

3. Water

Issue 3.1

The adverse effects arising from activities on the surface of the water within the Waimakariri Gorge, and on the Ashley River/Rakahuri.

Objective 3.1.1

Preserve the natural character, and ecological values within the Waimakariri Gorge, and the Ashley River/Rakahuri.

Policy 3.1.1.1

Monitor within the Waimakariri Gorge, the effects arising from activities in relation to the surface of the water.

Policy 3.1.1.2

Manage the noise environment of the Waimakariri Gorge so that natural sound is the dominant characteristic.

Explanation

Discussions with users of the Waimakariri River, adjacent landowners and responses to a community discussion document, "Activities on the Surface of the Waimakariri", has indicated that at present the adverse effects of activities in relation to the surface of the water are minor. However, the dominance of the natural character or naturalness of the Waimakariri Gorge means that this area has a lower threshold to adverse effects than other stretches of the River. A key quality of the natural character of the Gorge that was identified by adjacent landowners and users alike is the "peace" and quiet. The noise from jet boats can affect other users' appreciation of this environment.

The purpose of these policies is to identify when, and if, the adverse effects of activities on the surface of the water become significant. The Waimakariri River is a shared recreational resource. Monitoring should be a joint venture with the Selwyn District Council and the New Zealand Jet Boat Association. This would assist the maintenance of people's safety and enjoyment of the resource. The policies reflect the present, passive management of noise levels in the Gorge.

Methods

Research/Information Collection 3.1.1.2.1

Establish base line sound levels and survey noise levels within the Gorge and at Woodstock Station. Survey the views and expectations of adjacent landowners and users of the Gorge. Surveys should be consistent with any work carried out by other interested groups.

Processes to Deal With Cross Boundary Issues 3.1.1.2.2

NOTE: See Chapter 19: Cross Boundary Issues

Policy 3.1.1.3

Avoid, remedy or mitigate adverse effects on the environment arising from activities in relation to the surface of the Ashley River/Rakahuri.

Explanation

The Ashley River/Rakahuri has high wildlife values. The river is close to population centres and is a popular recreation area. Activities that use the surface of the river can adversely impact on the wildlife values. These impacts include noise from motorised craft, wave wash over nesting sites and potential effects from fuel and oil contamination of localised areas. General disturbance can affect the breeding success of bird life nesting on the river bed. The use of the surface of the river by motorised craft can adversely effect environmental values for other users of the river and those away from the river. It could also prejudice the enjoyment of the river by other recreational users.

The impact of motorised craft is the principal concern of this policy. However, four wheel drive vehicles and motorbikes can also have an impact on habitats on this braided river.

Methods

Research/Information Collection 3.1.1.3.1

Establish a base line for the level of use by jet boats of the Ashley River/Rakahuri, and monitor jet boat use.

Liaison 3.1.1.3.2

Co-ordination and liaison with the Canterbury Regional Council and Department of Conservation.

The Council to liaise with the New Zealand Jet Boat Association to ensure that it's members appreciate the wildlife values of the Ashley River/Rakahuri, and encourage respect for these values by people using motorised craft on this river.

Council support for and liaison with river care groups.

Service Provisions 3.1.1.3.3

Providing signs in appropriate locations advising of the wildlife values of the Ashley River/Rakahuri and how to minimise the disturbance of the area's rare birds.

Principal Reasons For Adopting Objectives, Policies and Methods 3.1.2

The District Council has a responsibility to control "...any actual or potential effects of activities in relation to the surface of water in rivers and lakes" (section 31(1)(e)). Discussions with user groups, landowners and responses to a community discussion document has indicated that there are no significant issues associated with activities on the surface of the water at current levels of use.

Adverse effects may, however, arise in the Waimakariri Gorge and Ashley River/Rakahuri in the future because the dominance of the natural character makes them sensitive to increases in recreational activity.

The issue and objective focus on the Waimakariri Gorge and Ashley River/Rakahuri, while the policies seek to establish a monitoring programme to identify when and if adverse effects in relation to the surface of the water become significant and warrant Council intervention. As the Waimakariri River forms the boundary between the Waimakariri District and Selwyn District at the Gorge, a consistent management approach is needed between the two authorities. Monitoring should therefore be done in conjunction with the Selwyn District Council. As jet boats are likely to be one of the main sources of noise emissions within the Gorge, monitoring also should be done in conjunction with the New Zealand Jet Boat Association.

The Ashley River/Rakahuri margin is important to the life cycle of some species. The third policy recognises that it is appropriate to avoid impacts on these areas and it may be necessary to limit access by motorised craft on stretches of the river.

Issue 3.2

The further loss or degradation of the natural character and ecosystems of water bodies.

Objective 3.2.1

The maintenance and enhancement of the natural character and ecosystems of water bodies, and their margins.

Policy 3.2.1.1

Avoid, remedy or mitigate the adverse effects of land use activities on the:

- a. water quality;
- b. natural character of water bodies and their margins;
- c. ecosystems of water bodies and their margins;
- d. habitat of trout and salmon;
- e. significant amenity and recreational values of rivers and their margins; and
- f. mahinga kai resources, wahi taonga of significance to Maori, and the mauri of water.

Cross Reference: Policy 2.1.3.2

Explanation

Nearly all the rivers within the Waimakariri District have been affected by land use activities to some extent. The rivers of the foothills, Lees Valley, and Mount Oxford have been least affected, however vegetation clearance and land modification has substantially changed the character of many of these rivers.

Increasing intensification of rural land use activities and urbanisation continue to affect the plain's rivers. These rivers were once an important source of mahinga kai for Te Ngai Tuahuriri. Not only has the water quality declined along with the abundance of mahinga kai, but treated sewage is discharged into the tributaries of the Kaiapoi River and the lower reaches of the Waimakariri River. This is considered offensive to tangata whenua. Stormwater discharges can also have a detrimental effect on water quality.

Water contaminated by sewage and excreta may contain a diverse range of pathogenic micro-organisms such as viruses, bacteria and protozoa. These organisms may pose a health hazard when the water is used for recreational activities such as swimming and other "high contact" water sports. In most cases, the ill health effects from exposure to contaminated water are minor and short lived. However, the potential for more serious diseases such as Hepatitis A, protozoan infections and salmonellosis cannot be disregarded.

The purpose of this policy is to require land use activities to maintain and where possible enhance the quality and value of the water bodies within Waimakariri District.

Methods

Research/Information Collection 3.2.1.1.1

- Investigations of aquatic ecosystems and the ecosystems of their associated river margins.
- Investigate environmental standards in the District for the impacts of land use on water bodies.

Liaison 3.2.1.1.2

Liaison with adjacent landowners and occupiers.

Co-ordination and liaison with the Canterbury Regional Council, North Canterbury Fish and Game Council, Ministry of Health and Department of Conservation.

Consultation 3.2.1.1.3

Consultation with Te Ngai Tuahuriri Runanga.

Asset Management 3.2.1.1.4

Maintain and upgrade the standard of effluent discharged from sewerage and stormwater systems. Investigate alternative discharge systems.

Resource Management Programme 3.2.1.1.5

Promote voluntary methods of maintenance and enhancement and support community enhancement projects.

District Plan Rules 3.2.1.1.6

Assess potential adverse effects of land use on aquatic ecosystems and their associated river margins through the resource consent process and associated conditions of consent.

Provision of rules to control land use activities adjacent to water bodies (Chapter 23: Land and Water Margins – Rules).

Esplanades 3.2.1.1.7

As a condition on a consent, esplanades can be required along water bodies to provide a buffer to the effects of development.

Guidelines 3.2.1.1.8

Develop guidelines for the management of water bodies and riparian land.

Maintain a brochure showing diagrams of mayflies, stoneflies and caddis flies.

Cross Reference: Method 6.3.1.2.2

Financial and Development Contributions 3.2.1.1.9

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Principal Reasons For Adopting Objectives, Policy and Methods 3.2.2

The District Council has a responsibility "...to control any actual or potential effects of the use, development, or protection of land,..." (section 31(1)(e) Resource Management Act 1991). Investigations have indicated that one of the significant effects of land use activity within the Waimakariri District are adverse effects on rivers.

Healthy aquatic ecosystems and their associated river margins are fundamental to the quality and value of rivers. The objective therefore focuses on aquatic ecosystems and their associated river margins while the policy provides further guidance as to the individual qualities and values that contribute to the overall ecology of the river. Information on the rivers of the District is incomplete and therefore continuing investigation and monitoring plays an important role in the Council's management approach.

The Canterbury Regional Council has a major role in the maintenance and enhancement of the quality and value of rivers. It is therefore important that the District Plan is consistent with the management approach of the Canterbury Regional Council and complements the initiatives of the Region that seek similar objectives. Other groups that play an important role are, adjacent landowners and occupiers, tangata whenua, the Department of Conservation and Ministry of Health. The Council seeks to work with these groups in the management of the District's rivers.

The District Council has a role to ensure sewerage and stormwater systems contribute to the maintenance and enhancement of the ecological values of the District's rivers.

Voluntary initiatives will also be recognised and where appropriate supported.

Issue 3.3

Degradation of the water quality of confined and unconfined groundwater aquifers from the adverse effects of the use, development, and protection of land.

Objective 3.3.1

Maintain and enhance the water quality of confined and unconfined groundwater aquifers.

Policy 3.3.1.1

Avoid or mitigate the adverse effects of the use, development and protection of land on the water quality of confined and unconfined groundwater aquifers.

Explanation

Community consultation throughout the preparation of the District Plan has consistently indicated water, especially water quality of the unconfined groundwater aquifers, as one of the main resource management issues within the rural area.

The Council acknowledges the lead role of the Canterbury Regional Council in water resource management issues. The Council, however, believes it can support the initiatives of the Canterbury Regional Council through its functions under the Resource Management Act 1991, in particular "...the control of any actual and potential effects of the use, development and protection of land..." section 31(1)(b).

The unconfined groundwater aquifers are one of the most vulnerable water resources of the District. Contamination of the unconfined aquifers has the potential to adversely affect surface water downstream and the confined aquifers in the eastern part of the District. Both the unconfined and confined aquifers are the source of most of the District's water supplies. With increasing pressure on water resources, drinking water quality should not be compromised by land use. The confined aquifers are less vulnerable to contamination from land use and development practices such as farming and domestic sanitary waste disposal above them as they are sealed by an impervious layer of marine sediment.

The Council will seek to promote land use and development practices that avoid or, if avoidance is impractical, mitigate the adverse effects of land use and development on unconfined groundwater aquifers.

Methods to achieve this policy include the policies and methods managing effluent disposal and policies managing changes to zone boundaries or the creation of new zones.

Methods

Consultation 3.3.1.1.1

Consultation and information exchange from monitoring programmes between the District Council, Ministry of Health and Canterbury Regional Council.

Processes to Deal With Cross Boundary Issues 3.3.1.1.2

NOTE: See Chapter 19: Cross Boundary Issues

Research and Information Collection 3.3.1.1.3

Liaison 3.3.1.1.4

Liaison, and participation in the Canterbury Regional Council's policy and plan development.

District Plan Rules 3.3.1.1.5

Land uses which do not meet the rules of Chapter 23: Land and Water Margin – Rules, are not permitted activities.

Hazardous substances rules.

Resource consent processes that assess the potential adverse effects of land use on the groundwater resource.

Advocacy 3.3.1.1.6

Seeking the input of the Canterbury Regional Council into the subdivision, land use consent, or plan change process.

Encourage water conservation, including the re-use of stormwater where appropriate, to reduce demand and minimise waste.

Principal Reasons For Adopting Objectives, Policies and Methods 3.3.2

Contamination of the unconfined groundwater aquifers has been recognised by the community as a significant resource management issue within the rural area. Under the Resource Management Act 1991 the Canterbury Regional Council is the lead agency in water resource management issues. The Waimakariri District Council, however, believes it also has a role to promote land use and development practices that avoid or mitigate the adverse effects of land use and development on unconfined aquifers. The Council has responsibilities relating to the location, density and nature of development and land use.

The objective seeks to set the present standard of water quality of the unconfined aquifers as a "benchmark" that is to be maintained or enhanced. The policy identifies the use, development and protection of land as activities that can adversely affect the water quality of unconfined groundwater aquifers. The adverse effects of these activities are to be avoided or mitigated through methods that involve consultation and information sharing with the Canterbury Regional Council, Water Information New Zealand, Ministry of Health, and Plan rules in relation to new developments.

Issue 3.4

Public access to and along the District's rivers can be limited and requires maintenance or enhancement, particularly on the plains.

Objective 3.4.1

Public access to and along the rivers of the Waimakariri District is maintained or enhanced.

Policy 3.4.1.1

Maintain and enhance public access to and along rivers of the District where access does not conflict with conservation values, the legal rights of private property owners and public safety.

Explanation

The purpose of this policy is to ensure that in the long term, the development of public access provisions to the Waimakariri River and the Ashley River/Rakahuri and their tributaries meet the needs of both present and future generations.

The rights of landowners and occupiers and the provision of public access, however, can be in conflict. The policy recognises the rights of private property owners and seeks to provide access in situations where these rights, plus conservation values and public safety are not significantly compromised. Compensation may be payable to landowners who provide access (section 237(e), (f), (g), and (h) Resource Management Act 1991).

