

Proposed Selwyn District Plan



Section 32 Report

Boarding and Keeping of Animals

1.0 Overview and Purpose

This s32 is for a minor topic and therefore contains limited analysis and needs to be read in conjunction with the land-use s32s. Minor topic s32 were designed to provide a consistent integrated approach for certain activities across all land-use zones.

This topic covers:

- a. commercial boarding of domestic animals;
- b. keeping of animals;
- c. veterinary clinics; and
- d. equestrian training facilities.

Boarding includes animal day care, kennels, and grooming facilities. This report does not cover intensive primary production. It also does not include the keeping of animals, poultry and bees in residential areas, as this is recommended to be most appropriately managed through a bylaw.

The key changes from the operative Selwyn District Plan are that the regulation of the keeping of animals within the District Plan are removed and managed through a council bylaw and the boarding of animals is managed as a commercial activity. Further, there is the potential management of veterinary facilities and training for horses, recognising the need to potentially locate outside of commercial areas.

2.0 Resource Management Issues

The evaluation of the appropriateness of the boarding and keeping of animals sub-section is based on the following issue:

Issue 1 – Activities that involve animals are an integral part of Selwyn, their absence to the district would have a detrimental effect on the community. However, these activities can have effects beyond their boundary, and therefore have the potential to be inappropriately located.

Animal boarding, training of horses and veterinary facilities provide a service to the community and benefit from locating where residents can conveniently meet their day-to-day needs, reducing their reliance on car travel. However, facilities with animals can create varying adverse effects, including noise, odour, vermin, and traffic.

Noise, as well as odour and vermin, can be generated from the animals on site. This is often more noticeable when by animals stay overnight due to the lower ambient noise levels and greater sensitivity to noise. The effect of noise, odour, and vermin, depends on the proximity of sensitive activities, including dwellings and some commercial activities. The two activities generate different levels of traffic and parking. A veterinary facility will have larger number of vehicle trips and parking requirements than an animal boarding facility.

However, while the effects are similar the scale is not comparable. Animals visit veterinary facilities for generally shorter periods of time, limiting the potential for such effects. It is anticipated that veterinary facilities would also have fewer animals overnight. Further, veterinary facilities often need to locate in living and business zones so as to be in close proximity to populated areas.

It is anticipated that facilities that allow for the care and training of horses occur within the rural area compared to other animal boarding facilities. Horses in training can be on-site for a minimum of 6 weeks,

racehorses can be in training for 6 months. Further, these facilities do not generally fit within living, commercial and industrial areas.

3.0 Regulatory and policy direction

3.1 Part 2 of the RMA

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety. In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

Managing the Keeping of Animals allows people and communities to provide for the well-being and their health and safety (s5), and helps the maintenance and enhancement of amenity values (s7c).

3.2 National Instruments

There are no relevant national instrument to this topic.

3.3 Regional Policy/Plans

The following regional planning documents are relevant to this topic:

1. Canterbury Regional Policy Statement

The Canterbury Regional Policy Statement 2013 (CRPS) sets out the strategic framework for managing the use, development and protection of the natural and physical resources of the Canterbury region in an integrated and co-ordinated manner. Under the RMA, authorities must give effect to the CRPS.

Chapter 5 of the CRPS sets out resource management issues associated with development which results in changes to urban, rural-residential, and rural areas. Development can enable people and communities to provide for their social, economic and cultural well-being and can promote positive changes to the environment. However, if not appropriately managed, development can result in changes to natural and physical resources that do not promote sustainable management.

3.4 Local Policy/Plans

The following local regulations/policies are relevant to this topic / issue:

Selwyn 2031 – District Development Strategy

This strategy identifies the need for the District to create destinations and iconic events which will encourage people to visit, stay and contribute to the local economy. Its vision is “to grow and consolidate Selwyn District as one of the most loveable, attractive, and prosperous places in New Zealand for residents, businesses and visitors”. Tourism has not played as much of a significant economic role as anticipated in

the 2005 Economic Development Strategy. This is particularly relevant to camping grounds which cater to the needs of tourists.

Other

Dog Control Bylaw 2012

The Selwyn District Council has a bylaw for the control of dogs (https://www.selwyn.govt.nz/_data/assets/pdf_file/0005/298346/2017-01-24-Updated-Dog-Control-Bylaw-pdf.pdf). Section 9, nuisances and health hazards, states 'the owner of every dog shall ensure that the dog does not ... emit persistent and loud barking or howling'. Section 10, limits the number of dogs, and states that no person shall keep more than two dogs on any property less than four hectares or four dogs on any property greater than four hectares. To exceed this number, a licence is required. The licence requires adequate housing, exercising and fencing plus other nuisances created. All structures involved in this will need to meet the building and resource consent requirements. The bylaw also requires boarding facilities to comply with the District Plan.

