



PUBLIC AGENDA

FOR THE MEETING OF

DISTRICT PLAN COMMITTEE

TO BE HELD AT THE

SELWYN DISTRICT COUNCIL OFFICES,
COUNCIL CHAMBERS

ON WEDNESDAY 20 JUNE 2018

COMMENCING AT 10:00AM

Committee Members

Chair

Environmental Services Manager Tim Harris

Selwyn District Council

Mayor Sam Broughton

Councillor Mark Alexander

Councillor Jeff Bland

Councillor Debra Hasson

Councillor Murray Lemon

Councillor Malcolm Lyall

Councillor Pat McEvedy

Councillor Grant Miller

Councillor John Morten

Councillor Bob Mugford

Councillor Nicole Reid

Councillor Craig Watson

Chief Executive David Ward

Te Taumutu Rūnanga

Hirini Matunga

Environment Canterbury

Councillor Peter Skelton

Te Ngāi Tūāhuriri Rūnanga

Tania Wati

Project Sponsor

Jesse Burgess
Phone 347-2773

Project Lead

Justine Ashley
Phone 027 285 9458

Standing Items

1. APOLOGIES

2. DECLARATION OF INTEREST

Nil.

3. DEPUTATIONS BY APPOINTMENT

Nil.

4. CONFIRMATION OF MINUTES

Minutes from the meeting of the District Plan Committee on 16 May 2018.

Agenda Items

Item	Page	Type of Briefing	Presenter(s)
Standing Items			
1. Apologies	3	Oral	
2. Declaration of Interest	3	Oral	
3. Deputations by Appointment	3	Oral	
4. Confirmation of Minutes	4-20	Written	
5. Outstanding Issues Register	21	Written	
Specific Reports			
6a. Preferred Option Report – Community and Recreation	22-39	Written	Vicki Barker
6b. Communications and Engagement – Community and Recreation	40-42	Written	Vicki Barker & Katrin Johnston
7a. Preferred Option Report – Relocated Buildings	43-67	Written	Rachael Carruthers
7b. Communications and Engagement – Relocated Buildings	68-70	Written	Rachael Carruthers & Katrin Johnston
8a. Preferred Option Report - Mushroom Farming and Composting	71-84	Written	Robert Love
8b. Communications and Engagement - Mushroom Farming and Composting	85-87	Written	Robert Love & Katrin Johnston
9. Summary of Public Consultation Approach	88-95	PowerPoint Presentation	Katrin Johnston
10. Update on National Planning Standards	96-109	PowerPoint Presentation	Jessica Tuilaepa
11. DPR Financial Report & Work Programme Update	110-116	Written	Jesse Burgess



**District Plan Committee
meeting
held on Wednesday 16 May 2018 at 9.00am at
Selwyn District Council,
Rolleston**

Present: Mayor S Broughton, Councillors M Alexander, P McEvedy, D Hasson, G Miller, M Lyall, B Mugford, J Bland, N Reid, C Watson, J Morten, M Lemon, D Ward (CEO SDC), Hirini Matunga (Te Taumutu Rūnanga), & P Skelton (Environment Canterbury).

In attendance: Chair T Harris (Environmental Services Manager), J Burgess (Planning Manager), J Ashley (District Plan Review Project Lead), R Love (Strategy and Policy Planner), B Rhodes (Strategy and Policy Team Leader), V Barker (Planning Consultant), K Johnston (Communications Consultant), S Styles & J Bentley (Planning Consultants from Boffa Miskell), A Callaghan (Planning Consultant from GHD), J Clease (Planning Consultant from Planz Consultants), note taker T Van Der Velde (District Plan Administrator) & K Hunt (PA to Manager Environmental Services).

Standing Items:

1. Apologies

T Wati (Te Ngāi Tūāhuriri Rūnanga)

Apologies for lateness:
Cr M Lemon

Moved – Councillor Alexander / Seconded – The Mayor

‘That the apologies received from the above Councillors be received for information.’

CARRIED

2. Declaration of Interest

Nil.

3. Deputations by Appointment

4. Confirmation of Minutes

Taken as read and accepted.

Moved – Councillor Watson / Seconded – Councillor Mugford

‘That the Committee accepts the minutes of the 18 April 2018 as being true and correct’.

CARRIED

5. Outstanding Issues Register

Nil.

6a. Preferred Option Report – Rural Character and Amenity – ‘Business Activities in Rural Zones’

Ms Styles spoke to her presentation, commenting that this scope of work was separated into two pieces of work – ‘Business Activities’ in the rural area and ‘Rural Density’.

Consultants looked at the key issues for Business Activities in rural zones which were: Does the current District Plan give effect to the expectations of the Regional Policy Statement (RPS) for prioritising rural production and restricting non-rural activity in rural environment? What type of activities are appropriate or not in the rural environment? What scale and effects from non-rural activities are appropriate / need to be managed and why.

‘Cr Miller in 9.02am’

‘Cr Morten in 9.03am’

The current District Plan approach for the rural area talks about matters such as a pleasant place, the variety of activities, maintaining rural character and avoiding reverse sensitivity effects. It includes policies that imply a range of activities that are fairly loosely worded. It also talks about amenity values, low levels of building density, managing effects and managing small scale industrial activity.

The current rules enable very small businesses: ones that are less than 100m² and that have no more than two full time equivalent employees in the Inner and Outer Plains. There is a term called rural based industrial activity which is a discretionary activity in the Outer Plains area. All other business activities such as retail, commercial and industrial are non-complying activities in the rest of the rural environment.

Under the RPS the rural environment is split between the Greater Christchurch area and the rest of the rural area therefore there are two sets of provisions.

Ms Styles explained how they looked at options in the baseline report, including the status quo which would not give good effect to the RPS outcomes. The reason why is that there is insufficient strength in the policy framework to resist general businesses in the rural environment and that give primacy to primary production.

In summary, the consultants recommend refining the District Plan and making it more directive to focus on enabling primary production and protection of primary production from adverse effects.

Councillor Alexander commented the problem Council has is defining what is a business associated with rural production as it seems that Selwyn has businesses that push that boundary and that is where Council can get into conflict. How do Council tighten that definition without leaving loop holes?

‘Cr Lyall in 9.10am’

Ms Styles agreed with Cr Alexander's comments and responded that is what we are suggesting; that Council needs to tighten definitions and make sure there are alternative locations available in the industrial or business zones in the right locations across the district so Council can protect the rural areas. Ms Styles also suggested refining definitions around what is rural business as currently it is around industrial business. Therefore there will be a more tailored approach for dealing with specific activities.

Councillor Reid questioned how does Fonterra and Synlait fit in? Are there special dairy zones for them? For any other business starting up there would be quite a high test for example they would not fit into the restricted discretionary scale threshold and the next level would be non-complying.

Ms Styles responded that special zones were established for Fonterra and Synlait through the plan change process.

The plan change process is a more comprehensive way of dealing with the scale and effects of larger facilities. Ms Styles commented that they have recommended large scale businesses unrelated to the rural area be dealt with strongly.

Cr Reid asked for clarification as to why there is no discretionary activity?

Ms Styles responded that it is recommended for anything that is smaller scale there is a relatively narrow set of things to consider in terms of the effects of the activity.

These can tidily be dealt with through restrictive discretionary status.

Discretionary status leaves a bit of the unknown as there are other things that you might be considering. The smaller things fit naturally in restricted discretionary. For bigger scale activities you are in a position where there could be significant adverse effects on the rural environment and the RPS direction for that is to take it to a non-complying status to show people that the Council is genuinely trying to protect the area for rural primary production.

Cr Reid commented you never know what would come in to the future and Cr Reid would have liked to see middle ground.

Councillor McEvedy commented that trying to define rural activity is near impossible as rural activity is constantly changing. If Council make things too restrictive Council could penalise legitimate rural activities that will develop in the future around growth for example. Cr McEvedy wants to make sure Council are not too restrictive and wants more enforcements not restrictions.

Councillor Lyall commented that it is very hard to enable rural businesses to operate in the rural area and yet still restrict those who do not want to buy a piece of industrial land. Cr Lyall suggested perhaps something within close proximity to the boundaries of the City.

The Chair responded that the Project Team could explore a category for discretionary activities as a refinement of Option 2, which may apply in close proximity to Christchurch boundary or it could be around a rural based type of industry.

Mr Matunga commented what is the nature of the link between these types of policies

and the Papakainga / Kainga Nohoanga area provisions which are currently in preparation? Mr Matunga would have real concerns if the kinds of activities that are envisaged for Papakainga/ Kainga Nohoanga zones are unfairly prejudice by this kind of approach. What is going to be the nature of the link of policies in other areas particularly Papakainga and this?

Ms Ashley responded that until Council receive the report from Mahaanui Kurataiao Ltd on the Kainga Nohoanga zone Council cannot comment what is proposed, but Ms Ashley envisaged that it will include a range of activities within that area, therefore the general provisions would not apply. It is part of the integration process.

The Mayor commented the extra work that the Chair discussed is very important. The Mayor would like to see the link, the drive and the experience in the rural area maintained so Selwyn do not continue to have towns spread into rural areas. The Mayor questioned the sizing of land on page 40 of the report which talks about provisions for small scale activities up to 200m² and an approach between 200m² & 500m². The Mayor questioned whether that is the built size or does this include parking, the yard and inclusion of everything?

Ms Styles responded the report talks about total area which includes the building and/or yards. The numbers are areas of activities and the numbers in report are a starting point for conversation.

Councillor Miller questioned how tourism activity would fit in, as most of them start small scale but can grow extensively.

Ms Styles commented Tourism as a business is treated differently—it is hard to define what is tourist based and what is small scale.

Councillor McEvedy commented Council should make sure rural settlements have enough zoned land - providing ample quantities so people are not forced to look elsewhere.

Councillor Hasson commented that when the Southern Motorway goes up there will be pressure of owner's land banking land alongside the Southern Motorway and asked if the impact was looked at and an allowance made for special zoning along the Southern Motorway?

Ms Style responded the report only looked at the rural zone aspect of this not business zone, which will be subject to a separate piece of work. Mr Burgess clarified Council will look into the capacity of business-zoned land through the National Policy Statement for Urban Development Capacity.

Mr Ward commented that Council know that continued growth in our area is inevitable and commented are Council going too far to constrain the type of businesses that we are allowing in? Adventure Tourism is growing and typically operated off a small base. It is unclear whether this type of activity would be defined as being related to rural activities or is it based in a rural area, being two separate aspects.

Moved – Councillor Lyall / Seconded – Councillor Alexander

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option (Option 2) for Rural Character and Amenity (Business), subject to the provision of a supplementary report addressing the option of a discretionary activity status for businesses located in close proximity to urban areas and/or for rural-based business activities exceeding 500m², for further development and engagement.”

CARRIED

6b. Preferred Option Report – Rural Character and Amenity – ‘Rural Density’

Ms Styles spoke to her presentation and advised that similar to the ‘Rural Business’ report, the ‘Rural Density’ report considered the following issues:

Does the District Plan give effect to the RPS and how do Council give effect to the RPS? What is the character of the rural area that is to be maintained? What density is appropriate in each rural area to provide for primary production and protect rural character and amenity? Issues surrounding the use of the ‘grandfather clause’, which allows for development not permitted by a plan where that development had previously been permitted. Additionally, there is a question of the appropriateness of the use of open space, balance lot, and clustering approaches.

Ms Styles explained the objectives, policies and rules of the current District Plan approach.

RPS within the Greater Christchurch area is clear that rural activity includes residential activity on sites of four hectares or greater. Within the wider rural area there is clear direction that the areas must avoid development, fragmentation or intensification that: forecloses the ability to make appropriate use of that land for primary production, results in reverse sensitivity effects that limit or preclude primary production and contributes to significant cumulative adverse effects on water quality and quantity.

Ms Styles advised a whole range of options were looked at for the report, essentially the status quo was looked at with or without the grandfather clause, balance lot, and clustering exceptions. Neither of which give good strong effect to the RPS but have varying different effects.

In addition the consultants looked at changing the density based on the existing zone boundaries or having a reduced density and amending zone boundaries and also looked specifically at the existing variation around grandfather clauses, balance lot and clustering. Ms Styles explained it got very complex and there was also input from a landscape architect and an economist. In summary what was looked at is what that effect would have on different areas.

Ms Styles discussed an example in the Port Hills that was explored and discussed the preferred option which is a mix of approaches for different zones.

Mr Bentley provided a summary and stated that specifically in places like the Port Hills it is aligning the zoning with the values that underpin the existing environment.

Councillor Alexander commented that Council need to emphasise that the RPS places a restriction on land use, rather than the SDC, and this aspect needs to be made clear when engaging with the public.

Mr Matunga asked if he is right in assuming if a Kainga Nohoanga zone is determined that that zone will determine density requirements?

Ms Ashley and the Chair responded yes and if it is not a zone it is likely to be some

sort of overlay with its own set of provisions.

Councillor Hasson commented about Gammack Estate in Springston, which is governed by an act of parliament that cannot be subdivided and asked for areas like this to be noted.

The Chair reiterated to the committee that the maps provided in the presentation are an observation based on landscape values, the report is not recommending these areas be rezoned. This would be subject to a separate piece of work and separate report. This is a starting point for engagement.

The Mayor commented that historically Selwyn is a rural district that produces a lot of primary produce that is based from our soil and the types of activities that can make best use of this soil. The Mayor added just because some land use change has occurred he does not necessarily want to see Council legitimising the change which then lowers the bar and allows people to challenge the overall community outcomes. The Mayor added if you look at it from a National level the Canterbury economy relies on the productive nature of Selwyn's land and soil.

Mr Bentley clarified the blue line (which is a possible boundary between lower and upper Outer Plains) on his presentation slide.

The Chair commented further work is going to be done on these provisions and clarified that this is a concept report.

Moved – Councillor McEvedy / Seconded – Councillor Watson

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for Rural Character and Amenity – ‘Rural Density’ for further development and engagement.”

CARRIED

6c. Communications and Engagement Summary Plan – Rural Character and Amenity

No discussion was held, summary plan taken as read.

Moved – Councillor Watson / Seconded – Councillor Hasson

“That the Committee notes the summary plan.”

CARRIED

‘Refreshment break taken at 10.20am’

‘Meeting Reconvened at 10.34am’

‘Cr Lemon in 10.34am’

7a. Preferred Option Report – Rural Quarrying

Ms A Callaghan from GHD Ltd and Mr R Love spoke to this report.

GHD was engaged to look at rural quarrying throughout the district. Looking at how quarries are currently provided for within the district and any issues identified with the current District Plan.

A number of issues were identified with the current planning framework and how it deals with quarrying. The primary one being issues with the definitions for quarrying, the current definition is very limited and does not provide for the types of activity that now form part of a quarry, resulting in a number of problems for the Council.

The Regional Policy Statement (RPS) provides some reasonably clear direction with what it anticipates within the rural zone and within the Greater Christchurch area. Rural activities include quarrying and associated activities, therefore the Regional Council (Ecan) sees quarrying as part of rural environment and something that needs to be provided for, subject to environmental effects and effects on people living in that environment being appropriately mitigated. RPS flows into other plans, with most quarrying activities needing a suite of consents.

GHD looked at approach to quarrying within neighbouring districts, Hurunui, Waimakariri, Ashburton and Christchurch noting that there appears to be a reasonably consistent approach.

Options moving forward include retaining status quo, noting that there are issues with this option as there is no degree of certainty. Option two was to create a quarry zone, however this has its own issues with neighbouring rural residents and perceptions around loss of land values. Option three has been split into two, with option 3a being to provide for quarrying as a discretionary activity and option 3b is same option but includes a potential setback provision. Ms Callaghan spoke to a key set of assessment criteria, which will provide for some certainty for rural residents. Staff see there are benefits to both these options, and therefore their overall recommendation is that Options 3a and 3b be investigated further.

In response to a question around banning or holding a moratorium on quarrying, it was commented that Council needs to give effect to RPS which clearly identifies quarries as being a rural activity that needs to be provided for, therefore there is a legal barrier. In terms of having a moratorium Council would need to do plan change to allow that but the RPS would be an impediment to getting that Plan Change through the process. Councillor Skelton commented that there is no ability by a local authority to impose a moratorium.

Discussion was held on option 3b, and sensitive activities and their definition, and the potential use of having a 500 metre setback such as Hurunui District Council has in their plan. The actual distance of a setback had not been considered as part of this report, but this would need to be looked at in more detail around impact on sites we already have and whether it will achieve what it is meant to. High level analysis

would need to be done. The Project Team will look at setback options, and an option to have setbacks to the property boundary.

Cr Skelton spoke to aggregates and gravels from river beds that should be regarded as a secondary source, as its primary purpose is in regards to flood protection and not quarrying action, so would not like that be seen as an option. Quarry zones would be a good option as it gives everyone notice that this activity will take place for the future and avoids poor planning. Would be useful to look at further. If the Committee does not wish to pursue, then is interested in the high quality gravels overlay as this gives an indication as to where quarrying is likely to occur. Noted his support for setback provisions.

Concern was noted by the Committee around what is the Council's responsibility and when it stops and becomes a responsibility for ECan. There is the need to ensure that Council and ECan's separate conditions align, requires cooperation, discussed potential of transferring some functions such as dust. Discussion was held on transportation being a key effect that has to be dealt with by any quarry.

In response to a question by a Committee member as to why having a quarrying zone was not the recommended option, staff spoke to Christchurch City Council's Plan Review process, noting costs and distance. Once land has been zoned for quarrying then operators pay a premium for this zoned land which would make this activity unviable. Through the Christchurch City Councils Plan Review process they received strong opposition to this option, as the community was concerned about the effects on their land value. Noted there is also difficulty around where to locate quarry zones as need high quality gravels. Discussion followed on whether land values would increase or decrease in a quarry zone, and whether this would allow Council to future plan rather than be led by developers. Staff were asked to provide more information in relation to the option of having a quarrying zone.

Mr Matunga raised concern regarding the potential impact on critical Maori cultural sites and proximity and potential impact on Kainga Nohoanga. Mr Matunga advised Council do need to have policy or provision for potential impact around critical cultural Maori sites and Kainga Nohoanga. Ms Callaghan responded that it is definitely anticipated as part of the suite of rules.

Discussion followed on cumulative effects of having a quarry zone and there was a request to staff for further investigation.

The Chair commented that staff will do further work on quarry zones and why they were discounted, with a further report being brought to the Committee.

A vote was called for whether the Committee request that staff carry out further investigation into quarry zones with four committee members in favour of further work, with eight voting on recommended option as put forward in this report.

The Chair noted on page 89 of the report point 2 - setbacks are listed but no quantum of setback is suggested as we are only going out for consultation and engagement at this stage.

Councillor Watson asked for point 2 on page 89 of the report to be reworded to 'Include setback provisions' rather than 'investigate the potential to include set back provisions'. This was noted.

Moved – Councillor Watson / Seconded – Councillor Hasson

Recommendation amended to:

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for Quarrying for further development and engagement and to include the amendment of a more directive statement in relation to setbacks”

CARRIED

7b. Communications and Engagement Summary Plan – Rural Quarrying

No discussion was held, summary plan taken as read.

Moved – Councillor Alexander / Seconded – The Mayor

“That the Committee notes the summary plan.”

CARRIED

8a. Preferred Option Report – Signage

Mr Jonathan Clease from Planz Consultants spoke to his report.

It was noted that some councils use signage Bylaws in relation to Council owned land, and will look at whether a Bylaw would be a more appropriate tool in some situations for Council owned land (not private land), i.e. sandwich boards. Can be looked at through the next phase of the review (drafting and s32). Discussion was held on the faster pace of undertaking enforcement through a Bylaw compared to taking action via the Resource Management Act. Noted it is necessary to have a set of clear unambiguous rules.

Discussion followed on signage in reserves such as sponsorship of some sporting activity and whether these are covered under rules. Mr Clease noted that most Council reserves are designated, but the Council can tailor rules and can look to make provisions more enabling where required for Council as landowner.