Priorities for access are established and are included in Table 33.1 Schedule for Esplanade Reserve or Esplanade Strip Requirements. Priority has been given to those rivers that are either closest to areas of greatest population densities (the main towns), or are incised lowland rivers with no access within the bed, or can be sustainably managed for access purposes within urban areas as part of development and redevelopment, or have fishery values.

Cross Reference: Policy 2.1.3.2

Methods

Consultation 3.4.1.1.1

Consultation with owners, occupiers and interest groups about appropriate public access to water bodies.

Liaison 3.4.1.1.2

Liaison with the Department of Conservation, North Canterbury Fish and Game Council and the Canterbury Regional Council.

Resource Management Programme 3.4.1.1.3

Negotiation with landowners and occupiers where access is considered a priority to develop an appropriate means of access (such as access strips) for the situation and if necessary, through the purchase of land.

Provision of information on access possibilities and rights of users and landowners.

Covenants, Heritage Orders etc 3.4.1.1.4

Promotion of voluntary methods that provide public access such as covenants and contracts.

District Plan Rules 3.4.1.1.5

- District Plan rules to require the most appropriate form of public access through the conditions of consent as esplanade reserve or esplanade strip.
- Schedule of rivers for which an esplanade provision will be made upon subdivision.

Esplanades 3.4.1.1.6

District Plan rules requiring an esplanade on nominated rivers.

Non-statutory Agreements 3.4.1.1.7

Development of a protocol between the Council and landowners and occupiers covering usage of esplanade reserves that presently are not part of a linked system of public access to and along a river but will be sometime in the future.

Service Provision 3.4.1.1.8

Signposting of public access points.

Principal Reasons For Adopting Objectives, Policies and Methods 3.4.2

The Council is required, as a matter of national importance, to recognise and provide for: "The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers" (section 6(d) Resource Management Act 1991).

Public access to and along the rivers of the foothills and Lees Valley is not considered an issue as marginal strips are along much of the length of these rivers, or the river traverses Department of Conservation estate. In many cases, such as the Ashley River/Rakahuri, the river is braided and access can be gained along the bed itself.

The issue, objective and policy therefore focuses on the rivers of the Waimakariri River and the Ashley River/Rakahuri Plains and on the rivers that the Council considers have the greatest potential. These rivers are considered appropriate because they are close to the greatest population concentrations and are readily accessed areas for recreation, or they are within an urban boundary, or are a significant recreational fishery or are a breeding habitat for species. These rivers are listed in the rules section Chapter 33: Esplanades: Location and Circumstances – Rules.

The methods recognise the central role of landowners and occupiers and their private property rights. Negotiation with landowners and occupiers is central to the provision of further access to and along the rivers of the plains. These negotiations in some cases will involve compensation to be paid to the landowners and occupiers by the Council. The Council must therefore prioritise the rivers and the circumstances when it will seek access provisions. The esplanade strategy and associated District Plan rules set out these priorities.

Issue 3.5

Development of the town of Pegasus and the community of Ravenswood have the potential to adversely affect the quality and quantity of ground and surface waters in the vicinity, if the development and its servicing is not carefully managed.

Objective 3.5.1

Maintenance and enhancement of the quality and natural functioning of the waterways (both ground and surface) associated with the development and occupation of Pegasus and Ravenswood.

Policy 3.5.1.1

- a. In the case of the development and occupation of Pegasus and Ravenswood:
- b. To safeguard the ecological integrity and natural functioning of the natural and restored waterways and wetlands of the site and their adjoining land, from adverse effects as a result of the development of Pegasus.
- c. To safeguard the ecological integrity and natural functioning of the natural and restored waterways and wetlands of the Taranaki Stream from adverse effects as a result of the development of Ravenswood.
- d. To ensure that the stormwater management and treatment systems, at both the construction stage and for the completed development, protect water quality in groundwater, streams, wetlands and coastal waters.
- e. To recognise and provide for the close relationship between surface and groundwater on the site in the design, construction and management of stormwater and wastewater services within the town, particularly in regard to water quality and surface water ponding levels during wet periods.
- f. To use the stormwater from the town to supplement the wetlands with clean water, which is treated in a sustainable system.

Explanation

The ground and surface waters of the area surrounding Pegasus and Ravenswood are closely interrelated and any adverse effects on the quantity and quality of waters in one area are likely to result in adverse effects elsewhere as well. In respect of Taranaki Stream, works within and adjacent to that stream could impact upon downstream sedimentation and ecology and accordingly the effect of discharge at the eastern boundary of the Ravenswood site, including on wetlands, is a matter to be assessed. The sewage treatment and disposal system for Pegasus and the methods required for stormwater disposal have been specifically designed to ensure that there are no adverse effects on the quantity or quality of surface or groundwater systems, including the water supplies on neighbouring properties, the Taranaki Stream and the wetland systems to the east of Pegasus. Pegasus has a reticulated sewage system to an activated sludge sewage treatment plant, with provision for nutrient removal and sterilisation to protect recreational water quality, followed by subsurface polishing and land disposal. Stormwater at Pegasus is all required to be disposed of to ground, but not within specified setbacks from the margins of waterways. Ravenswood will also have a reticulated sewage system.

Methods

Liaison 3.5.1.1.1

Liaison, consultation and information exchange with the Canterbury Regional Council.

District Plan Rules 3.5.1.1.2

Requirements regarding methods of stormwater discharge within Pegasus and Ravenswood.

Requirements regarding sewage treatment and disposal for Pegasus and Ravenswood.

Setbacks of residential allotments from wetland areas.

Requirements for the development of a large lake with a stormwater retention function, as Pegasus develops.

Requirements for the enhancement of wetland values of the conservation areas associated with Pegasus, as the town develops.

Resource Management Programme 3.5.1.1.3

Support for restoration programmes.

Monitoring 3.5.1.1.4

Monitor the effects on ground and surface water quality associated with Pegasus and Ravenswood, and review management objectives accordingly.

Asset Management 3.5.1.1.5

To liaise with the developers of Pegasus and Ravenswood regarding the long-term ownership and management of the sewage treatment and disposal and stormwater systems.

Financial Contribution 3.5.1.1.6

In lieu of contributions of cash and land, to require the developers of Pegasus to provide the sewage treatment and disposal and stormwater systems within the town of adequate standard to avoid, remedy or mitigate adverse effects on ground and surface water levels and quality.

Principal Reasons for Adopting Objectives, Policies and Methods 3.5.2

The maintenance and enhancement of the ecological integrity and natural functioning of the natural and restored waterways and wetlands of the Pegasus and Ravenswood environs are recognised as an important resource management issue in the development of the two localities. The objective and policy seeks to ensure that the development and occupation of Pegasus and Ravenswood avoids, remedies or mitigates any adverse effects on ground and surface waters. The policy addresses stormwater management and treatment systems, at both the construction stage and for the completed development, in order to protect water quality in groundwater, streams, wetlands and coastal waters. Wastewater treatment and disposal systems are to be similarly designed. These policies are to act as overall safeguards throughout the development and occupation of Pegasus and Ravenswood setting the direction and standards by which any subdivision and development will be controlled.

Anticipated Environmental Results and Monitoring 3.6

Anticipated Environmental Results	Monitoring Indicator	Information	Monitoring Frequency
Adverse effects from activities on the surface of the water on the natural character of the Waimakariri Gorge are minor	Noise levels in the Waimakariri Gorge	Noise survey Complaints	5 yearly
An improvement in the standard of effluent discharged into water bodies from sewage and stormwater systems	In-stream water quality Discharge quality from infrastructure	Subdivision and land use consents Survey Canterbury Regional Council	5 yearly
An improvement in the condition of aquatic ecosystems and their associated margins	Nature of the stream bed Number of gravel bottomed streams Abundance and diversity of benthic fauna Provision of esplanades Aquatic biodiversity Water testing results Natural character Recreational water quality	Subdivision and land use consents and plan change process Canterbury Regional Council North Canterbury Fish and Game Microbiological water quality guidelines Resource user groups	5 yearly
The trend in water quality of unconfined aquifers is level or showing an upward trend indicating an enhancement in water quality	Water quality, in particular nitrates and faecal coliforms	Subdivision and land use consents Survey	5 yearly
Enhanced public access to the rivers of the Waimakariri River and the Ashley River/Rakahuri Plains provided it is consistent with conservation values, public safety and subdivision and land use consent conditions	Impact on conservation values Use of existing access	Survey Resource User Groups Complaints	5 yearly

8. Natural Hazards

Issue 8.1

People occupying an area or carrying out an activity in an area can affect the severity of a natural hazard and associated costs.

Objective 8.1.1

The community's understanding of natural hazards and its behaviour prior to, during, and after natural events avoids or mitigates natural hazards to an accepted level.

Policy 8.1.1.1

Provide information to enable people to take appropriate precautions in relation to natural events.

Explanation

Precautions which can avoid or mitigate loss or damage from natural hazards include the appropriate storage of material that is susceptible to floodwaters, the securing of heavy objects that might move in an earthquake and the setting up of emergency survival and evacuation procedures. They also include the siting of buildings on higher ground and the setting of floor heights above expected floodwater levels. Natural events vary in their probability of occurring and in the level of natural hazard likely to result. For example a tsunami is a low probability, high impact event while localised flooding is potentially higher probability but lower impact. Information can be used to increase awareness of natural hazards and their characteristics, and encourage appropriate behaviour in response to natural hazards.

Methods

Information 8.1.1.1.1

In conjunction with the Canterbury Regional Council, adjacent territorial authorities and other organisations, prepare information on appropriate behaviour in relation to natural hazards and circulate that information to the community.

Project Information Memoranda and Land Information Memoranda to include relevant information held by the Canterbury Regional Council and Waimakariri District Council.

Liaison 8.1.1.1.2

Work with Civil Defence to develop appropriate responses to all natural hazard events.

Investigate the merit of establishing a Lifelines Engineering Group.

Policy 8.1.1.2

Give specific consideration to the consequences when emergencies or disasters actually occur and ways to maximise personal safety and minimise material loss.

Explanation

After measures have been used where possible to modify events, and to modify susceptibility to damage, a residual risk of emergency or disaster still remains. The Council, through keeping up to date with available information on hazard events that occur in the District, will play a key part in the management and recovery from any emergency that does occur. An important element in this is to provide people and communities with information on how they can minimise effects on themselves during an emergency, and appropriate ways to assist recovery afterwards. The Council's Adverse Events Plan, and its own and the Regional Civil Defence capabilities will also make a significant contribution.

Methods

District Plan Maps 8.1.1.2.1

Areas subject to localised flooding are mapped.

Liaison 8.1.1.2.2

Work with the Canterbury Regional Council to maintain a flooding information database.

Work with the Canterbury Regional Council on an Earthquake Hazard and Risk Assessment Study and the joint Regional Natural Hazards Strategy identified in the Regional Policy Statement.

Work with the Canterbury Regional Council, District and Regional Civil Defence to maintain and enhance emergency preparedness.

Investigate the merits of establishing a Lifelines Engineering Group.

Adverse Events Plan 8.1.1.2.3

Maintain procedures under the Adverse Events Plan for dealing with emergencies.

Principal Reasons For Adopting Objectives, Policies and Methods 8.1.2

The Resource Management Act 1991 defines a natural hazard as "any atmospheric or earth or water related occurrence... the action of which adversely affects or may adversely affect human life, property, or other aspect of the environment" (section 2).

A function of district councils under the Resource Management Act 1991 is "the control of any actual or potential effects of the use, development or protection of land, including for the purpose of the avoidance or mitigation of natural hazards..." (section 31(b)).

Both regional and district councils can control the use of land for the purpose of avoiding or mitigating natural hazards under the Resource Management Act 1991 (sections 30 and 31 respectively). An integrated inter-agency approach to hazards will ensure the best outcomes. Records show that the natural occurrences that have significantly and regularly affected the Waimakariri District arise from severe weather conditions and flooding. These include droughts and the associated high fire risk; heavy snow falls; surface flooding in low-lying areas; and flooding from the Waimakariri River and the Ashley River/Rakahuri and their tributaries.

Natural hazards all impose costs of some kind. These may affect individuals or the wider community. Some costs are monetary, and others, like the loss of a life, the social effects of a disaster, or the effects of hazard protection on the environment, are non-monetary. Hazard costs include not only the costs of damage, but also the costs of precautions such as stopbanks, raising floors or restricting development.

Issue 8.1 and its associated provisions, recognise the important role of people's own actions as individuals in exacerbating, and in avoiding or mitigating, a natural hazard. When provided with hazard information they are more likely to reduce the impact of some natural event on themselves, their property and the community. As an example, prior to a flood event, property should be stored or designed appropriately and measures taken to aid evacuation or survival. Methods recognise the role of Civil Defence and Canterbury Regional Council.

Policy 8.1.1.2 deals with emergency management, and recovery from hazard damage that must still be expected to occur from time to time. Emergencies will be managed, and recovery achieved more effectively and efficiently when planned for in advance.

Issue 8.2

The monetary and non-monetary costs and adverse effects on the health, safety and wellbeing of the community from the relationship between subdivision, use and development of land and:

- a. floodwaters from the Waimakariri River and the Ashley River/Rakahuri, and their tributaries; and
- b. localised flooding in low-lying areas.

Objective 8.2.1

The community's desired level of protection from flood events is achieved through an appropriate combination of measures to modify the level of flooding, modify susceptibility to damage and deal with the consequences of floods.

