enhance the amenity, quality and character of the Large Lot Residential Zone and surrounding areas.</p> <p>Policy 11.2.2.5</p> <p>Avoid non-residential activity that would undermine the viability of the District's commercial zones.</p> <p><b>Rural Zone</b></p> <p>21.2.9 Objective</p> <p>Ensure commercial activities do not degrade landscape values, rural amenity, or impinge on farming activities.</p> <p>Policy 21.2.9.1</p> <p>Commercial activities in the Rural Zone should have a genuine link with the rural land resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.</p> <p>Policy 21.2.9.2</p> <p>Avoid the establishment of commercial, retail and industrial activities where they would degrade rural quality or character, amenity values and landscape values.</p> <p>Policy 21.2.9.6</p> <p>Ensure traffic from commercial activities does not diminish rural amenity or affect the safe and efficient operation of the roading and trail network, or access to public places.</p> <p>21.2.10 Objective</p> <p>Recognise the potential for diversification of farms that utilises the natural or physical resources of farms and supports the sustainability of farming activities.</p> <p>21.2.10.1 Encourage revenue producing activities that can support the long term sustainability of farms in the district.</p> <p>21.2.10.2 Ensure that revenue producing activities utilise natural and physical resources (including buildings) in a way that maintains and enhances</p>			

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			<p>landscape quality, character, rural amenity, and natural values.</p> <p>21.2.10.3 Recognise that the establishment of complementary activities such as commercial recreation or visitor accommodation located within farms may enable landscape values to be sustained in the longer term. Such positive effects should be taken into account in the assessment of any resource consent applications.</p> <p>21.2.13 Objective</p> <p>Enable rural industrial activities within the Rural Industrial Sub Zones, that support farming and rural productive activities, while protecting, maintaining and enhancing rural character, amenity and landscape values.</p> <p>Policy 21.2.13.1</p> <p>Provide for rural industrial activities and buildings within established nodes of industrial development while protecting, maintaining and enhancing landscape and amenity values.</p> <p>Policy 21.2.13.2</p> <p>Provide for limited retail and administrative activities within the Rural Industrial Sub Zone on the basis it is directly associated with and ancillary to the Rural Industrial Activity on the site</p>			
<b>Activity Status</b>	<p><b>Permitted</b> – in all zones except Residential Central City Zone where it is a <b>discretionary activity</b> as it is not specified.</p> <p><b>Permitted</b> – in rural zones</p>	<p><b>Permitted</b> – but not through a specific rule, it is by default ie if it is not listed as a discretionary or non-complying activity and complies with all the permitted activity standards in the plan then it is a permitted activity.</p> <p><b>Rural</b></p> <p><b>Permitted</b> - but not through a specific rule, it is by default ie if it is not listed as a discretionary or non-complying activity and complies with all the permitted activity standards in the plan then it is a permitted activity.</p>	<b>Permitted</b> in all residential and rural zones	<p>Home occupations are a <b>permitted activity</b> subject to standards (refer below) under the following activity tables/rules:</p> <ul style="list-style-type: none"> <li>• H1.4.1(A6) (Residential – Large Lot Zone)</li> <li>• H2.4.1(A7) (Residential – Rural and Coastal Settlement Zone)</li> <li>• H3.4.1(A7) (Residential – Single House Zone)</li> <li>• H4.4.1(A6) (Residential – Mixed Housing Suburban Zone)</li> <li>• H5.4.1(A6) (Residential – Mixed Housing Urban Zone)</li> <li>• H6.4.1(A5) (Residential – Terrace Housing and Apartment Buildings Zone)</li> <li>• H18.4.1(A33) (Future Urban)</li> <li>• H19.4.1(A31) (Rural Zones)</li> <li>• H20.4.1(A40) (Rural – Waitākere Foothills Zone)</li> <li>• H21.4.1(A44) (Rural – Waitākere Ranges Zone)</li> </ul>	<p>Rule 4.3.1(y) Home-based Business – permitted in all residential zones</p> <p><b>Permitted activity</b> in all residential zones, except Medium Density Residential where it is a <b>discretionary activity</b></p> <p>Very few activities are permitted in the Medium Density Residential other than residential activities.