The Committee discussed temporary signage for community events such as markets, and the need for some flexibility given the community focus and the generally temporary nature, balanced with managing the effects of and a proliferation of such signage. Mr Clease noted there is some difficulty striking the balance between enabling the advertising events for community purposes (and generally not for profit) and managing the effects of signage, and that the Plan provisions are quite different between districts. Discussion was held on the need to be consistent in regards to enforcement (which requires unambiguous rules). Mr Clease notes that the detail of how to achieve reasonable flexibility around advertising of community events will be considered in the next stage of the review.

Discussion was then held around LED signage especially at intersections, and whether this is a distraction at intersections, and the need to think about wider implications. Need to get the balance right in the provisions as LED signage is increasing in popularity.

Discussion followed around the use of Te Reo, and provision for bilingual use of signage for sites. Mr Matunga suggested the need for a policy for encouraging bilingual provision in signage around critical places such as Lake Ellesmere / Te Waihora and the need for consultation with Mana Whenua which was noted.

In response to a question from Councillor Hasson Mr Clease commented he understood that Council staff have discussed signage with the Council Roading staff. Need to balance roading and planning staff views.

The Committee noted that distractions caused by signage is a current issue. For example Domino pizza placards on people at intersections.

Not for profit temporary signage versus commercial operators using fence lines for advertising which remains in place for months was also raised by the Committee as a current issue.

Mr Clease summarised by noting the key issues to be: managing signage in road reserve; temporary event signage; and off-site signage/non-site related signage.

‘Cr Miller left the meeting at 11.59am and returned at 11.59am’

Moved – Councillor Mugford / Seconded – Councillor Lyall

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for Signage for further development and engagement.”

CARRIED

'The Chair noted the fairly large agenda and explained time had run out to go over report 9a/9b, 10a/10b, & 11a/11b therefore these agenda items will be moved over to the agenda for June's District Plan Committee meeting.'

12. Update – Energy and Infrastructure

Ms Rykers provided a brief overview of the Energy and Infrastructure work programme.

Discussion was held on who was providing community feedback on the process for Energy and Infrastructure. It was noted that the project staff will get further information and ensure that everyone who should be involved is included in the process. Staff will discuss with those groups/companies how they see engagement happening.

Moved – Councillor Alexander / Seconded – Councillor Lyall

"That the Committee notes the report."

"That the Committee endorses the recommended approach for progressing the Energy and Infrastructure work programme."

CARRIED

13. Update on District Plan Review Financials

No discussion was held, update taken as read.

Moved – The Mayor / Seconded – Councillor Lyall

“That the Committee notes the report.”

CARRIED

‘Meeting closed at 12.06pm’

Minutes confirmed:

This day of 2018

CHAIR PERSON

5. OUTSTANDING ISSUES REGISTER

Nil

Subject	Comments	Report Date / Action	Item Resolved or Outstanding
-	-	-	-

Specific Reports

6a. Preferred Option Report – Community and Recreation

Author:	Vicki Barker (Barker Planning)
Contact:	021 354366 (Vicki)

Purpose

To brief the Committee on the findings of the Community and Recreation Baseline Assessment, which reviewed the community and recreation related provisions in the operative Selwyn District Plan, identified the different types of community and recreation activities and facilities (with a focus on non-Council owned facilities) and to investigate matters that should inform or be reflected in policies, as well as possible options for rules across the zones as a basis for further discussion.

The purpose of this Preferred Options Report is to provide a summary of the Baseline Report and to identify issues and options for addressing the community and recreation activities and facilities within Selwyn District.

Recommendation

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for Community and Recreation for further development and engagement.”

Attachments

‘Preferred Option Report for Community and Recreation’

PREFERRED OPTIONS REPORT TO DISTRICT PLAN COMMITTEE

DATE:	16 May 2018
TOPIC NAME:	Community and Recreation
SCOPE DESCRIPTION:	Preferred Options Report for Community and Recreation (DW203)
TOPIC LEAD:	Justine Ashley
PREPARED BY:	Vicki Barker

EXECUTIVE SUMMARY

<i>Issue(s)</i>	<ol style="list-style-type: none"> <i>1. Unclear and Overlapping Definitions</i> <i>2. Unclear and inconsistent objectives and policies</i> <i>3. Effectiveness of plan rules</i> <i>4. Need for activity-based provisions for the range of community and recreation facilities/activities identified</i>
<i>Preferred Options</i>	<i>That community and recreation facilities and activities are managed by amended definitions, objectives, policies and rules or designations within the Proposed District Plan to enable better and continued management of such facilities as set out in the recommendations in section 7.0 of this report.</i>
<i>Recommendation to DPC</i>	<i>That the Preferred Options for community and recreation facilities is endorsed for further development (targeted engagement, public consultation, Section 32 and Drafting Phase).</i>



1.0 Introduction

The Community and Recreation Facilities Baseline Report sought to:

- Review the community and recreation related definitions to identify areas of overlap and interpretation and implementation issues (comparative analysis with other district plan definitions was also undertaken);
- Identify the types of activities and facilities in Selwyn District that serve community purposes and those that serve recreational purposes or a combination of both;
- Identify the range of non-council¹ owned community and recreation facilities and activities within the District, and complete an analysis of:
 - o their location, nature and scale
 - o owners/operators
 - o the planning provisions currently applied or available to manage their use e.g. zoning, resource consents, designations
 - o the potential range of environmental effects created by community and recreation facilities (further detail of which will be informed by separate technical Scopes of Work)
 - o the effectiveness of the Plan provisions in addressing effects.
- Review the Mahaanui Iwi Management Plan and identify relevant policy guidance or outcomes anticipated in respect of community and recreation activities and/or facilities.
- Identify the types of matters that should inform or be reflected in policies, as well as possible options for rules across the zones as a basis for further discussion.

A link to the Baseline Report is in **Appendix 1**.

The following community or recreation facilities were not addressed given they are covered by separate Project Scopes or are more appropriate to other Topic areas:

- NZ Police, Fire and Emergency New Zealand and St John (Emergency Services);
- Ski fields (Tourism);
- Freedom Camping (Tourism) and a separate SDC Working Party has been established to address this topic;
- Recreational aircraft use (Airfields).

2.0 Statement of Operative District Plan Approach

The Operative Selwyn District Plan (District Plan) contains objectives, policies, rules and definitions in both the Township and Rural Volumes relating to community and recreation facilities and activities. Most facilities and activities rely on zoning and the associated zone and district-wide provisions; however, some facilities are also designated. A high-level summary of the provisions is outlined below.

¹ Council owned community and recreation facilities are being addressed by a separate scope of work (Council Property and Assets).

Objectives and Policies

The objectives and policies in the Township Volume focus on community facilities and reserves and residents having adequate access to community facilities (and reserves), and that such facilities do not adversely affect residential amenity values or other parts of the environment. Co-location and multiple uses of community facilities is encouraged. Further objectives and policies concerning the quality of the environment seek to provide for a variety of activities in townships while maintaining the character and amenity values of each zone and that reverse sensitivity effects are avoided. Noise, the scale and nature of activities (operating hours), traffic generation and the effects of non-residential activities on amenity values are also policy considerations.

In the Rural Volume the objectives require consideration of the efficient use and maintenance of community facilities, and that the use of areas for recreation and camping do not detract from amenity values. The corresponding policies encourage new uses for community facilities, that they be exempt from site coverage requirements, and that they be located in or adjoining townships and be accessible. The quality of the environment objectives seek that a variety of activities are provided for including outdoor recreation and community facilities, while maintaining rural character and avoiding adverse effects. Relevant associated policies concern amenity values and noise. There are no specific recreation facility/activity policies in the Rural volume and no policies apply with respect to scale of activities and traffic.

Rules

There are a range of zone and district-wide rules that apply to managing environmental effects with respect to both community and recreation activities. The key rules include: landscaping, site coverage, height, building position (recession planes and/or setbacks), transport, signs, noise, lighting, scale of activities (activities and vehicle movement in the Rural zones), and hours of operation.

Definitions

There are currently a number of community and recreation related definitions including: community facilities/facility; recreational facility/activity; community infrastructure; spiritual activity; place of assembly; education facility; pre-school; and health care services.

Designations

The non-council owned community facilities currently designated in the District Plan include: state schools designated by the Minister of Education; a custodial facility (Rolleston Prison) designated by the Minister of Corrections; and a Youth Justice Residential Centre designated by the Minister of Social Services and Employment (now Minister of Social Development).

3.0 Summary of Issues

3.1 Unclear and overlapping definitions

One of the key issues with the District Plan provisions is the unclear and overlapping community and recreation related definitions, which results in confusion about how certain provisions should be interpreted and applied. The examples are numerous and therefore some key examples only are outlined below:

- There are different versions of definitions between the Township and Rural Volumes of the Plan and in some instances the definition is only contained in one Volume of the Plan. For example, the 'Community facilities' definition varies between the two Volumes and 'Preschool' is only defined in the Township Volume. As community and recreation facilities are generally located in both Townships and Rural areas it is considered single definitions should be applied across the District to achieve consistency in understanding and implementation and to streamline the Plan as much as possible.
- The 'Community facilities' definition does not necessarily reflect the range of community facilities currently operating in the District or refer to them correctly and consistently. The 'Health care services' definition is a further example.
- The District Plan generally has facility versus activity definitions. In some instances, this is unclear as to what activities are anticipated to occur and presents overlap between the community and recreation definitions in particular. There is a need to be clear about the approach with respect to activity and/or facility definitions.
- The definitions could better enable multi-functional facilities in line with the policies. For example, the 'Spiritual facilities' definition could be unduly constraining with respect to ancillary church activities such as youth group meetings and other community uses.
- There is overlap between the 'Places of assembly' definition and other definitions.
- Some definitions are either too broad or incomplete. For example, the 'Health care services' definition includes the physical and mental health of animals and vet practices which is arguably inappropriate and too broad, but also the range of other key health care services identified in the District are not covered by the definition (or another definition).

It is also of note that the Ministry for the Environment National Planning Standards are currently being drafted. These Standards contain standard definitions including definitions for 'Community facility', 'Recreational activity', and 'Place of assembly' which will need to be taken into account in any drafting once released.

3.2 Objectives and policies

The objectives and policies will need to be amended to more clearly and consistently provide for community and recreation facilities across the District. Key issues with the existing objectives and policies include:

- There is currently no recognition of the positive effects that community and recreation facilities/activities provide such as the health, safety and wellbeing of people.
- In the Rural Volume the focus is more on the efficient use and maintenance of community facilities rather than community access. Providing for and enabling community facilities and encouraging community access is considered critical across the District.
- There is currently limited recognition that certain community facilities have a strategic and/or operational need to locate in certain areas; i.e. hospitals, medical facilities, emergency services.
- There are some policies which are less practical and potentially restrictive such as avoiding locating community activities on the opposite side of strategic roads which could unduly constrain some community activities.

- Outdoor recreation and community facilities are encouraged in the Rural zones but there is no specific policy direction about what specific recreation facilities should be encouraged and no policy direction regarding the scale of these activities or traffic effects.
- The policies and rules need to be better connected. For example, there is a policy in the Rural zone which seeks to exempt community facilities from site coverage requirements, but then there is a site coverage rule.

3.3 Need to improve effectiveness of plan rules

There are a number of rules that apply to activities including zone specific and district-wide rules. A number of issues have been identified with these rules as outlined in section 6.2.2 of the Baseline Report. The key rules where amendment is recommended include:

3.3.1 Revisions to provide greater development leniency

Site coverage - The site coverage controls could be reconsidered in relation to particular activities to afford greater development flexibility. For example, more lenient site coverage controls currently apply with respect to emergency services which could be extended to hospitals given their critical nature, and possibly other community activities in suitable locations (i.e. more lenient in less sensitive locations). Furthermore, in Rural zones it is considered that a site coverage exemption for some community facilities could reasonably be applied as larger rural sites can more readily accommodate such facilities at a higher density (which is the intention in the Plan policies currently, however this policy direction has not been reflected in the rules).

Signage - The signage provisions apply across the zones to community and recreation facilities with no exceptions and a number of resource consents have been triggered as a result. It is considered that community facility signage on council-held land should be enabled given such signage is anticipated and often serves an important purpose such as naming or directional information. The Signage Report specifically recommends that: *"If the use of bylaws is not found to be acceptable, then develop a specific set of exceptions to better enable recreation related signage in the Living and Rural zones where located on Council-held land."*

It is also recommended that further consideration be given to whether signage in relation to community facilities not within council owned land could be better enabled where it is necessary and anticipated, or even possibly exempt in some circumstances (i.e. emergency services signage).

3.3.2 Revisions to remove existing exemptions or tighten provisions currently considered too permissive and/or to potentially improve amenity

Noise - In the Township Volume, currently spiritual and education activities (which includes pre-schools in the definition) are exempt from the noise provisions applicable to non-residential activities. This exemption from the noise controls is not considered appropriate as these activities have the potential to generate noise effects with adverse effects on residential amenity.

In the Rural zones, recreational activities not involving powered motor sport, powered aviation and gunfire or amplified music are also exempt from the provisions, and the general noise rules apply to the specific activities listed. It is recommended that this general exemption which applies to all recreation activity other than those activities listed be reviewed, and that specific noise controls for recreational

facilities such as rifle ranges and powered motor sport activities be considered (consistent with the Baseline Noise Report recommendation).

Hours of operation - In the Living zones non-residential activities need to comply with hours of operation of 7.00am to 10.00pm, however spiritual and education activities are exempt. Exempting spiritual and education activities is not considered appropriate in all Living zones as such activities can have extended hours which affect residential amenity and education activities are mostly designated in any case (except pre-schools). The hours of operation rule needs to be revisited in relation to particular community facilities/activities and their location as to whether the hours are appropriate and whether certain activities could be exempt in certain locations (i.e. hospitals and emergency services). Spiritual and education activities in are not considered to warrant blanket exemptions in all Living zones.

3.3.3 Transport

Car parking - It is considered that the car parking requirements should be revisited in the context of the proposed activity-based plan to ensure that: the car parking requirements for existing and anticipated community and recreation activities are clearly provided for and the rates are appropriate; whether the approach could be more fine-grained in relation to some specific activities rather than the broad category approaches currently used in relation to places of assembly and/or recreation activities and health care services for example; whether the wording of the car parking rules could be clearer and more enforceable. The Transport Topic includes the review of the car parking activity definitions and rates. It will also be necessary to ensure that any activity based definitions for car parking standards are consistent with any new National Planning Standard definitions.

Cycle parking - The Transport Topic will also consider the effectiveness of the cycle parking rates (including imposing a cap in relation to some activities and not others) and the location and design requirements in relation to community and recreation (and other) activities.

Traffic generation - Traffic movements are currently addressed as part of the scale of activities rule (referred to in section 3.3.4 below).

3.3.4 Other amendments

Landscaping - Landscaping, lawn or paving/sealing is required in Living and Business Zones between the road boundary and principal building to maintain a tidy street frontage. Additional landscaping requirements in the Living Zone could also be considered to screen developments.

Scale of activities - The scale of activities rule which limits the number of full time staff employed on site, the permitted GFA of buildings and sets vehicle movement limits need to be reviewed in the context of the wider District Plan Review to determine whether it is appropriate to retain with amendment or alternatively rely on other existing rules such as site coverage and/or new rule(s) such as locational requirements and vehicle trip generation rules to manage the scale of non-residential and non-rural activities. The Transport Topic is considering a high trip generator rule.

3.4 Need for activity-based provisions for the community and recreation facilities and activities identified

The Proposed Plan provisions will need to clearly reflect the range of existing and future facilities and activities identified across the District. Particular examples where new and/or revised provisions are considered necessary include:

Community Corrections Facilities

Aside from the Rolleston Prison which is a custodial facility and designated, there are no non-custodial community corrections facilities currently existing or proposed in the District; however the Department of Corrections (Corrections) have not ruled out such a non-custodial facility in the District and have advised they would not seek to designate and instead would rely on district plan zoning, rules and consenting processes. As they operate under a lease-based model Corrections consider the designation process too onerous and less flexible when land is leased.

It is considered efficient to 'future proof' the Proposed Plan as part of the District Plan Review in anticipation of such activity and knowing Corrections are likely to engage in the District Plan Review and submit than leave it to a future process. Corrections have been submitting on District Plans nationwide to provide for an appropriate framework for the operation, upgrade or redevelopment of existing community corrections facilities and the establishment of new facilities, including seeking a definition for 'Community corrections facilities'².

Currently a 'Correction facility' is non-complying in the Living 1 and Business 1, 1A, 2, 2A and 2B zones. The Plan has no definition of 'Correction facility', however there is a definition of 'Detention Centre or Prison'³ which is in part relevant to non-custodial community corrections facilities. The existing provisions related to non-custodial facilities will need to be revisited in consultation with Corrections, including whether a more lenient activity status and greater development flexibility could be afforded in particular zones to these facilities which due to their nature require an accessible community based location.

Integrated Family Health Centre

IFHC is a new model of development which is anticipated in Rolleston in the short-term and possibly elsewhere in the District in the longer term. It is considered there needs to be specific recognition of such facilities in the Proposed Plan and enabling policy direction for such facilities, balanced with rules which still manage character and amenity effects and other key effects such as visual amenity, traffic

² **Community Corrections Facility:** means land and buildings used for administrative and noncustodial services. Services may include probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, and offices may be used for the administration of and a meeting point for community work groups.

³ **Detention Centre or Prison:** means land or buildings used in whole or in part for the assembly, corrective training, housing or incarceration of persons convicted of offences or on remand and includes (without limitation):

- a prison, corrective training institution or police jail establishment under the Penal Institutions act 195
- a "Habilitation Centre" as defined in section 2 of the Criminal Justice act 1985;
- a periodic detention centre established under section 126 (l) of the Criminal Justice act 1985; or of, any like facility.

generation and parking. For example, the Christchurch District Plan has a 'health care facility' definition which includes 'Integrated family health centre' (which is also separately defined), and the Plan has tailored rules specific to these facilities.

Hospitals

The Ministry of Health is able to designate the hospital sites in the District, however they currently rely on the underlying zoning and relevant plan provisions and have indicated they will likely continue to do so. However, there could be particular consideration paid to hospitals as to whether more lenient provisions could apply. For example, greater flexibility could be afforded with respect to site coverage and hours of operation given their importance in the community and critical nature.

4.0 Summary of relevant statutory and/or policy context

The Ministry for the Environment led National Planning Standards are proposing definitions which will need to be taken into account in developing revised definition(s), objectives, policies and rules.

There are no National Policy Statements or National Environmental Standards directly relevant to this topic.

The Canterbury Regional Policy Statement (CRPS) was not required to be considered as part of the Baseline Report and is not anticipated to be highly relevant to this report.

5.0 Summary of Approaches in other Districts

The approaches of other districts to providing for community and recreation facilities was not part of the Baseline Report project scope, apart from reviewing the Definitions Decision of the Christchurch Replacement District Plan for any analysis of definitions related to community and recreation facilities of relevance to the Selwyn District context. This analysis was incorporated in the Definitions review. In addition, to help inform the assessment, the definitions contained in the Christchurch, Waimakariri and Ashburton District Plans were reviewed to enable comparative analysis (this analysis is contained in section 2.0 and Appendix A of the Baseline Report).

The other plans reviewed had one single definition which applies across the District, unlike Selwyn which in some instances contains different versions of a definition in each Volume. The review of the Christchurch Definitions Decision also highlighted the need to be clear about the approach with respect to activity and/or facility definitions. For example, Christchurch City Council attempted to combine the two definitions into one (generally an 'activity') definition given the activity-based approach of the Christchurch District Plan.

The review also highlighted that some definitions are either too broad or incomplete. For example, the 'Health care services' definition includes the physical and mental health of animals and vet practices which is arguably inappropriate and too broad, but also the range of other key health care services in the District are not covered by the definition (or another definition). The definitions need to be tailored to an activity-based plan.

6.0 Summary of stakeholder engagement during drafting of the Baseline Report

Stakeholder engagement was undertaken with representatives from Rolleston Christian Schools Trust, Ministry of Education (MoE), Canterbury District Health Board (CDHB), Corrections, Leeston Life Church Trust, The Salvation Army, Ellesmere Speedway and Moore Park during the drafting of the Baseline Report. Feedback was incorporated into the report and is summarised below. Feedback was also sought from the Selwyn District Council Consents and Monitoring and Compliance Officers and is also reflected in the report. Mahaanui Kurataiao Ltd were provided with a copy of the report and advised there are no community or recreation facilities/activities that are of particular interest to ngā rūnanga.