Policy 8.2.1.1

Identify areas of land known to be at risk from flooding or which have a known history of flooding.

Explanation

Floodplain maps have been developed by the Canterbury Regional Council to provide information on the areas most likely to be subjected to overland flows from the Waimakariri River and the Ashley River/Rakahuri. This information is not accurate enough to be incorporated in the District Plan Maps, however, it can act as a guide to the potential areas affected, velocity and depth of floodwaters. The Council will continue to make use of this information when dealing with land use and subdivision applications. Sea level rise is believed to pose little threat due to the sediment from the Waimakariri River and the Ashley River/Rakahuri supporting beach accretion. However, a rise in coastal groundwater tables could exacerbate drainage problems in areas which are also in the flood plains of the Ashley River/Rakahuri and the Waimakariri River. The river mouths are recognised as unstable features of the coast, potentially affecting nearby settlements.

NOTE: Also see Chapter 7: Coastal Environment

The Council has identified in conjunction with the Canterbury Regional Council low-lying areas with a history of localised flooding. The extent of these areas are shown in the District Plan Maps, where this is considered to be necessary to avoid, remedy or mitigate the adverse effects of flooding on people and property. The maintenance of an accurate flooding information base will depend on sharing information with the Canterbury Regional Council.

Methods

Research/Information Collection 8.2.1.1.1

Information on potential flood events, that arises as part of Council investigations and the processing of resource consents, will be shared with the Canterbury Regional Council.

Liaison 8.2.1.1.2

The Council will continue to work with the Canterbury Regional Council to maintain a flooding information database, and to develop the joint Regional Natural Hazards Strategy identified in the Regional Policy Statement.

Information 8.2.1.1.3

Land Information Memoranda and Project Information Memoranda.

Service Provision 8.2.1.1.4

Sign posting of natural watercourses where they cross major roads.

Policy 8.2.1.2

In areas identified in the District Plan as having a history of localised flooding, and in areas adjacent to water bodies, give specific consideration to the consequences and probability of flooding at the time of subdivision or land use consent, to avoid or mitigate a flood hazard.

Policy 8.2.1.3

Avoid floodwaters entering residential, commercial and industrial buildings.

Explanation

The focus is on flooding over low-lying areas and from the many water bodies, some ephemeral, which are liable to overflow their banks following heavy rainfall events. They are generally localised events involving slow moving water.

Flood events resulting from a breakout from major rivers such as the Waimakariri River and the Ashley River/Rakahuri are subject to a review (Policy 8.2.1.5) and are not mapped in the District Plan Maps.

Consideration of the consequences of flooding has three aspects:

- a. the behaviour of the floodwater, including depth and movement;
- b. the effect of structures on floodwaters; and

- c. the effect of floodwaters on structures.

Assessment is required of the likely effect of a flood event on the proposed activities and also the potential for the behaviour of floodwaters to be altered, so affecting flooding off the site. The costs resulting from a natural hazard may be affected by the number and vulnerability of structures, goods and other natural or physical resources. Also, the movement of floodwaters within the site can be affected by the siting and design of structures. Design can exacerbate or mitigate the damage to property and risk to human health.

Policy 8.2.1.2 targets areas with a known history of localised flooding and recognises the risk of streams and other water bodies breaching their banks. Historical information on the consequences and probability of flood events, held by the Canterbury Regional Council, can assist in decision-making. For areas of known flooding, District Plan Rules require an assessment of the implications of site development, at the time of subdivision and when there are proposals for new structures. The assessment, at time of application, should consider whether the site itself is likely to be subject to material damage or inundation as a result of a flood event; also whether any subsequent use of the site is likely to result in material damage to that land, any other land, or structure. Flooding from water bodies are also addressed through setbacks and esplanade reserve provisions.

Consideration will be given to the probable depth, extent and velocity of floodwaters. Whether it is appropriate to avoid the natural hazard or mitigate the effect of a flood event, will be determined by the circumstances of each case.

Policy 8.2.1.3 specifically considers residential, commercial and industrial buildings. This recognises the high social and financial costs that can result from inundation of water into places where people are living, and into buildings housing stock, machinery etc vulnerable to water. Mechanisms for mitigating the natural hazard include: setting appropriate floor heights; raising building sites; setbacks from water bodies; and contouring of flood channels and driveway design so that access is maintained and floodways provided for where appropriate.

Methods

District Plan Rules 8.2.1.3.1

Land use consents required for any structure in mapped localised flooding areas.

Conditions of subdivision and land use consents can set floor heights in relation to known or anticipated flood levels.

Liaison 8.2.1.3.2

Applications for subdivision and land use consents in areas with a known history of flooding will be referred to the Canterbury Regional Council for advice on the probabilities and characteristics of flooding.

Liaison with Drainage Advisory Groups.

District Plan Maps 8.2.1.3.3

Areas subject to localised flooding are mapped.

Esplanades 8.2.1.3.4

As a condition on a consent, esplanades can be required along water bodies to provide a buffer to development from the adverse effects of flood hazard events.

Policy 8.2.1.4

Avoid, remedy, or mitigate the adverse effects of activities that impede or redirect the movement of floodwater on a site, and/or exacerbate flood risk.

Explanation

Activities, particularly earthworks or flood gating, undertaken in the course of subdivision and/or land development have the potential to influence flood hazard either on-site or elsewhere in the District by altering the storage or movement of floodwater. This policy requires that those undertaking activities that may have an adverse effect avoid such activities, or alternatively, adverse effects shall be remedied or mitigated to ensure that flood risk is not increased, especially elsewhere in the District. The policy provides for private works that confer benefits as a flood management tool, and that reduce the exposure to flood risk.

Methods

Information 8.2.1.4.1

Information from the flooding information database maintained by the Council in conjunction with the Canterbury Regional Council will be made available for the purposes of assessing the applicability of this policy and the appropriateness of any works being considered under it.

District Plan Maps 8.2.1.4.2

Areas subject to localised flooding identified.

District Plan Rules 8.2.1.4.3

Setbacks for earthworks from rivers, and wetlands.

Setbacks from nominated water bodies for structures.

Setbacks from other rivers, public drains, wetlands and stopbanks for structures.

Chapter 32: Subdivision – Rules 32.1.3 Matters over which control is exercised vi Hazards.

Policy 8.2.1.5

Include in the District Plan provisions continuing the land use and subdivision controls from the Transitional District Plan until a review of the flooding issue in the District, in conjunction with the Canterbury Regional Council, has been completed.

Explanation

There are controls within the Transitional District Plan which deal with the issue of flooding particularly in low-lying areas and require building setback from water bodies. Some changes to these provisions are required to reflect the purpose and principles of the Resource Management Act 1991 and to combine the information from a number of different Plans (formerly District Schemes). The areas that lie within the Coastal Marine Area are not identified in the District Plan as the Canterbury Regional Council has a function to control the effect of activities within this area.

A review of these controls, and the understanding on which they are based, will involve the Council and the Canterbury Regional Council, and other appropriate territorial authorities and public consultation. The aim of this review is to determine a level of flood protection with the community, agree on policies and methods and mechanism for their implementation. This process has already been initiated through the setting up of a working group involving staff and Councillors from both the Waimakariri District Council and the Canterbury Regional Council.

Following this process there is likely to be a plan change to the District Plan to include agreed policies and methods.

Until this review has taken place, provisions continuing the land use and subdivision controls from the Transitional District Plan have been included in this District Plan where this is considered to be necessary to avoid, remedy or mitigate the adverse effects of flooding on people and property. Following the completion of the review, the necessity for these "hold-over" provisions will be re-examined.

Methods

Consultation 8.2.1.5.1

Set up a working party involving staff and Councillors from the Canterbury Regional Council and Waimakariri District Council (and other councils as appropriate) to work through a process of public consultation and review of the issue.

Plan Change 8.2.1.5.2

Promote a plan change to the District Plan to incorporate proposals resulting from the review of the flooding issue.

District Plan Maps 8.2.1.5.3

Areas subject to localised flooding are mapped.

District Plan Rules 8.2.1.5.4

Rules specific to certain areas where assessments have determined the existence of a flood hazard, and an appropriate management response.

Setbacks from nominated rivers based on historical information.

Subdivision rules for localised flooding areas.

Processes to Deal With Cross Boundary Issues 8.2.1.5.5

NOTE: See Chapter 19: Cross Boundary Issues

Policy 8.2.1.6

Support the maintenance or enhancement of flood hazard protection provided by works and services.

Explanation

There is an extensive system of stopbanks and floodgates which provide a level of protection against flood events.

The majority of the physical works are currently carried out by the Canterbury Regional Council. The Waimakariri District Council is in a position to support its work, and potentially increase its own role in the future.

Physical works and associated services, such as civil defence, cannot avoid all natural hazards. They are part of a package of measures used to address natural hazards.

For some areas enhancement of physical protection measures are advocated, particularly along the Ashley River/Rakahuri.

Methods

Advocacy 8.2.1.6.1

Advocate that the stopbank protection and other physical works are maintained or enhanced.

Liaison 8.2.1.6.2

Work with Canterbury Regional Council and Civil Defence to maintain and potentially enhance works and services.

Investigate the merits of establishing a Lifelines Engineering Group.

Asset Management 8.2.1.6.3

Maintain or enhance existing protection measures under the control of the District Council.

Policy 8.2.1.7

In the case of the development and occupation of Pegasus and Ravenswood:

- a. To avoid, remedy or mitigate any adverse effects of flooding or stormwater ponding as a result of the subdivision and development of Pegasus and Ravenswood.
- b. To ensure that all private properties are predominantly dry and useable throughout each year.
- c. To ensure that the subdivision and development of Pegasus does not result in any material aggravation of surface ponding or flooding problems on any land beyond the town, other than any neighbouring land which is proposed to be managed as wetland.
- d. To avoid any floodwaters entering or adversely affecting the habitable rooms of buildings in Pegasus in the event of a 500 year return period flood, taking into account the potential effects of wave action.
- e. To ensure that any earthworks carried out as part of the development of Pegasus do not increase the risk of floodwaters entering the town from the west, as a result of a 500 year return period flood breaching or overtopping the Ashley River stopbanks.
- f. To ensure that any work carried out as part of the development of Ravenswood does not increase the risk of flooding within the vicinity of Ravenswood and Woodend.

Explanation

The eastern parts of the town site and its adjoining wetland areas are potentially affected by flooding from the Ashley River/Rakahuri, the Taranaki Stream, and local run-off. Flooding from the Ashley River/Rakahuri has historically resulted from upstream breaches of the river stopbanks, with floodwaters flowing across the plains towards the sea. This floodwater then collects in the low-lying areas between the coastal and inland dunes.

Records of flooding this century indicate that the high dunes on the western side of the town are above recorded flood levels and provide a high level of flood protection to the town by deflecting Ashley River/Rakahuri floodwaters to the north or south of the site. When the floodwaters reach the inter-dune areas, the flow back into the Ashley River/Rakahuri is restricted by the stopbanks, so that water levels build up. During most flood events since 1923, water levels have risen until there has been either a natural or artificial breach through the sand dunes and water has flowed directly to the sea. The level at which this breach occurs, and the subsequent flood levels at Pegasus, will depend on the beach profile at the time and if and when artificial assistance is provided.

Flooding in the inter-dune areas also occurs when the Taranaki Stream floods, such as during high tide or periods of high flow in the Ashley River/Rakahuri when the ability of the flood gate on the Taranaki Stream to discharge into the Ashley River/Rakahuri is significantly restricted. This flooding occurs on a relatively frequent basis, but is generally limited to shallow flooding less than one metre deep on the low-lying land to the east of the town.

During winter months, groundwater levels in the low-lying areas to the east of Pegasus are at or close to the ground surface. During storm events, any rain falling in these areas ponds, resulting in reasonably extensive flooding to a shallow depth. This flooding would commonly be associated with flooding from the Taranaki Stream.

It is recognised that it is important to ensure that development within Pegasus and Ravenswood is protected from damage in the event of flooding. Flood damage in Pegasus itself is minimised by way of rules requiring floor levels of dwellings to be above a level of 3.85 metres above mean sea level. Similarly, each site within the residential areas of Pegasus and Ravenswood will be raised to a height which will ensure that all private properties are predominantly dry and useable throughout each year.

The development of the new town of Pegasus has been specifically designed to avoid stormwater drainage problems within the residential areas of the town and to avoid aggravating surface water flooding problems in the vicinity of Waikuku Beach.

The area of Ravenswood has also been addressed to avoid stormwater drainage and flood plain problems. In particular, the corridor of the Taranaki Stream will be engineered and enhanced to address flood plain flood flows while road alignments and levels and ground levels generally will be established in a form and at a level to mitigate flood plain issues. In particular, the Ravenswood site will meet flood peak attenuation requirements by making use of the realigned channels of the Taranaki Stream. The Taranaki Stream realignment will be designed to pass the 200 year average recurrence interval (ARI) flow from a breach of the Ashley River without ponding onto building platforms.

Methods

Liaison 8.2.1.7.1

Liaison, consultation and information exchange with the Canterbury Regional Council.

District Plan Rules 8.2.1.7.2

Requirements relating to floor heights, ground levels and filling within Pegasus and Ravenswood.

