
APPENDIX 7: SELWYN DISTRICT PLAN COMPLIANCE ASSESSMENT

Selwyn District Plan – Rural Volume

Rule	Assessment	Activity Status
Part C1 – Earthworks Definition: <i>Earthworks: include any disturbance to, or excavation, removal or deposition of, soil, earth, or any other mineral derived from the ground.</i>		
Contaminated Land Rule 1.2.1.1: Any soil or earth to be removed from the site is not contaminated.	-	Superseded by the NES-CS and therefore does not apply.
Earthworks and Setbacks, Volume and Site Rehabilitation Rule 1.7.1.1: The earthworks are set back at least 20m from the edge of any waterbody (excluding aquifers) (a) unless the earthworks are those undertaken within road reserve and are for the purpose of installing underground network utility infrastructure	Earthworks will be undertaken within 20m of the edge of Leeston Creek.	Discretionary activity within an unnumbered rule below 1.7.5.1 in SDP.
Rule 1.7.1.2: The earthworks do not exceed: (a) A vertical cut face where no more than 5% of the total vertical cut is over 2m; and (b) A maximum volume of 5,000m ³ per project.	The proposed Leeston Creek upgrade is likely to require a maximum cut depth of approximately 1.7m and total volume of approximately 2,050m ³ . The proposed minor bank raising works south of Leeston will either be constructed from excess spoil removed from the bypass channel/Leeston Creek or spoil removed from the drains as part of regular maintenance works. The total earthworks within the Rural Zone are not anticipated to exceed 5,000m ³ .	Permitted
Rule 1.7.1.3: When the earthworks cease, the site is: Filled and recontoured to the same state as the surrounding land; and Replanted with vegetation which is the same as, or of similar species to, that which existed on the site prior to the earthworks taking place, except that where the site was vegetated with any plant pest, the site may be replanted with other species. <i>Note: Rule 1.7.1.3 does not apply to earthworks associated with the preparation of building sites.</i>	At completion of works, earth worked areas outside Leeston Creek shall be recontoured to the same state as the surrounding land and re-grassed.	Permitted
Rule 1.7.1.4: Any stockpiling of earth, soil or other material within 100m of any dwelling, other than a dwelling erected on the same property as the earthworks, is to be kept moist and consolidated.	This rule will be met.	Permitted

Rule	Assessment	Activity Status
Part C5 – Utilities		
Notes (Excerpt): <ol style="list-style-type: none"> 1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 1- Earthworks, except where the provisions of Rule 1.6 (Earthworks and Protected Trees) apply. 2. The Rules in the Rural Volume of this Plan are applicable to activities generally, including utilities. However, the rules under Rule 3 Buildings, Rule 4 Rooding and Rule 9.4 Scale of Non-Residential and Non-Rural Activities do not apply to utilities, except the following: <ul style="list-style-type: none"> Rule 3 Buildings <ul style="list-style-type: none"> • Rule 3.15.1 Relocated Buildings • Rule 3.9.1.1 Access and Parking • Rule 3.13.1.2 Line of sight – railway crossings Rule 4 Rooding <ul style="list-style-type: none"> • Rules 4.5.1.2 – 4.5.1.5 Roads, Accessways and Vehicular Crossings. • Rules 4.6 Parking • Rule 4.1.1 Outstanding Landscapes 		
Rule 5.1 (Utilities – Activities): The following existing utilities shall be permitted activities:	-	-
Rule 5.1.1: Upgrading, maintenance, operation and replacement of existing utilities shall be permitted and shall not be subject to compliance with any other performance standards, conditions or rules in this Plan provided that the effects of such shall be the same or similar in character and scale to those which existed before such upgrading, maintenance or replacement activities commenced.	<p>The proposed bypass channel and associated structures are a new utility and therefore are not captured by this rule.</p> <p>Upgrading, maintenance, operation and replacement of existing drainage utilities is permitted.</p>	Permitted
Rule 5.1.2: Any utility which meets the following provisions shall be a permitted activity: Rule 5.1.2.5: Open channels or waterbodies used to convey water, are limited to: (a) Maintenance of existing drains and stock water races. (b) Construction of new channels for drainage or irrigation purposes on any individual property which serve only that property	<p>The maintenance of existing drains and water races are permitted. The construction of any subdrains, if required, are also permitted.</p>	Permitted
Rule 5.13.2 (Waterbody Setbacks): Any utility structure which is setback at least the following minimum distances shall be a permitted activity:	No utility structures are proposed in rural zoned land.	Not applicable

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5.13.2.1: 100m from the edge of any lake; and 5.13.2.2: 20m from the edge of any waterbody listed in Appendix 17 other than a lake; and 5.13.2.3: 10m from the edge of any other waterbody (excluding aquifers).		
Part C9 – Activities		
Rule 9.16.6.3: Any temporary activity which operates between the hours 7.00am and 9.00pm excluding seasonal harvesting activities is exempt from the noise standards in Rule 9.6.1.	The earthworks meet the definition of a temporary activity and will be managed in accordance with this standard to comply.	Permitted
Rule 9.18 (Glare) does not apply to any outdoor lighting associated with a temporary activity.	Not applicable	<i>Not applicable</i>
Rule 9.19.1: Any stockpiling activity shall be a permitted activity provided that stockpiling of any soil, coal, sawdust, powdered fertiliser or any other unconsolidated material outdoors within 100m of a dwelling (other than a dwelling on the same property as the stockpiled material), is either: 9.19.1.1: Covered; or 9.19.1.2: Consolidated; or 9.19.1.3: Otherwise secured to mitigate windblown dust on to adjoining properties.	Any stockpiling will be managed to comply with this Rule.	Permitted