A number of other stakeholders were also contacted but no response or feedback was received. These stakeholders included: Blossoms Educare Canterbury Ltd (pre-school operator), Presbyterian Church of New Zealand, Church Property Trustees, Malvern & Ellesmere Co-operating Parish, and Lincoln Union Parish.

Below is a summary of stakeholder feedback:

Rolleston Christian Schools Trust

The Rolleston Christian School is the only State Integrated School (SIS) in Selwyn District and no others are proposed. The School is owned and operated by the Rolleston Christian Schools Trust but is also partly funded by MoE. The school was established by way of resource consent but the Trust is seeking that the Minister of Education designate the school site. In principle, MoE advised they support designating the site, but that any Notice of Requirement for the Rolleston Christian School will be timed to co-ordinate with the District Plan Review of designations and that the school will rely on its resource consent in the meantime.

MoE

There are currently 28 designated state schools across the District, 19 of which are in the Township and a further 9 are located in Rural areas. Lincoln South Primary School was also designated in March 2018 and is expected to be opened in early 2019. MoE advised they intend to 'roll-over' all of the existing designations with minor modifications.

MoE's role with respect to preschools is that they license preschools or early childhood education (ECE's) facilities as they term them. Under the license, the ECE is responsible for all resource consent approvals if not located on MoE land (some ECE's are on school sites and designated).

MoE commented that an exemption for education facilities from the noise provisions is not appropriate as noise is an effect on the environment and that standard noise conditions have been developed and tested through the Auckland and Christchurch District Plan Hearing processes.

CDHB

The CDHB are the autonomous Crown entity responsible for delivering community health care.

Hospitals - In Selwyn there are three existing Hospitals - Darfield, Ellesmere and Lincoln Maternity. Each of these sites are zoned Living 1 and are not designated. The Minister of Health (as the responsible

Crown Minister) has the option of designating the hospital sites, but CDHB indicated this would not be likely.

General health care facilities - the likes of medical practitioners, dentists and dental services, physiotherapists, counsellors, and midwives. The majority of these are private practices, however in some instances public funding is provided for these services to operate and serve the community, i.e. GP practices. The CDHB noted that establishing such activities can be problematic due to onerous consenting requirements.

IFHC - CDHB submitted on the Ellesmere and Malvern Area Plans and the Selwyn 2031 District Development Strategy in relation to IFHC. With respect to the Area Plans, CDHB submitted that health care facilities have changed in recent years and IFHC are one way of delivering more cohesive healthcare as these health care facilities offer multiple services located in the one building, which is especially important with an ageing population. Long term health services in the Selwyn District may be further integrated resulting in IFHC. Particular relief sought included consideration of a consent pathway for IFHC as part of the District Plan Review. In turn, the Area Plans include a specific implementation step of considering the need and appropriateness of providing for a consenting pathway for IFHC's as part of the District Plan Review.

The CDHB advised that SDC is proposing to build an IFHC in Rolleston and lease it back to CDHB and other providers. A greenfield site is currently being sourced for the development and the development is expected to proceed within the next two years. The facility will have a number of services. No further detail could be shared at this stage.

Corrections

Corrections have one custodial facility in the District - The Rolleston Prison and Periodic Detention Centre (Designation No. MC1) which is located in the Rural Outer Plains Zone. Corrections advised they intend to 'roll-over' this existing designation.

Corrections advised they have no current plans to establish a non-custodial corrections facility in Selwyn but have not ruled this out as a possibility given the proximity to Christchurch and the growth of the District. Across New Zealand, the Department operates approximately 170 non-custodial community corrections facilities to support offenders living in communities. Non-custodial community corrections facilities include service centres and community work facilities. The service centres provide for probation, rehabilitation and reintegration services. The community work facilities are where offenders are required to undertake unpaid work for non-profit organisations and community projects. These facilities can therefore include yards and storage facilities to undertake these projects and store heavy equipment, vehicles, fuel etc. Service centres and community work facilities can be located in separate locations or co-located on the same site.

Leeston Life Church

Leeston Life Church are looking to purchase approximately 2 hectares of land in Rolleston to build a new church with capacity for 1,000 people. The Church are interested in land near the IZone due to visibility from the State Highway. The Church is currently renovating its Leeston facility and indicated it would rebuild in Darfield eventually (Darfield Life Church -17 North Terrace). The Church also operates a Youth Centre at 3 Station St, Leeston.

Salvation Army

The Salvation Army operate a Family Store from a leased building at 807 Jones Road within the Business 2 zone with four paid staff and volunteers. The building is used for the collection and sale of second-hand goods to assist people in the community.

The Salvation Army New Zealand Trust purchased a property at 646 Springston Rolleston Road in June 2017 to establish 'Generation House'. The property contains a four-bedroom dwelling, two sheds and extensive gardens. The property is being used for community gatherings, workshops, meetings, community meals, services such as counselling, supervision and meditation, office space for local community groups, and foodbank supply storage. The Salvation Army advised they expect the facility to grow and are considering additional activities such as tutoring, arts, a youth programme and retreats. One of the sheds is proposed to be used for a multi-purpose performance/practice space.

The site is zoned Living Z. The Salvation Army consider they are currently operating within the parameters of a permitted activity but that resource consent will likely be required for their intended expansion and they are currently working with the consents planners at SDC to establish what consents may be required.

Ellesmere Speedway

The Ellesmere Motor Racing Club advised they have been in operation at the site for approximately 36 years and advised they do not have a resource consent as this has never been required and they have not encountered any planning issues to date. The Club are committed to continuing their motorsport activity and have just last year finished a major development and completely rebuilt the track and are continuing the upgrades on the off-season with significant investment.

Moore Park⁴

The President of the Canterbury Motorcycle Speedway Club/Moore Park Motorcycle Speedway advised they have had several building consents granted for minor buildings, which were sought under the name of the Christchurch Off-Road Motorcycle Club which holds the lease on the land.

There were issues concerning a potential resource consent several years back connected to one of the building consents, but this was resolved⁵. In the future the Club advised another toilet block (most probably portable) is proposed.

The Club advised they intend to stay at the site for the foreseeable future as the Club have invested hundreds of thousands of dollars in the venue, which provides the local community a controlled recreation facility both as a spectator and/or competitor. The Club also contribute to the local Selwyn economy by way of the spectator numbers drawn from outside the district.

⁴ This stakeholder feedback was inadvertently omitted from the Baseline Report.

⁵ Building Consent 122121 has a note concerning a proposed garage not complying with an internal boundary setback under the Operative Plan. The garage was repositioned to comply avoiding the need for resource consent.

7.0 Summary of Options to Address Issues

7.1 OPTION 1 - MAINTAIN STATUS QUO

Effectiveness in Addressing Issues: A rollover of the current provisions would maintain the issues outlined in section 3.0 and is therefore considered ineffective.

Risks: It is considered the provisions need updating and revising in the context of an activity-based plan and therefore there would be ongoing risk that the effects of such activities are not appropriately managed. Not addressing the identified issues with the provisions would be a lost opportunity given the District Plan review is underway and the existing management approach could be retained with amendment to improve the efficiency and effectiveness of the provisions.

Budget or Time Implications: This would be the most cost and time efficient option in the short-term for the Council, but such provisions remaining in the Plan could necessitate a plan change in due course whereby costs would be incurred in any case.

Stakeholder and Community Interests: All identified stakeholders.

Recommendation: Do not maintain the status quo.

7.2 OPTION 2 - AMEND AND UPDATE THE PROVISIONS TO IMPROVE CLARITY AND EFFECTIVENESS

Under this approach the provisions would be updated to ensure they are consistent and clear. In particular, the Baseline Report project scope required recommendations on the types of matters that should inform or be reflected in policies and options for rules. These policy and rule recommendations which would form the basis of amendments to the existing provisions are outlined below:

1. Definitions

All of the community and recreation related definitions need to be revised to provide greater clarity and reduce overlap, also taking into account the National Planning Standard definitions of relevance.

2. The types of matters to that should inform or be reflected in policies:

Community facilities/activities:

- Recognise the positive effects that community facilities/activities provide such as the health, safety and wellbeing of communities.
- Provide for and enable community facilities/activities district-wide in appropriate locations.
- Ensure community facilities are accessible to the community for community wellbeing and to meet community's expectations.
- Ensure community facilities/activities do not have significant adverse effects on residential character and amenity values.
- Recognise that certain community facilities have a strategic and/or operational need to locate in certain areas.
- Encourage multi-uses of community facilities.

- Encourage the efficient use and maintenance of community facilities.
- Provide some development leniency with respect to certain community facilities/activities.

Recreation facilities/activities (non-residential and non-community facilities/activities):

- Recognise the positive effects that recreation facilities/activities provide in relation to the health, safety and wellbeing of people.
- Provide for recreation facilities /activities district-wide, with a particular focus in the Rural zones where most are located, subject to management of effects.
- Ensure facilities/activities do not have significant adverse effects on character and amenity values.
- Provide specific policy direction in relation to specific activities to correspond with more targeted rules.

3. Options for rules include:

- *Landscaping* - Retain rules requiring landscaping but consider additional landscaping controls especially in Living Zones to screen and mitigate building bulk.
- *Site coverage* - In Living and Business zones the site coverage controls could be more fine-grained or even exempted in relation to particular activities in certain locations.
- *Car parking* - The Transport review of the car parking provisions should include review of the: car parking requirements for existing and anticipated community and recreation activities to ensure activities are clearly provided for and the rates are appropriate; whether the approach could be more fine-grained in relation to some specific activities rather than the broad category approaches currently used in relation to places of assembly and/or recreation activities and health care services for example; and whether the wording of the car parking rules could be clearer and more enforceable.
- *Cycle parking* - The Transport review of the cycle parking provisions should consider the effectiveness of the cycle parking rates (including imposing a cap in relation to some activities and not others) and the location and design requirements in relation to community and recreation (and other) activities.
- *Signage* - Community and community/recreation related signage on council-held land should be enabled given such signage is anticipated and often serves an important purpose such as naming or directional information. How this is best achieved by way of tailored plan rules specific to activities or a bylaw is to be determined by the Signage review. It is also recommended that as part of the Signage review that further consideration be given to whether signage in relation to community facilities not within council owned land could be better enabled where such facilities are necessary and anticipated, or even possibly exempt (i.e. emergency services signage).
- *Noise* - Spiritual and education activities no longer be exempt from the noise provisions; emergency services continue to be exempt (refer to Emergency Services Report); and specific noise controls for recreational facilities such as rifle ranges and powered motor sport activities be considered. This issue has also been identified by the Council's Acoustic Consultants as requiring further consideration.
- *Scale of activities* - The scale of activities rule be reviewed in the context of the wider District Plan review to determine whether it is appropriate to retain with amendment or alternatively rely on

other existing rules such as site coverage and/or new rule(s) such as a trip generation rule to manage the scale of non-residential and non-rural activities.

- *Hours of operation* - That spiritual and education activities no longer be exempt from the hours of operation rule, and that exemptions for community facilities such as hospitals and emergency services or activity specific rules for particular facilities/activities be considered further.

4. Other Matters to Note

- The range of existing and proposed facilities/activities across the District will need to be reflected in the context of an activity-based plan. As an example, new types of facilities are anticipated within the District including community corrections facilities and IFHC which will need to be considered and provided for where appropriate.
- MoE will continue to rely on designations and the Rolleston Christian School which is a State Integrated School is proposed to be designated.

Effectiveness in Addressing Issues: Updating the provisions would address the issues identified in section 3.0 of this report.

Risks: In some instances a tightening of the rules is recommended or recommended to be considered further, which will likely not be favoured by certain affected stakeholders. For instance, spiritual facilities and pre-schools are currently exempt from noise and therefore the recommendation to remove this exemption will place greater control on these activities. This can be mitigated to some degree by further targeted engagement during the next phase. There is also a need for integration and consistency going forward as several other District Plan Review Topics feed into this work (i.e. noise, signage).

Budget or Time Implications: This option will incur some time and cost to Council to prepare an updated set of provisions but will reduce the cost to Plan users as a result of the lack of clarity and the ineffectiveness of the provisions in managing effects where the provisions are either too lenient or restrictive. There will also be greater consenting costs in some instances should noise exemptions be removed for example (but this is balanced by the need to better manage environmental effects).

Stakeholder and Community Interests: All identified stakeholders.

Recommendation: Proceed with Option 2.

8.0 Stakeholder Feedback on the Draft Preferred Option Report

The draft Preferred Option Report (and Baseline Report for reference) was sent to all stakeholders who provided feedback on the Baseline Report, and Environment Canterbury. The report was not sent to Mahaanui Kurataiao Ltd given they had no comments on the Baseline Report.

ECan, CDHB, MOE, and Corrections

ECan advised they have no feedback, as did CDHB. MoE have no further feedback and stated the report accurately reflects discussions, and Corrections advised they are comfortable with the report and recommendations.

Rolleston Christian School

The Rolleston Christians Schools Trust have no issue with the reports but clarified that the Rolleston Christian School is owned by the Christian Schools Trust and operated by the Rolleston Christian School Board of Trustees which are two separate and distinct legal entities (the Baseline Report states that the school is owned and operated by the Rolleston Christian School Trust). All State Integrated Schools are run by a Board of Trustees, a Crown Entity, and are owned by a separate legal organisation, most often a Charitable Trust. At this stage this information is not material to the context of the reports but is useful clarification.

Salvation Army

The Salvation Army advised they are currently preparing a resource consent application for their Generation House property and will lodge it with Council in due course.

Ellesmere Speedway

Ellesmere Speedway advised that their site is not located on DoC land. This has been confirmed as correct (initial internet searches showed the address for the site as 38 Southbridge Dunsandel Rd, however the correct address in Council's system is 256 Feredays Road, which is in private ownership). Ellesmere Speedway advised that they are especially concerned about any change to the District Plan that would restrict their Club from continuing to operate. They are a well-established facility and want to continue to be able to operate without undue constraint. The key effect of noise was discussed. The Club have undertaken to gather some noise data as a basis for ongoing discussions with Council as to what an acceptable limit may be for their motor sport activity (as relying on the Rural Zone limits could result in future compliance issues and the current lack of a specific noise limit for motorsport noise has been identified as an issue by Council's Acoustic consultants). The Club also advised that they usually have meets only once a month so noise is irregular. The Club want to remain consulted with during the review process.

Moore Park

The President of the Canterbury Motorcycle Speedway Club (Trading As Moore Park Motorcycle Speedway) advised that in addition to Moore Park and Ellesmere Speedways, there are a number of additional motor sport facilities in the District. These facilities include: the Canterbury Off Road Racing Club (adjacent to Moore Park); the Christchurch Off Road Motorcycle Club (operate within Moore Park and sub-lease from Canterbury Motorcycle Speedway Club); the Canterbury Mini Motor Cross Club in Darfield; and a Motor Cross Track situated in Leeston that gets used occasionally. All venues hold motor racing events and training days which are open to the public to attend.

Approximately 10-12 race meetings are held per year at Moore Park and training days are held on Sundays. The Club advised they have not received any complaints about their operations to date. The Club lease the land from ECan on a 10 yearly basis. A significant amount of money has been invested in Moore Park upgrading the facilities and infrastructure and the ability to continue to viably operate is important. The Club understands that noise is a key effect which the Council is seeking to manage and wish to be consulted with when provisions relevant to their facility (and other motorsport facilities) are developed. The Club are also concerned about reverse sensitivity should there be any future residential development near the site.

9.0 Preferred Option for further engagement

The Project Team recommends that Option 2 as outlined in section 7.2 above is endorsed by the Council for further development.

Appendix 1 – Community and Recreation Facilities Baseline Report

Link to report below:

[Community and Recreation Facilities \[PDF, 1487 KB\]](#), 21 December
2017

6b. Communications and Engagement Summary Plan – Community and Recreation

Author:	Vicki Barker (Barker Planning) and Katrin Johnston (Communications Consultant)
Contact:	021 354366 (Vicki)

Purpose

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Community and Recreation topic.

Recommendation

“That the Committee notes the summary plan.”

Attachments

‘Community and Recreation Facilities – communications and engagement summary plan’

DW203 Community and recreation facilities – communications and engagement summary plan

Key messages

(as of 8 June 2018)

Background

- As part of the current Selwyn District Plan review, provisions relating to community and recreation facilities within Selwyn are also being reviewed. These facilities include education activities, such as schools (one state integrated school and 28 designated state schools across the district) and pre-schools; health care facilities (three hospitals across the district and other facilities); corrections facilities (one custodial facility – Rolleston Prison and Periodic Detention Centre; and potential non-custodial corrections facilities, such as community work facilities for offenders); spiritual activities (eg churches); welfare facilities such as the Salvation Army Generation House; and a range of recreation facilities, including Ellesmere Speedway and Moore Park.

Current status

- There are a range of zone and district-wide rules for managing environmental effects as a result of both community and recreation activities. The key rules include: landscaping, site coverage, height, building position, transport, signs, noise, lighting, scale of activities and hours of operation.
- Some of the key issues are:
 - unclear and overlapping community and recreation related definitions, which results in confusion about how certain provisions should be interpreted and applied,
 - unclear and inconsistent objectives and policies,
 - the plan rules are not always effective in managing actual and potential environmental effects,
 - a need for activity-based provisions for the range of facilities and activities.

About preferred option

- Draft changes aim to provide for and enable community and recreation facilities in certain locations, and encourage community access across the district.
- Key draft changes include:
 - Revise all definitions to provide greater clarity and reduce overlap
 - Revise the objectives and policies
 - Revise the rules to better provide for development and more effectively manage environmental effects. For example:
 - more lenient site coverage controls in some instances,
 - more lenient signage provisions for community and recreation related signage on Council-owned land,
 - no longer exempting spiritual and education activities from noise controls and the hours of operation rule,
 - consider new noise specific rules for certain recreational activities such as motor sports,
 - hospitals to be exempt from the hours of operation rule.
 - Develop activity-based provisions, including for new activities such as :
 - community corrections facilities (consider a more lenient activity status and greater development flexibility in certain zones, especially for non-custodial community corrections facilities; currently this type of facility is non-complying in a number of residential and business zones),
 - integrated family health centre (anticipated in Rolleston in the short-term).
- Following the Council's endorsement of preferred option, we will engage with stakeholders and landowners/occupiers on the draft changes to the Proposed District Plan. As part of general public consultation on a range of draft changes, we will also consult on the noise specific rules specific to community and recreation facilities.

Audiences¹

Internal	Partners	Key stakeholders ²	Landowners /occupiers ³	General public
DPC	ECan	Ministry of Education	Salvation Army	Selwyn ratepayers
Council Consents, and Monitoring and Compliance officers	Te Ngāi Tuāhuriri Rūnanga (represented by Mahaanui Kurataiao)	Department of Corrections	Ellesmere Speedway	News media
	Te Taumutu Rūnanga (represented by Mahaanui Kurataiao)	Canterbury District Health Board	Blossoms Educare Canterbury Ltd (pre-school operator), Presbyterian Church of New Zealand, Church Property Trustees, Malvern & Ellesmere Co-operating Parish, and Lincoln Union Parish (Note: no feedback on baseline report)	Wider public
			Leeston Life Church Trust	
			Rolleston Christian Schools Trust	
			Moore Park	

Legend	High level of interest/ High level of influence (“Manage closely”)	High level of interest/ Low level of influence (“Keep informed”)	Low level of interest/ high level of influence (“Keep satisfied”)	Low level of interest/ Low level of influence (“Watch only”)

¹ “...Differing levels and forms of engagement may be required during the varying phases of consideration and decision-making on an issue, and for different community groups or stakeholders. The Council will review the appropriateness and effectiveness of the engagement strategy and methods as the process proceeds.” [Significance and Engagement Policy: Adopted 26 November 2014; p.6]

² Key stakeholders are “the organisations requiring engagement and information as the preferred options for the Draft District Plan are being prepared.” (District Plan Review Community Engagement Implementation Plan; p.6) Key stakeholders “...will advocate for or against decisions that will need to be made...” and “For the District Plan Review, stakeholders include any party that can influence decisions or be influenced by decisions made on policies or rules.” (DPR Engagement Framework)

³ Landowners are “the individuals and businesses that could be affected by the proposed changes in the District Plan.” (District Plan Review Community Engagement Implementation Plan; p.6)

Engagement during review phases

Review phases	Internal	ECan	Rūnanga	Key stakeholders	Landowners/occupiers	General public
Baseline assessments			(provided no feedback)			
Preferred option development ⁴				(the ones who provided feedback on the baseline report)	(the ones who provided feedback on the baseline report)	
Preferred option consultation				(the ones who provided feedback on the baseline report)	(the ones who provided feedback on the baseline report)	(only on noise specific rules)

2018 communications and engagement key tasks/milestones per month

(more detailed action plans to be developed for each major milestone or as required)

Audiences	Pre-June	June	July	August ⁵
ECan			Preferred option report shared	
Rūnanga				
Key stakeholders			Preferred option report shared	
Landowners/occupiers			Preferred option report shared and feedback sought	
General public			Endorsed preferred options report is published on Your Say Selwyn	General public consultation on noise specific rules as part of district-wide topic Noise and vibration
DPC		Preferred options report goes to DPC		

⁴ Consultation was not carried out with external parties at this stage as the baseline report was a combination between a baseline and a preferred option report.