Proposed Keeping of Animals Bylaw

The Selwyn District Council are proposing a bylaw that will manage the keeping of all animals within an urban area. This manages the nuisance and health and safety impacts of the keeping of animals and requires in some instances registration of animals.

3.5 Other

Iwi Management Plan

When preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Council's must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

The Iwi Management Plan does not have any specific reference to animals.

4.0 Issue Analysis

4.1 Evidence Base

The Council has reviewed the current District Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Preferred Option Report to District Plan Committee (Topic Name: Keeping and Boarding of Animals, and Vet Clinics).
Author	Planz Consultants
Brief Synopsis	This report reviews the operative provisions of the District Plan relating to the keeping and boarding of animals in order to ensure the existing rules package remains relevant and appropriate. Additional consideration is given to the control of vet clinics in the district, including whether or not vet clinics can be suitably controlled under the existing rules pertaining to the keeping/boarding of animals. Furthermore, the keeping

	of bees is discussed in this report along with a series of options for the control of beekeeping in the district.
Conclusion	<p>This report recommended a bylaw be implemented to control the keeping of animal, with the majority of existing provisions relating to the keeping and boarding of animals should be retained, with the following edits/additions:</p> <ul style="list-style-type: none"> • Providing for the boarding of horses for training purposes as a permitted activity, subject to a permitted activity standard that limits the number of horses kept on site. • Providing for veterinary activities as a permitted activity, subject to permitted activity standards that limit the scale of the activity. • Inserting a separate definition for the 'keeping of animals'.
Link to Document	https://www.selwyn.govt.nz/_data/assets/pdf_file/0009/260748/Endorsed-Preferred-Options-Report-DW221-Boarding-of-Animals,-Vet-Clinics-and-the-Keeping-of-Animals.pdf

4.2 Operative District Plan Provisions

This section provides an overview of the existing provisions. The Operative provisions identify the following activities, the keeping and boarding of animals. There are no objectives or policies relating to these activities. This section looks at the definition of these activities, and how they are applied in the rural, living, and business zones.

The definitions currently address boarding of animals, commercial rearing, and intensive livestock production. The boarding of animals in township is limited to domestic pets, which is also defined. There are several overlaps in terms of definitions, which can make the Plan difficult to implement. Facilities for horses as well as veterinary clinics are captured under boarding of animals, which limits where these facilities can establish even if anticipated. The potential for rearing to capture any animal, even if limited to livestock, is ambiguous and does not reflect the potential wide ranging effects, e.g. a small litter of puppies could be classed as commercial rearing.

Term	Definition
Boarding of animals	includes the use of any land, building or structure for the boarding or care of animals which do not permanently reside on the site. It includes veterinary hospitals or clinics which provide overnight accommodation for ill or recuperating animals.
Commercial rearing	in relation to livestock means the breeding and/or rearing and sale of animals and birds for financial gain.
Domestic pets	means any domesticated bird or animal bred, reared and/or kept on a site for the purposes of a pet or security; other than any donkey, pig, rooster or peacock.
Intensive livestock production	means the use of land and buildings for the commercial rearing and management of livestock where the viability of that activity is not dependent upon the soil fertility of the land on which that activity is undertaken.

The zones provide for the boarding and keeping of animals. Other activities such as equestrian training facilities, veterinary clinics, animal day care, kennels, and grooming facilities are not specifically identified with the provisions.

Zone	Boarding (Cattery, Kennels, Vets)	Keeping (not defined)	Commercial Rearing (for sale of progeny, meat, skins, wool or other products)	Intensive livestock production
Living	Non-Complying	Permitted for domestic pets only Discretionary for other animals <i>Maybe covered by Bylaw</i>	Discretionary	Non-Complying
Business	Non-Complying in Commercial & Lincoln University and Hub Discretionary in Industrial	Permitted in Lincoln University and Hub Discretionary in Commercial and Industrial	Non-Complying in Commercial & Lincoln University and Hub Discretionary in Industrial	Non-Complying in Commercial & Lincoln University and Hub Discretionary in Industrial
Rural	Restricted Discretionary if setbacks are met	Permitted		

There are a few areas where the current provisions could be improved upon to provide clarity. It is important that each activity is clearly defined. Equestrian facilities or horse training facilities are anticipated within the rural environment are not identified and are therefore considered boarding of animals, though the boarding of horses is different to a boarding kennel or cattery.