</p>	<p>In all five district plans, home-based businesses are permitted in the general residential zones provided they meet all the standards specific to that activity as well as the more general district-wide rules.</p> <p>There are two main approaches – some district plans specifically identified home-based businesses as a permitted activity (e.g. Hamilton District Plan) while others remained silent as activities that were not specifically identified were permitted activities provided they met all the permitted activity standards in the Plan (e.g. Waimakariri District Plan).</p> <p>In the Residential Central City Zone of Christchurch, home-based businesses are a discretionary activity as it is not a specified activity. Likewise, they are a discretionary activity in Hamilton’s Medium Density Residential Zone.</p>
<b>Standards</b>	a. The gross floor area of the building, plus the area used for outdoor storage area, occupied by the home occupation shall be less than 40m².	None specifically listed.	<p><b>Residential Zones:</b></p> <p>No more than one full time equivalent person from outside the household shall</p>	The home occupation standards are generally identical across all residential and rural zones as follows:	<p><b>Rule 4.7.5 Home-based Businesses</b></p> <p>a) For the avoidance of doubt, if an activity does not comply with all of the standards specified, it is not a home-</p>	There is a significant level of alignment between the district plans. The main standards address:

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	<p>b. The maximum number of FTE persons employed in the home occupation, who reside permanently elsewhere than on the site, shall be two.</p> <p>c. Any retailing shall be limited to the sale of goods grown or produced on the site, or internet-based sales where no customer visits occur.</p> <p>d. The hours of operation, when the site is open to visitors, clients, and deliveries, shall be limited to between the hours of:</p> <p>07:00 - 21:00 Monday to Friday; and</p> <p>08:00 - 19:00 Saturday, Sunday and public holidays.</p> <p>e. Visitor or staff parking areas shall be outside the road boundary setback.</p> <p>f. Outdoor advertising shall be limited to a maximum area of 2m², except that where the activity is located on sites with frontage to Memorial Avenue or Fendalton Road there shall be no signage.</p> <p><b>Rural Zones:</b></p> <p>a. The GFA of the building occupied by the home occupation, plus any outdoor storage area used for the home occupation, shall be less than 40m².</p> <p>b. The maximum number of FTE persons employed in the home occupation, who reside permanently elsewhere than on the site, shall be two.</p>		<p>be employed in the home occupation activity.</p> <p>The maximum number of vehicle trips* shall be:</p> <p>a. Heavy Vehicles: none permitted</p> <p>b. other vehicles: 10 per day.</p> <p>Maximum net floor area of 60m²</p> <p>7.4.15.4 Activities and the storage of materials shall be indoors.</p> <p>*A vehicle trip is two movements, generally to and from a site.</p> <p>Comment: same standards for all residential zones.</p> <p><b>Rural Zones:</b></p> <p>The maximum net floor area of home occupation activities shall be 150m²;</p> <p>No goods materials or equipment shall be stored outside a building;</p> <p>All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>The nature, scale and intensity of the activity in the context of the surrounding rural area.</li> <li>Visual amenity from neighbouring properties and public places.</li> <li>Noise, odour and dust.</li> <li>The extent to which the activity requires a rural location because of its link to any rural resource in the Rural Zone.</li> <li>Access safety and transportation effects.</li> </ul>	<p>Rules H1.6.2, H2.6.2, H3.6.2, H4.6.2, H5.6.2, H6.6.2, H18.6.9, H19.10.13, H20.6.11<sup>18</sup>, H21.16.11,</p> <p>Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.