⁵ This plan covers period until public pre-notification consultation on preferred options starts.

7a. Preferred Option Report – Relocated Buildings

Author:	Rachael Carruthers (Strategy & Policy Planner)
Contact:	347 2833

Purpose

To brief the Committee on the findings of the Relocated Buildings Baseline and Preferred Option Report, which reviewed the provisions relating to relocated buildings in the operative Selwyn District Plan and how these provisions have been implemented. Trends relating to conditions imposed and the distribution of these buildings within the district have also been identified, together with a review of provisions in other district plans. The Preferred Option Report presents seven options for consideration.

Recommendation

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for Relocated Buildings for further development and engagement.”

Attachments

‘Preferred Option Report for Relocated Buildings’

PREFERRED OPTION REPORT TO DISTRICT PLAN COMMITTEE

DATE: 16 May 2018

TOPIC NAME: District-wide

SCOPE DESCRIPTION: Relocated buildings – DW013

TOPIC LEAD: Rachael Carruthers

PREPARED BY: Rachael Carruthers

EXECUTIVE SUMMARY

<i>Issue(s)</i>	<i>This report reviews the operative provisions of the District Plan relating to the relocation of buildings to ensure that the provisions remain relevant and appropriate.</i>
<i>Preferred Option</i>	<i>For residential areas, including rural settlements, a combination of Options 3 and 5, being to carry over a revised version of the existing provisions. For all other areas, Option 7, being to make relocated buildings a permitted activity, subject only to the same district plan standards that relate to new buildings.</i>
<i>DPC Decision</i>	



1.0 Introduction

The overall aim of this report is to establish a range of options, including a preferred option, to manage the continued use of relocated buildings in Selwyn District as part of the Selwyn District Plan Review.

The report considers the existing provisions relating to relocated buildings within Selwyn and how these provisions have been implemented, particularly those resource consents that have been granted for relocated buildings in Selwyn since 2008. Trends relating to conditions imposed and the distribution of these buildings within the district have been identified.

The current provisions are compared with relevant statutory documents and the provisions of adjoining districts Christchurch, Hurunui and Waimakariri are considered. Invercargill and South Taranaki have both recently removed the controlled activity status from relocated buildings within their districts, and so their new provisions are also considered.

Seven options are presented for consideration. Of these, a combination of Options 3 and 5 are recommended for residential areas, with Option 7 recommended for all other areas.

2.0 Summary of Issues

Buildings are often relocated as a whole or in parts, on to a new site, from either within or outside the District. Buildings are relocated for many reasons. They can be a cheaper alternative to new buildings; a specific building design may be desired; or the building may be relocated to a new site to preserve it.

Experience shows that relocating buildings can however result in adverse effects, particularly for the receiving environment. Relocated buildings are often older and may appear out of place when re-positioned into a much newer context, such as a new residential subdivision. Of necessity, the process of relocation often means the building itself must undergo remedial work to re-establish it as fit for its intended purpose, and depending on how that is undertaken, and how long it takes to complete, that can result in adverse amenity effects, even if only temporarily.

Some people object to relocated buildings being moved into their neighbourhood because they think it will reduce property values in the area, particularly if the relocated building is old and the other houses, new. Other people are more concerned if the relocated building sits on blocks on the new site for a long time, or is damaged during transit and not repaired.

3.0 Statement of Operative District Plan approach

3.1 Operative District Plan

Relocated buildings are defined in the operative District Plan (both volumes) as *“any building that is removed from one site and relocated to another site, in whole or in parts. It does not*

include any new building which is designed for, or intended to be used on, a site but which is erected off the site, in whole or in parts, and transported to the site."

This definition excludes new pre-fabricated (transportable) buildings being moved to their first site. The policies seek to manage the extent and timing of exterior reinstatement works, which are not required for these buildings. The subsequent relocation of such buildings to another site is within the definition, and so transportable buildings are subject to the rules for relocated buildings at that time.

In practice, where buildings to be relocated have been substantially disassembled before transport ('flat packed'), they have not been treated as relocated buildings, but rather as new buildings using second-hand materials. This occurs where the degree of disassembly means that it is no longer a 'building' in whole or in parts.

"Building" is currently defined (both volumes) as *any structure or part of any structure whether permanent, moveable or immovable, but does not include any of the following:*

- *Any scaffolding or falsework erected temporarily for maintenance or construction purposes*
- *Any fence or wall of up to 2m in height*
- *Any structure which is less than 10m² in area and 2m in height*
- *Any vehicle, trailer, tent, caravan or boat which is moveable and is not used as a place of storage, permanent accommodation or business (other than the business of hiring the facility for its intended use)*
- *Any utility structure.*

Townships Policy B3.4.30 and identical Rural Policy B3.4.19 seek to ensure that any relocated building is reinstated to an appropriate state of repair, within a reasonable timeframe. The Plan does not prevent people relocating buildings for the following reasons:

- In general, the Plan does not control the design or age of other buildings (building design is controlled in some zones).
- Relocated buildings can be an efficient use of physical resources, which is a matter to be considered in promoting sustainable management under section 7(e) of the Act.
- If a particular developer wishes, they can use mechanisms outside the District Plan to prevent relocated buildings within a particular subdivision.

The operative District Plan provides for relocated buildings as permitted activities in all Living and Rural zones and in the Business 1 zone under the following circumstances:

- The relocated building is an accessory building; or
- The building is relocated from one position to another within the same site; or
- The building is relocated on to a site for a temporary activity and is removed from the site within 2 days of the activity ceasing; or
- The building is relocated on to a site to provide temporary accommodation during a construction project on the site, and the building is removed from the site within the lesser time of 12 months; or when the construction work ceases.

- The building is being relocated within or between schools.

Where a relocated building in these zones does not satisfy the criteria for a permitted activity, then it becomes a controlled activity. Control is retained over:

- The time period within which the building will have its new foundations laid or covered;
- The time period to repair any damage to the exterior of the building;
- The standards to which the exterior of the building will be finished and the time period for completing this work;
- Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond;
- Any monitoring conditions.

Relocated buildings of all types are permitted activities in Business 2 and 3 zones.

In all cases, the relevant bulk and location standards apply to relocated buildings in the same way that they apply to a new build on that site.

3.2 Implementation of the Operative District Plan

In relation to the time period within which the building must be placed on its new foundations, current practice is for the consent conditions to allow 15 working days from when the building arrives on the site in townships, and 30 working days in the rural zone.

Council's monitoring officer has advised that buildings are generally not placed on their new foundations within the timeframe allowed by consent conditions, but that most are on foundations within two months. Buildings that are left on sties for extended periods can be a safety risk (there have been instances of children playing under buildings where they have been inadequately fenced) or can deteriorate.

In relation to the time period within which the exterior of the building is to be repaired, current practice is for the consent condition to allow six months from when the building arrives on the site in townships, and twelve months in the rural zone.

Council's monitoring officer has advised that reinstatement works generally take around nine months to complete, although some take years. Where reinstatement works to ensure water tightness are delayed, the building can deteriorate.

The reinstatement assessments that accompany resource consent applications often underestimate the cost of the works to be undertaken. This can result in applicants overestimating their ability to complete works within a reasonable timeframe.

The completion of identified reinstatement works is generally ensured by way of a bond, to the value of the estimated cost of the reinstatement works plus 10 percent. Applicants are given the choice of three types of bond: to have the money held by council; to have the money held by their solicitor's trust account; or to have the money held by their bank.

Where the money is held by council in the CORB account, it can be released in stages where part of the work has been completed (for example, the building has been re-roofed but not yet re-clad), but the release is dependent on the next council payment run and so can take several weeks. The consent holder therefore needs sufficient funds available to them to both pay for the works and to provide the bond.

Where the money is held by the consent holder's solicitor in their trust account, it can be released to the consent holder more quickly. Again, release in stages is possible, but the consent holder generally still needs sufficient funds available to them to both pay for the works and to provide the bond.

Where the money is held by the consent holder's bank, it is generally held as a part of the mortgage for the property. Council's monitoring officer advises that the establishment and release of the bond is time consuming for the bank and can be expensive for the consent holder, and so banks prefer to loan the bond amount and for the bond to be held by council or the solicitor. Where a bond is held by a bank, their preference is that the bond be released as a single amount, rather than in stages.

3.3 Existing provisions for the permitted relocation of buildings

The existing provisions make a number of building relocations a permitted activity, namely where the building is:

- an accessory building; or
- relocated from one position to another within the same site; or
- relocated on to a site for a temporary activity; or
- relocated on to a site to provide temporary accommodation during a construction project on the site; or
- being relocated within or between schools.

The relocated building is an accessory building

Accessory buildings for relocation tend to fall into two types: structures that were constructed as permanent buildings on their original site (such as garages and implement sheds) and those that were always intended to be moved from one site to another (such as porta-coms and shipping containers).

Buildings that were intended to be permanently on their original site require a new foundation on their new site, and so require a building consent. Council's Building Department advise that garages and other simple structures tend to be dismantled and reassembled (so becoming a 'new build with second hand materials') because their lack of internal bracing makes it difficult for them to be moved as an intact unit. As such, they fall outside the definition of a 'relocated building' and are subject only to the district plan standards that relate to new buildings.

More complex structures have also been relocated as accessory buildings. In particular, there have been instances where buildings that have been constructed and used as dwellings on their original site have been relocated to the rural area as a 'sleepout' by the pre-relocation removal of

the kitchen. As a permitted activity, there has been no requirement to reinstate the exterior of the building to a reasonable standard. This has resulted in buildings that both have an adverse effect on the amenity of the rural area (because the exterior has not been reinstated) and that appear to increase the residential density of the rural area (because, regardless of the internal fitout, they still look like a dwelling).

It is the intended use of structures such as porta-coms and shipping containers that currently trigger the need to obtain resource consent, rather than the relocation of the structure itself. Regardless of their size, if they are intended for use as accessory buildings such as sleepouts or storage, then they are a permitted activity. It is generally only when they are intended for use as part of a commercial activity such as a home occupation that the need for a resource consent is currently triggered.

Structures such as porta-coms and shipping containers require a building consent only if building work (such as a foundation) is proposed. If no foundation or connection to services is proposed, then no building consent is required. Council's monitoring and compliance staff have advised that the presence of shipping containers in particular on residential properties is a source of complaints because of adverse effects on visual amenity. However, provided that the relevant bulk and location standards are met, there is nothing in the operative District Plan that prevents a landowner from obtaining a building consent to erect a structure of the same dimensions as a shipping container and cladding it in a similar secondhand material.

The building is relocated from one position to another within the same site

The relocation of a building from one position to another within the same site generally occurs in order to facilitate additional development on the site, such as the erection of a second dwelling or to improve the layout of a subdivision. Again, the need for new foundations means that a building consent is required. The desire to maximise the return from the additional development is generally sufficient incentive to ensure that the exterior of the relocated building is reinstated, so as not to adversely affect potential sale prices.

The building is relocated on to a site for a temporary activity

This provision allows for temporary activities to relocate buildings onto a site to facilitate the activity, and then to remove them once the activity is concluded. 'Temporary activity' is defined in the operative District Plan, and includes activities that last for up to 7 consecutive days, not more than 3 times per year. Such buildings may be to provide for: event management; event or vendor space; or public conveniences at an event. Although the standard only specifies their removal time (no more than two days after the conclusion of the temporary activity) and not their time on-site before the activity commences, such buildings are generally moved from site to site for various temporary activities. As such, there is a financial incentive on the part of both the building owner (looking to maximise the number of events the building can be at and therefore the income) and the building user (looking to minimize the time they need to hire the building and therefore the cost) to delay arrival of such buildings as long as possible.

Such buildings still need to comply with bulk and location requirements, and so cannot be positioned where a building is unexpected.

Buildings relocated under this provision are only on sites for limited periods, and so I consider that it would be unreasonable to require them to go through a resource consent process. Buildings of this nature are unlikely to require a foundation, and so a building consent would not be required.

The building is relocated on to a site to provide temporary accommodation during a construction project on the site

Resource consent staff have advised that, where temporary accommodation has been proposed as part of a construction project, it has been within an existing building, most commonly an existing dwelling while a replacement dwelling is built. As such, the relocation of a building has not been involved and this provision has not been used to provide accommodation in the sense of a temporary dwelling.

Buildings have been relocated to sites to act as site offices for large construction projects, providing accommodation in the wider sense, but these have either been considered accessory buildings to the main activity on the site and therefore permitted under that provision, or considered through the wider consenting process for the main activity.

The building is being relocated within or between schools.

Almost every school in Selwyn is on a site designated for education purposes. As such, the relocation of buildings such as prefab classrooms within or between schools is almost always subject to an outline plan approval process. This aspect of the permitted activity standards has therefore not been used in the life of the operative District Plan.

Putting aside designated sites, where a building is relocated within a school, then provision is already made for this in the current permitted activity standard. Where a building is being relocated into a school, then the increased level of activity on the site which has necessitated the new building would also be subject to Plan requirements. Where a resource consent is required for the increased activity, then the relocation would be considered as part of the wider application, including reinstatement works if the building is a classroom or other principal building. Should the provisions of the proposed District Plan be such that the increased activity is a permitted activity, then there is no readily apparent reason why a building relocated to a school on a non-designated site shouldn't be subject to the same requirements as relocated buildings elsewhere in the district.

4.0 Summary of relevant statutory and/or policy context and other background information

4.1 Resource Management Act 1991

The relocation of existing buildings to extend their use and therefore their life can be a sustainable use of an existing built resource, thereby achieving the purpose of the Act.

4.2 Canterbury Regional Policy Statement

The development policies of the Canterbury Regional Policy Statement are more targeted towards large scale development. However, the following policies may be related to the relocation of dwellings, particularly in terms of providing choice and diversity while protecting existing identity and character.

5.3.1 Regional Growth (Wider Region)

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

1. ensure that any

(a) urban growth; and

(b) limited rural residential development

occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;

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

3. promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;

4. maintain and enhance the sense of identity and character of the region's urban areas; and

5. encourage high quality urban design, including the maintenance and enhancement of amenity values.

6.3.2 Development form and urban design

Business development, residential development (including rural residential development) and the establishment of public space is to give effect to the principles of good urban design below, and those of the NZ Urban Design Protocol 2005, to the extent appropriate to the context:

1. *Tūrangawaewae* – the sense of place and belonging – recognition and incorporation of the identity of the place, the context and the core elements that comprise the place. Through context and site analysis, the following elements should be used to reflect the appropriateness of the development to its location: landmarks and features, historic heritage, the character and quality of the existing built and natural environment, historic and cultural markers and local stories.

2. *Integration* – recognition of the need for well-integrated places, infrastructure, movement routes and networks, spaces, land uses and the natural and built environment. These elements should be overlaid to provide an appropriate form and pattern of use and development.

3. *Connectivity* – the provision of efficient and safe high quality, barrier free, multimodal connections within a development, to surrounding areas, and to local facilities and services, with

emphasis at a local level placed on walking, cycling and public transport as more sustainable forms of transport.

4. Safety – recognition and incorporation of Crime Prevention Through Environmental Design (CPTED) principles in the layout and design of developments, networks and spaces to ensure safe, comfortable and attractive places.

5. Choice and diversity – ensuring developments provide choice and diversity in their layout, built form, land use housing type and density, to adapt to the changing needs and circumstances of the population.

6. Environmentally sustainable design – ensuring that the process of design and development minimises water and resource use, restores ecosystems, safeguards mauri and maximises passive solar gain.

7. Creativity and innovation – supporting opportunities for exemplar approaches to infrastructure and urban form to lift the benchmark in the development of new urban areas in the Christchurch region.

4.3 Building Act

The relocation of buildings requires a building consent, but council's Building Department advice is that the scope of that consent is more limited than for a new building. The building consent is limited to the: structural suitability of the building for the new site (bracing and joins); foundations; access to the building (eg steps where a pile foundation is proposed); drainage; and the connection to utilities.

The exterior of the building is only subject to a building consent where the building is to be re-clad, such as where a brick veneer has to be removed and replaced. Where the cladding is not to be replaced as part of the project, such as with weatherboards, then the exterior of the building is not subject to the building consent.

Work associated with a building consent must be commenced within six months of the issue of the consent, and completed within two years.

4.4 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”.

The Mahaanui Iwi Management Plan provides statements of Ngāi Tahu objectives, issues and policies for natural resource and environmental management in the takiwa that express kaitiakitanga and protect toanga. The plan is divided into eight policy sections addressing:

- Kaitiakitanga
- Wai Māori (freshwater)

- Ngā Tūtohu Whenua (cultural landscapes)
- Ranginui (sky)
- Papatūānuku (land)
- Tāne Mahuta (mahinga kai and biodiversity)
- Tangaroa (oceans)
- Tāwhirimātea (climate change).

Section 5.4 Papatūānuku addresses issues of significance in the takiwa relating to land. Issue P3 Urban and Township Planning seeks Ngāi Tahu participation in urban and township planning development. Policies responding to this issue focus on the involvement of Papatipu Rūnanga in the development and implementation of broader development plans and strategies. Issue P4 Subdivision and Development acknowledges that development can have significant effects on tāngata whenua values but can also present opportunities to enhance those values. Policies encourage engagement with Papatipu Rūnanga by local authorities and developers and refer to subdivision and development guidelines which state (in part) that new developments should incorporate design guidelines to reduce the development footprint on existing infrastructure and the environment.

There are no specific provisions with the Mahaanui Iwi Management Plan related to relocated buildings aside from the overarching policies related to development and subdivision.

The relevant District Plan bulk and location standards apply to relocated buildings in the same way that they apply to a new build on that site. These include setbacks from water bodies and works within or near wāhi tapu and wāhi taonga areas.

4.5 Distribution of relocated buildings

In the period from 2008 until the end of 2017, 240 resource consents have been granted for relocated buildings. Almost all have been dwellings (including family flats), although some have been intended for use by businesses or for community purposes. This equates to less than 2% of all new dwellings in townships over the same period, but slightly more than 10% in the rural area. Within the rural area, the geographical distribution of relocated buildings has been fairly evenly split between wards.

Within townships, the distribution of relocated buildings has been more varied and concentrated in the smaller townships further from Christchurch. When considered as a percentage of new dwellings within each township as a whole, relocated buildings have formed a significant proportion of new dwellings in each of Coalgate (59%), Hororata (57%) and Southbridge (47%) over this time. They have formed around a third of all new dwellings in each of Whitecliffs, Springfield, Rakaia Huts and Dunsandel and around 10% of all new dwellings in each of Glentunnel, Sheffield and Doyleston. In other townships, relocated buildings have formed 5% or less of all new dwellings.

This geographical distribution is likely to be a result, at least in part, of developer covenants imposed on subdivisions in the larger townships, preventing the use of relocated buildings on sites. Such covenants are less likely to be imposed on new subdivisions in smaller townships, or

where existing bare sections are developed. In addition, sections in these smaller townships are generally less expensive than sections closer to Christchurch and therefore more attractive to persons looking to minimize development costs by relocating an existing building.