Requirements regarding methods of stormwater discharge within Pegasus.

Requirements for the development of a large lake with a stormwater retention function, as Pegasus develops.

Advocacy 8.2.1.7.3

Seeking advice from the Canterbury Regional Council as the development of Pegasus proceeds.

Resource Management Programme 8.2.1.7.4

Provide information and advice to the community about the flood retention values associated with wetlands adjoining Pegasus.

Monitoring 8.2.1.7.5

Monitor the effects on ground and surface water levels associated with Pegasus, and review management objectives accordingly.

Principal Reasons For Adopting Objectives, Policies and Methods 8.2.2

The Resource Management Act 1991 defines a natural hazard as "any atmospheric or earth or water related occurrence... the action of which adversely affects or may adversely affect human life, property, or other aspect of the environment" (section 2).

A function of district councils under the Resource Management Act 1991 is "the control of any actual or potential effects of the use, development or protection of land, including for the purpose of the avoidance or mitigation of natural hazards..." (section 31(b)).

Both regional and district councils can control the use of land for the purpose of avoiding or mitigating natural hazards under the Resource Management Act 1991 (sections 30 and 31 respectively).

The Canterbury Regional Council's Regional Policy Statement gives direction to district councils, particularly through Policies 1, 4, 5 and 7 of Chapter 16: Natural Hazards. Methods 1(a) and 1(b) of the Regional Policy Statement highlight the need for a joint approach utilising the Regional and District Councils.

The Canterbury Regional Council presently takes the dominant role in both researching natural hazard events and providing works and services. The District Council has a responsibility to control land subdivision under the Resource Management Act 1991 and grants building consents under the Building Act 2004, requiring consideration of weather conditions and flooding in building design.

The potential for a natural hazard to result from coastal events, other than as a result of the movement at the river mouths, is minimal. This is due to the coast being in a long term accretion phase: a situation which is recognised in the Canterbury Regional Council's Regional Coastal Environment Plan. Also, the coastal area is mainly held in public ownership with few structures outside the three small beach settlements.

Natural hazards all confer costs of some kind. These may affect individuals or the wider community. Some costs are monetary, and others, like the loss of a life, the social effects of a disaster or the effects of hazard protection on the environment, are non-monetary. Hazard costs include not only the costs of damage, but also the costs of precautions such as stopbanks, raising floors or restricting development.

The focus of Issue 8.2 and associated policies is the flood hazard – flooding of low-lying areas and along secondary flood channels. The probability of a flood event occurring and the area of land potentially affected is such that it is a significant issue requiring some control of land use.

Policy 8.2.1.1 addresses information on flood events. In assessing the actual or potential natural hazard, information on the probability of a flood event occurring, the magnitude of the flood, and extent of areas affected is required. A substantial database already exists which needs to be maintained, updated and utilised effectively. This involves working with the Canterbury Regional Council.

Policies 8.2.1.2 and 8.2.1.3 lead to regulation of land use. Although a natural hazard can be avoided through the total exclusion of humans and property from areas at risk, the benefits of land use need to be recognised. The District Plan provisions require specific consideration of the flooding risk on each subdivision or land use application, allowing the

costs and benefits to be considered. The intention is to alleviate damage to property and protect human life and this may be accomplished through design.

The information currently available does not provide probabilities of flood events nor expected magnitudes. Hence, assessment must be on a case by case basis with the information available at the time.

Policy 8.2.1.4 recognises the possibility of adverse effects on flood risk on-site, or elsewhere, arising from activities associated with subdivision and development, because floodwaters may be impeded or redirected. While most flood protection and mitigation measures are implemented by the Regional or District Council, benefits can accrue from private works that modify flooding.

Policy 8.2.1.5 continues the use of existing provisions under the Transitional District Plan as a means of avoiding, remedying or mitigating the adverse effects of flooding. The setting up of a working group recognises the overlapping functions of regional and district councils in respect to natural hazards. Although the transitional provisions do not involve the identification of all the secondary flood channels in the District, section 106 of the Resource Management Act 1991 directs that a consent authority may not grant a subdivision consent if it considers that any land, or any structure on that land is likely to be subject to damage from inundation unless such effects can be avoided, remedied, or mitigated.

Policy 8.2.1.6 supports flood protection measures given to existing land uses and structures from works and services. Maintenance or enhancement of these works and services provides a level of protection which the community expects to continue.

Policy 8.2.1.7 seeks to ensure that the development and occupation of Pegasus and Ravenswood avoids, remedies or mitigates any adverse effects on ground and surface waters. The policy addresses earthworks and stormwater management systems, at both the construction stage and for the completed development, in order to avoid aggravating flooding or surface water ponding in the vicinity of the sites. Wastewater treatment and disposal systems are to be similarly designed. It also acts as the basis for requirements in the District Plan regarding minimum levels for dwellinghouses and allotments within the town, in order to avoid damage to property as a result of flooding. These policies are to act as overall safeguards throughout the development and occupation of Pegasus and Ravenswood setting the direction and standards by which any subdivision and development will be controlled.

Issue 8.3

Lack of recognition of the potential earthquake hazard and potential consequences of an earthquake.

Objective 8.3.1

Increase Council and community understanding of the earthquake risk and associated natural hazard.

Policy 8.3.1.1

Identify areas which are at risk from liquefaction, associated ground damage effects, and amplified ground shaking.

Explanation

The Council has completed stage one of an Earthquake Hazard Analysis which focused on identifying historical seismicity and active faults (November 1995). This study identified liquefaction and its associated ground damage effects as a potential significant threat to the areas in the east of the District. Stage two of the Analysis is intended to:

- i. assess the distribution of sediment susceptible to liquefaction;
- ii. identify earthquake intensities likely to promote liquefaction;
- iii. identify areas with the potential to liquefy under different intensity earthquakes; and
- iv. help assess the risks of liquefaction to key lifelines such as water, sewerage, power, telephone, roads and bridges.

Lateral spreading affects areas next to streams, rivers, ponds and the coast where there is low lateral ground support. Surface structures can sink or tilt. Buried structures such as tanks and pipes can "float" causing connections to break. Deep foundations such as bridge piers can tilt.

The Canterbury Regional Council is also working to improve understanding of hazard events in Canterbury and is co-ordinating projects identified in their Regional Policy Statement.

Methods

Research/Information Collection 8.3.1.1.1

Proceed with stage two of the Earthquake Hazard Analysis.

Information on seismic risk and events from Council investigations and the processing of resource consents to be shared with the Canterbury Regional Council.

Liaison 8.3.1.1.2

Work with the Canterbury Regional Council on its Earthquake Hazard and Risk Assessment Study and identify research projects having mutual benefit to both Councils, and work on the joint Regional Natural Hazards Strategy identified in the Regional Policy Statement.

Information 8.3.1.1.3

Land Information Memoranda and Project Information Memoranda.

Information available of the earthquake hazard will be made available to the community.

Principal Reasons For Adopting Objectives, Policies and Methods 8.3.2

The Resource Management Act 1991 defines a natural hazard as "any atmospheric or earth or water related occurrence... the action of which adversely affects or may adversely affect human life, property, or other aspect of the environment" (section 2).

A function of district councils under the Resource Management Act 1991 is "the control of any actual or potential effects of the use, development or protection of land, including for the purpose of the avoidance or mitigation of natural hazards..." (section 31(b)).

Both regional and district councils can control the use of land for the purpose of avoiding or mitigating natural hazards under the Resource Management Act 1991 (sections 30 and 31 respectively).

The potential for faulting and folding, as a result of seismic events, is confined to the western areas of the District and none of the known active faults pass beneath any of the principal towns. Liquefaction and its associated ground damage effects pose a significant threat to some eastern areas, however, the susceptibility of particular areas and resources has not been analysed.

Issue 8.3 specifically addresses the seismic hazard. It has been agreed with the Canterbury Regional Council that the information currently available is too general to support land use controls. The fault lines are not accurately known and the extent and nature of liquefaction requires further study. However, there is still the potential for an earthquake hazard to

occur and damage in the urban areas is a likely outcome from consequent ground shaking. Non-regulatory methods are proposed to increase understanding of seismic hazards.

Anticipated Environmental Results and Monitoring 8.4

Anticipated Environmental Result	Monitoring Indicator	Information	Monitoring Frequency
Development in areas with a known risk of flooding takes into account historical events so that design and siting of structures mitigates the flood hazard and floodwaters do not enter residential buildings	The number of subdivision and land use consents processed and declined in areas known to be at risk of flooding Conditions imposed on subdivision and land use consents	Council records Canterbury Regional Council records	Annually
Increased awareness of potential natural events, including seismic	The community's preparedness for, and understanding of, natural events	Civil Defence organisations, surveys	Biennially
Current level of flood protection from works and services is maintained or enhanced	Status of works and services Instances of flooding and the extent of any flood damage	Council records Canterbury Regional Council records Civil Defence	Annually
Natural hazards are mitigated by the precautions taken by and on behalf of the community and appropriate actions during and after an event	Monetary and non-monetary costs to the community	Council records Canterbury Regional Council records Civil Defence	Annually

11. Utilities and Traffic Management

Environmental Results Expected

The following environmental results are expected from the implementation of the objectives, policies and methods of Chapter 11 Utilities and Traffic Management.

Parking, loading and manoeuvring:

- a. Parking, loading and manoeuvring facilities that provide sufficient parking.
- b. Parking facilities that contribute positively to town centre amenity.
- c. Town centre development that is supported by centralised parking, loading space availability, cycle parking and public transport connections.
- d. Car parking areas that function efficiently and safely for a range of vehicles.
- e. Parking areas incorporating clear and accessible pedestrian linkages.
- f. Cycle parking is functional and attractive and encourages more people to travel by cycle.
- g. Public transport that is supported by parking facilities where mode shifts are required.

Issue 11.1

Utilities are necessary to enable people and communities to provide for their wellbeing, health and safety.

Objective 11.1.1

Utilities that maintain or enhance the community's social, economic and cultural wellbeing, and its health and safety.

Policy 11.1.1.1

A utility should:

- a. contribute to a safe environment;
- b. maintain or enhance public health;
- c. promote efficient use of resources and efficient development of the utility, so that resources are conserved and used in a sustainable manner;
- d. have regard to cross boundary issues where the utility or the service provided by the utility crosses the territorial boundary;
- e. where it is necessary to service new development, be paid for by the developer, or as a condition of consent for the development; and
- f. maintain and enhance social wellbeing.

Explanation

Utilities are activities that include the construction and operation of roads; the distribution or transmission of energy and telecommunications; and the distribution, disposal or transmission of water, and sanitary waste.

Utilities are important to the wellbeing, health and safety of people. Roads need to enable safe and efficient travel and provide access to property, amenity and open space for the community. For a water supply utility this means it must provide an adequate, reliable, safe and efficient supply of potable water. Supply for fire fighting purposes is also a consideration. For sewers, the utility must be adequate for the maintenance of public health, minimise the ingress of stormwater or groundwater, and avoid surcharging or overflowing. Stormwater systems must collect and dispose runoff, protect people and property from injury or damage caused by surface water, and efficiently convey water to an appropriate outfall. Street lighting should be provided in a manner that ensures the safety of vehicles, cyclists and pedestrians.

Robustness of a utility's performance is an important factor. Their design should provide a highly reliable level of service to the community over their design life. Any likelihood of failure, such as a break in a sewer main, is an immediate hazard to peoples' health and safety. Robust design ensures that the associated infrastructure will maintain a community's social, economic and cultural wellbeing.

Where there is no conflict with their function, roads are generally suitable as a corridor for siting utility reticulation with minimal disruption to the natural and physical environment. Co-siting such as this reduces adverse effects, particularly in the urban environment.

Some utilities such as the Ashley Rural Water Supply cross the District boundary. Regard to both this District Plan and neighbouring district planning requirements is necessary for the management of such utilities.

This policy must be read with the Financial Contributions (Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules) provisions of the District Plan.

Methods

Service Provision 11.1.1.1.1

Provision of works and services.

Liaison With Road Owners and Managers 11.1.1.1.2

Ensuring liaison and consultation with New Zealand Transport Agency, asset managers, utility providers, the Canterbury Regional Council and adjoining territorial authorities where appropriate.

Annual Plan 11.1.1.1.3

Consideration can be given to co-operative projects with utility providers for utility enhancement or improvements.

Financial and Development Contributions 11.1.1.1.4

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Processes to Deal With Cross Boundary Issues 11.1.1.1.5

NOTE: See Chapter 19: Cross Boundary Issues

Policy 11.1.1.2

Every new site within a design catchment of an existing or proposed utility should connect to the utility wherever possible.

Explanation

Development occurring within the catchment of a utility should be connected to each utility. This increases the efficiency of existing utilities, which in turn contributes to the sustainable use of resources in the District. Connection also provides an accepted level of service in terms of reliability and environmental standards to provide for present and future people's health and safety. Promotion of this policy can be by liaison with the utility operator and by rules, particularly for sewage disposal and water supply. Services are to be provided to the boundary of any allotment which is capable of accommodating a dwellinghouse. The rules related to connection to a utility are in Chapter 23: Land and Water Margins – Rules, Chapter 30: Utilities and Traffic Management – Rules and Chapter 32: Subdivision – Rules.