</p> <p>(1) A home occupation must comply with all the following standards:</p> <p>(a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;</p> <p>(b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;</p> <p>(c) no more than four people in total may work in the home occupation;</p> <p>(d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;</p> <p>(e) car trips to and from the home occupation activity must not exceed 20 per day;</p> <p>(f) heavy vehicle trips must not exceed two per week;</p> <p>(g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;</p> <p>(h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;</p> <p>(i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and</p> <p>(j) goods sold from the home occupation must be:<sup>19</sup></p> <p>(i) goods produced on site; or</p> <p>(ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or</p> <p>(iii) goods ancillary and related to a service provided by the home occupation.</p>	<p>based business. Home-based businesses shall:</p> <p>i. Employ no more than 2 people, one of whom must reside on the site on a permanent basis.</p> <p>ii. Not exceed 30% of the total gross floor area of buildings on the site.</p> <p>iii. Not generate any trips by a heavy motor vehicle.</p> <p>iv. Not generate vehicle trips or pedestrian traffic between 2000 to 0800 hours.</p> <p>v. Not display any indication of the activity from outside the site including the display or storage of materials, except for permitted signs.</p> <p>vi. Retail only those goods which have been manufactured, repaired, renovated or otherwise produced on the site.</p> <p>vii. Not create electrical interference with television and radio sets or other types of receivers in adjacent residential units.</p> <p>viii. Not generate nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects – these shall be measured at the boundaries of the site.</p> <p>ix. Have only one sign with a maximum area of 0.6m², a maximum dimension of 1m and having no part higher than 2m above the adjacent ground level. The sign must be attached to either a fence, wall or building</p>	<ul style="list-style-type: none"> <li>Maximum gross floor area of the building, plus the area used for outdoor storage area</li> <li>Number of employees</li> <li>Residency of employees</li> <li>Location of the activity</li> <li>Limits on the goods retailed</li> <li>Hours of operation</li> <li>Location of parking areas</li> <li>Number, location and sizes of signs</li> <li>Maximum number of vehicle trips</li> <li>Storage of materials</li> <li>Number and frequency of heavy vehicle trips</li> <li>Generation of nuisances, including smoke, noise, dust, vibration, glare, and other noxious or dangerous effects</li> </ul>
What if non-compliance with one or more standards?	<p><b>Restricted discretionary activity in most residential zones</b></p> <p><b>Non-complying activity</b> in the Central City Zone if the activity is greater than 40m².</p>	Activity status depends on the standard(s) which cannot be complied with.	<b>Discretionary activity</b>	Home occupations that do not meet all the home occupation standards in the residential zones are a <b>discretionary activity</b>	The permitted activity rule states that if the activity does not comply with all of the standards then it is not a home occupation.	Hamilton District Plan acknowledges that a home-based business can quickly overtake the residential uses on the site and takes a hard line, in that if the activity does not comply with all of

<sup>18</sup> Home occupations within the Waitākere Foothills and Waitākere Ranges Zones include the additional standards under H20.6.11.11/H21.6.11.11: *a home occupation involving homestays is limited to the accommodation of a maximum of 10 people on the site at any one time. This includes the people who reside on the site.*

<sup>19</sup> Under H18.6.9, H19.10.13 and H20.6.11 this standard differs slightly, where the goods sold from the home occupation must instead comply with the standards for produce sales in H18.6.7/H19.10.9/H20.6.8

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	<b>Restricted discretionary activity</b> in the Rural Zone			Home occupation not meeting all the standards is assessed as a <b>non-complying activity</b> in Future Urban and Rural Zones (H18.4.1(A34), H19.4.1 (A32), H20.4.1(A41) and H21.4.1(A45))		the standards then it is not a home occupation. This means that any activity that does not comply with all of the standards is a non-residential activity such as offices, industry, retail etc. This makes the distinction between home-based businesses and non-residential activities very clear.  In most of the other District Plans assessed, the activity becomes a discretionary activity with non-compliance of one or more standards.