4.3 Analysis of Adjoining Council Approaches

This section outlines approaches to general boarding and keeping of animals, as well as specifically veterinary clinics, commercial grooming and care, and horse training facilities, in the three surrounding districts – Ashburton, Christchurch, and Hurunui.

Christchurch District Plan has three activities – veterinary care facilities, boarding of domestic animals, and animal welfare/grooming services (commercial services).

Term	Definition
Veterinary Care Facilities	means land and/or buildings used for the provision of specialist care and/or surgery for animals, under the supervision of a qualified veterinarian
Boarding of domestic animals	means the use of land and/or buildings for the boarding of domestic animals for a tariff.
Animal welfare / grooming services (commercial services)	means a business providing personal, property, financial, household, private or business services to the general public. It includes: ... p. animal welfare and/or grooming services.

The defined activities are managed in the following way:

Zone	Veterinary Care Facilities	Boarding of domestic animals	Animal welfare/grooming services (Commercial services)
Living	Permitted with standards	Discretionary	Discretionary
Rural	Permitted with standards	Restricted Discretionary	Non-complying
Commercial	Discretionary	Discretionary	Permitted
Industrial	Discretionary	Discretionary	Restricted Discretionary

Ashburton provides for boarding of animals through the definition of intensive livestock management. This is permitted in the rural zones and is discretionary elsewhere. Veterinary facilities are not defined but are captured as a health care service, which is nested as a community facility. Community facilities are generally discretionary in all zones.

Hurunui provides for veterinary clinics (no overnight accommodation) through the healthcare facility definition, while boarding of animals is provided through the residential business definition. These are both permitted within the residential zones, if they meet standards. Healthcare facilities are permitted in the business zone, while boarding of animals is a discretionary activity in that zone. In the Rural Zone, boarding of animals is permitted subject to standards, which cascade to restricted discretionary or discretionary.

4.4 RMA First Schedule Consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Christchurch City Council, Environment Canterbury and Department of Conservation. An overview of their feedback and a summary of recommended amendments to draft provisions is contained in a report that was presented to the District Plan Committee on 18 March 2019, as per details below.

Title	First Schedule Consultation (March 2019)
Author	Justine Ashley, District Plan Review Project Lead, with input from Topic Leads, Selwyn District Council
Brief Synopsis	This report provides a summary of the pre-notification feedback received from RMA First Schedule consultation on the draft Proposed District Plan provisions and the subsequent amendments recommended by Topic Leads.
Link to Document	https://www.selwyn.govt.nz/_data/assets/pdf_file/0008/352196/First-Schedule-Consultation-Report-to-DPC.pdf

4.5 Iwi Authority Advice

Clause 4A of Schedule 1 of the RMA sets out the specific requirements for local authorities to consult with iwi authorities before notifying a proposed plan and to have particular regard to any advice received from those iwi authorities. Access to the draft ePlan and Planning Maps was provided to the iwi authority (Te Rūnanga o Ngāi Tahu) on 17 December 2019 and feedback was invited until 28 February 2020. While no formal response was received from the iwi authority during this pre-notification consultation period, Te Rūnanga o Ngāi Tahu had previously indicated that they were satisfied that Mahaanui Kurataiao Limited were providing the necessary input into draft provisions on behalf of Te Taumutu Rūnanga and Ngāi Tūāhuriri Rūnanga. In addition, the detailed feedback that has been provided by Te Taumutu Rūnanga Advisory Group is also acknowledged in this context.

4.6 Summary of Issue Analysis

This analysis shows that the Operative District Plan has some minor issues and requires tweaks. It is also important that there is no overlap with the bylaws. This has resulted in the identification of key issues for the development of the Proposed District Plan. The main issue is that the activities are not clearly defined in the Operative District Plan and then appropriately managed or enabled within the surrounding environment.

Some surrounding district plans have identified veterinary care facilities to manage this activity specifically. Though none provide explicitly for the keeping of animals, a tacit omission relying on bylaws.