The town of Pegasus is to be provided with a fully independent high quality water supply reticulated from a well field located to the north of Kaiapoi town, or connect to a Council system. The town is also to have a fully reticulated sewage system to an activated sludge sewage treatment plant, with provision for nutrient removal and sterilisation to protect recreational water quality, followed by subsurface land disposal; or alternatively, a connection to the Eastern District sewerage system at the Woodend sewage treatment plant. These services will be provided and paid for by the developer of the town. During very wet years subsurface drains will collect any water perching on top of the silt layer underlying the land disposal site. The collected water, which has been polished through its passage through the ground, will be drained to the eastern boundary of the land disposal area into a subsurface soakage drain from where it will discharge into lower more permeable gravels. The Canterbury Regional Council is the consent authority in respect of the taking, use and discharge of water, including water containing any contaminants. Appropriate consents from that authority will be required.

Methods

District Plan Rules 11.1.1.2.1

Control of subdivisions and development in relation to utilities for each zone.

Assessment criteria for subdivision and land use consents.

Road hierarchy and transportation servicing standards for levels within the hierarchy.

Liaison With Road Owners and Managers 11.1.1.2.2

Ensuring liaison and consultation with New Zealand Transport Agency, asset managers, utility providers, the Canterbury Regional Council and adjoining territorial authorities when appropriate.

Financial and Development Contributions 11.1.1.2.3

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Engineering Code of Practice 11.1.1.2.4

A set of engineering standards developed by the Waimakariri District Council for District Council services.

District Development Strategy 11.1.1.2.5

Non-statutory documents setting out the Waimakariri District Council's preferences as service, facility, and utility provider for the location, design and nature of future development including proposals for the integrated and staged provision of the services, facilities and utilities required by that development. The strategy is drawn around urban design principles and a 20 year planning period and for environmental enhancement.

Policy 11.1.1.3

Subdivision and development should not proceed within areas that do not have access to appropriate utilities, or where the utilities are operating at full capacity or where these subdivisions or developments are likely to adversely affect the planned expansion of those utilities. Subdivision and development can proceed if the existing utilities are upgraded to provide the appropriate capacity for the health and safety of the present and future population, or appropriate alternatives are provided. Appropriate alternative systems should, as a minimum:

- a. meet the current environmental and engineering design standards prescribed for the present utilities; and
- b. be capable of integration with existing utilities.

Explanation

Development and subdivision in unserved areas can have adverse effects on the environment and on health and safety. Utility installation and land development should be programmed together. The policy seeks to promote co-ordination and integration of utility services, and failing that, to ensure an environmentally sound staging of land development occurs. Some present systems were designed to certain capacity levels and are reaching their design limits. Co-ordination of increases in network capacity with development is crucial if present utilities are to perform to appropriate environmental standards and continue to retain levels of service to beneficiaries.

Methods

District Plan Rules 11.1.1.3.1

Subdivision standards for connection to water, sewer, road, stormwater, energy and communications.

Standards for land based effluent disposal systems, including septic tanks (Chapter 23: Land and Water Margins – Rules, Chapter 30: Utilities and Traffic Management – Rules and Chapter 32: Subdivision – Rules).

Assessment criteria for subdivision and land use consents.

Road hierarchy and transportation servicing standards for levels within the hierarchy.

NOTE: See Rule 30.6

Liaison With Road Owners and Managers 11.1.1.3.2

Ensuring liaison and consultation with New Zealand Transport Agency, asset managers, utility providers, the Canterbury Regional Council and adjoining territorial authorities when appropriate.

Financial and Development Contributions 11.1.1.3.3

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Engineering Code of Practice 11.1.1.3.4

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Non-statutory documents setting out the Waimakariri District Council's preferences as service, facility, and utility provider for the location, design and nature of future development including proposals for the integrated and staged provision of the services, facilities and utilities required by that development. The strategy is drawn around urban design principles and a 20 year planning period and for environmental enhancement.

Liaison With Developers 11.1.1.3.6

Meetings with developers to co-ordinate proposals and to explore alternative means of providing for servicing.

Policy 11.1.1.4

A road hierarchy shall be maintained and protected to enable the District to function with minimal conflict between activities, traffic, and people.

Explanation

A hierarchical road network provides for the safe and efficient movement of traffic. It assigns some roads the primary role of carrying through traffic and a minimal role in providing access to properties. Other roads have a primary role in providing access to properties and a minimal role in carrying through traffic. Cyclists and pedestrians are users of the road network and provision for footpaths and cycleways should be integrated into the network so as to minimise conflict but, provide easy access.

The hierarchy has six levels committed to through traffic in descending order: strategic, arterial, collector, urban collector, local and neighbourhood roads.

CROSS REFERENCE: District Plan Maps, including the Outline Development Plans

Each type of road in the hierarchy provides a distinct level of service based on amenity, public safety, efficiency and traffic volumes. For example, most roads within residential areas should avoid functioning as a through traffic route for externally generated traffic. Roads in the hierarchy should also provide for the safe and convenient movement of pedestrians and cyclists with provision for cycle tracks along arterial, strategic and collector roads.

Adverse environmental effects from roads can be mitigated by diverting traffic away from local roads to roads higher in the hierarchy. The greater traffic volumes that can be carried by arterial roads promote energy efficiency as well as more efficient use of time. Local roads, by being relieved of through traffic, are able to provide valuable areas of open space as well as access. The hierarchy should minimise delays and accidents and make effective use of the substantial investment in the road network.

The location of activities on the network also affects road efficiency and safety and can be regulated.

Methods

District Plan Rules 11.1.1.4.1

Setbacks for activities in relation to roads shown on the road hierarchy maps.

Vehicle access to legal and physical roads, and requiring on-site parking, turning and loading areas.

Control of signs visible from roads.

Liaison With Road Owners and Managers 11.1.1.4.2

Ensuring liaison and consultation with New Zealand Transport Agency, asset managers, utility providers, the Canterbury Regional Council and adjoining territorial authorities when appropriate.

Liaison with the Hurunui District Council in relation to the strategic road links between Rangiora and Amberley.

Financial and Development Contributions 11.1.1.4.3

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions or Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Engineering Code of Practice 11.1.1.4.4

A set of engineering standards developed by the Waimakariri District Council for District Council services.

Processes to Deal With Cross Boundary Issues 11.1.1.4.5

NOTE: See Chapter 19: Cross Boundary Issues

Information 11.1.1.4.6

Information on the arterial road to be constructed in the West Kaiapoi Outline Development Plan area shown on District Plan Map 164 shall be supplied for all LIM's applied for on all properties adjoining Butchers Road and Giles Road.

Policy 11.1.1.5

New developments and activities in relation to their traffic generation characteristics should:

- a. locate on or establish primary access to an appropriate level of road within the road hierarchy;
- b. not have vehicular access to an inappropriate level of road in the hierarchy; and
- c. provide cycleways along arterial, strategic and collector roads where:
 - i. necessary to provide an identified transport or recreation function; and
 - ii. alternative opportunities do not exist within the road hierarchy.

Explanation

The efficiency of the District's transportation network can be improved by ensuring that new developments are located where they will use capacity in the transportation network, and where they will not result in a loss of convenience or efficiency for existing users of the network.

Various sections of State Highway have been declared "Limited Access Roads" under the Transit New Zealand Act 1989. The "Limited Access Roads" have not been annotated on the District Plan Maps. Controls on these roads are in addition to the District Plan. New Zealand Transport Agency controls access onto these roads, with the exception of the Rangiora Woodend Road which is administered by the District Council.

The objective of this control is to protect and maintain the safety and high level of traffic service on these important routes which may otherwise be adversely affected by subdivision and traffic generating activities. The effect is to prevent the proliferation of new access points and to reduce the number of accesses and volumes of traffic using them.

There is a preference for many developments to locate on high profile sites with frontage to strategic and arterial roads. Primary access to these developments can be improved if it is provided from a lesser road in the hierarchy. This improves safety through reduced traffic conflict, efficient access by properly designed intersection developments, and maintenance of speed environments appropriate to the particular road.

The provision of cycleways will need to take into account the circumstances of the area. Matters to consider will include the width and location of cycleways.

Methods

District Plan Rules 11.1.1.5.1

Setbacks for location of activities in relation to the road hierarchy maps.

Provision of Outline Development Plans outlining road hierarchies, access and cycleways for developments and activities.

Control of vehicle access to legal and physical roads, and requiring on-site parking, turning and loading areas.

Control of signs visible from roads.

Liaison With Road Owners and Managers 11.1.1.5.2

Ensuring liaison and consultation with New Zealand Transport Agency, asset managers, utility providers, the Canterbury Regional Council and adjoining territorial authorities when appropriate.

Financial and Development Contributions 11.1.1.5.3

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Policy 11.1.1.6

Every site should have access that provides safe entry and exit for vehicles to and from the site to a road without compromising the safety or efficiency of the road or road network. Where a site has two or more road frontages access should be from the lowest road classification within the road hierarchy.

Explanation

Vehicle access to sites has transport implications because of the potential for conflict between road traffic and vehicles entering and leaving sites. Access also affects safety and efficiency by reducing parking on roads in urban areas and reducing travel speeds on rural roads. Access points need to be designed and located in such a way that impacts on the road system are kept within acceptable limits. Any subdivision or new development may potentially lead to an increase in traffic attracted to the area, whether or not that is the intention of the present owner or occupier, because the activities on the land are likely to change.

Methods

District Plan Rules 11.1.1.6.1

Control of access to types of road in the network.

Control of subdivisions and developments to:

- i. require every site to be provided with vehicular access; and
- ii. regulate the design and location of property access and new intersections, having regard to effects on the safety and efficiency of the road network.
- iii. restrictions on direct vehicle and pedestrian/cycle access to certain roads.

Liaison With Developers 11.1.1.6.2

Meetings with developers to co-ordinate proposals and to explore alternative means of providing for servicing.

Financial and Development Contributions 11.1.1.6.3

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Council Bylaw 11.1.1.6.4

Vehicle Crossings Bylaw 1997.

Policy 11.1.1.7

In the case of the vehicles, cyclists and pedestrians associated with the development and occupation of Pegasus and Ravenswood: to discourage the use of Gladstone Road as a major access road linking Pegasus and Woodend;

- a. to ensure that the design and development of the roading for Pegasus and Ravenswood facilitates the provision of an efficient and convenient public passenger transport system into, out of, and around the two localities;
- b. to design the residential neighbourhoods of Pegasus and Ravenswood in such a way that most of the residential allotments in the area are within convenient and safe walking distance of a potential public passenger transport route;
- c. to ensure that at least two road accesses are provided linking Pegasus with State Highway 1, so that access in emergencies is assured;
- d. to ensure that the urban areas of Ravenswood are developed to promote the opportunity for convenient and safe access between State Highway No. 1 and the Woodend-Rangiora Road; and
- e. to ensure that the urban area of Ravenswood is designed to provide safe and convenient pedestrian and vehicle access between Ravenswood and Woodend township, away from the State Highway.

Explanation

Road access between Pegasus and State Highway 1 is to be by way of a newly created access road linking directly to the State Highway from the south-west sector of the town. There is the potential for increasing traffic volumes on State Highway 1 through Woodend to have adverse effects on the safety and efficiency of roads in the town and on the amenity values of the town. This is recognised as an existing problem, which will become more pronounced as population growth continues in the District. The development of Pegasus will accelerate the need to find a roading solution to these problems for Woodend. The viability of a State Highway bypass around Woodend has been investigated by the Council and New Zealand Transport Agency. The results of these investigations were reported in the Waimakariri District Transport Study – Final Report (September 2001). It is considered that, with increasing traffic volumes as a result of both natural increases in the traffic volumes on the State Highway and of the development of Pegasus construction of such a bypass is likely to be justified within the next 10 years. The development of Pegasus and its access roads has been designed to facilitate a direct connection to such a bypass when it is constructed.

Other access roads to Pegasus are Gladstone and Preeces Roads. Neither of these roads are of sufficient standard to act as major access points to the town. Gladstone Road has formation and alignment limitations and passes through the residential areas of Woodend. Preeces Road is currently very narrow and its intersection with State Highway 1 has an unsatisfactory alignment for a major connection to a State Highway. These roads are not to be used as major access points to Pegasus, although connections with the town are designed such that these will be available for use as minor access roads and for use in emergencies.

Within the new town, roading is to be designed to provide safe and convenient access throughout the town, in particular linking the residential areas with the major facilities in the town, and to facilitate the provision and use of an efficient and convenient public passenger transport service. Walking and cycling linkages associated with the road network are also to be established throughout the town.

Within Ravenswood roading is designed to facilitate access between State Highway No. 1 and the Woodend Rangiora Road. This will act as a "splitter" road reducing vehicle movements through Woodend and improving access between Pegasus, Ravenswood and Rangiora. In addition the Ravenswood development has been designed to promote convenient and efficient access for all transport modes between Ravenswood and Woodend.

Methods

District Plan Rules 11.1.1.7.1

Controls over access to and from Pegasus and Ravenswood from existing roads.

Controls over roading layout and standards within Pegasus and Ravenswood.

Requirements relating to cycling and pedestrian provision.

Requirements for the layout of Pegasus and Ravenswood to facilitate walking, cycling and passenger transport and to reduce vehicle trips generation and trip lengths.

Financial and Development Contributions 11.1.1.7.2

Requirements for financial or development contributions towards upgrading of existing Council roads in the vicinity of Pegasus.