<b>Commercial, retail or industrial activities in Residential zones</b>	<p><b>Convenience activities</b> – restricted discretionary</p> <p><b>Offices</b> – discretionary activity as not specifically listed</p> <p><b>Commercial activities</b> – discretionary activity as not specifically listed</p> <p><b>Industrial activities</b> – discretionary activity as not specifically listed.</p> <p><b>Bed and breakfast</b> – permitted with a maximum of 6 guests at one time and no guest accommodated for more than 90 days at a time.</p> <p><b>Care of children</b> – permitted with maximum of 4 non-resident children</p> <p><b>Preschools</b> – permitted</p> <p><b>Vet Centres</b> – permitted with maximum of 4 animals accommodated</p> <p><b>Health care facilities</b> – permitted</p> <p><b>Integrated family health Centres</b> – restricted discretionary</p> <p><b>Rural Zones</b></p> <p><b>Rural produce retail</b> – permitted</p> <p><b>Rural produce manufacturing</b> – permitted</p> <p><b>Farmstay</b> – permitted with a maximum of 10 guests</p> <p><b>Veterinary care facility</b> – permitted with a maximum floor area of 100m²</p> <p><b>Rural tourism activity</b> – permitted with a maximum of 100 persons per day and a maximum floor area of 100m²</p> <p><b>Boarding of domestic animals</b> – restricted discretionary</p> <p><b>Guest accommodation</b> – discretionary</p> <p><b>Any other activity not listed</b> – non complying</p>	<p>31.21.1.8 Any <b>retail activity</b> in any Residential 1, 2, 3, 4A, 4B, 5, 6, 6A or 7 Zone, Rural Zone or Business 2 or 3 Zone shall not exceed 20% of the net floor area of the sum of all buildings on any site.</p> <p>31.21.1.9 <b>Goods retailed from any</b> site in any Residential 1, 2, 3, 4A, 4B, 5, 6, 6A or 7 Zone, Rural Zone, or Business 2 or 3 Zone shall be produced and/or processed, on the site including ancillary products and goods.</p> <p><b>Offices</b> Any office activity within any Residential, Business 2 or Rural Zoned Land Use Recovery Plan greenfield priority area, other than ancillary to a retail activity, is a non-complying activity. (Rule 31.28.3)</p>	<p><b>Commercial activities</b> – non-complying in the Low Density Residential, discretionary in Queenstown, Frankton or Wanaka, comprising no more than 100m² of gross floor area, non-complying in Medium Density Residential, permitted in High Density Residential comprising no more than 100m2 of gross floor area, integrated within a residential development comprising at least 20 dwellings, otherwise non-complying; discretionary in Large Lot Residential.</p> <p><b>Commercial activities</b> ancillary to and located on the same site as recreational activities – discretionary in the Rural Zone</p> <p><b>Manufacturing and/or product assembling activities</b> – prohibited in the Low Density Residential and Medium Density Residential,</p> <p><b>Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building</b> – prohibited in all residential zones</p> <p><b>Offices</b> – non-complying in the residential zones although not specifically listed (captured by the default rule)</p> <p><b>Industrial</b> - non-complying in residential zones although not specifically listed; specifically listed as non-complying in the Rural Zones</p> <p><b>Retail sales of goods produced on site</b> – controlled activity in the Rural Zone</p> <p><b>Cafes and restaurants located in a winery complex within a vineyard</b> – discretionary activity in the Rural Zones</p> <p><b>Rural industrial activities</b> – permitted in the Rural Zones</p>	<p><b>Dairies</b> – Discretionary in Large Lot Residential; Restricted Discretionary up to 100m² in Single House, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zone.</p> <p><b>Restaurants and cafes</b> – discretionary in Large Lot Residential and Single House Zone; restricted discretionary in Mixed Housing Suburban, Mixed Housing Urban Terrace Housing and Apartment Buildings Zone.</p> <p><b>Offices</b> - range from permitted to discretionary for Single House Zone, range from permitted to discretionary for Terrace Housing and Apartment Buildings Zone; non-complying in Large Lot Residential, Mixed Housing Suburban and Mixed Housing Urban Zones.</p> <p><b>Commercial</b> – non-complying</p> <p><b>Industrial</b> – non complying</p> <p><b>Retail</b> – non-complying</p> <p><b>Boarding houses up to 10 residents</b> – permitted</p> <p><b>Boarding houses accommodating more than 10 residents</b> – discretionary</p> <p><b>Visitor accommodation for more than 10 people per site</b> - discretionary</p> <p><b>Service stations on arterial roads</b> – discretionary</p> <p><b>Healthcare facilities</b> - range from restricted discretionary to non-complying depending on the size</p> <p><b>Vet clinics</b> - discretionary</p> <p>A different approach is taken for Rural:</p> <p><b>Rural commercial services</b> – restricted discretionary or discretionary activities depending on zone</p> <p><b>Produce sales</b> – permitted activity</p> <p><b>Rural industries</b> – restricted discretionary or non-complying activities depending on the zone</p> <p><b>On-site primary produce manufacturing</b> – permitted or discretionary activities depending on the zone</p> <p><b>Restaurants and cafes accessory to farming carried out on the same site</b> – restricted discretionary or non-complying activities depending on the zone</p>	<p><b>Dairy</b> – restricted discretionary in General Residential Zone, non-complying in Residential Intensification Zone, discretionary in Large Lot Residential Zone</p> <p><b>Office</b> other than a home based business – non complying</p> <p><b>Commercial</b> – non complying</p> <p><b>Industrial</b> – non complying</p> <p><b>Retail</b> – non complying</p> <p><b>Restaurant</b> – non-complying in General Residential Zone, discretionary in Residential Intensification Zone, non-complying in Large Lot Residential Zone</p> <p><b>Homestay accommodation</b> – permitted</p> <p><b>Childcare facility</b></p> <p>- <b>up to 5 children</b> - permitted</p> <p>- <b>six or more children</b> – restricted discretionary</p> <p><b>Conference facility</b> – non-complying</p> <p><b>Dairy</b> – restricted discretionary</p> <p><b>Health care service</b> – discretionary</p> <p><b>Restaurant</b> – non-complying</p> <p><b>Visitor accommodation</b> – restricted discretionary</p>	There are a range of non-residential activities which are classified separately to home-based businesses in the residential and rural zones. Each district plan assessed classifies each of the activities quite differently and there is little alignment between the district plans in terms of activity status.