There are a few areas where the current provisions could be improved upon to provide clarity. It is important that each activity is clearly defined and that activities such as veterinary facilities and equestrian facilities are individually identified. Veterinary facilities are discussed above. Equestrian facilities or horse training facilities are anticipated within the rural environment but are currently considered boarding of animals. Horse training facilities should be separate as there is no difference from horses and livestock but a marked difference between the boarding of horses and a boarding kennel or cattery.

Boarding of animals may not need specific identification beyond generally a commercial service or operation.

4.7 Activity Approaches

The following activities are managed through various approaches.

Activity	Is managed through
Boarding of Animals	These are considered a commercial service or a home business depending on their scale.
Keeping of Animals	Is managed through the bylaw.
Training of Horses	Is provided for through being specifically identified activity within the rural area
Veterinary Facilities	Is provided for through various zones.
Animal day-care and grooming services	These are considered a commercial service or a home business depending on their scale.

5.0 Scale and Significance Evaluation

The level of detail undertaken for the evaluation of the Proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

	Low	Low-Moderate	Moderate	Moderate-High	High
Degree of change from the Operative Plan		✓			
Effects on matters of national importance (s6 RMA)	✓				
Scale of effects – geographically (local, district wide, regional, national)				✓	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)			✓		
Scale of effects on those with particular interests, e.g. Tangata Whenua	✓				
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	✓				
Likelihood of increased costs or restrictions on individuals, businesses or communities.	✓				

The level of detail of analysis in this report is low. This is because the degree of change and effect are small and therefore the overall impact is small. The matter is not explicitly directed by higher order documents though generally covered in the CRPS.

6.0 Evaluation of Proposed Provision

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

6.1 Strategic Objectives

The strategic objectives that are of particular relevance to the camping grounds sub-section include:

- *SD-DI-O1 – Sensational Selwyn*
- *SD-DI-O2 – District Well-being and Prosperity*
- *SD-UFD-O1 – Compact and Sustainable Township Network*

6.2 Evaluation of Proposed Objective

The introduction of a specific Camping Ground objective is only required if the proposed land-use objectives are not appropriate.

Proposed Land Use Objectives

Objectives	
Residential – General	Objective 1 - Safe, convenient, pleasant, and healthy living environments that meet the needs and preferences of the community. Objective 6 - The role, function, and predominant character of the residential zones is not compromised by non-residential activities. Objective 7 - Residents have access to a range of community, recreation, education, health, and corrections activities and facilities that support, maintain, and enhance the surrounding residential amenity.
Large Lot Residential Zone	Objective 1 – The Large Lot Residential Zone provides for residential activity on large sites, in a manner compatible with the retention of an open and spacious peri-urban character at the rural interface.
Low Density Residential Zone	Objective 1 – The Low Density Residential Zone provides for residential activity and is characterised by low density and spacious housing typologies consistent with a suburban character.
General Residential Zone	Objective 1 – The General Residential Zone provides a quality, urban residential amenity and a range of residential unit typologies to meet the diverse needs of the community, at higher densities than anticipated in all other residential zones.
Settlement Residential Zone	Objective 1 – The Settlement Zone provides primarily for suburban residential activities and small-scale non-residential activities that serve the needs of the local community.
General Rural Zone	Objective 1 – Subdivision, use, and development in rural areas that: 1. supports, maintains, or enhances the function and form, character, and amenity value of rural areas; 2. prioritises primary production, over other activities to recognise its importance to the economy and wellbeing of the district; 3. allows primary production to operate without being compromised by reverse sensitivity; and retains a contrast in character to urban areas.
Commercial – General	Objective 1 – The 'Commercial and Mixed Use Zones' provide for the District's commercial needs based on a hierarchy that has the Town Centre Zone as the prime commercial and community focal point, supported by the Local Centre Zone, Neighbourhood Centre Zone, and Large Format Retail Zone..
Neighbourhood Centre Zone	Objective 1 – The Neighbourhood Centre Zone provides for small-scale commercial activities and community activities that service needs of residents in the surrounding area.