Liaison With Road Owners and Managers 11.1.1.7.3

Ensuring liaison and consultation with New Zealand Transport Agency, asset managers, utility providers, the Canterbury Regional Council and adjoining territorial authorities when appropriate.

Liaison With Developers 11.1.1.7.4

Liaison with the developers of Pegasus and Ravenswood to co-ordinate development with roading programmes and to explore alternative solutions to short and long-term roading issues.

Policy 11.1.1.8

Avoid patterns of land use development which may affect the operation, and efficient use and development of Christchurch International Airport.

Explanation

Christchurch International Airport is a significant regional resource. Noise sensitive activities within the 50dBA Ldn airport noise contour in the Waimakariri District have the potential to constrain the operation of Christchurch International Airport through limits on operating hours in response to the concerns from residents subject to the noise nuisance from aircraft approaching and leaving the Airport.

CROSS REFERENCE: Policies 12.1.1.12 and 14.3.1.1

Methods

District Plan Rules 11.1.1.8.1

Rules providing that subdivision and dwellinghouse development involving areas of less than four hectares in the Rural Zone is a non-complying activity.

District Plan Maps 11.1.1.8.2

Map the location of the 50dBA Ldn noise contour.

CROSS REFERENCE: Method 12.1.1.12.3 and District Plan Map 138

Objective 11.1.2 Parking

Parking facilities that:

- a. provide for parking demand in an efficient, functional and sustainable manner;
- b. enhance the amenity and function of town centre and residential environments;
- c. are safe places for people to use and move through;
- d. are accessible and convenient for pedestrians;
- e. provide safe, secure and convenient cycle parking;
- f. support greater use of public transport;
- g. provide for loading and manoeuvring requirements without reducing amenity or compromising safety; and
- h. support town centre consolidation and the development of continuous street frontages within identified sites in the Business 1 Zone where parking is principally located within public parking areas and not provided on individual sites.

Policy 11.1.2.1

Vehicle parking, loading and manoeuvring provided on-site, or within shared parking facilities, shall ensure that:

- a. safe and efficient access is provided;
- b. use of off-site parking facilities will not adversely affect pedestrian, cycle or public transportation, public safety, and the safe, efficient operation of the road network; and
- c. for shared parking, a legally binding arrangement is established that protects ongoing access and use.

Methods

District Plan Rules 11.1.2.1.1

Requirements for parking loading and manoeuvring.

Liaison with developers 11.1.2.1.2

Co-ordination of proposals.

Financial Contributions 11.1.2.1.3

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules and in Waimakariri District Council's Development Contributions Policy.

Parking Strategy 11.1.2.1.4

Development and adoption of guidance for the location and design of public parking facilities, on-street parking, and public cycle and motorcycle parking.

Walking and Cycling Strategy and Implementation Plan 11.1.2.1.5

Identification and prioritising demand for new or improved walking and cycling opportunities.

Waimakariri District Council Engineering Code of Practice 11.1.2.1.6

Standards for parking, the transport network and utilities.

Policy 11.1.2.2

Encourage the use of public transport by enabling parking facilities that support public transport services and infrastructure.

Policy 11.1.2.3

Encourage cycle transport by providing cycle parking that:

- a. is located in a convenient and safe position and considers pedestrian safety;
- b. physically supports the cycle frame; and
- c. provides for cycle security.

Policy 11.1.2.4

Ensure safe pedestrian access within and adjacent to parking facilities by providing:

- a. pedestrian routes that safely interact with vehicle movements associated with access, parking, manoeuvring, circulation, loading and public transportation;
- b. visibility between vehicles and pedestrians; and
- c. pedestrian routes that are designed and constructed to be accessible.

Policy 11.1.2.5

Avoid on-site parking in the Business 1 Zone where sites have frontage to a principal shopping street to enable building intensification and redevelopment while:

- a. maximising the use and development of on-street and public parking;
- b. providing for parking demand, including accessibility parking, by requiring financial contributions for off-site parking within public parking facilities.

Policy 11.1.2.6

Parking facilities shall:

- a. provide efficient and effective layout of parking, manoeuvring and circulating areas including restriction of vehicle speed and avoidance of long 'blind aisles';
- b. control any adverse effects on water quality and stormwater runoff, preferably through the use of low impact water management methods;
- c. be surfaced and maintained to control the generation of dust, excessive noise, or other nuisance;
- d. reduce opportunities for crime by implementing Crime Prevention through Environmental Design (CPTED) principles;
- e. ensure visibility through natural lighting or illumination;
- f. ensure that parking spaces required for people with disabilities is conveniently located and accessible, and the route from the parking space to the destination served is also easily accessible for people using mobility devices;
- g. include landscaping that:
 - i. incorporates establishment and maintenance practices to ensure plant survival;
 - ii. visually softens the dominant effect of hard surfaces;
 - iii. uses plant species that avoid hazard or nuisance effects;
 - iv. integrates with stormwater management and footpaths; and
 - v. does not affect traffic and pedestrian safety by limiting visibility.
- h. within the Business 1 Zone:
 - i. be designed to positively contribute to town centre amenity; and
 - ii. locate to the rear of buildings or the rear portion of any vacant site within Business 1 Zones, and not on sites identified as having a principal shopping street frontage.

Methods**District Plan Rules 11.1.2.6.1**

Rules for landscaping and design of parking areas and facilities, and matters for assessment of resource consents.

Waimakariri District Council Engineering Code of Practice 11.1.2.6.2

A set of engineering standards developed by the Waimakariri District Council for District Council services.

Financial Contributions 11.1.2.6.3

Rules requiring monetary contribution or land for purposes set out in Chapter 20: Financial contributions and Chapter 34: Financial Contributions – Rules on in Waimakariri District Council's Development Contributions Policy.

Policy 11.1.2.7

Loading and manoeuvring facilities to support activities requiring delivery or collection by service vehicles shall:

- a. provide safe and efficient vehicle movements for the largest vehicle type expected to use the facility;
- b. avoid reverse manoeuvring onto or from any strategic, arterial or collector road, and onto or from any local road where this would adversely affect safety;
- c. provide sufficient separation between service vehicles, car parking, pedestrians and cyclists to enable safe use of the facility;
- d. avoid obstruction of any accessway;
- e. be accessed from the rear of the site or a service lane where a site is located in a town centre and sufficient rear or service access is available for service vehicles expected to use the site; and
- f. avoid direct access to or from Williams Street in Kaiapoi or High Street in Rangiora when located on a site within the Business 1 Zone.

Reason

Potential traffic hazards can be reduced through provision of suitable parking, loading and manoeuvring space. Alternatives such as shared or off-site parking can encourage efficient use of land and reduce the physical infrastructure required for parking.

On-site car parking is to be avoided adjacent to principal shopping streets to enable business redevelopment, intensification and 'foot traffic' opportunities. Car parking in these areas is directed towards conveniently located public parking. Financial contributions will assist in providing parking that supports town centre growth and activities.

Parking and loading areas can provide safe, efficient, accessible and pleasant, public open spaces.

Loading facilities need to be available to support business activities but should not compromise safety or traffic flow.

Cycling for transport is encouraged due to the benefits for individuals and the community and is enabled by the provision of suitable parking. Major parking areas that service key destinations may also include public transportation facilities such as bus stops.

Sealed or hard surface parking areas will require stormwater management including, the use of low impact design to control water runoff and minimise visual impact where possible. Landscaping with trees and shrubs softens the visual impact of car parking, however suitable growing conditions are required to ensure survival of plants and maximise plant health. Landscaping should be sufficiently open to allow visibility and observation of activities within the parking area to support traffic and personal safety.

Principal Reasons for Adopting Objectives, Policies and Methods 11.1.3

The principal reasons are to maintain and enhance the quality of the environment, enhance the District amenity and to assist the efficient use of resources in a sustainable manner.

Utilities are one of the key means of furthering the sustainable management of natural and physical resources in a way that enables communities to provide for their economic and social wellbeing, and their health and safety. Objective 11.1.1 acknowledges this and provides a focus for standards set out in policies.

Subdivision and development of land are usually followed by intensification and changes in land use that increase the demands on existing utilities. It is appropriate for servicing requirements to be addressed at the time of subdivision or development. This ensures that efficient and effective systems are provided or enhanced. It also ensures that the additional costs of servicing do not fall on the community generally.

Roads, water supply, stormwater drainage, sewage disposal, street lighting, electricity and communications services are important for the wellbeing of people and communities and for their health and safety. Reticulated systems are preferred as they generally are more sustainable and provide a better quality of service with less adverse effects on the environment than individual facilities. Where reticulated services are not available, then special consideration of the possible adverse environmental effects on the future activities on the land is needed. Underground reticulation of electricity and communication systems will be required in some areas to avoid adverse visual effects. The siting of utilities in sensitive areas such as wetlands, indigenous vegetation remnants, coastal areas and outstanding landscape areas will be discouraged unless there are compelling operational reasons. Co-siting of infrastructure will be encouraged. Utility and services requirements on subdivision and development are also addressed in Chapter 30: Utilities and Traffic Management – Rules.

Policy 11.1.1.7 and part of the Explanation to Policy 11.1.1.2 specifically recognise the resource management issues associated with servicing and traffic management for Pegasus. The development of a new town for 5000 people requires that detailed consideration be given to the upgrading of existing utilities and the development of new utilities, to ensure that the quality and amenity values of the District's environment is not degraded and that resources are able to be used efficiently.

Parking and loading is a significant issue for the District and in particular its main towns. Parking and loading supports a range of activities but can also create adverse effects on urban environments and safety if there is insufficient parking or the design is not appropriate for the location. Policies 11.1.2.1 to 11.1.2.7 seek to ensure effective provision of parking and loading while encouraging greater use of active and public transport and the opportunity for a shift from private car dominated transport and associated parking demand.

Issue 11.2

The provision, use, maintenance and upgrading of utilities can have adverse effects on the environment including public health.

Objective 11.2.1

Adverse effects on the environment caused by the provision, use, maintenance and upgrading of utilities are avoided, remedied or mitigated.

Policy 11.2.1.1

Avoid, remedy or mitigate adverse environmental effects created by the provision, use, maintenance and upgrading of utilities by:

- a. meeting environmental standards set by the Plan;
- b. having regard to the particular amenity or character of the area in which it is placed;
- c. integration with, and co-siting of, existing utilities where they are accessible and are, or can be, expanded to manage any additional loading and where such loading is technically and operationally feasible;
- d. meeting accepted design standards;
- e. in the case of the utilities associated with the development and occupation of Pegasus, requiring adequate redundant plant to be provided as part of the sewage treatment and disposal system, in order to avoid adverse effects on the surrounding environment in the event of any plant breakdown or loss of power supply;
- f. encouraging new utility services in residential areas to be placed underground, in consultation with utility operators;
- g. encouraging the under grounding of utilities as they are installed and upgraded in areas where the visual and amenity impact of overhead reticulation is significant, provided that under grounding is technically and operationally feasible;
- h. protection of areas of outstanding landscape, or areas of significant indigenous vegetation or significant habitat of indigenous fauna;

- i. requiring all new roads to be sealed and existing metal roads to be sealed where appropriate;
- j. protecting aquatic ecosystems and the habitat of trout and salmon from the adverse effects of roading, stormwater runoff and effluent discharges;

CROSS REFERENCE: Policies 6.3.1.1 and 6.3.1.2

- k. avoiding in the receiving environment the noise effect created by aircraft approaching Christchurch International Airport; and

CROSS REFERENCE: Policy 12.1.1.12

- l. avoiding land uses under airfield approach paths that could adversely affect the safety of airfield operations.

Explanation

Utilities need to be designed and maintained to meet environmental standards in the District Plan. Environmental, amenity and character standards and levels are reflected in the Plan's rule and/or method framework.

The provision of infrastructure can have adverse effects on the cultural, heritage, spiritual, and natural values of the District. Their impact is generally greater in residential, landscape, ecological areas and areas of cultural significance. Examples are earthworks associated with building a reticulation system, or the siting of parts of the utility such as pylons on land of special significance.

Utilities should be located, designed, constructed and screened to avoid, remedy or mitigate their visual impact on outstanding landscapes, the coastal environment, residential zones, areas of significant indigenous vegetation and significant habitat of indigenous fauna, and the character of an area. In addition, utilities such as some telecommunications or power lines may not be appropriately sited near dwellinghouses, educational and some workplace institutions. One of the means of achieving this is apt design, siting and routing of the utility. Often this is most appropriately achieved by underground reticulation, particularly in residential areas. Where the visual impact of overhead reticulation is significant as in residential areas, the policy encourages the undergrounding of utilities in new developments and their undergrounding when the utility is being upgraded. For rural areas, gains in visual and amenity characteristics may not be sufficient to offset the increased cost of undergrounding. Where undergrounding reticulation is not an option, control over location and appearance such as siting, colour, and screening may be a consideration. However large structures as part of the utility are generally inappropriate in residential areas, the coastal environment, outstanding landscapes, and ecological areas.

CROSS REFERENCE: See Policy 11.2.1.2 regarding high voltage transmission lines

For all these effects, matters that could be considered include the scale of the utility, its dominance in the landscape and the impact of its development and operation on the amenity of the area. In some circumstances however, there is little point in regulating for temporary activities such as those associated with construction. Nor is there justification for regulating utilities in areas where their impact is not significant. Economic and operational necessities may mean some effects are tolerated so that the overall sustainable management of the District's resources is promoted.