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				<p><b>Restaurants and cafes</b> - discretionary or non-complying activities depending on the zone</p> <p><b>Garden Centres</b> – ranges from restricted discretionary to non-complying activities</p> <p><b>Markets</b> – ranges from permitted through to non-complying activities</p> <p><b>Storage and lock-up facilities</b> – ranges from discretionary to non-complying activities</p> <p><b>Rural tourist and visitor activities</b> - discretionary</p>		
Other relevant rules eg signs, traffic generation, parking requirements, specific amenity rules (noise, dust, vibration etc)	<p><b>Signs</b> – Rule 6.8.4 Permitted if it complies with the following standards:</p> <p>a. The maximum symbol/lettering height shall be 200mm.</p> <p>b. No more than 30 letters and/or symbols shall be displayed on each building frontage.</p> <p>c. Letters and/or symbols shall be applied with no visible mounting structure.</p> <p>d. The background shall not be differentiated from the fabric and colour of the rest of the façade.</p> <p>e. Signs shall not extend above façade height.</p> <p><b>Noise</b> – Rule 6.1.5, zone standards apply</p> <p><b>Parking</b> – no specific requirements over and above the residential requirements of 1 space/ unit, where that unit has less than 150 m<sup>2</sup> GFA, 2 spaces/ unit otherwise</p> <p><b>Traffic generation</b> – not specifically addressed, high traffic generators are more than 50 vehicle trips per peak hour or 250 heavy vehicle trips per day (whichever is met first) 'Peak hour' are those hours between 15:00 and 19:00 hours on a weekday.</p>	<p><b>Signs</b> (Rule 31.7)</p> <p>31.7.1.4 On any site in any zone where the posted speed limit is greater than 70 km/hr there shall be not more than one sign visible from the State Highway per site.</p> <p>31.7.1.5 On a site in any Residential Zone:</p> <p>a. not more than one sign shall be erected per site;</p> <p>b. the display area of any sign shall not exceed 0.6m<sup>2</sup>, except where a sign is facing a strategic or arterial road;</p> <p>c. the display area of any sign facing a strategic or arterial road shall not exceed 3m<sup>2</sup>; and</p> <p>d. free standing signs shall not exceed 2m in height.</p> <p><b>Rural Zones</b></p> <p>31.7.1.7 On any site in any Rural Zone:</p> <p>a. not more than one sign shall be erected per site, except where a site has a road frontage of more than 200m and two or more frontages two signs can be erected, but no more than one sign per frontage;</p> <p>b. where the sign is visible from any road with a posted speed limit of 70km/hr or greater, present an unrestricted view to the motorists for a minimum distance of 180m;</p> <p>c. display no more than six words, or, if a combination of words and symbols, display no more than 40 characters;</p> <p>d. display symbols or letters of a minimum height of 160mm;</p> <p>e. have a display area of any free standing sign not exceeding 3m<sup>2</sup>,</p> <p>f. not exceed a height limit of 3 metres;</p> <p>g. where the sign is facing a State Highway where the posted speed limit is 70km/hr or greater, the minimum lettering height for the sign shall be 180mm; and</p> <p>h. where the sign is facing a State Highway, be located no closer than 15m to an official road sign erected by the New Zealand Transport Agency</p>	Glare – contained in the Zone chapters	<p>Signs other than billboards and comprehensive development signage, are managed under the Auckland Transport/Auckland Council Signage Bylaw 2015. This contains rules around location, size, language, illumination, amenity, traffic, changeable messages, type of sign etc.</p> <p>In Section E25 all activities are required to comply with the noise standards relevant to the zone.</p> <p>Section E25 also sets out standards for vibration.