
POST ENGAGEMENT PREFERRED OPTION UPDATE REPORT TO DISTRICT PLAN COMMITTEE

DATE: 15 October 2018

TOPIC NAME: Residential

SCOPE DESCRIPTION: Home based business activities in Living and Rural Zones and business activities (not home based) in Living Zones (RE008)

TOPIC LEAD: Jocelyn Lewes

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EXECUTIVE SUMMARY

<i>Summary of Preferred Option Endorsed by DPC for Further Engagement:</i>	<i>That home based businesses in residential and rural zones be managed by amended definition, policies and rules within the Proposed District Plan.</i>
<i>Summary of Feedback Received:</i>	<i>Feedback is supportive of the preferred option endorsed by DPC</i>
<i>Recommended Option Post Engagement:</i>	<i>That the preferred option previously endorsed by DPC be progressed to the Drafting and Section 32 Evaluation Phase.</i>
<i>DPC Decision:</i>	<i>That the preferred option previously endorsed by DPC be progressed to the Drafting and Section 32 Evaluation Phase.</i>



1.0 Introduction

1.1 Overview of Preferred Option Endorsed by DPC

The preferred option endorsed by DPC on 27th June 2018 involved enabling home based businesses as a permitted activity in residential and rural zones. The policy and rule framework recommended focused on the effects of home-based businesses, and as long as home-based businesses are able to meet all of the proposed standards then it was considered that there was no need to constrain the type of activity.

Key proposed changes include:

- Development of one definition that would apply to both residential and rural zones which recognises the concept of the home based business being secondary to the residential use of the site and requires the activity to be undertaken by a person(s) permanently residing on the site.
- Development of policies that 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.
- Development of more specific rules home based businesses, including:
 - A requirement that at least one person engaged in the home based business uses the dwelling on the site as their principal place of residence.
 - Maximum number of people employed who do not live on site.
 - Maximum floor area expressed as metres squared (m²). Appropriate maximum floor areas are considered to be 40m² in residential zones and 100m² in rural zones.
 - The activity should take place entirely within a building and no goods, materials or equipment should be stored outside a building.
 - Hours of operation in terms of visits to the home.
- Other standards not specific to home based business but applicable across the district, like signage, parking and nuisance such as noise, dust, vibration, also be required to be complied with.
- The following activity status:
 - home based businesses complying with all standards for home based businesses – permitted activity
 - Specifically listed business activities that are appropriate in residential and rural zones and will not undermine the viability of the Centres – restricted discretionary or discretionary activities¹
 - Other business activities – non-complying activity

It was also endorsed that a resource consent would be required for business activities (i.e. activities that are not home based businesses) and such activities will only be considered to be appropriate if, amongst other things, they are of a scale and intensity anticipated within the zone and the adverse effects are adequately avoided, remedied or mitigated. It was endorsed that the rule framework needs to acknowledge that some business activities are more appropriate in residential and rural zones than business zones, for example pre-school facilities in residential zones, as these provide an important social function and are therefore appropriate to be part of the residential community. It was recommended that

¹ Activities considered appropriate in residential and rural zones are being identified within the Rural and Business work streams as well as District Wide topics such as Community and Recreation Facilities.

these activities were given a more enabling activity status and this will be realised through the integration of the proposed district plan going forward. It was also endorsed that the proposed plan should enable rural industries and rural commercial services which are legitimate activities appropriate for the rural zone. 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.

2.0 Summary of Feedback Received

2.1 Partner/Stakeholder Feedback

Environment Canterbury

Environment Canterbury advised that they:

- Support the development of permitted standards to manage adverse and/or reserve sensitivity effects.
- Support the discouragement of larger scale commercial operations within the Living and Rural Zones, in favour of encouraging them to establish in the Key Activity Centres.

2.2 Public Feedback

IPort/Rolleston Industrial Holdings Ltd/Rolleston Industrial Development Ltd

IPort/RIHL/RIDL indicated support for the preferred option, noting that standards limiting floor area and staffing numbers are appropriate in order to encourage businesses to locate in the district's commercial and business centres, unless there is a need for them to be located in residential or rural zones.

Engagement HQ

During the public consultation period, 92 people visited the page on home-based business (aware participants). Of these, 57 people took some form of action, being downloading a document or visiting the FAQ page (informed participants). Of these, 20 people completed the survey (engaged participants).

Demographic analysis of the survey participants indicated that:

- 18 respondents live in Selwyn, with 12 living in towns and 6 in rural areas. 2 respondents did not live in Selwyn.
- The majority of respondents live in the Selwyn Central ward.

Sixteen respondents agreed that home-based businesses should be allowed to establish without resource consent so long as it met certain permitted standards. Of the four respondents that did not agree with this approach, only one felt that there should be no commercial activities in residential zones. One indicated that there should also be controls on 'noxious' activities and the other two indicated that control is needed over effects on character and amenity.

The survey asked participants to identify what standards they thought should be introduced to control home-based businesses. The majority of respondents identified that there should be controls on

parking/traffic, noise, number of employees, hours of operation and signage, all of which were identified in the preferred options report as measures for which there should be standards.

General comments received largely supported home based businesses but identified that they should not adversely affect the character and amenity of the surrounding environment.

3.0 Analysis of Feedback Received

As all of the feedback received is consistent with the preferred options report, no further analysis is considered necessary.

4.0 Recommended Option Post Engagement

The Project Team recommends that:

- The Preferred Option previously endorsed by DPC progresses to the 'Drafting and Section 32 Evaluation Phase'.