5.0 Summary of alternative management responses – Other Districts

5.1 Ashburton District

The Ashburton District Plan became operative in 2014, and contains a district-wide section (chapter) for relocated buildings and temporary activities. The Plan defines ‘relocation’ as “*in relation to a building, means the removal of any building from any site and the permanently fixing down on a new site.*” As such, structures such as shipping containers that are not permanently fixed down are not included within the definition and are not subject to the provisions relating to relocated buildings.

The Plan separately defines the relocation of a heritage item.

In summary, the relocation of buildings is a permitted activity in most zones, subject to compliance with standards relating to:

- the previous use of the building (buildings to be used as a dwelling must have been constructed as such – conversion of non-residential buildings to dwellings does not meet the standard)
- the issue of a building consent
- the building must be placed on permanent foundations within 2 months of arriving on site
- the identification of required exterior reinstatement works and their completion within 6 months of the building arriving on site

Where the relocation of a building does not meet the applicable standards, it is assessed as a restricted discretionary activity without notification or written approvals. Discretion is restricted to consideration of:

- Landscaping
- The timeframe for reinstatement works
- The design and appearance of the building following reinstatement.

The relocation of buildings is not a permitted activity in: the high density residential development zone in central Ashburton; the residential and rural land in and around Barhill; or in the high country. However, this is consistent with the standards for new buildings in these areas, which are also restricted discretionary activities concerned with the design and appearance of the building. The matters for discretion are the same, regardless of whether the building is relocated to the site or built new.

5.2 Christchurch City

The Christchurch District Plan defines “relocation of a building” as meaning “the removal and re-siting of any building from any site to a new permanent site, but excludes new (i.e. immediately habitable) buildings constructed elsewhere specifically for, and subsequently relocated permanently onto, another site.” ‘Relocatable building’ and ‘relocation of a heritage item’ are defined separately.

The Plan has separate provisions permitting temporary buildings associated with construction activities and temporary activities such as events.

Although the Plan includes a definition and matters for discretion for the relocation of buildings, the relocation of buildings is a permitted activity in all zones, subject only to the same standards as new buildings.

5.3 Hurunui District Plan

The Hurunui Proposed District Plan notes in the Settlement chapter that the relocation of any building has the same activity status and is subject to the same requirements as any new dwelling. The Rural chapter is less explicit on the matter, but the s42A report for that chapter clearly sets out an expectation that, by deleting the rule that made non-compliance with permitted activity standards a restricted discretionary activity, the relocation of buildings would become a permitted activity in the Rural zones.

Where the Plan does retain controls over relocated buildings, however, is in Rural zones where containers (such as shipping containers) are located within 500m of a strategic arterial road or district arterial road where the container is visible from the road. In summary, the exercise of discretion in this circumstance is restricted to consideration of visual character and amenity effects.

5.4 Waimakariri District Plan

The Waimakariri District Plan is silent on the issue of relocated buildings. Because they are not explicitly listed as a more restrictive category, they are a permitted activity, subject only to the standards that apply to all buildings.

5.5 Cross boundary assessment summary

Having reviewed the District Plan provisions relating to relocated buildings within the four Canterbury districts adjoining Selwyn, in general only Ashburton manages relocated buildings in any way other than the same as new buildings. In that case relocated buildings are permitted activities, subject to standards relating to the prior and proposed use of the building and the timing of reinstatement works. Hurunui requires a resource consent for shipping containers in certain circumstances where they will be visible from major roads. Selwyn is currently the only district where a resource consent is required for all relocated dwellings and principal buildings in residential and rural zones.

5.6 Invercargill City Plan

Decisions on the Proposed Invercargill City Plan were released in 2016, with the appeals version released in January 2017. The provisions relating to relocated buildings are beyond challenge and as such are now treated as operative. Within the residential, rural residential and rural zones of Invercargill City, the relocation of accessory buildings and new dwellings is a permitted activity, subject to no additional standards beyond those applicable to new buildings.

Similar to Ashburton, the relocation of a previously used building intended to be used as a dwelling is a permitted activity, subject to standards relating to:

- the building must be placed on permanent foundations within 90 days of arriving on site
- the identification of required exterior reinstatement works and their completion within 12 months of the building arriving on site

Where the relocation of a building does not meet the applicable standards, it is assessed as a restricted discretionary activity. Discretion is restricted to consideration of:

- The timing and scope of reinstatement works
- Structural integrity and weatherproofing
- Stormwater management on the site
- Visibility from public places and screening
- The timing of site rehabilitation
- Monitoring of progress
- The imposition of a bond to ensure the completion of works, up to 1.5 times the value of the work
- Any heritage values of the receiving site and/or any adjoining site

Separate rules manage the demolition or removal of buildings from a site, with a resource consent required where buildings exceed a certain size.

These rules give effect to general policies requiring all buildings to be *“sound, well-maintained and tidy in appearance, recognising the adverse effects of dilapidated structures and ill-maintained lands on the wider neighbourhood”*, together with more specific policies to *“manage the adverse effects of demolition or removal activities on amenity values by ensuring the clean-up, screening and maintenance of sites”* and to *“manage the adverse effects of relocation activities on amenity values by ensuring that any relocated building is placed on permanent foundations and reinstated to a reasonable state of repair within a reasonable timeframe.”*

5.7 South Taranaki District Plan

The Proposed South Taranaki District Plan was notified in 2015, with decisions released in November 2016. A relocated building is defined in that Plan as meaning *“any second hand building which is transported in whole or in parts and relocated from its original location to a new*

location, including relocation within the same site. This includes relocation of accessory buildings and shipping containers where the latter are converted for habitable purposes.”

The relocation of all buildings (including the removal of a building from its original site) is a permitted activity, subject to standards requiring:

- The pre-relocation identification of exterior reinstatement works identified in a schedule to the district plan and their completion within 12 months of the building arriving on the site, with an undertaking to this effect from the building owner
- The placement of the building on permanent foundations within two months of it arriving on the site
- Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as such
- A cash bond to be lodged with council to the value of 125% of the estimated cost of the external reinstatement works, with the reinstatement bond assessment sheet being included in the district plan as an appendix.

Where the standards are unable to be met, the relocation becomes a restricted discretionary activity. The exercise of discretion is restricted to consideration of:

- External appearance of the building and site reinstatement
- Effects on amenity values
- Length of time taken to re-construct, repair or refurbish the building
- Performance bond.

6.0 Summary of Options to address Issues

There are essentially three potential approaches to relocated buildings in the proposed District Plan: to make provisions more restrictive (Option 1); to keep them about the same, potentially with some tweaks (Options 2 – 5); or to be more permissive (Options 6 – 7). These options are discussed in more detail below.

6.1 Option 1 – Increase the activity status from controlled to restricted discretionary

This option would provide Council with the opportunity to decline applications if it was considered that the design or existing condition of the building was inappropriate for the new location.

Effectiveness in Addressing Issue:

Council does not generally dictate the design of new buildings, and in the areas where that does occur, relocated buildings are subject to the same standards as new buildings. If a person was to choose to erect a new building that was, for example, a replica of a villa, then this would not generally be subject to Council-imposed design constraints. It would therefore be inequitable to impose this type of restriction on relocated buildings.

The structural integrity of the building and any associated strengthening required is subject to the building consent process. The required exterior reinstatement works and their associated cost are currently identified by the applicant as part of preparing the application. If the applicant is unwilling to take on the project once the works have been identified, then they do not make the application. As such, introducing uncertainty to the resource consent process on this basis would result in unnecessary duplication of council processes.

The areas of concern to the community in relation to relocated buildings are most often in relation to the time taken to complete phases of the work. In instances where work has taken significantly longer than anticipated or required by consent conditions, this has not been foreseen by the consent holder. As such, there would not have been an ability for consent to have been declined on the basis of the expected timeframe because it would not have formed part of the original application.

Risks:

This approach is inconsistent with the approach taken in any neighbouring districts, and such a proposal would likely be subject to significant submissions in opposition.

Budget or Time Implications:

There would be time and cost associated with the development of new policies to direct when a relocated building should be approved or declined and the development of appropriate matters for discretion.

Stakeholder and Community Interests:

For persons seeking to relocate a building, such an approach would create uncertainty about whether consent would be granted. Given that the sale of relocated buildings is usually subject to tight time frames (often requiring the building to be removed from its original location within 10 days to allow redevelopment of the original site), applicants could be left with a building they have purchased under a time pressure but no ability to relocate it to their intended site.

For the wider community, this approach would give the appearance of enabling buildings to be declined, but in practice issues of concern to neighbours arise when reinstatement takes longer than anticipated. This is not something that is able to be addressed at the consenting stage, because the consent is based on what is anticipated, not on what is not.

Recommendation:

Option 1 would create uncertainty about whether a consent would be granted, which could act as a dis-incentive to potential applicants, and also may result in buildings being moved to a site in anticipation of consent, but then having that consent declined. Option 1 is therefore not recommended as a suitable approach to managing relocated buildings in Selwyn.

6.2 Option 2 – Retain existing (permitted/controlled) status, but amend the list of permitted relocations to remove accessory buildings

Option 2 would see the existing activity status retained, but the rule extended to require all accessory buildings to obtain resource consent. Depending on the definition of ‘building’, it may also be appropriate to include shipping containers within the definition of relocated buildings.

Effectiveness in Addressing Issue:

Option 2 would enable Council to require and exercise control over reinstatement works to accessory buildings in the same manner as control is currently exercised over dwellings and principal buildings.

As noted above, secondhand accessory buildings such as garages and implement sheds generally lack the structural integrity required for relocation in one piece, and so are dismantled and rebuilt on their new site as new buildings using secondhand materials. As such, they are not relocated buildings and would not require resource consent for relocation.

The most common complaints in relation to relocated accessory buildings relate to shipping containers. These are seldom placed on a foundation and so do not require a building consent (because no building work is undertaken, no building consent is required). In most instances, therefore, they do not come to the attention of council staff until a complaint is lodged, by which time the container has already been relocated to the site. Requiring a resource consent for such containers would enable enforcement staff to require a retrospective resource consent to be obtained or containers to be removed. It is likely that the conditions on any such consent sought would be limited to reinstatement works such as painting the exterior of the container. While this may appease neighbours, there is no equivalent requirement to paint the exterior of accessory buildings where secondhand materials have been used.

In addition, shipping containers are often hired rather than purchased, as they are intended to be used for a limited time, often during a construction project. As such, these containers would currently be exempt from the need to contain resource consent under the temporary activity provision. Therefore, it would only be those containers that were intended to be permanently located on the site that would be subject to resource consenting requirements under Option 2. This could also lead to enforcement issues, where a land owner may intend that a container be temporary, but it remains on site longer than expected.

Risks:

This approach is inconsistent with the approach taken in any neighbouring districts, and is likely to result in mainly retrospective applications resulting from complaints. This would increase the workload for enforcement staff without significantly altering the effects of shipping containers on amenity.

Budget or Time Implications:

There would be time and cost associated with the drafting of amended provisions, including ensuring internal consistency with other standards and rules.

Stakeholder and Community Interests:

Option 2 would address some of the amenity effects associated with older shipping containers located on residential properties. However, shipping containers are generally not positioned on foundations and so building consent is generally not required. As such, council only becomes aware of them once a complaint is received.

While a resource consent condition might require such a container to be painted, there is no equivalent requirement to paint the exterior of accessory buildings that have been dismantled at their original site and reassembled at their new site in the same position relative to boundaries that a container could be placed.

Recommendation:

Option 2 would increase the workloads of both enforcement and resource consents staff without significantly altering the effects of (in particular) shipping containers on amenity. As such, Option 2 is not recommended.

6.3 Option 3 – Retain existing (permitted/controlled) status, but amend the list of permitted relocations to require accessory buildings to have been constructed and used on the new site as such

Option 3 would see the existing activity status retained, but the rule amended to require buildings to be relocated as permitted accessory buildings to have been constructed as accessory buildings and to be used as accessory buildings on their new site.

Effectiveness in Addressing Issue:

As noted above, more complex structures have also been relocated as accessory buildings, such as where buildings that have been constructed and used as dwellings on their original site have been relocated to the rural area as a 'sleepout' by the pre-relocation removal of the kitchen. This has resulted in buildings that have an adverse effect on the amenity of the rural area because reinstatement works to the exterior of the building are not undertaken in a reasonable timeframe, even after the kitchen is reinstalled.

The flip side of this is where one or more buildings that were constructed as accessory buildings (such as porta-coms and shipping containers) are relocated to a site with the intention of converting them to a dwelling. Because the conversion occurs after they arrive at their new site, they are accessory buildings at the time of relocation and exterior reinstatement works are not managed by council.

Amending the provision for the permitted relocation of accessory buildings to require the building to have been originally erected as an accessory building and that it be used as an accessory building on the new site would preserve the integrity of the intent of the current provision, while enabling council to control exterior reinstatement works for more complex buildings, regardless of their intended use on their new site.

Option 3 would also ensure that any proposal to avoid compliance with residential density standards by relocating a 'sleepout' that had previously been a dwelling, and then reinstating the facilities once on the new site, could be managed by the conditions of the resource consent.

Risks:

This approach is inconsistent with the approach taken by neighbouring districts.

Budget or Time Implications:

There would be time and cost associated with the drafting of amended provisions, including ensuring internal consistency with other standards and rules.

Stakeholder and Community Interests:

By amending the permitted activity status for relocated accessory buildings to clarify that it only applied to buildings that were originally constructed as accessory buildings, the wider community could be reassured that compliance with the intent of the rule could not be avoided by projects that removed the kitchen before relocation, such that the building no longer met the definition of a dwelling, and then reinstated it once the building was in its new location.

Recommendation:

Option 3 provides a balance of providing certainty to applicants that they will be able to proceed with their desired project and to the wider community that reinstatement works on relocated dwellings and principal buildings will be completed to a reasonable standard within a reasonable timeframe, because the applicant has the funds available to complete the work.

By amending the permitted activity status for relocated accessory buildings to clarify that it only applies to buildings that were originally constructed as accessory buildings, the wider community could be reassured that compliance with the intent of the rule could not be avoided by projects that removed the kitchen before relocation, such that the building no longer met the definition of a dwelling, and then reinstated it once the building was in its new location.

Option 3 is therefore part of the recommended approach in residential areas, including rural settlements.

6.4 Option 4 – Status quo

Option 4 would see no change to the existing provisions. The relocation of buildings would be a permitted activity in certain circumstances, otherwise a controlled activity.

Effectiveness in Addressing Issue:

Option 4 provides a balance of providing certainty to applicants that they will be able to proceed with their desired project and to the wider community that reinstatement works on relocated dwellings and principal buildings will be completed to a reasonable standard within a reasonable timeframe, because the applicant has the funds available to complete the work.

However, it is fairly easy to get around the rules by removing the kitchen before relocation occurs, such that the building is an accessory building at the time of relocation, regardless of the intended reinstallation of the kitchen once the building is on its new site. In this instance, it is not possible for council to manage the completion of exterior reinstatement works within a reasonable timeframe because the relocation was a permitted activity.

Risks:

Option 4 is inconsistent with the more permissive approach taken by Selwyn's neighbouring districts within Canterbury, in which relocated buildings are generally permitted.

Budget or Time Implications:

There would be time and cost associated with ensuring that the existing provisions match the structure of the proposed Plan.

Stakeholder and Community Interests:

Option 4 is the 'known entity' and as such is widely understood by stakeholders and the wider community. However, while not commonly done, it is possible to frustrate the intent of the existing provisions to ensure that any relocated building is reinstated to an appropriate state of repair, within a reasonable timeframe.

Recommendation:

Option 4 is therefore not the recommended approach.

6.5 Option 5 – Remove provisions explicit to schools

Option 5 would retain most of the status quo but remove the provision for the relocation of buildings within and between schools to be a permitted activity.

Effectiveness in Addressing Issue:

As discussed in section 3.3 above, the separate provision for the permitted relocation of buildings within and between schools is redundant, because the activity is already provided for in other ways.

Where a building is relocated within a school site, then the general provision for the permitted relocation of a building within the same site already exists. Similarly, where the building is being relocated between schools is an accessory building, then the general provision for permitted accessory buildings already exists. Where the building is a principal building, then either the requirement for an outline plan (for designated sites) or a new resource consent (for other sites)

would likely be triggered by the increased activity on the site. Part of the assessment of that outline plan approval request or resource consent application would be the design and appearance of the buildings.

Risks:

As Option 5 is the removal of requirements that are duplicated elsewhere, there are no apparent risks associated with it.

Budget or Time Implications:

There would be time and cost associated with the drafting of amended provisions, including ensuring internal consistency with other standards and rules.

Stakeholder and Community Interests:

Option 5 is the removal of requirements that are duplicated elsewhere. As such, there would be no change to existing stakeholder and community interests.

Other

The existing exemption only relates to buildings within or between schools, not to all education providers. As such, the likes of preschools and tertiary education providers are already subject to the same provisions as all other relocated buildings.

Recommendation:

Option 5 therefore forms part of the recommended approach.

6.6 Option 6 – Make all relocated buildings permitted, subject to additional standards beyond new buildings

Consistent with the Ashburton, Invercargill and South Taranaki approaches, standards could be developed that, when met, resulted in the relocation of buildings becoming a permitted activity.

Any proposal to vary from the standards would then require a resource consent, with either a controlled or restricted discretionary status.

Effectiveness in Addressing Issue:

Depending on the particulars of the standards, this approach would give certainty to both people wishing to relocate a building and the wider community that firstly, the building could be relocated, and secondly that reinstatement works would occur in a timely fashion. However, where reinstatement works are outside the building consent (eg painting weatherboards), there is limited ability to monitor progress without resorting to enforcement action.

Unless it is being purchased from a relocation yard, it is common for the sale of buildings for relocation to include very short timeframes for the building to be removed from its current location (two weeks is typical). As such, buildings will be relocated onto their eventual site and left on jacks or other temporary supports until a building consent has been granted and the new foundation has been completed. By default, an approach that required the pre-relocation issue

of a building consent would therefore result in most relocated buildings technically requiring a resource consent because the building consent has not been issued by the time the building arrives on site.

Risks:

The greatest risk with this approach is that persons intending to relocate a building underestimate the cost of the reinstatement works and so fail to complete them within the specified timeframe. Funding constraints have the potential to result in relocated buildings sitting unfinished for extended periods of time – potentially even beyond the two years for completion of the works subject to the building consent.

Having a timeframe associated with permitted activity status can result in a person complying with the standard one day and then not complying with the standard (and therefore needing a retrospective resource consent) the following day. This does not provide certainty from the outset to persons relocating a building, or to the wider community.

Budget or Time Implications:

There would be time and cost associated with developing provisions for permitted activities, together with an appropriate status for buildings that did not comply with the standards for a permitted activity.

Stakeholder and Community Interests:

Option 6 would reduce upfront costs for persons wishing to relocate a building by removing resource consent fees. However, the use of a timeframe standard for permitted activities would result in situations where a relocated building was a permitted activity one day and requiring a retrospective resource consent the next. This does not provide certainty to building owners or the wider community that the project will proceed, or that effects would be managed.

Recommendation:

Although consistent with the current approach taken by Ashburton, Invercargill and South Taranaki, failure to comply with the timeframe standards used by each of these districts would result in a building being permitted one day and requiring a retrospective resource consent the next. This does not provide certainty to owners or the wider community and so Option 6 is not recommended.

6.7 Option 7 – Make all relocated buildings permitted, subject to no additional standards beyond those applying to new buildings

Option 7 would see relocated buildings being treated exactly the same as new buildings from a district plan perspective, subject only to the building consent process. This is consistent with the approach taken in Christchurch and Waimakariri and for most relocated buildings in Hurunui.

Effectiveness in Addressing Issue:

Once issued, work associated with a building consent must commence within six months and be completed within two years. While significantly shorter than the unlimited-timeframe building permits that were in place at the time county scheme rules relating to relocated buildings were first introduced, reliance on only these timeframes could result in buildings sitting unfinished on sites for significantly longer than is currently the case. Further, the building consent does not address matters that are mainly aesthetic in nature, such as repainting weatherboards to ensure that the building ‘settles’ into its new environment.