The ability to control the effects of the operation of Christchurch International Airport is limited. However the effects can be:

- i. avoided to some degree by requiring that noise sensitive activities be discouraged from locating within areas identified as likely to be affected by such noise and in particular within the 50dBA Ldn noise contour, and
- ii. partially mitigated by a requirement for noise insulation of buildings or activities shown in Table 31.2 within the 55dBA Ldn noise contours.

In the case of Rangiora Airport, protection of take-off and approach paths avoids potential for conflict and safety issues that may arise as a result of inappropriate development.

Utilities may be on sites designated for that purpose. The effect of a designation is that the requiring authority responsible for the designation may do anything that is in accordance with the designation, irrespective of the policies or rules in the District Plan that might otherwise control the activity. Persons other than the requiring authority may not, without the prior written consent of the requiring authority, do anything in relation to the designated land that would prevent or hinder the project or work to which the designation relates. The rules of the District Plan regulate the effects of activities not covered by the designation.

Utilities should be built and operated in a manner that avoids, remedies or mitigates their impact on the environment. As subdivision can result in the provision of utilities, there are subdivision standards that recognise these requirements. Liaison, to promote planning for future utility provision, with organisations that provide utilities, also assists integrated resource management.

CROSS REFERENCE: Policy 14.3.1.1

Methods

District Plan Rules 11.2.1.1.1

Status and scale of utilities.

Visual impact of new utilities.

Performance standards for landscaping, setbacks and screening.

Environmental standards for utilities.

Subdivision standards for utilities.

Standards to protect take-off and landing surface of Rangiora Airfield.

Controls requiring noise insulation of dwellinghouses within the 55dBA Ldn noise contour of Christchurch International Airport.

Non-complying activity status for subdivision and dwellinghouse development involving areas of less than four hectares in the Rural Zone.

Liaison 11.2.1.1.2

Liaison with providers and operators of utilities to promote and manage efficient development.

Liaison with the Department of Conservation over fish passage requirements.

Service Provision 11.2.1.1.3

Efficient management of the Council's works and services.

District Development Strategy 11.2.1.1.4

Non-statutory documents setting out the Waimakariri District Council's preferences as service, facility, and utility provider for the location, design and nature of future development including proposals for the integrated and staged provision of the services, facilities and utilities required by that development. The strategy is drawn around urban design principles and a 20 year planning period and for environmental enhancement.

Financial and Development Contributions 11.2.1.1.5

Rules requiring money or land for purposes set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules or in Waimakariri District Council's Development Contributions Policy.

Engineering Code of Practice 11.2.1.1.6

A set of engineering standards developed by the Waimakariri District Council for District Council services.

Annual Plan 11.2.1.1.7

Identify Council activities and priorities related to provision of services.

Strategic Plan 11.2.1.1.8

Identify Council direction and priorities for action.

Road Sealing Upgrading Priority List 11.2.1.1.9

Sets out the priority order in which District roads will be sealed.

Policy 11.2.1.2

To minimise any actual or potential risks to health and safety from, and to the operation, maintenance and upgrading of, high voltage transmission lines by:

- a. encouraging the location of lines away from incompatible land uses; and
- b. avoiding development and/or land use activities which might increase those risks;
- c. avoiding earthworks which may compromise the stability of support structures or reduce conductor clearances.

Explanation

Actual or potential risks to public health and safety can be minimised by avoiding development such as dwellinghouses directly below the lines. Maintaining a separation distance between transmission lines and incompatible land uses also assists in avoiding issues of reverse sensitivity in terms of noise, interference and visual impact. An assessment of risks associated with the lines includes evaluating an emergency event resulting in line failure. For the purpose of this policy, assessment should occur for the human occupancy of buildings within 32 metres of the centreline of high voltage transmission lines.

CROSS REFERENCE: Policy 11.2.1.1

Methods

Advocacy 11.2.1.2.1

Work with utility operators to encourage appropriate siting of high voltage transmission lines.

Liaison 11.2.1.2.2

Liase with adjacent territorial authorities where the network utility crosses a territorial boundary.

District Plan Maps 11.2.1.2.3

Map high voltage power lines on District Plan Maps.

District Plan Rules 11.2.1.2.4

Controls on subdivision where compliance with the NZECP 34:2001 "New Zealand Electrical Code of Practice for Electrical Safe Distances" cannot be achieved and/or where structures are proposed within 32 metres of the centreline of high voltage transmission lines.

Controls on subdivision where earthworks are to be undertaken in positions which may impact on high voltage transmission lines or support structures.

Controls on structure placement to ensure safe separation distance from conductors.

Principal Reasons For Adopting Objectives, Policies and Methods 11.2.2

Reasons for this objective and policy are derived from sections 5, 7 and 31 of the Resource Management Act 1991. Additionally, "...every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of that person, ..." (section 17(1) Resource Management Act 1991).

The District Plan will seek to minimise the adverse environmental effects of utilities while recognising their benefit to the community. This can be achieved by appropriate siting of the utility and avoiding placing utilities in sensitive areas such as wetlands, significant areas of indigenous vegetation or the coastal environment. Utilities can have an effect on the character and visual environment of an area. Their visual character is often linear giving a strong impact, especially in residential areas. Undergrounding utilities is an effective way to avoid many of the environmental impacts, particularly visual impacts, that may otherwise occur. Some utilities are perceived by some members of the public to be of public health significance and there is a need to ensure utilities are appropriately sited.

Co-siting is encouraged for the efficiencies it promotes in the use of land for utilities. However it is also recognised that it may be necessary to locate away from areas of co-siting and that consideration should be given to operational requirements as well as those for visual impact.

The establishment of utilities can also have adverse effects through their construction phase. This phase is usually short-lived and impacts are temporary unless the activity is in a sensitive area such as a wetland or significant site of indigenous vegetation. Rules for earthworks elsewhere in the Plan apply.

Anticipated Environmental Results and Monitoring 11.3

Anticipated Environmental Result	Monitoring Indicator	Information	Monitoring Frequency
Efficiency of use of natural and physical resources	Number of subdivisions and developments not connected to a utility	Subdivision and development complaints Inspection, records, subdivision and land use consents	Annually
Environmental degradation is minimised	Utility meets minimum environmental standards	Plan standards Subdivision and land use consents Complaints	
Community's health and safety is maintained	Accidents, incidents, notifiable diseases	Public health records, Health Officer reports	Annually
Minimal impact on amenity, cultural, heritage and spiritual values	Utility meets minimum plan standards	Plan standards, community attitudes, complaints	Annually
Cost effective provision of services	Capital and maintenance costs	Annual plan	Annually
Travel distances and times, convenience	Change in usual distance travelled Change in travel time	Residents travel survey Travel time surveys	3 yearly Annually

12. Health Safety and Wellbeing

Environmental Results Expected

The following environmental results are expected from the implementation of the objectives, policies and methods of Chapter 12. Health Safety and Wellbeing.

Signs:

- a. Do not mimic traffic signals, flash or have revolving lights.
- b. Adverse effects on the environment as a result of poorly located signage in the Rural and Residential Zones are avoided.
- c. The functioning of the Districts roading network is not adversely affected as a result of signage which would create a traffic hazard.
- d. Signs which advertise goods and services are located on the sites to which those goods and services are available from.
- e. Those signs which advertise events within the District are encouraged provided they meet the minimum performance standards listed in the District Plan.

Issue 12.1

The adverse effect on the health, safety and wellbeing of the community arising from a loss in the amenity values and/or quality of the environment as a result of inappropriate subdivision, land use, and development.

Objective 12.1.1

Maintain the amenity values and a quality of environment appropriate for different parts of the District which protects the health, safety and wellbeing of present and future generations, and ensure that any potential adverse environmental effects from buildings and structures, signs, glare, noise and hazardous substances are avoided or mitigated.

Structures

Policy 12.1.1.1

Maintain and enhance the positive contribution that buildings and structures, and the spaces between them, make to the character and amenity of urban areas where people reside, the neighbourhood and streetscape.

Explanation

The density, design, scale and appearance of buildings and structures contribute to the different amenity values of residential areas. This includes consideration of the effects of structures in adjacent Business or Rural Zones.

The area people consider their neighbourhood is generally within five to ten minutes walking distance although it can be perceived as further afield. Its character and visual amenity is affected by the relationship between buildings, structures, open spaces and trees and how people choose to mix these elements. A major influence on the character of residential areas is the degree of openness. This is affected by the depth of setbacks, the density, size of lots, scale, size, height and positioning of buildings and structures on a site, and the overall design of sites, roads and open spaces.

The District Plan provides a hierarchy of different amenity levels within the Residential Zones. These zones are a management technique to enable a range of environments within which people can provide for their housing and family needs. A significant element affecting residential character and amenity, and a consistent concern expressed in consultation with residents, is the location, scale and extent of multi-unit housing in urban areas. The District Plan standards are conservative. For Residential 2, 3, and 4A and 4B Zones one dwellinghouse is permitted on each site subject to meeting high development and activity standards. A second dwellinghouse is permitted provided it does not exceed 75 square metres in gross floor area (refer to the definition of "dwellinghouse"). This recognises changing demographics and smaller household sizes, and the desire by many people to provide for family members close to the family home. In Residential Zones, irrespective of the number of dwellings on the site, standards for site coverage, lot size and recession plane must be complied with for each dwellinghouse (other than an additional 75 square metre dwelling), to promote openness, separation of houses and address character issues.

In contrast, the Residential 1 Zone within Rangiora and Kaiapoi provides for both smaller lot subdivision, higher site coverage, and there is no limit on the number of dwellinghouses, provided that other Plan standards are complied with. This provision for multi-unit developments reflects community concerns that the characteristics, and form and function, of Rangiora and Kaiapoi are not adversely affected. The primary issue is the retention of present residential character.

Access to daylight and sunlight to adjacent sites is an important component of residential amenity, providing warmth, comfort and energy efficiency. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of sunlight and daylight to the site, the Plan includes height recession plane controls. The streetscape is a public space, important for giving interest to journeys and providing a safe and enjoyable environment. The width and design of roads and associated plantings and structures affects the amenity values of the area.

Within the Residential 6 and 6A Zones (Pegasus and Ravenswood), further flexibility is provided to enable the development of a wide range of housing styles and densities, subject to controls to avoid, remedy or mitigate adverse effects on the amenity values and privacy of residents, and on the visual and amenity values and environmental quality of the area as a whole. In order to provide the opportunity for greater diversity and flexibility within these newly developing communities, more flexible provision is made for comprehensive or multi-unit residential developments. As means of reducing overall energy use within the communities, buildings are required to be constructed to reduce the energy demand within the building, and the communities laid out and developed in a way that discourages the use of private motor vehicles for transport.

The Residential 7 Zone in West Kaiapoi provides flexibility via three levels of residential densities to develop a range of housing styles, including high density (average 200m² allotments) areas designed as a comprehensive development subject to controls to avoid, remedy or mitigate adverse effects on a range of amenity values. The need for this higher level of density has arisen from the rezoning of properties in Kaiapoi following the Canterbury earthquakes of 2010/2011.

CROSS REFERENCE: Policies 15.1.1.1, 16.1.1.1, 16.1.1.8, 17.1.1.2 and 17.1.1.3

Methods

District Plan Rules 12.1.1.1.1

Standards for structures in terms of setbacks, height, recession plane, site coverage, and landscaping/screening – in relation to site boundaries and, where appropriate, in relation to individual dwellinghouses.

Subdivision standards for allotment areas and dimensions.

Minimum standards for roads (Tables 30.1 and 30.2).

Requirement for comprehensive residential developments for each of the Area A blocks within the Residential 7 Zone.

Asset Management 12.1.1.1.2

Maintenance of the streetscape and reserve areas and input into the design of new areas for residential development.

Parks Categories and Levels of Service.

District Development Strategy 12.1.1.1.3

Non-statutory documents setting out the Waimakariri District Council's preferences as service, facility and utility provider for the location, design and nature of future development including proposals for the integrated and staged provision of the services, facilities and utilities required by that development. The strategy is drawn around urban design principles and a 20 year planning period and for environmental enhancement.

Policy 12.1.1.2 Design - Comprehensive Residential Development

Ensure the design implements urban design best practice through:

- a. structure location and relationship to other structures;
- b. choice of construction materials, positioning of windows and doors, size, scale and character;
- c. availability and access to open space; and
- d. Energy efficiency and use of natural light.

Policy 12.1.1.3 Crime Prevention – Comprehensive Residential Development

Ensure the design of structures, dwellinghouses, outdoor areas and public open spaces maximises personal safety and security through the adoption and use of Crime Prevention through Environmental Design (CPTED) principles.

Policy 12.1.1.4

Maintain and enhance the positive amenity values associated with natural features and structures on Business Zone sites which front onto strategic, arterial and collector roads.

Explanation

Business Zones have fundamentally different characteristics to other zones in the urban environment. These differences arise in part from the lower density of building, and the scale, intensity and nature of activities that tend to come together in a location. As a working environment Business Zones usually have different amenity values to those associated with Residential Zones. There is less need to protect sites within Business Zones from the effects of neighbouring activities, with the exception of maintaining the amenity of:

- i. entrances to towns; and
- ii. major roads.