Local Centre Zone	Objective 1 – The Local Centre Zone provides primarily for commercial and community activities that service the convenience needs of residents of the town and the surrounding rural area.
Large Format Retail Zone	Objective 1 – The Large Format Retail Zone provides primarily for retail activities with large floor or yard areas.
Town Centre Zone	Objective 1 – The Town Centre Zone is the primary focus for commercial activities within the District and provides a diverse range of commercial activities, along with recreation, cultural and community activities and civic services, with associated residential activity.
General Industrial Zone	<p>Objective 1 – The General Industrial Zone contains a range of industrial and other compatible activities, as well as activities that support the functioning of industrial areas.</p> <p>Objective 2 – The amenity values of residential and rural areas adjoining the General Industrial Zone are maintained, while recognising the functional and operational requirements of industrial activities.</p>
Dairy Processing Zone	Objective 1 – Dairy processing activities and facilities are recognised as important infrastructure which contributes to the economic vitality and wellbeing of the district and region, while managing their adverse effects.
Grasmere Zone	Objective 1 – Grasmere is a unique development with a mix of tourism and residential activities that recognise Grasmere’s historical significance and the values of the surrounding natural environment.
Knowledge Zone	<p>Objective 1 – The Knowledge Zone contributes to the social and economic wellbeing of the District, region and nation by providing primarily for tertiary education and research activities. .</p> <p>Objective 2 – The scale and proportion of buildings and spaces in the Knowledge Zone reflects the characteristics of high density education and research facilities, including associated accommodation activities.</p>
Maori Purpose Zone	<p>Objective 1 – Ngai Tahu mana whenua are able to use and develop Māori land to provide for their economic, social, and cultural wellbeing; and are able to exercise rangatiratanga and kaitiakitanga to the fullest extent practicable; while:</p> <ol style="list-style-type: none"> 1. adverse effects on the health and safety of people and the natural environment are avoided or mitigated; and <p>the use and development of land for rural activities is enabled, while maintaining its amenity values.</p>
Port Zone	Objective 1 – Recognise and provide for the strategic importance of inland ports and their contribution to the social and economic wellbeing of the District.
Porters Ski Zone	Objective 1 – The Porters ski and recreation area is a high-quality year-round tourist destination that provides for a range of alpine and outdoor recreation activities supported by an alpine village.
Terrace Downs Zone	Objective 1 – Terrace Downs is a high quality development that provides a mix of tourism, recreational, and residential activities that integrates with and protects the surrounding natural environment.

General Direction Options and Recommendations
<ol style="list-style-type: none"> 1. Rely on proposed Land-Use Objectives 2. Provide a specific objective

Option 1 is the preferred option. It is considered most likely to address the key resource management issues identified above and give effect to the relevant statutory planning documents.	
Objective Most Appropriate Way to Achieve the Purpose of the RMA	
Proposed Objective	Summary of Evaluation
Rely on land-use objectives outlined above	<p>The objective is considered the most appropriate way to achieve the purpose of the Act because it:</p> <ul style="list-style-type: none"> • Promotes the sustainable management of natural and physical resources by minimising adverse effects on the environment. • addresses the identified resource management issue; • supports the Strategic Objectives; • realistically able to be achieved within the Council's powers, skills and resources; and • Achieves the outcomes sought in S6, S7, and S8 of the Act, notably has regard for 7(b) the efficient use and development of natural and physical resources, 7(c) the maintenance and enhancement of amenity values, 7(f) the maintenance and enhancement of the quality of the environment, and 7(g) the finite characteristics of natural and physical resources. • Supports Council bylaw's relating to council owned camping grounds
Status Quo	Summary of Evaluation
Develop activity specific objectives	<p>This approach is not preferred as the most appropriate way to achieve the purpose of the Act because it is less effective in achieving outcomes within the scope of Council's responsibilities and does not address the issues identified.</p>

7.0 Evaluation of Proposed Policies, Rules, and Methods

This section is only required if there is no appropriate policy covering these types of activities.

7.1 Summary of Issues

Issue 1 – Activities that involve animals are an integral part of Selwyn, their absence to the district would have a detrimental effect on the community. However, these activities can have effects beyond their boundary, and therefore have the potential to be inappropriately located.

7.2 Quantification of benefits and costs

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Given the assessment of the scale and significance of the proposed changes in Section 4 above, it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation

processes, which does not correspond to the scale and significance. Therefore exact quantification of the benefits and costs in this report was not considered necessary, beneficial or practicable. Rather, this report identifies where there may be additional cost(s) and focuses on identifying costs and benefits.