While relocated buildings, as a proportion of all buildings, are only a small fraction of new dwellings in the fastest-growing areas of the district, as described above they are a significant proportion of new dwellings in some townships. As such, delays in placing buildings on permanent foundations and progressing with completing reinstatement works can have an adverse effect on the residential amenity values of these townships.

Because a building consent is only required where building work is proposed, building consent is not required before a building arrives on its new site. Without standards or consent conditions requiring a building to be placed on complying foundations within a certain timeframe, there is a greater potential for buildings to sit on temporary supports for an extended period while a building consent application is prepared and obtained.

While the relocation of a building to a site within an existing developed area can result in a building that is similar in design to others in the area, the act of relocation is stressful on the structure. As such, reinstatement works are usually required to ensure that the building settles into its new environment. Reliance on the building consent process would not require these works to be undertaken beyond those required to make the building weathertight.

Within non-residential areas of townships, the relocation of dwellings and principal buildings is uncommon. In general, standards in these areas are not intended to maintain residential amenity, because residential activities are not a core function of these zones. Where a building is relocated, there is a commercial incentive to complete the work to a reasonable standard within a reasonable timeframe, so that the building can be occupied and therefore generate income.

Within the rural area, there is a greater separation distance between dwellings than in townships. As such the adverse amenity effects associated with the relocation of buildings is reduced because directly affected neighbours are further away. There is no council requirement to maintain older homes that are still on their original site, and so any delays in undertaking reinstatement works would not necessarily result in a relocated dwelling looking out of place in a rural context.

Risks:

Increased complaints relating to perceived or actual delays in undertaking reinstatement works, particularly in residential areas.

Adverse effects on the amenity values of residential areas where a significant proportion of new dwellings are relocated buildings.

Budget or Time Implications:

There would be time and cost associated with either amending the provisions for permitted activities to include relocated buildings, or with removing all references to relocated buildings, so that the proposed Plan is silent on them, thus treating them the same as any other building.

Stakeholder and Community Interests:

Option 7 would facilitate the relocation of existing buildings by removing an additional consenting requirement and associated cost. However, this may be at a cost to the wider community because, without the need to comply with consent conditions or permitted activity standards, there would be a greater likelihood of buildings remaining on temporary supports for extended periods.

Not subjecting relocated buildings to a tighter timeframe than required by the building consent, and not requiring the exterior of these buildings to be reinstated to a reasonable standard, has the potential to have adverse effects on residential amenity, particularly in communities where development is not generally subject to developer covenants preventing relocated buildings. This is most likely to occur in smaller townships further from Christchurch.

Recommendation:

Option 7 is therefore not recommended in residential areas, including rural settlements.

In all other areas, where separation distances between dwellings are greater or residential amenity does not need to be protected to the same extent, Option 7 is recommended.

7.0 Summary of stakeholder engagement

Internal discussions were held with members of council's building consent, resource consent and monitoring and enforcement staff. Their comments are reflected above.

8.0 Conclusion

Although retaining the current controlled activity status for relocated dwellings and principal buildings differs from the approach taken in the neighbouring districts, relocated dwellings make up a significant percentage of new dwellings in several of Selwyn's smaller townships. Removing all controls on the relocation of buildings in residential areas would therefore have the potential to have significant adverse effects on amenity values in these areas.

9.0 Preferred Option for further engagement

The Project Team recommends that:

- Options 3 and 5 be adopted in drafting the Proposed District Plan, for residential areas, including rural settlements. Specifically, that the majority of the existing provisions related to relocated buildings be retained, with the following edits:
 - amend the permitted activity status for relocated accessory buildings to clarify that it only applies to buildings that were originally constructed as accessory buildings and that they must continue to be used as accessory buildings on the new site; and
 - remove the redundant provision for the relocation of buildings within and between schools to be a permitted activity.
- Option 7 be adopted in drafting the Proposed District Plan, for all other areas. Specifically, that the relocation of all buildings be a permitted activity, subject only to the same district plan provisions that relate to new buildings.

7b. Communications and Engagement Summary Plan – Relocated Buildings

Author:	Rachael Carruthers (Strategy & Policy Planner) and Katrin Johnston (Communications Consultant)
Contact:	347 2833 (Rachael)

Purpose

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Relocated Buildings topic.

Recommendation

“That the Committee notes the summary plan.”

Attachments

‘Relocated Buildings – communications and engagement summary plan’

DW013 Relocated buildings – communications and engagement summary plan

Key messages

(as of 8 June 2018)

Background

- As part of the current Selwyn District Plan review, provisions relating to relocated buildings within Selwyn and how these provisions have been implemented are also being reviewed.
- Buildings are often relocated as a whole or in parts, on to a new site, from either within or outside the district.
- Buildings are relocated for many reasons. They can be a cheaper alternative to new buildings, a specific building design may be desired, or the building may be relocated to a new site to preserve it.
- From the beginning of 2008 until the end of 2017, 240 resource consents were granted for relocated buildings. Almost all have been dwellings (including family flats), although some have been intended for use by businesses or for community purposes. This equates to less than 2% of all new dwellings in townships over the same period, but slightly more than 10% in the rural area.
- Within the rural area, the geographical distribution of relocated buildings has been fairly evenly split between wards.
- Within townships, the distribution of relocated buildings has been more varied and concentrated in the smaller townships further from Christchurch. This is likely due to developer covenants imposed on subdivisions in the larger townships, preventing the use of relocated buildings on sites.
- While Selwyn currently requires a resource consent for relocated dwellings and principal buildings within residential and rural zones, other district plan reviews undertaken recently have moved towards a permitted activity status.

Current status

- In all residential and rural zones, and in the Business 1 zone, relocated buildings usually require a resource consent ie are a controlled activity.
- Some relocated buildings don't require a resource consent, ie they are a permitted activity, so long as they meet certain requirements, for example: the relocated building is an accessory building (usually a garage); it's relocated from one position to another on the same site; or it's relocated on to a site for a temporary activity.
- In Business 2 and 3 zones relocated buildings are a permitted activity without any requirements having to be met.
- All relocated buildings still require a building consent although the scope of it is more limited than for a new buildings.
- Issues identified in the review:
 - Structures such as shipping containers being a source of complaints due to adverse effects on visual amenity.
 - More complex buildings have been relocated as accessory buildings (eg original dwellings with removed kitchen being relocated for use as sleepouts) which appear to increase the residential density of the rural area.
 - The buildings once relocated require remedial work which can have negative effects on neighbouring properties, especially if they aren't repaired within the anticipated time.

About preferred option

- It's proposed to amend the permitted activity status for relocated accessory buildings so that it only applies to buildings that were originally constructed as accessory buildings and will also be used as accessory buildings on their new site.
 - As a result the wider community can be reassured that the rule's intent will be clearly followed. Change to the rule will prevent situations where a kitchen is removed from the building before it's relocated (to ensure the building no longer meets the definition of a dwelling), and then reinstate the kitchen once the building is in its new location.
- It's proposed to remove the provision for the relocation of buildings within and between schools to be a permitted activity as the activity is already provided for in other ways.
- Makes provisions more permissive by proposing that all relocated buildings outside residential areas and rural settlements will now not require a resource consent. This is consistent with approaches taken in other districts.
- All relocated buildings will still be subject to building consent requirements.

Audiences¹

Internal	Partners	Key stakeholders ²	Landowners /occupiers ³	General public
DPC	ECan	Heavy Haulage Association	N/A	Selwyn ratepayers
	Te Ngāi Tuāhuriri Rūnanga (represented by Mahaanui Kurataiao)	Ministry of Education		News media
	Te Taumutu Rūnanga (represented by Mahaanui Kurataiao)			Wider public

Legend	<i>High level of interest/ High level of influence ("Manage closely")</i>	<i>High level of interest/ Low level of influence ("Keep informed")</i>	<i>Low level of interest/ high level of influence ("Keep satisfied")</i>	<i>Low level of interest/ Low level of influence ("Watch only")</i>

¹ "...Differing levels and forms of engagement may be required during the varying phases of consideration and decision-making on an issue, and for different community groups or stakeholders. The Council will review the appropriateness and effectiveness of the engagement strategy and methods as the process proceeds." [Significance and Engagement Policy: Adopted 26 November 2014; p.6]

² Key stakeholders are "the organisations requiring engagement and information as the preferred options for the Draft District Plan are being prepared." (District Plan Review Community Engagement Implementation Plan; p.6) Key stakeholders "...will advocate for or against decisions that will need to be made..." and "For the District Plan Review, stakeholders include any party that can influence decisions or be influenced by decisions made on policies or rules." (DPR Engagement Framework)

³ Landowners are "the individuals and businesses that could be affected by the proposed changes in the District Plan." (District Plan Review Community Engagement Implementation Plan; p.6)

Engagement during review phases

Review phases	Internal	ECan	Rūnanga	Key stakeholders	General public
Preferred option development ⁴					
Preferred option consultation					

2018 communications and engagement key tasks/milestones per month

(more detailed action plans to be developed for each major milestone or as required)

Audiences	June	July	August ⁵
ECan		Preferred option report is shared and feedback sought	
Rūnanga		Preferred option report is shared and feedback sought	
Key stakeholders		Preferred option report is shared and feedback sought	
General public		Endorsed preferred options report is published on Your Say Selwyn	General consultation as part of district-wide matters
DPC	Preferred options report goes to DPC		

⁴ Consultation was carried out with external parties at this stage only as the preferred options is a combination of a baseline and a preferred option report.

⁵ This plan covers period until public pre-notification consultation on preferred options starts.

8a. Preferred Option Report – Mushroom Farming and Composting

Author:	Robert Love (Strategy & Policy Planner)
Contact:	347 1821 (Robert)

Purpose

To brief the Committee on the findings of the Baseline Report, which provides an overview of the existing mushroom farming and/or composting activities in the district, and assesses the relevant provisions in the operative Selwyn District Plan in the context of the Canterbury Regional Council's policy statement and plans.

The Preferred Option report summarises the issues and options for managing these types of activities in the new Proposed District Plan and recommends an approach for further development and engagement.

Recommendation

“That the Committee notes the report.”

“That the Committee endorses the Preferred Option for Mushroom Farming and Composting for further development and engagement.”

Attachments

‘Preferred Option Report for Mushroom Farming and Composting’

PREFERRED OPTION REPORT TO DISTRICT PLAN COMMITTEE

DATE: 16 May 2018

TOPIC NAME: Rural

SCOPE DESCRIPTION: RU013 Composting and Mushroom Farming

TOPIC LEAD: Robert Love

PREPARED BY: Robert Love

EXECUTIVE SUMMARY

<i>Issue(s)</i>	<i>Composting and Mushroom Farming are not specifically covered in the District Plan through either definitions or rules. This can create ambiguity for plan users. Additionally, when considering these activities through a resource consent process odour and dust discharges are required to be assessed, which has resulted in a duplication of process with the Canterbury Air Regional Plan.</i>
<i>Preferred Option</i>	<i>Option 3 – Amend existing provisions, create provisions where gaps exist, and remove overlap with the Canterbury Regional Air Plan in relation to dust and odour effects.</i>
<i>DPC Decision</i>	



1.0 Introduction

The focus of this scope of work is on mushroom farming and composting in the rural area, where composting is either in association with mushroom farming or in isolation. This scope does not look at domestic composting within residential areas, but it does address commercial composting within residential and business zones. Domestic residential composting will be addressed within other scopes of work as part of the District Plan Review.

The manufacturing of compost has the potential to cause discharges of offensive and objectionable odours and to a lesser extent, dust emissions beyond the boundary of the site. This odour (and potentially dust) can have a significant effect on the amenity of an area, and any sensitive activities nearby. Mushroom farming activities have more typical effects as expected from an industrial operation such as building size, noise, lighting glare, and traffic considerations.

Under the Operative Selwyn District Plan mushroom farming is not specifically identified as an activity or directly dealt with but is captured by the general rules and through its classification as a 'rural based industrial activity'. While composting is not defined within the District Plan, the activity of composting is through rules dealing with the importation of organic materials on to a site for the purpose of compost manufacture.

There are only a few sites within the Selwyn District known to the Council that grow mushrooms and/or manufacture compost, with compost being manufactured in Greendale (Greendale Mushrooms and Meadow Mushrooms) and Rolleston (Recovery Park and Southern Horticulture), and mushroom growing occurring in Prebbleton and Greendale.

This report is meant to serve as an abbreviated summary of the matters covered within the baseline report for this scope. Please consult the baseline report for an in-depth assessment of this scope.

2.0 Statement of Operative District Plan approach

2.1 Objectives and Policies

The Operative District Plan's objectives and policies do not address mushroom farming or composting directly, but the Plan does contain general provisions that cover these activities.

Objectives and Policies addressing waste substances is not be relevant to this scope as for something to be defined as a waste substance then it needs to be worthless, useless, etc. Whereas compost has a value and use, and cannot be referred to as a waste substance. See further discussion on this matter below.

2.2 Definitions

'Composting' and 'Mushroom Farming' have not been expressly defined within the District Plan, but there are other definitions that may apply, as discussed below.

The definition of 'solid waste' may apply to the compost once it has been through a growing cycle as it then becomes useless to the mushroom farming activity. However, the material still has high levels of nutrients and in most cases is on sold to gardening centres and nurseries. Based on this, at no point in the compost lifecycle, while being used by a mushroom farming operation, can compost be considered to be solid waste, and as such these provisions are not relevant to this activity.

Green waste may apply to the material brought onto a composting site prior to the composting process beginning, given the definition states that green waste includes any compostable vegetative material, not material that has already been composted.

The process of composting and growing mushrooms is defined as a 'Rural Based Industrial Activity' in the Plan. In summary a rural based industrial activity is *any industrial activity that involves the use of raw materials or primary products which are derived directly from the rural environment*. The materials making up the compost includes plant materials, hay, poultry manure, and other such things. These materials originated from the rural environment and are used to make compost, which in turn is used as the production bed for mushroom growing.

While composting and mushroom farming operations are primary agricultural producers, these types of activities are considered to be more intensive than a typical agricultural activity, given the amount of buildings and the processes involved. As such, it is considered that a 'rural based industrial activity' definition is appropriate.

2.3 Rules

2.3.1 Township Volume

Mushroom farming and composting are not expressly defined in the Township Volume. Composting is specifically addressed under rule 1.1.3.2(j), which renders composting within a Living Zone as non-complying. Mushroom farming is not specifically addressed, but could be considered to be an 'industrial activity' which also has a non-complying status within the Living Zone (rule 1.1.3.2(f)).

Rule 9.3.1 allows for the disposal of solid waste as a permitted activity in the Living Zone if that waste is green garden waste which is composted on the site it is generated on. However, given the large quantities of compost required for mushroom farming, they do not rely on green waste originating from the same site. Green waste is brought to the site from other sources. Therefore, this rule is irrelevant to this activity.

Rule 9.4.2 states that any processing, composting, or disposal onto any land of any organic matter in a Living Zone shall be a non-complying activity unless provided for by rule 9.3.1. This is a reiteration of rule 1.1.3.2(j). As previously stated, as mushroom farm operations cannot provide enough green matter for composting from their own site, they are required to bring in material from off-site. This means that any mushroom farming activity that includes composting on site, and is located within a Living Zone is a non-complying activity under this rule.

Rule 13.1.7.2(e) addresses composting activities occurring within Business 2 and 2A zones, rendering them as a discretionary activity. This rule would not apply to mushroom farms which bring in ready to go compost rather than manufacturing it on site as the rule only applies to activities which have on-site composting processes.

As per Rule 13 of the Township Volume, mushroom farming with no associated composting (industrial activity) is either permitted or non-complying depending on the Business Zone type. This section is an example of confusion within the Operative District Plan, given the amount of different types of Business Zoned Land, and the format of this section.

Rule 21.3.1 does allow for the disposal of solid waste as a permitted activity within a Business Zone if the waste is green garden waste which is composted on the site which it is generated. As previously stated, a mushroom farm is unlikely to produce enough green waste to satisfy their composting needs, and therefore this Rule is not wholly relevant to this activity.

2.3.2 Rural Volume

Rule 9.2.1.2 states that any activity which involves the composting of organic material, where that material is brought onto the site is a discretionary activity. This would allow the Council to assess the potential effect from the discharge of odour or dust on the amenity of the area.

On review of the Operative District Plan there appears to be a gap within the rules which deals with the storage of compost within the rural area. As the composting process does not cease when stored, given that the material will continue to breakdown even when the operator is not using active processes to manufacture compost, rule 9.2.1.2 will continue to apply.

The second part of rule 9.2.1.2 provides for an exception from the rule where material is brought onto the site for the purpose of composting pigs.

Based on the site investigations carried out and discussions with the mushroom growing industry, the odourous part of composting is when anaerobic processes occur during manufacture, or when the compost is disturbed. It is generally considered that at other times, the green waste product and the final compost product is largely benign in odour. An additional effect arising from compost manufacture can be from a dust discharge. However, this effect is more easily mitigated than odour through appropriate management techniques such as storing the compost in a building, under covers, and keeping it moist.

Rule 9.5.1 states that any 'rural based industrial activity' shall be permitted if it meets the site coverage (100 m²) and staff number (2 FTE) conditions. However, a mushroom farming operation is unlikely to meet these conditions. Therefore, the activity will be a discretionary activity under rule 9.5.2 if one of the associated conditions are met. The most relevant condition being if the site is located within the Outer Plains area. If the site is located within the Inner Plains area then the activity will be non-complying.

As well as the activity rule described above, the general rules for aspects such as noise, lighting, transport, building bulk and location etc. will apply to both mushroom farming and composting operations.

3.0 Summary of relevant statutory and/or policy context and other background information

3.1 Canterbury Regional Policy Statement (RPS)

The provisions within Chapters 5 and 6 seek to ensure the protection of existing rural production activities from reverse sensitivity effects while managing the location of these types of activities and the potential for significant adverse effects. The objectives and policies seek to avoid incompatible land-uses being based near each other to minimise reverse sensitivity issues. It is noted that the rural economy makes up a significant component of the economic and social well-being of Canterbury, and therefore needs to be protected from incompatible land uses.

The provisions in Chapter 14 seek to maintain and improve air quality, and to protect activities with air discharges from encroachment from incompatible development. It is noted that people and communities should be free from unpleasant effects on air quality.

There are no specific definition references to composting or mushroom farming within the RPS.

3.2 Canterbury Air Regional Plan (CARP) October 2017

The CARP contains specific mushroom farming rules as part of the intensive farming section, and industrial rules which cover composting activities.

Rules specifically mentioning mushroom farming include rule 7.65, 7.66, and 7.72. These rules primarily deal with the potential odour and dust discharge that may be caused by the activity.

Rule 7.65 provides for activities established prior to 1 June 2002 and did not require a consent to establish, as long as the discharge of odour does not cause an offensive or objectionable effect beyond the boundary of the property, and there is no increase in the scale of the activity, as a permitted activity.

Rule 7.66 provides for activities that established prior to 1 June 2002 but cause an objectionable or offensive odour part the boundary as a restricted discretionary activity¹.

Rule 7.72 provides for mushroom farming activities that established post 1 June 2002 as a restricted discretionary activity as long as the activity does not cause an offensive or objectionable odour effect beyond the boundary.

The matters of discretion are restricted, among other things, to:

- Quantity, quality and type of the discharge to air, and any resulting effects.
- Methods to control the discharge.
- The location of the discharge.

The composting of organic matter is considered to be an 'industrial or trade process' which occurs on an 'industrial or trade premises'. The composting of organic matters is not expressly covered by a specific rule, and is therefore classified under rule 7.63 as a discretionary activity, or rule 7.64 as a non-complying activity. A note within this section of the plan states that composting will most likely need a consent under rule 7.63.

¹ A review by ECan of this Baseline Report has shown that an error exists within the CARP. Rule 7.66 should refer to compliance with condition 2 of Rule 7.65 rather than condition 1. This means that any applicable activity under Rule 7.65 which has an offensive or objectionable effect should be classified as a non-complying activity under Rule 7.80.