Selwyn District Plan – Township Volume

Rule	Assessment	Activity Status
Part C2 – Living Zone Earthworks		
Note 1: Rule 2 does <u>not</u> apply to any of the following activities: <ul style="list-style-type: none"> Maintaining and clearing rivers, water races or drains, except in Wāhi Taonga Management Area C39(b); Maintaining or repairing existing flood protection works, except in Wāhi Taonga Management Area C39(b); [...] 		
Rule 2.1.1: Any earthworks shall be a permitted activity if the following conditions are met:	-	-
Rule 2.1.1.1: Any disturbed or stockpiled material is kept moist until it has consolidated, and	Will comply	Permitted
Rule 2.1.1.2: Any stockpiled material is kept consolidated or covered to avoid sediment run-off from rainfall, and	Will comply	Permitted
Rule 2.1.1.3: Any site subject to earthworks is either : (g) built upon, (h) sealed,	The bypass channel, as utility infrastructure, will cover a majority of earthworked areas. This channel, and other exposed areas, will be re-grassed as a minimum as soon as	Permitted

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(i) landscaped, or (j) the land recontoured and replanted, no more than 12 months after the earthworks commencing, except in the case of landscaping and planting which shall be undertaken during the first planting season following the completion of the earthworks.	possible (within the first planting season) following the completion of works.	
Rule 2.1.1.4: Earthworks do not occur and material from earthworks is not deposited within: (a) 20m of any waterbody listed in Appendix 12. (b) 10m of any other waterbody (excluding aquifers).	Leeston Creek and Martins Spring Drain are not listed within Appendix 12, thus a 10m setback applies. Earthworks will be undertaken within 10m of the edge of Leeston Creek and Martins Spring Drain.	Discretionary activity under Rule 2.1.8.2.
Rule 2.1.1.6: Any earthworks has: (a) a volume of not more than 2,000m ³ per project; and (b) a vertical cut face where no more than 5% of the total vertical cut is over 2m.	The proposed bypass channel works is likely to require a maximum cut depth of approximately 1.7m and maximum total volume of approximately 16,980m ³ .	Discretionary activity under Rule 2.1.8.2.
Part C6 – Living Zone Rules - Utilities		
Notes (Excerpt): 1. The undergrounding or ducting of any utility is permitted subject to compliance with Rule 2 Earthworks, except where the provisions of Rule 3 Heritage apply. 2. The rules in this Plan are applicable to activities generally, including utilities. However, the following rules do not apply to utilities: Land Use Rules for Living Zones: <ul style="list-style-type: none"> • Rule 4.15 (Setbacks from Waterbodies) • Rule 11 (Landscape Management, Alpine Villages) • Rule 4.2 (Landscaping) • Rule 4.8 (Building Height) • Rule 4.9 (Building Position) • Rule 4.7 (Site Coverage) 	-	-
Rule 6.1.1 (Utilities – Activities): Any utility which meets the following provisions and complies with all other relevant rules shall be a permitted activity:	-	-
Rule 6.1.1.1: Upgrading, maintenance, operation and replacement of existing utilities shall be permitted and shall not be subject to compliance with any other performance standards, conditions or rules in this Plan provided that the effects of such shall be the same or similar in character and scale to those	The proposed bypass channel and associated structures are a new utility and therefore are not captured by this rule. Upgrading, maintenance, operation and replacement of existing drainage utilities is permitted.	Permitted

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which existed before such upgrading, maintenance or replacement activities commenced.		
Rule 6.1.1.7: The digging of channels or ditches to convey water is limited to maintenance or minor realignment of existing drains and stock water races.	The proposed bypass channel and associated structures are a new utility and therefore are not captured by this rule. Maintenance or minor realignment of existing drains is permitted by this rule.	Permitted
Rule 6.1.1.9: The utility may involve the maintenance, operation, and improvement of existing coastal protection works, flood protection and river maintenance works, including the planting and harvesting of trees.	The utility involves flood protection and river maintenance works.	Permitted
Rule 6.6.1 (Setback from Waterways): Any utility building or other structure shall be a permitted activity if it is sited in accordance with the following setbacks: 6.6.1.1 Not less than 20 metres from the edge of any waterbody listed in Appendix 12; or 6.6.1.2 Not less than 10 metres from the edge of any other waterbody (excluding aquifers).	Utility structures will be located within 10m of the edge of Leeston Creek and Martins Spring Drain (neither of which are listed in Appendix 12).	Discretionary activity under Rule 6.6.2.
Part C10 – Living Zone Rules - Activities		
Rule 10.6.1: Any activity which is not a residential activity, spiritual activity or educational activity, shall be a permitted activity if the following noise limits are not exceeded within the timeframes stated. 7.30am – 8.00pm 50 dBA L10 8.00pm – 7.30am 35 dBA L10 7.30am – 8.00pm 85 dBA Lmax 8.00pm – 7.30am 70 dBA Lmax	The proposed works will be undertaken in daytime hours in compliance with these standards.	Permitted
Rule 10.10.1: The outdoor storage of any materials or goods shall be a permitted activity if the following conditions are met: Rule 10.10.1.2: The outdoor storage of materials for construction, repair or landscaping work on the same site shall be limited to up to 4 months in any 12 month period.	Any outdoor storage will be managed to comply with this Rule.	Permitted