7.3 Policies and Rules relating to Issue

Summary of Policies

Policies	
Residential – General	<p>Policy 1 - Enable a range of housing types and densities that achieve the residential character anticipated for each zone.</p> <p>Policy 15 – Provide for non-residential activities and community facilities that:</p> <ol style="list-style-type: none"> 1. are of a nature and scale that meet the needs of the local community; 2. are consistent with the amenity values and character of the locality; 3. encourage co-location and shared use of community facilities where practicable; and <p>do not undermine the viability of commercial centres.</p>
Large Lot Residential Zone	<p>Policy 1 – Provide for a very low density and spacious residential character by:</p> <ol style="list-style-type: none"> 1. managing the density of development; and <p>managing the height, bulk and form of development.</p>
Low Density Residential Zone	<p>Policy 1 – Enable activities that support and maintain a suburban character by managing the number of residential units that can be accommodated on each site and requiring:</p> <ol style="list-style-type: none"> 1. a generally low rise built form consisting of single and two storey detached residential units; and <p>appropriate levels of openness around residential units which provides for residents on-site amenity.</p>
General Residential Zone	<p>Policy 1 – Enable residential development which provides a range of housing typologies that are consistent with a compact urban character by managing the density of development and the scale and on-site amenity of the built form.</p>
Settlement Residential Zone	<p>Policy 2 – Non-residential development are of a scale and function consistent with the role of the township as a local service centre supplying a range of goods and services to the local community, the surrounding district and visitors to the area.</p>
General Rural Zone	<p>Policy 4 – Provide for the economic development potential of the rural area by enabling a range of activities that:</p> <ol style="list-style-type: none"> 1. have a direct relationship with, or are dependent on, primary production; 2. have a functional need, or operational need to locate in the rural area; 3. represent an efficient use of natural and physical resources; and 4. maintain or enhance the character and amenity values of the surrounding area. <p>Policy 5 – Avoid the establishment or expansion of any industrial activity or commercial activity where the scale of the activity is greater than that of a rural home business, unless the activity has a functional need, or operational need to locate within the rural area.</p>

Commercial – General	<p>Policy 1 – Avoid activities locating within any 'Commercial and Mixed Use Zone' that are incompatible with the character and function of that zone; and where located in a Local Centre, Large Format Retail, or Neighbourhood Centre Zone are of a scale or nature that would adversely affect the viability and function of the Town Centre Zone, including individual and cumulative adverse distributional and urban form effects.</p> <p>Policy 2 – Enable low density commercial and retail activities in commercial zones that contribute to the function, amenity, and vitality of the zone.</p>
Neighbourhood Centre Zone	<p>Policy 1 – Enable a limited range and scale of commercial activities, visitor accommodation, and community facilities.</p>
Local Centre Zone	<p>Policy 1 – Enable a range of commercial, visitor accommodation, recreational, cultural, community activities, and public amenities to establish and operate within the Local Centre Zone, provided that they are of a scale and nature that does not detract from the role and function of the Town Centre Zone.</p>
Large Format Retail Zone	<p>Policy 3 – Avoid compromising the function, role and vitality of the Town Centre Zone beyond those effects ordinarily associated with trade effects on trade competition by managing the scale and type of commercial activities, visitor accommodation, and community activities within the Large Format Retail Zone.</p>
Town Centre Zone	<p>Policy 1 – Enable a range of commercial activities, visitor accommodation, recreational, cultural, community activities, and public amenities to establish and operate within the Town Centre Zone.</p>
General Industrial Zone	<p>Policy 2 – Provide for other activities to establish and operate within the General Industrial Zone where they are:</p> <ol style="list-style-type: none"> 1. of a similar scale and nature to industrial activities; or 2. ancillary to the main industrial activity on site; or 3. necessary to support the needs of workers within the zone. <p>Policy 3 – Avoid activities that are incompatible with the character and function of the industrial area.</p> <p>Policy 4 – Avoid commercial activities that will undermine the viability and function of the Town Centre and Local Centre Zones.</p>
Dairy Processing Zone	<p>Policy 2 – Manage the adverse effects of dairy processing activities and facilities by ensuring:</p> <ol style="list-style-type: none"> 1. activities that are not associated with the processing of milk are avoided in the Dairy Processing Zone, unless ancillary to dairy processing activities and facilities or a specified rural activity; 2. development within the Dairy Processing Zone is in accordance with the relevant Outline Development Plan; <p>specific development controls apply to minimise adverse effects beyond the Dairy Processing Zone.</p>
Grasmere Zone	<p>Policy 1 – Avoid use and development where it does not comply with the outline development plan, shown in Schedule 1 or the anticipated development within the Sub-Areas.</p> <p>Policy 2 – The development of the lodge and associated buildings for tourism and accommodation activities are developed and designed in a manner that complements the character of the natural environment and existing lodge within the tourist accommodation area shown on the outline development plan, shown in Schedule 1.</p>