3.3 Canterbury Land and Water Regional Plan (LWRP)

The LWRP contains specific provisions dealing with the storage of compost. However, these only address this activity in regard to the potential effect of the activity contaminating water. There are no other provisions managing this activity, and as such there is no overlap with the District Plan.

4.0 Summary of stakeholder engagement

4.1 Canterbury Regional Council

A draft Baseline Report was shared with the Policy Team at the Canterbury Regional Council. Overall, their stance on the preferred option is that they do not support the recommended approach to remove air discharge controls from the District Plan and have a reliance on the Canterbury Air Regional Plan.

The primary reasoning for this stance is as follows:

- Although it is unlikely that a commercial composting and/or mushroom farming activity would be granted consent under the CARP within a Living Zone, there is no certainty of this, compared to retaining appropriate controls within the District Plan.
- Concerns that the reach of CARP policies won't be sufficient to prevent inappropriate planning outcomes.
- Some CARP policy only deal with effects that are offensive and objectionable, which is a higher threshold than just causing an adverse effect on the amenity of the surrounding area.
- The intent of the CARP is to only manage the effects from an air discharge rather than the appropriateness of the proposed activity's location.

4.2 Mahaanui Kurataiao Ltd

Mahaanui Kurataiao Ltd undertook a review of this Baseline Report and stated that the identified Iwi Management Plan Policies are the most relevant and appropriate ones for this activity type. Furthermore, the preferred option was stated as being consistent with the Iwi Management Plan policies and would result in the current issues in the plan being rectified.

4.3 Industry

A site visit was conducted on both the composting and growing sites for Meadow Mushrooms. On sharing the Baseline Report with this party, they stated that they will wait until the formal submission process to make a comment.

A site visit was conducted to the Greendale Mushrooms facility. On sharing the Baseline Report with this party, they agreed with the approach of attempting to remove overlap where possible, and they would not want to see a rural density zone change which would result in residential intensification of the area.

5.0 Summary of Options to address Issues

5.1 OPTION 1 – Status Quo

Effectiveness in Addressing Issue:

This option would not address the known issues in the Operative District Plan.

Risks:

As above.

Budget or Time Implications:

This option would be the most cost effective and require the least amount of time.

Stakeholder and Community Interests:

Industry would still be required to operate under a planning framework which duplicates processes with Environment Canterbury.

Recommendation:

This option is not recommended.

5.2 OPTION 2 – Make amendments to the current framework and retain air discharge controls

This option seeks to retain district council planning controls over the associated air discharge components for these activities. Additionally this option would see amendments to the current planning framework with the creation of definitions and dedicated rules for these activities.

Mushroom Farming:

Under this option mushroom farming will be a non-complying activity within a Living Zone or a Business (Commercial Zone), and a permitted activity within the Business (Industrial) and Rural Zones subject to certain permitted development standards. Standards could include factors such as if the activity involves composting, size of the building, noise generation, etc. If a standard is not met then the activity will become a restricted discretionary activity. Overarching objectives and policies will need to accompany the rules package to help guide development into an appropriate location. For instance policy should direct that activities involving odour discharges should be avoided in Living Zones or Business Zones that can contain incompatible uses such as food vendors, gyms, and offices. Policy should also direct odour producing activities to avoid being located within the Rural Inner Plains area due to the number and concentration of sensitive activities within this area.

Indicative rule structure:

Permitted Rule #	Conditions
Mushroom Farming	Mushroom farming is a permitted activity if all of following matters are met: i: meets the permitted development standards contained in Appendix X; and ii: is not located within a Living Zone or Business (Commercial) Zone.
Restricted Discretionary Rule #	
Mushroom Farming	Any activity that breaches condition i. is a restricted discretionary activity with the matters of discretion being restricted to those listed in Appendix Y. <i>(Note this will include a matter to assess the amenity effect from any odour discharge)</i>
Non-Complying Rule #	
Mushroom Farming	Any activity that breaches condition ii. is a non-complying activity.

Composting:

All reference to composting within this option and the following option is in reference to composting of a commercial scale and purpose, where organic material has been brought onto the site to be composted. These options are not intended to capture domestic composting and when drafted the wording used will reflect this intent.

This option recommends that any composting activity be a non-complying activity within any non-Rural Outer Plains area, with activities within this area being restricted discretionary.

Composting activities carry with it a significant odour and (potentially) dust discharge that, depending on the characteristics of the activity, can have an adverse effect on the amenity of an area. Therefore, the location of such an activity needs to be carefully managed to ensure that the amenity effects from any odour and/or dust discharge is managed in relation to sensitive activities, thus reducing the likelihood of reverse sensitivity effects.

Indicative Rule Structure:

Restricted Discretionary Rule #	Conditions
Composting	The composting of organic material not from the same property within the Rural Outer Plains Zone is a Restrict Discretionary activity with matters of discretion being restricted to those listed in Appendix Y. <i>(Note this will include a matter to assess the amenity effect from any odour or dust discharge)</i>
Non-Complying Rule #	
Composting	The composting of organic material not from the same property within any zone other than the Rural Outer Plains Zone, is a Non-Complying activity.

Effectiveness in Addressing Issue:

This option would see provisions created to make the District Plan more fit for purpose. This will increase the effectiveness of the plan, and reduce confusion. However, this option would mean that duplication between the District Plan and the Regional Air Plan would still remain.

Risks:

No clear risk as controls over dust and odour has been retained.

Budget or Time Implications:

This option would mean that new provisions would need to be drafted, tested, and consulted on.

Stakeholder and Community Interests:

Stakeholders have an interest in ensuring that the appropriate level of planning controls are implemented. They do not want to see overly onerous provisions which diminishes their ability to develop and operate.

Regarding the community interest, they wish to also see the appropriate level of planning control being implemented in order to protect their amenity values.

Recommendation:

Central Government guidance states that any duplication between a district and regional plan should be avoided. This option would result in an overlap between the two plans when assessing any odour or dust discharges and could potentially see an operator needing to apply to both the regional and district council for a consent covering the discharge of odour and/or dust. This duplication increases time and costs to the Applicant, with little (if any) environmental effect gain. For this reason this option is not recommended.

5.3 OPTION 3 – Make amendments to the current framework and remove air discharge controls

This option considers that where provisions overlap with regional plan provisions, then provisions within the district plan should be removed or left as a permitted activity. District plan provisions addressing other effects (i.e. not relating to air quality) should remain but albeit in an altered format to improve effectiveness and efficiency.

As previously discussed Central Government guidance advises that where possible, duplication between authorities should be avoided. As the CARP addresses the discharge of odour and dust through controlling the discharge of contaminants from mushroom farms and composting activities, then the district plan is not required to address these issues. To do so would create duplication resulting in time and cost inefficiencies.

Mushroom Farming:

Any discharge of contaminant to air from a new mushroom farming activity is required to obtain a consent from Environment Canterbury as a restricted discretionary activity, or if the effect is objectionable or offensive, as a non-complying activity.

Therefore, to avoid duplication it is recommended that mushroom farming be permitted in the Proposed District Plan subject to certain permitted development standards (building coverage, noise, lighting etc.). Any breach of this rule would see the mushroom farming activity be classified

as a restricted discretionary activity with the matters for discretion being related to the standard breached. The matters of discretion will not include scope to assess the amenity effects from any odour or dust discharge. Furthermore, adequate policy protection would need to be included in the Proposed District Plan to ensure that mushroom farming and composting do not locate in areas near sensitive activities.

Indicative Rule Structure:

Permitted Rule #	Conditions
Mushroom Farming	Mushroom farming is a permitted activity if all of following matters are met: <ul style="list-style-type: none"> i. Meets the permitted development standards listed in Appendix X; and ii. is not located within a Living Zone or Business (Commercial) Zone.
Restricted Discretionary Rule #	
Mushroom Farming	Any activity that breaches condition i. is a restricted discretionary activity with matters of discretion being restricted to those listed in Appendix Y. <i>(Note that the matters for discretion will not include the ability to assess amenity effects from an odour or dust discharge)</i>
Non-Complying Rule #	
Mushroom Farming	Any activity that breaches condition ii. is a Non-Complying Activity.

Composting:

Any discharge of contaminant to air from a composting activity is required to obtain a consent from Environment Canterbury as a discretionary activity, and if it causes an objectionable or offensive effect then it is non-complying. Given these provisions, there is no requirement for the district authority to assess the amenity effect of the odour/dust discharge from a composting activity. This situation is the same as that described for mushroom farming.

This would render any composting activity as a permitted activity, subject to permitted development standards.

On review of the relevant objectives and policies of the CARP there would be adequate coverage within these provisions to ensure that inappropriate development near sensitive sites does not occur. For instance Policy 6.1(a) states that discharges do not cause diverse² effects on human health and wellbeing, and Policy 6.9 states that any new discharge to air should be appropriately located and adequately separated from sensitive activities. Moreover, this assessment should take into account any land use anticipated by a District Plan, which includes the future receiving environment (as defined by case law). The objectives of the CARP also provide additional protection through, but not limited to, Objective 5.2 which provides for the protection of ambient air quality for the health and wellbeing of the people, Objective 5.6 which states that amenity values of the receiving environment are maintained, and Objective 5.9 which states that offensive and objectionable effects (does not extend to only 'adverse effects') on the environment are generally avoided. Therefore, despite the level of protection being reduced in the district plan, the

² On communication with Environment Canterbury this word is meant to be adverse rather than diverse.

CARP has a sufficiently robust planning framework to ensure that any adverse air quality effects associated with new or expanding mushroom farms and composting activities will be addressed through a discharge permit consenting process.

In addition to the above, current Rural Volume rule 9.2.1.2 which contains an exception for activities bringing off site material on to the property as part of the process of composting pigs is to be retained in the Proposed District Plan.

Indicative Rule Structure:

Permitted Rule #	Conditions
Composting	Composting is a permitted activity if all of following matters are met: <ul style="list-style-type: none"> i. Meets the permitted development standards listed in Appendix X; and ii. Is not within a Living Zone or Business (Commercial) Zone.
Restricted Discretionary Rule #	
Composting	Any activity that breaches condition i. is a restricted discretionary activity with matters of discretion being restricted to those listed in Appendix Y. <i>(Note that the matters for discretion will not include the ability to assess amenity effects from an odour or dust discharge)</i>
Non-Complying Rule #	
Composting	Any activity that breaches condition ii. a Non-Complying Activity.

Effectiveness in Addressing Issue:

This option reduces the overlap between the regional and local authority, reducing planning costs and timeframes. Furthermore, it removes any confusion that currently arises from implementing and interpreting the existing plan.

While air quality is an important resource management issue and one that requires an integrated approach between regional and local authorities, issues relating specifically to air quality (dust and odour), rather than general amenity or reverse sensitivity effects, are more appropriately addressed by Environment Canterbury.

Within the rural zone mushroom farming and composting activities and their associated effects should generally be expected to occur and as such, there should be an element of tolerance for this activity type. This sentiment is expressed through the permissive stance taken. This allows small scale composting activities that cause little or no effect to occur without needing resource consent under the District Plan, with any odour and/or dust effects being addressed by the CARP.

Risks:

While reducing the amount of regulation for activities to operate under, this option does rely on the regional authority to correctly assess the activity, the receiving environment, and make sure that odour and dust discharges are acceptable on a district level. Differences in philosophy or expectations between the two councils could lead to outcomes which are deemed acceptable by the regional authority, but which are not acceptable to the district authority. It is noted that the

regional authority does possess the expertise and technical capability to assess odour and dust discharges, and thus it is logical that this responsibility sits with them.

Budget or Time Implications:

New provisions will need to be drafted, tested, and consulted on.

Stakeholder and Community Interests:

Industry stakeholders may support this option as it removes an additional layer of regulation as they would only need to make an odour and dust assessment against the CARP.

The community may have concerns about an extra layer of planning protection being removed and having a reliance on the regional authority

Recommendation:

Given the proposed effectiveness and efficiency amendments and the removal of duplication between the regional and district authorities this option is preferred.

6.0 Preferred Option for further engagement

Option 3 is recommended to be the Preferred Option for further development. Some control over these activities will be retained within the district plan, namely over aspects such as scale, noise, transport, lighting, etc., while odour and dust will be controlled through the CARP. The CARP has adequate objectives and policies to ensure any odour or dust discharge is appropriately located and managed.

Appendix A: Mushroom Farming and Composting Baseline Report

Link to report below:

[Mushroom Farming and Composting \[PDF, 285 KB\]](#), January 2018

8b. Communications and Engagement Summary Plan – Mushroom Farming and Composting

Author:	Robert Love (Strategy & Policy Planner) and Katrin Johnston (Communications Consultant)
Contact:	347 1821 (Robert)

Purpose

To inform the Committee of the communications and engagement activities to be undertaken in relation to the Mushroom Farming and Composting topic.

Recommendation

“That the Committee notes the summary plan.”

Attachments

‘Mushroom Farming and Composting – communications and engagement summary plan’

RU013: Mushroom farming and composting – communications and engagement summary plan

Key messages

(as of 8 June 2018)

Background

- A major review of the Selwyn District Plan is now under way. This includes a review of provisions for mushroom farming and commercial composting within Selwyn district.
- Selwyn is home to a number of mushroom farming activities, with their own composting operations in Greendale (Greendale Mushrooms and Meadow Mushrooms, Rolleston and Prebbleton). Additionally, there are some horticulture retailers that compost on site.
- While composting and mushroom farming operations are primary agricultural producers, these types of activities are considered to be more intensive than a typical agricultural activity, given the number of buildings and the processes involved.

Current status

- Presently mushroom farming as an activity is not directly dealt with in the District Plan but is captured by the general rules and through its classification as a ‘rural based industrial activity’. Composting is expressly dealt with when organic materials are brought from off-site to compost.
- Composting is not defined within the plan, nor does it have a clear rule structure.
- Currently operators who want to operate a mushroom farming and/or composting activity in the district have to apply for consent from both the district and regional councils.
- There is duplication of process between the district and regional councils regarding air quality (dust and odour discharge) assessments.

About preferred option

- Set up mushroom farming and composting as two separate activities within the District Plan.
- Retain revised controls for mushroom farming and commercial composting, but remove the ability to consider odour and dust discharges, which will now be solely addressed by Environment Canterbury.
- Introduce a definition for mushroom farming and composting, with any definition for mushroom farming being linked to the activity remaining a ‘rural based industrial activity’.
- Setting up a new mushroom or composting activity in rural zone will not require a resource consent from the Council, subject to certain development standards (eg scale of activity, noise, traffic etc) being met; ie they’re a permitted activity. In residential and commercial business zone they’ll be a non-complying activity. However, the activity will continue to require a resource consent from Environment Canterbury for any air discharge.
- Following the Council’s approval of preferred option, we will engage with key stakeholders and owners of mushroom farms and composting operations to ensure they understand the proposed changes to the District Plan and have the opportunity to provide their feedback. We will also consult the general public on the draft change to dust and odour discharge as part of rural zone and Intensive farming topics, where the same change is being proposed in regard to addressing air quality.

Audiences¹

Internal	Partners	Key stakeholders ²	Landowners /occupiers ³	General public
DPC	ECan	Federated Farmers	<ul style="list-style-type: none"> • Meadow Mushrooms⁴ – Prebbleton (growing site), • Greendale (composting site) • Greendale Mushrooms (composting and growing onsite) • SouthHort – Rolleston (composting) • Resource Recovery Park – Rolleston (composting) 	Selwyn ratepayers
	Te Ngāi Tuāhuriri Rūnanga (represented by Mahaanui Kurataiao)	Horticulture NZ		News media
	Te Taumutu Rūnanga (represented by Mahaanui Kurataiao)			Wider public

Legend	High level of interest/ High level of influence ("Manage closely")	High level of interest/ Low level of influence ("Keep informed")	Low level of interest/ high level of influence ("Keep satisfied")	Low level of interest/ Low level of influence ("Watch only")

¹ "...Differing levels and forms of engagement may be required during the varying phases of consideration and decision-making on an issue, and for different community groups or stakeholders. The Council will review the appropriateness and effectiveness of the engagement strategy and methods as the process proceeds." [Significance and Engagement Policy: Adopted 26 November 2014; p.6]

² Key stakeholders are "the organisations requiring engagement and information as the preferred options for the Draft District Plan are being prepared." (District Plan Review Community Engagement Implementation Plan; p.6))Key stakeholders "...will advocate for or against decisions that will need to be made..." and "For the District Plan Review, stakeholders include any party that can influence decisions or be influenced by decisions made on policies or rules." (DPR Engagement Framework)

³ Landowners are "the individuals and businesses that could be affected by the proposed changes in the District Plan." (District Plan Review Community Engagement Implementation Plan; p.6)

⁴ Meadow Mushrooms have advised they will engage when the Proposed District Plan gets notified.

Engagement during review phases

Review phases	Internal	ECan	Rūnanga	Key stakeholders	Landowners/occupiers	General public
Baseline assessments						
Preferred option development ⁵						
Preferred option consultation						

2018 communications and engagement key tasks/milestones per month

(more detailed action plans to be developed for each major milestone or as required)

Audiences	Pre-June	June	July	August ⁶
ECan	Reviewed the baseline report and provided comments		Share endorsed Preferred Option Report and seek further feedback	
Rūnanga	Reviewed the baseline report and provided comments		Share endorsed Preferred Option Report and seek further feedback	
Landowners/occupiers	Email discussions and site visits to mushroom farming activities within Selwyn. Sent baseline report and requested comment.		Share endorsed Preferred Option Report and seek further feedback	
General public				General public consultation on dust and odour discharge rule only as part of Rural Zone chapter
DPC		Preferred Option Report to DPC for endorsement		

⁵ Consultation was not carried out with external parties at this stage as the preferred options report is a summary of the baseline report.

⁶ This plan covers period until public pre-notification consultation on preferred options starts.

9. Summary of Public Consultation Approach

Author:	Katrin Johnston (Communications Consultant)
Contact:	03 347 1827

Purpose

To brief the Committee on the public consultation engagement process to be undertaken in relation to key aspects of the District Plan Review.

Recommendation

“That the Committee notes the presentation.”

Attachments

PowerPoint presentation ‘Initial public consultation framework’

The proposed Selwyn District Plan



Initial public consultation framework

June 2018

District Plan Review consultation – where are we now?⁹⁰

District Plan Review – what's the process?