</p> <p>1 per dwelling except no additional space is required where both of the following apply:</p> <p>(a) all employees live on the site of the home occupation; and</p> <p>(b) goods and services are not sold from the site (except electronically or by mail/courier)</p>	<p><b>Rule 25.10.3 Signs</b></p> <p>Low intensity signs – permitted</p> <p>High intensity signs restricted discretionary</p> <p>Rule 25.10.4 sets out permitted standards for signs including:</p> <p>1. Light spill</p> <p>b) Signs shall not project over a transport corridor or be located within a transport corridor</p> <p>c) Signs shall not be placed so they block sight distances at intersections or driveways.</p> <p>d) The type of image that cannot resemble a traffic sign or signal, contains reflective, fluorescent or phosphorescent materials, use flashing or revolving lights or lasers</p> <p><b>Rule 25.1.6 Residential Zones</b></p> <p>Maximum of 1 sign, 0.6m<sup>2</sup> area, max dimension 1m and maximum height from the ground 2m.</p> <p><b>Rule 25.14.4.3 Traffic Generation</b></p> <p>Less than 499 vehicle movements per day is a permitted activity and no ITA is required</p> <p>Existing vehicle accesses to a strategic network or major arterial transport corridor generating greater than 100 vehicle movements per day requires an ITA.</p> <p><b>Appendix 15 Parking Requirements</b></p> <p>2 per household plus 1 per vehicle used solely for the home based business</p>	Each of the district plans assessed takes a different approach to the standards which home-based businesses must comply. Plans such as Hamilton District Plan contain most of the standards under the activity whilst others such as Christchurch District Plan requires users of the Plan to look elsewhere in other sections of the Plan. Both the Auckland Unitary Plan and the Hamilton District Plan are the most comprehensive in terms of having most of the relevant standards located with home-based business activity.

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		<p>Rule 31.10 sets out glare standards Rule 31.12 sets out noise standards</p> <p><b>Parking Standards</b> 1 space per employee (who does not reside on the site) for general retail located within a dwellinghouse</p> <p><b>Traffic Generation</b> Any land use in any zone resulting in a total of more than 250 motorised vehicles movements, either entering or exiting the site, per day is a discretionary activity (restricted).</p>				

Appendix D District Plan Mechanisms to Manage Size of Home-based Businesses

District Plan	Mechanism for managing the size of home-based businesses	Maximum size
Kapiti Coast District Plan	Area	40 m <sup>2</sup> in Residential and Rural Zones
Horowhenua District Plan	Area	50 m <sup>2</sup> in Residential and Rural Zones
Hurunui District Plan	No limits	
Tauranga District Plan	Area	50m <sup>2</sup>
Tasman Resource Management Plan	Area	50m <sup>2</sup> in Residential 75m <sup>2</sup> in Rural Zone
Marlborough Proposed Environment Plan	No limits	
Waipa District Plan	Area and percentage	50m <sup>2</sup> in Residential and Rural Zones  In Character Area 1 of Cambridge Park it can be 30% of GFA
South Waikato District Plan	Percentage	one third
Dunedin City Proposed District Plan	Area	50m <sup>2</sup>
Hauraki District Plan	Percentage	30%
Matamata Piako District Plan	Percentage	10% of the site or 150m <sup>2</sup> whichever is the lesser.
Palmerston North District Plan	Area	75 m <sup>2</sup>
Western Bay of Plenty District Plan	Area	25m <sup>2</sup>
Grey District Plan	Area and percentage	50m <sup>2</sup> or 33% whichever is larger
Christchurch City District Plan	Area	40m <sup>2</sup>
Queenstown Lakes Proposed District Plan	Area	60m <sup>2</sup> Residential 150m <sup>2</sup> in Rural Zones
Hamilton City District Plan	Percentage	30%





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