Knowledge Zone	<p>Policy 2 – Provide for activities within the Knowledge Zone which are compatible with, and support tertiary education and research activities.</p> <p>Policy 3 – Avoid activities that:</p> <ol style="list-style-type: none"> 1. are incompatible with the efficient and effective operation of tertiary education and research activities; or would undermine the viability and function of the Lincoln Town Centre.
Maori Purpose Zone	<p>Policy 1 – Enable use and development of Māori land for kāinga nohoanga, in accordance with tikanga Māori, to support the aspirations of manawhenua to live and work on Māori land.</p> <p>Policy 2 – Require land use and development for kāinga nohoanga to be undertaken in a way that:</p> <ol style="list-style-type: none"> 1. integrates land use and infrastructure; 2. supports tikanga and matauranga values, identity, relationship with the environment, and characteristics of the location; 3. recognises the cultural values of Māori Purpose Zoned land, including land not held in Māori ownership; and 4. maintains the amenity values of adjoining general and rural land and minimises the potential for reverse sensitivity effects on existing rural activities. <p>Policy 4 – Enable rural activities in a manner consistent with the provisions of the Rural Chapter.</p>
Port Zone	<p>Policy 2 – Provide for other industrial activities within the Port Zone, where such activities do not adversely affect port activities.</p> <p>Policy 3 – Avoid activities locating within the zone that would adversely effect the efficient operation of port activities, including those likely to result in reverse sensitivity effects.</p>
Porters Ski Zone	<p>Policy 1 – Avoid ongoing use and development of the Porters ski and recreation area where it does not comply with the outline development plans, shown in Schedule 1 or the anticipated development within the Sub-Areas, including staging.</p> <p>Policy 2 – Manage the establishment of an alpine village within the Village Base Sub-Area shown on the Outline Development Plan in Schedule 1, for accommodation, community, and commercial activities whilst ensuring the layout, design, and development of the alpine village complements the landscape values of the locality.</p>
Terrace Downs Zone	<p>Policy 1 – Avoid use and development where it does not comply with the outline development plan, shown in Schedule 1 or the anticipated development within the Sub-Areas.</p> <p>Policy 2 – Enable the development of tourism, hospitality, and accommodation activities within the Tourist Accommodation Sub-Area shown on the outline development plan in Schedule 1.</p>

6.2 Quantification of benefits and costs

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Given the assessment of the scale and significance of the proposed changes in Section 4 above, it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes, which does not correspond to the scale and significance. Therefore exact quantification of the benefits and costs in this report was not considered necessary, beneficial or practicable. Rather, this report identifies where there may be additional cost(s) and focuses on identifying costs and benefits.

10.3.3.3 Provisions relating to Issue 1

Provisions (Policy, Rule, Method) Most Appropriate Way to Achieve the Objectives	
<p>Relevant objective(s) and policy(ies) as above.</p> <p>Summary of the proposed rules, definitions and assessment matters that give effect to the objective(s) relevant to this issue</p> <ul style="list-style-type: none"> Rules that enable these activities in appropriate zones (Table 1). Rules that specifically limit scale of veterinary facilities, through limiting the size of building, hours of operation, and animals staying onsite overnight. Definitions for keeping of animals, training of horses, and veterinary facility. 	
Efficiency and Effectiveness	
Benefits	Costs
<p>Environmental:</p> <p>The scale of activity is managed to reflect the surrounding residential character and amenity.</p>	<p>Environmental:</p> <p>Increased noise associated with animals.</p> <p>Increased traffic movements associated with these activities.</p>
<p>Economic:</p> <p>The provisions allow for the establishment of commercial activities to support local communities.</p>	<p>Economic:</p> <p>None identified</p>
<p>Social:</p> <p>The provisions limit the location of the boarding of animals to rural areas where the impact on the amenity of surrounding neighbours (e.g. noise and odour) is reduced. The provisions then distinguish veterinary facilities so that they can locate in residential areas as they support the community and limit the overnight adverse effects.</p> <p>The provisions also distinguishes the training of horses to provide for that anticipated rural activity within the rural area without being potentially included in the definition of boarding of animals.</p> <p>A mix of non-residential activities within residential areas can provide a sense of security for those areas, with activity throughout the day.</p>	<p>Social:</p> <p>There is potential impact (e.g. noise and odour) on residents that could be immediately next to a veterinary facility. However, animals are only generally at a veterinary facility for a short period of time.</p> <p>There is potential impact from increased traffic and subsequent need for parking for these activities.</p>
<p>Cultural:</p> <p>None identified</p>	<p>Cultural:</p> <p>None identified</p>
Summary of Efficiency Assessment	
<p>The social benefits outweigh the social cost, as the costs can be appropriately managed.</p>	