Topic specific review of current rules and policies

Identification of issues and options to address them

Council's endorsement of preferred option

Targeted consultation on preferred option

Initial public consultation on key draft changes to the current Plan

Formal public consultation on the notified Proposed District Plan

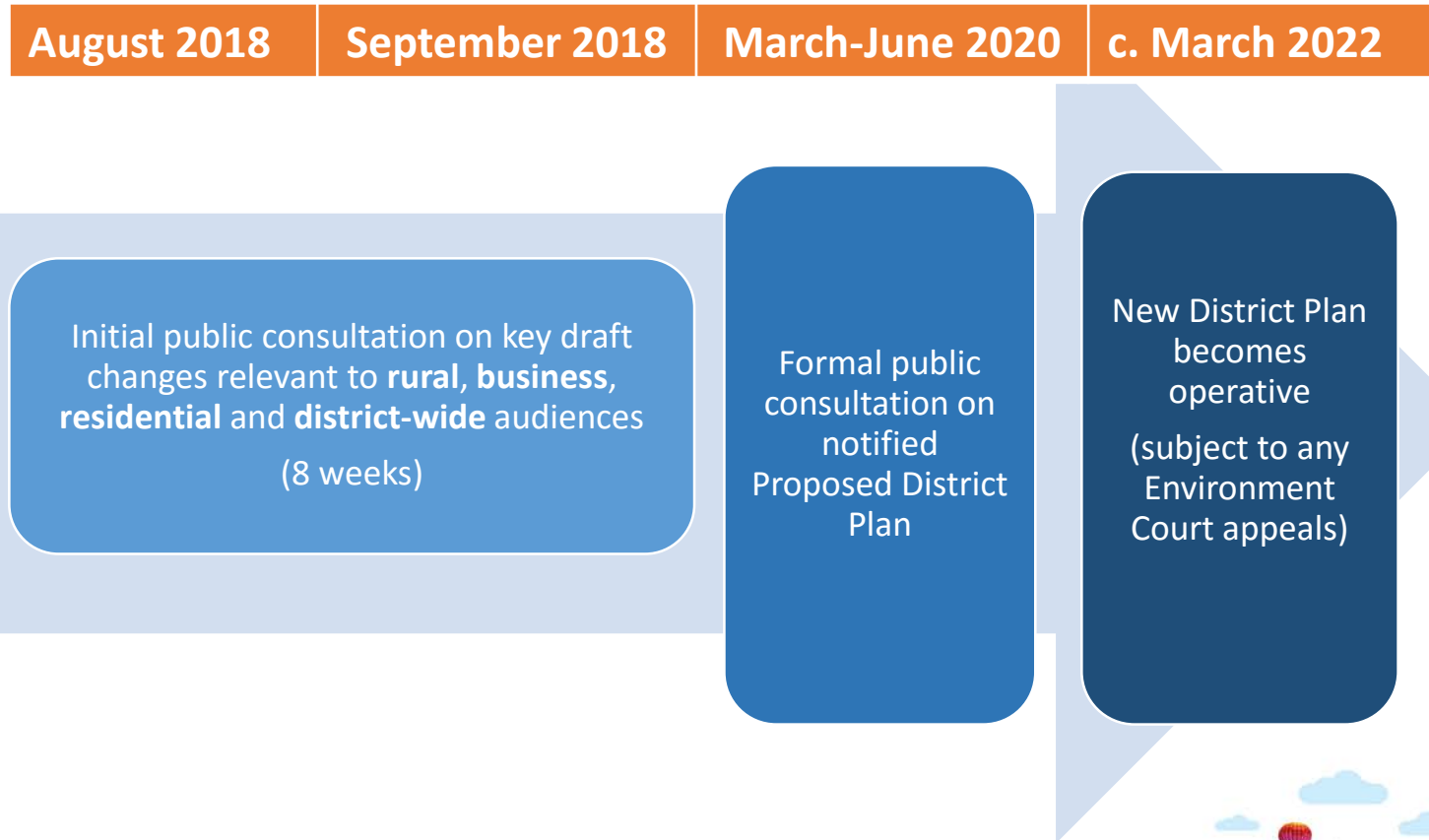


Initial public consultation – key principles

- When undertaking initial public consultation we need to consider the following principles:
 - **Group draft changes according to target audience** – what are the key draft changes specific to different cross-sections of Selwyn district population ie business, residential, rural or everyone.
 - **Key audiences** – who are the key stakeholders, landowners and interested parties that we need to target directly.
 - **Focus on key draft changes** – what draft changes are likely to have the greatest affect and would therefore be of most interest.



Initial public consultation start in August



Calendar of topics available for 2018 initial public consultation*

Now	July	August	September	TBC (late 2018/early 2019)
Quarrying	Home-based business	Housing diversity	Alpine villages (TBC)	Energy and infrastructure (TBC)
Wildfire	Character, Amenity and Density	Family flats	Heritage and protected trees	Coastal hazards and flooding (TBC)
Rural character - density	Comprehensive medium density development (CMDD)	Airfields	Water (TBC)	Transport (Land use and transport assessment - Integrated transport assessments)
Intensive farming	Rural character -business activities	Plantation forestry	Coastal environment (TBC)	Transport (car parking)
Outstanding natural landscapes and features	Earthworks	Business in small rural townships	Transport (footpath/street design) (TBC)	
Signage	Relocated buildings	Development of the business zone framework		
	Lighting and glare (night glow)	Business interface and urban design outcomes		
	Kainga Nohoanga (TBC)	Leeston and Darfield land supply (TBC)		
	Geotechnical/liquefaction (TBC)	Residential activity in business zones		
		Sites and areas of cultural significance (TBC)		
		Noise and vibration (incl Community and recreation facilities)		

Legend

Rural (7 topics)

District-wide (incl NE&NH) (9-17)

Residential (5-6)

Business (4-5)

* In total 25-35 topics.
For other topics we will do targeted consultation only.



District plan review framework – key consultation tools/methods

- Summary of key draft changes document
- Topic and potentially workstream (eg rural, district-wide etc) specific factsheets
- Online engagement tools on Your Say Selwyn (eg survey, forums, pin a map etc)
- Drop-in sessions/community events (eg every month once a week in a different ward)
- Social media (Council FB and community FBs)
- Direct mailout (eg rates notices)
- Targeting cross-sections of population, for example:
 - Youth (via Youth Council)
 - Business (via business groups and associations and their channels)
 - Rural (via rural groups and organisations and their channels)



Summary⁹⁵

- **Timing of initial public consultation start:** August
- **Length of consultation:** 8 weeks
- **Approach for consulting on draft changes:**
 - remains focused on matters relevant to target audiences and group them according to who they affect ie business, residential, the whole district (district-wide) and rural.
 - summary of key draft changes presented at once (although there's a possibility for some further public consultation on a few topics later in the year/next year, eg coastal hazards and flooding, transport (car parking)).
- **Key consultation tools** – eg summary of key draft changes document, topic and possibly workstream specific factsheets, drop-in sessions, online engagement tools on Your Say Selwyn.
- **27 July DPC** – present key consultation material.



10. Update on National Planning Standards

Author:	Jessica Tuilaepa (Senior Strategy & Policy Planner)
Contact:	(03) 3472 974

Purpose

To provide the Committee with an update on the Draft National Planning Standards recently published by the Ministry for the Environment.

Recommendation

“That the Committee notes the presentation.”

Attachments

‘PowerPoint presentation ‘Draft National Planning Standards Update’.

The proposed Selwyn District Plan



Draft National Planning Standards Update Presentation by Jessica Tuilaepa

Draft National Planning Standards

Purpose:

- To provide a consistent structure and formatting for district plans.
- To prescribe requirements to improve the electronic accessibility and functionality of policy statements and plans.
- To define how zones and commonly used symbols are displayed on planning maps.
- To provide mandatory definitions across local authority policy statements and plans to improve plan consistency and enable greater certainty around the meaning of terms across the country.



What do the National Planning Standards Cover?

- District Plan Structure
- Tangata Whenua
- Strategic Directions
- District Wide Matters and Area Specific Matters (Zones)
- ePlanning, Mapping and Spatial Planning Tools
- Chapter and Rule Formatting
- Definitions
- Noise and Vibration Metrics



Introduction and General Provisions

Chapter	Section	Instruction
PART 1 – INTRODUCTION AND GENERAL PROVISIONS		Local authorities must implement the Introduction and General Provisions Standard (S-IGP).
Introduction	Foreword/mihi	Local authorities must consider whether other sections should also be included in these chapters and include them if they are required.
	Introduction	
	Purpose	
	Description of the district	
How the plan works	Statutory context	Local authorities must implement the Definitions Standard (CM-1).
	General approach	
	Cross boundary issues	
	Legal effect of rules	
Interpretation	Definitions	
	Abbreviations	
	Glossary of Te Reo Māori terms	
National direction instruments	National policy statements	
	National environmental standards	
	Regulations	



Tangata Whenua and Strategic Directions

- Tangata Whenua Standard MUST be implemented. This involves including a separate Section of the Plan which covers:
 - Recognition of iwi and hapū
 - Summary of the local authority relationship with tangata whenua
 - Reference to iwi and hapū planning documents
 - Guidance on consultation processes with tangata whenua
- This builds on what is presently Part A in the current ODP
- Strategic Directions MAY be included in the Plan, if they are to be included then they must be implemented in accordance with the Standard, which provides for them to have their own Chapter.



District Wide Matters

- Local Authorities MUST implement this Standard for which ever District Wide Matters is determines require a specific Chapter in the District Plan.
- District Wide Matters include:
 - Subdivision and Earthworks
 - Temporary Activities
 - Signage
 - Heritage Sites and Protected Trees
 - Natural Hazards and Hazardous Substances
 - Natural Environment



Area Specific Matters

- This standard provides a 'suite' of Zones from which Council and pick and choose.



Residential zones	Low-density residential zone	Industrial zones	Light industrial zone
	Residential zone		Industrial zone
	Medium-density residential zone		Heavy industrial zone
	High-density residential zone	Open space and recreation zones	Open space zone
Rural zones	Rural zone		Sport and active recreation zone
	Rural production zone		Conservation zone
	Rural residential zone	Special purpose zones	Airport zone
	Rural settlement zone		Port zone
Commercial zones	Neighbourhood commercial zone		Hospital zone
	Local commercial zone		Education zone
	Commercial zone		Stadium zone
	Mixed use zone		Future urban zone
	Town centre zone		Māori cultural zone
	City centre zone		[Additional Special Purpose] Zone



Mapping and Spatial Planning Tools

Zone	Symbol	R	G	B
Low-density residential		255	237	150
Residential		255	255	115
Medium-density residential		255	223	128
High-density residential		255	208	66
Rural		181	187	125
Rural production		145	154	69
Rural residential		255	250	205
Rural settlement		250	235	215
Neighbourhood commercial		205	92	92
Local commercial		255	203	203
Commercial		254	143	119
Mixed use		255	153	51
Town centre		255	89	51
City centre		158	33	69

- Zones
- Overlays
- Precincts
- Specific Controls
- Development Areas
- Designations

Name	Description	Symbol
Heritage item (building or structure)	Geometry point	
Protected tree	Geometry point	

ePlanning

ePlan Electronic Accessibility and Functionality Scale							
0	1	2	3	4	5	6	7
Paper based RMA plan, maps and diagrams supplied as an appendix or in separate volume.	Text and spatial representations such as maps of RMA plan displayed in static flat PDF in separate non hyperlinked linked chapters.	PDF maps of the spatial elements of the plan with online, PDF text (key word searchable) of plan accessed within 3 clicks of home page.	Online HTML text plan hyperlinked back to (not embedded) basic function GIS viewer.	Higher function GIS system linking back to formatted HTML text of the plan, referred to as WebMap.	ePlan spatially integrated with GIS system, allowing click to drill through different map layers and specific rules that apply to particular properties or activities and infrastructure services.	ePlan linked with online consent provision. ePlan link to various information provided as part of a LIM and natural hazard resilience information.	Future innovation

- SDC District Plan already a '5'
- Working with Isovist (ePlan provider) to develop new and improved ePlan, thus moving towards being a '6' before standards are gazetted.



Chapter and Rule Formatting

District plans

- NL – for Noise and light
- EARTH – for Earthworks
- SI – for Signs
- PT – for Protected trees
- CE – for Coastal environment
- ASW – for Activities on the surface of water
- MIN – for Mining
- LDR – for Low-density residential zone
- RES - for Residential zone
- MDR – for Medium-density residential zone
- HDR – for High-density residential zone
- RUR – for Rural zone
- RPROD – for Rural production zone
- RR – for Rural residential zone
- RS – for Rural settlement zone
- NC – for Neighbourhood commercial zone
- LC – for Local commercial zone
- COM – for Commercial zone
- TC – for Town centre zone
- CC – for City centre zone
- MU – for Mixed use zone
- LI – for Light industrial zone
- IND - for Industrial zone
- HI – for Heavy industrial zone
- OS – for Open space zone

- Rules must be numbered using the relevant zone, topic or spatial planning tool number, a R, and then a sequential number.
- E.g. A rule requirement in a Rural residential zone would be RR – R1

RR – R1	Visitor accommodation
Activity Status: P Where: <ol style="list-style-type: none"> 1 The maximum number of guests per night is 5 people 2 The maximum length of continuous occupation is up to three months during any 12 month period. 	



Definitions

- Local Authorities **MUST** implement the Definitions Standard
- 110 Proposed standardised definitions many of which are taken directly from legislation
- Definitions list developed from those terms commonly defined across the country

subdivision

has the same meaning as “subdivision of land” in section 218 of the RMA (as set out in the box below)

means—

- (a) the division of an allotment—
 - (i) by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or
 - (ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or
 - (iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or
 - (iv) by the grant of a company lease or cross lease in respect of any part of the allotment; or
 - (v) by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or
- (b) an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226

boundary	means the legal perimeter of a site
boundary adjustment	means a subdivision that alters the existing boundary between adjoining sites , without altering the number of sites
building	means any structure , whether temporary or permanent, moveable or fixed, that is enclosed, with 2 or more walls and a roof, or any structure that is similarly enclosed
building damage from vibration	means any permanent effect of vibration that reduces the serviceability of a structure or one of its components
cleanfill	means an area used for the disposal of exclusively inert, non-decomposing material
commercial activity	means an activity with the primary purpose of trading in goods, equipment or services
community facility	means a non-profit facility primarily for recreational, sporting, cultural, safety and welfare, religious or similar community purposes



Next steps



- MfE Submission period closes 17th August 2018
- Council Staff preparing submission on Draft National Planning Standards
- Draft submission Council Agenda 8th August 2018
- Updating our plan framework and drafting protocol to align with what we now know.
- Planning Standards Gazette April 2019
- Local authorities must amend their Plan within 5 years of gazettal of the planning standards.



Thank you!

Any Questions?

Link to view Planning Standards in full:
<http://www.mfe.govt.nz/consultation/draft-national-planning-standards>



12. Update on District Plan Review Financials and Work Programme

Author:	Jesse Burgess (Planning Manager)
Contact:	347 2773

Purpose

To provide the Committee with an update on the District Plan Review financials to 30 April 2018 and the overall work programme (critical path).

Recommendation

“That the Committee notes the report.”

Attachments

- “DPR Financial Report to 30 April 2018” report, dated 6 June 2018
- “District Plan Review Critical Path”, dated June 2018

REPORT TO DISTRICT PLAN COMMITTEE

DATE: 6 June 2018

PURPOSE OF REPORT: DPR Financial Report to 30 April 2018 and Work Programme Update

PREPARED BY: Jesse Burgess, Planning Manager

EXECUTIVE SUMMARY

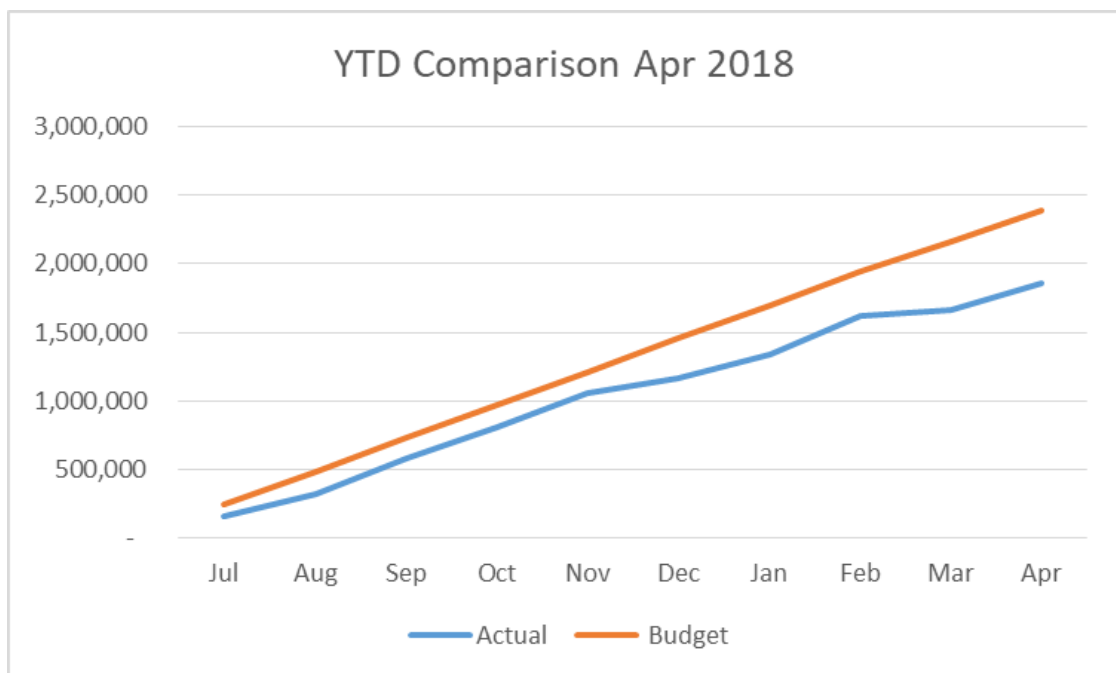
<i>Purpose</i>	<i>To provide an update on the District Plan Review budget and expenditure to 30 April 2018 and an update on the overall Work Programme</i>
<i>Recommendation</i>	<i>That the Committee notes the report</i>
<i>DPC Decision</i>	



1.0 Summary

- 1.1 Overall the DPR continues to track well against both the scheduled timings and also against budget. The previous month has seen work continue on a number of Preferred Options reports while baseline reports and recommendations have become available for a number of larger pieces of work such as the Residential and Business packages and a wide range of district-wide related topics. Stakeholder engagement is also underway with the Outstanding Natural Landscapes workstream.
- 1.2 The budget continues to be closely monitored and the majority of Suppliers continue to complete work within budget however some exceptions and overruns have been encountered in some topics where work has taken longer to complete or where the work has been more complex.
- 1.3 Key implementation progress (since last month) includes:
- Preferred Options reports completed for Relocated Buildings, Kainga Nohoanga, Geotechnical, Noise and Vibration, Earthworks and Night Glow.
 - Draft baseline reports for Water, Coastal Environment, Plantation Forestry and the Business package have been received.

2.0 Financial Update



- 2.2 The DPC budget is currently set at, and being tracked against, the amount agreed by Council at the LTP Workshop in September 2017 and not the budget previously approved in the 2015-

25 LTP Budget (which was \$882,000). The 2017-18 revised budget is set at \$2,910,478 which includes carryforwards from 2016-17 financial year of \$551,739.00.

- 2.3 During April 2018 \$196,253 worth of invoices were approved. We predict expenditure to be slightly higher than the anticipated 8.3% per month for the last quarter of the financial year due to a number of large pieces of work nearing completion. Overall the DPR actual expenditure of \$1,861,460 is tracking at 64% of the budget for the 2017-18 financial year.
- 2.4 There are a number of cost centres which are tracked well below budget such as communications resources and collateral, GIS mapping, Economic Analysis, and other Rural and District Wide work. Expenditure against these cost centres are set to take place during Q4 of the current financial year or will likely be expensed in the 2018-19 year.
- 2.5 Projected expenditure to end of the financial year across the project is expected to range from \$2,355,000 - \$2,380,000, which will be significantly under the anticipated budget of \$2,910,478.

3.0 Work Programme Update

- 3.1 The overall work programme has recently been updated to reflect tracking of individual workstreams, as per **attached**. All topics are being monitored to ensure that the Critical Path is achieved and key milestones met. The workload for both the Project Team and District Plan Committee will continue to be high until the Proposed District Plan is ready for public notification in mid 2019.
- 3.2 The integration of each workstream as it progresses through the development and engagement phases will become increasingly important as the Project Team enters the Section 32 and drafting stage, together with the complexity of incorporating the draft National Planning Standards, the outcomes sought by higher order planning documents and other legislative requirements. To this extent, the Project Team continues to be appreciative of the timely and valuable feedback provided by Environment Canterbury and Mahaanui Kurataiao Ltd into each workstream.

4.0 Conclusion

- 4.1 Overall, during the month of April, the District Plan Review has continued to make good progress across a number of topic areas. The programme of work will continue to increase in both volume and visibility as we plan for our public consultation due to commence in August/September.
- 4.2 We are now in the last quarter of the 2017-18 financial year and the DPR budget is on track to come within the amended budget agreed by Council at the LTP workshop in 2017.

5.0 Recommendation to DPC

5.1 The Project Sponsor recommends that:

1. The Committee receives the financial and work programme update report

UPDATED DRAFT FOR DISCUSSION

1-Jun-18

KEY				
	DPC meetings	DPC APPROVAL	STAKEHOLDER ENGAGEMENT	FULL PUBLIC CONSULTATION
	Baseline Assessments			
	I&O or Preferred Option Preparation			
	Engagement & Review Process			
	Section 32 & Provision Drafting			
	Test, Consolidate and Finalise			

(note dates are shown in format dd/mm/yyyy)

(note dates are shown in fortnightly periods)

[illegible]

UPDATED DRAFT FOR DISCUSSION

1-Jun-18

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[illegible]