Effectiveness Assessment	
<p>The proposed provisions are considered to be the most effective means of achieving the objective as together they will:</p> <ul style="list-style-type: none"> ensure that adverse effects on the surrounding environment are managed appropriately by rule requirements such as scale of activity limiting size of building, office hours, and animals staying onsite overnight. enable the Council to effectively administer its District Plan and to monitor the outcomes of the proposed provisions in a clear and consistent manner. 	
Options less or not as appropriate to achieve the objective(s)	
<p>Option 1: Status quo</p> <p>This option involves making no changes to the District Plan, therefore retaining the existing objectives, policies and methods.</p>	<p>Appropriateness</p> <p>The current provisions are not considered the most appropriate way in which to achieve the objective because they would continue the issues identified in this report, and are therefore ineffective.</p>
Risk of acting or not acting	
<p>The Council has sufficient information to determine the provisions. As the Proposed Plan provisions are largely a continuation of the Operative Plan provisions, the Council has a good understanding of the nature of the activities, their operational requirements, and their associated effects on the environment. In addition, feedback on the draft provisions did not raise any fundamental issues with acting in the manner proposed. Therefore, there is a low risk of acting in the manner proposed.</p>	

Table 1 Proposed Rules

Policies	Keeping of Animals	Veterinary Facilities	Training of Horses
Large Lot Residential Zone	Permitted	Non-complying as Commercial Activity not otherwise listed.	Catch All Status
Low Density Residential Zone	Permitted	Non-complying as Commercial Activity not otherwise listed.	Catch All Status
General Residential Zone	Permitted	Non-complying as Commercial Activity not otherwise listed.	Catch All Status
Settlement Residential Zone	Permitted	Permitted as Commercial Activity not otherwise listed, with bulk and location provisions.	Catch All Status
General Rural Zone	Permitted	Permitted as Rural Service Activity or Commercial Activity, depending on focus of service.	Permitted
Neighbourhood Centre Zone	Permitted	Permitted as Commercial Activity not otherwise listed,	Catch All Status

		with bulk and location provisions.	
Local Centre Zone	Permitted	Permitted as Commercial Activity not otherwise listed, with bulk and location provisions.	Catch All Status
Large Format Retail Zone	Permitted	Non-complying as Commercial Activity not otherwise listed.	Catch All Status
Town Centre Zone	Permitted	Permitted as Commercial Activity not otherwise listed, with bulk and location provisions.	Catch All Status
General Industrial Zone	Permitted	Non-complying as Commercial Activity not otherwise listed.	Catch All Status
Dairy Processing Zone	Catch all Status	Catch all Status	Catch all Status
Grasmere Zone	Permitted	Catch all Status	Catch all Status
Knowledge Zone	Permitted	Non-complying as Commercial Activity not otherwise listed.	Non-complying as Commercial Activity not otherwise listed.
Maori Purpose Zone	Permitted through Rural Provisions	Permitted through Rural Provisions	Permitted through Rural Provisions
Port Zone	Permitted	Non-complying as Commercial Activity not otherwise listed.	Non-complying as Commercial Activity not otherwise listed.
Porters Ski Zone	Permitted	Catch all Status	Catch all Status
Terrace Downs Zone	Permitted	Catch all Status	Catch all Status

Summary of Proposed Definitions

To help clarify the intent of the provisions and align with the National Planning Standards the following definitions have been introduced for:

- Keeping of Animals – means the keeping of animals for domestic purposes.
- Training of Horses – means the use of rural land, building or structure for the boarding, training or care of horses. This excludes competitions or open days or ancillary commercial services.
- Veterinary Facility – means a commercial activity that uses land and/or buildings for the provision of specialist care and/or surgery for animals, under the supervision of a qualified veterinarian.

11.0 Conclusion

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from the District Plan Review relating to the boarding and keeping of animal provisions and the appropriateness of the current and proposed methods and rules having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act.

This evaluation has determined that several activities need to be separately defined in order to address the topic in the most appropriate way. This builds upon the existing provision in the Operative District Plan to provide a more comprehensive approach to the boarding and keeping of animals.