In these circumstances the design of structures and the layout of sites should be compatible with community expectations that a higher quality of environment must be sustained. This policy should be considered in conjunction with Policies 16.1.1.1, 16.1.1.3 to 16.1.1.6 which sets out the characteristics of Business 1 and 2 Zones, Policy 16.1.1.8 (for Business 4 – West Kaiapoi Zone), Policy 16.1.1.9 which sets out the characteristics of the Kaiapoi Business 5 Zone, and Policy 15.1.1.1 which promotes the integration of development in a way that sustains the form and function of urban areas. Site layout, and designs that complement the scale, colour and materials of buildings and structures on adjoining sites, can assist in maintaining the amenity values. Distinctions between sites through structures and landscape treatment also has a place in creating positive amenity values. Trees and shrubs are landscaping measures preferable to fences of contrasting height, colour and materials. Screening can also reduce the impact and perception of noise and industrial/processing type activity.

CROSS REFERENCE: Policies 15.1.1.1, 16.1.1.1 to 16.1.1.9 (for Business 4 – West Kaiapoi Zone)

Methods

District Plan Rules 12.1.1.4.1

Standards for structures in terms of setbacks, height, recession plane, site coverage, and landscaping/screening.

Subdivision standards for allotment areas and dimensions.

Minimum standards for roads (Tables 30.1 and 30.2).

Requirement for comprehensive development.

Asset Management 12.1.1.4.2

Maintenance of roads providing entrances into the towns.

Policy 12.1.1.5

In the Rural Zones maintain the amenity values and quality of the environment by ensuring that the land is not dominated by dwellinghouses.

Explanation

Amenity values in the Rural Zones are affected by:

- i. the density of dwellinghouses;
- ii. community expectations concerning dwellinghouse density;
- iii. the location of dwellinghouses; and
- iv. the presence of lawfully established intensive farming activities.

To assist in maintaining the amenity values and quality of the rural environment, the density of dwellinghouses, and the separation of dwellinghouses need to be controlled. A dwellinghouse is associated with the presence of people and the position of rural dwellinghouses can be an important factor in the amenity values and quality of a rural setting. Where dwellinghouses are sited close to lot boundaries there is a need to maintain a reasonable level of privacy, which will be maintained through setback controls.

Accordingly, the Council would not anticipate the establishment of dwellinghouses on lots smaller than four hectares, or that do not comply with the standards for the Mapleham Rural 4B Zone, or within 20 metres of a property boundary. A much reduced setback for farm buildings is acceptable because the community has indicated that these structures are an integral part of a rural setting.

Notwithstanding the above, there is a desire by many to provide for family members close to the family home. This circumstance is recognised in the Plan by permitting a second dwellinghouse of a limited floor area located in close proximity to a primary dwellinghouse.

Intensive farming activities are a part of the rural environment. The Rural Zone is where they should locate but they need space to find sites and to develop. The more dense the housing in an area, the greater the difficulties for new operators to establish, and existing operators to provide for their wellbeing through continuing operations, expansion or other development.

Objective 12.1.2 and Policies 12.1.2.1, 12.1.2.2 and 12.1.2.3 and Rule 31.16 provide for additional separation distances between lawfully established intensive farming activities and the establishment of new dwellinghouses, also between existing dwellinghouses and the establishment of new intensive farming activities.

In order to avoid the effects of dwellings dominating land and having an adverse effect on rural amenity and rural character, methods employed to avoid the effects of floodwaters on structures are assessed as a discretionary activity. Policy 12.1.1.5 recognises that dwellings can dominate land, and artificially raising ground heights by earth mounds, poles, piles or other methods are not always appropriate in the Rural Zone.

CROSS REFERENCE: Policies 14.1.1.1 to 14.1.1.4 and 15.1.1.2

Methods

District Plan Rules 12.1.1.5.1

Subdivision standards for allotment areas.

Minimum site area for dwellinghouses.

Setback rules for roads and boundaries for dwellinghouses and structures.

Controls on the number of dwellinghouses on each rural lot.

Policy 12.1.1.6

Ensure development and use of the Rangiora Central Outline Development Plan area:

1. achieves high standards of urban design;
2. provides for functional and attractive public open space; and
3. maximises safety and security through use of Crime Prevention Through Environmental Design Principles.

Signs

Policy 12.1.1.7

Avoid, remedy or mitigate the adverse effects of signs on the amenity values in different zones and avoid detrimentally affecting the safety of the community using road and rail corridors, particularly the Motorway and State Highway by controlling:

- a. Billboard and other signage which is intrusive and displaying information unrelated to the activities and/ or goods or services available on the site on which the sign is located.
- b. Signage which adversely effects the amenity of the Residential and Rural Zones.
- c. Signs which mimic traffic signals, have moveable parts, flashing or revolving lights.

Reason

The restrictions on signs differ between zones, recognising the different community expectations about the number and use of signs in different areas and the characteristics of each zone.

The reliance of businesses on signs to advertise their services and products, is reflected in the rules which allow for increased number and size of signs in the Business Zones compared with Residential Zones provided they are situated on the sites of those businesses. Signs advertising community events in the Waimakariri District are expected but, should be discouraged from accumulating in certain locations where road safety may be an issue.

CROSS REFERENCE: Policies 12.1.1.8, 12.1.1.9, 14.1.1.2, 14.1.1.3, 15.1.1.1, 16.1.1.1, 16.1.1.3, 16.1.1.5, 16.1.1.8, 17.1.1.2 and 17.1.1.3

Methods

District Plan Rules 12.1.1.7.1

Rules on sign size, and location on sites and with respect to roads.

Standards for the number and materials of signs on sites.

Standards for temporary signs.

Signage Bylaw 12.1.1.7.2

The Signage Bylaw 2012 controls the location of signage on Council lands and on Council maintained footpaths. The Bylaw also applies to private property if signage is creating a traffic distraction.

Liaison 12.1.1.7.3

Liaise with groups representing business interests and other community groups.

Enforcement and Abatement Notices 12.1.1.7.4

Some adverse effects can be addressed by the general enforcement powers of the Resource Management Act 1991.

Glare

Policy 12.1.1.8

Control artificial light at a level that is appropriate to the zone.

Policy 12.1.1.9

Avoid glare from artificial light adversely affecting the amenity values and health and safety of people, on neighbouring properties and roads.

Explanation

Glare can arise from artificial illumination such as from sport field lighting, security lighting, advertising signs and from reflective glare of some structures. The impact of proposed lighting on safety will be affected by the level of background light and surrounding land uses:

- i. the level of road use and type of road;
- ii. light design and legibility of sign contents;
- iii. hours of operation; and
- iv. brightness

Refer to the policies that set out the characteristics of each zone: Rural (Policies 14.1.1.2 and 14.1.1.3), Urban (Policy 15.1.1.1), Business (Policies 16.1.1.1 to 16.1.1.9) and Residential (Policies 17.1.1.2 and 17.1.1.3).

In Residential Zones even low levels of artificial light can cause significant loss of amenity to properties due to the residential nature of the area. Areas dominated by residential dwellings are particularly sensitive to the timing of light spill at night. This is relevant to both residences within the larger towns and in rural communities. There is more tolerance for light levels in Business Zones because of the nature of the dominant activities, public display areas and associated signage. In Rural Zones there is an appreciation of the night sky due to current low levels of lighting and this should be protected.

District Plan rules set levels of light (measured in lux) to ensure that activities occurring within and around dwellinghouses are not distracted by glare. Standards for permitted activities focus on the light spill measured at the boundary of a site. Light levels in one site should not compromise the environment of any other site. Dwellinghouses in the Rural Zones require some level of protection. There is an expectation that light spill onto rural land may occur occasionally as a result of farming activities. Therefore, it is not necessary to maintain low light levels within the whole of a rural property. However, more permanent lighting can be a nuisance and adversely affect the expected amenity of rural dwellers.

In all situations the effect on amenity of the light spill will depend on: the type of light, including its strength; colour; whether it flashes; siting and hours of operation; and any associated benefits.

CROSS REFERENCE: Policies 14.1.1.2, 14.1.1.3, 15.1.1.1, 16.1.1.1, 16.1.1.8, 17.1.1.2 and 17.1.1.3

Methods

District Plan Rules 12.1.1.9.1

Standards for light spill.

Asset Management 12.1.1.9.2

Maintenance and design of street and reserve lighting.

Enforcement Orders and Abatement Notices 12.1.1.9.3

Some adverse effects can be addressed by the general enforcement powers of the Resource Management Act 1991.

Noise

Policy 12.1.1.10

Control noise to a level that is not unreasonable, measured against the character and circumstances of the zone.

Policy 12.1.1.11

Avoid noise adversely affecting the amenity values and health and safety of people on neighbouring sites or zones.

Explanation

Community acceptance of sound will depend on the character, level and duration of the sound and whether it is reasonable, having regard to the time and day. It is recognised that dwellinghouses, including those in the Rural Zones, require some level of protection from noise. Therefore, there are noise level standards, measured at 20 metres from dwellings or at the site boundary.

In Business Zones the tolerance for noise levels is higher because of the needs of some industrial activities. The need to maintain a noise environment suitable for residential activity, particularly at night, is emphasised in the controls.

In addition to rules the enforcement order and abatement procedures of the Resource Management Act 1991 will be used to control unreasonable noise (section 16).

Noise from motorised craft on the Waimakariri River and Ashley River/Rakahuri is addressed in the Chapter 3: Water (Policies 3.1.1.1, 3.1.1.2 and 3.1.1.3).

Amenity values are affected by noise in the following ways:

- i. People are more sensitive to noise levels at night, particularly in residential areas. The dwellinghouse is a place of rest.
- ii. The length of time, the level, and tonal characteristics of the noise. People may have a different tolerance for loud transient noise as compared with a quieter but more continuous noise, depending on the circumstances. In most situations occasional noise is tolerated at much higher levels than continuous noise.
- iii. The nature and location of nearby activities. Residential activities nearby, including camping grounds, will be sensitive to noise. In the Rural Zones, transitory noise associated with farming activities is generally accepted.
- iv. Perceptions of whether the noise source is associated with benefits to the area, community, or landowner.
- v. Presence or absence of noise buffers. The most effective buffers are distance and solid structures.
- vi. In the natural environment, which includes the coast, rivers and Outstanding Landscape Area, the expectation is that noise made by human activities is not dominant.

Methods

District Plan Rules 12.1.1.11.1

Standards for noise emissions by time and zone.

Activity-based standards for helicopter landing areas, and construction sites.

Rules provide for protection of noise sensitive land uses, such as residential activities, in areas adjoining Business Zones.

Enforcement and Abatement Notices 12.1.1.11.2

Some adverse effects can be addressed by the general enforcement powers of the Resource Management Act 1991.

Guidelines 12.1.1.11.3

Guidelines for the use of aircraft which are not controlled as a land use, eg microlight aircraft and helicopters.

Liaison 12.1.1.11.4

Work with key industries, and public health agencies.

Monitoring 12.1.1.11.5

Annual measurement of representative noise sites.

Policy 12.1.1.12

Avoid the noise effect from aircraft and avoid or mitigate the noise effect from road traffic in the receiving environment.

Explanation

Aircraft can only be controlled in relation to the use of airports. There are also limitations on the control of traffic noise. Mitigation of the noise effect in the receiving environment involves consideration of the appropriateness of residential development in some areas, and the extent to which building design can reduce the noise, eg insulation, setbacks.

There is no current noise data for Rangiora Airfield. However, the take-off and landing vectors are known and rules protect their use.

For Christchurch International Airport the 50 dBA Ldn aircraft noise contour shows noise level boundaries encroaching onto land to the south west and north east of Kaiapoi (District Plan Map 138). Within Kaiapoi, as defined in Chapter 6 of the Canterbury Regional Council Regional Policy Statement, consideration is given to balancing the provision of areas for future growth in Kaiapoi and for rehousing people displaced as the result of earthquakes against the 50 dBA Ldn aircraft noise contour constraint on subdivision and dwellinghouse development on areas below four hectares.

For these defined areas of Kaiapoi, under the 50 dBA Ldn aircraft noise contour, consideration is made for the provision of residential development, having regard for the form and function of Kaiapoi and to offset the displacement of households within the Kaiapoi Residential Red Zone which were already within the 50 dBA Ldn contour and which were displaced as a consequence of the 2010/2011 Canterbury earthquakes. It also provides, as part of greenfields residential development, for Kaiapoi's long term projected growth. Such development provides for the contiguous and consolidated urban development of Kaiapoi. In recognition of the potential adverse effects of aircraft noise over Kaiapoi in the future, information relating to the 50 dBA Ldn aircraft noise contour and the potential for increased aircraft noise will be placed on all Land Information Memoranda for properties within the 50 dBA Ldn aircraft noise contour for Christchurch International Airport.

The District Plan Maps also show the 55Ldn dBA noise contour encroaching onto land to the south and west of Kaiapoi. In this area, mitigation against the noise environment is required through controls on noise insulation for residential and other noise sensitive activities. The effect of the Christchurch International Airport is also a cross boundary issue involving Christchurch City (Chapter 19: Cross Boundary Issues).

CROSS REFERENCE: Policies 11.1.1.8, 11.2.1.1(k), 14.3.1.1, 18.1.1.4 and 18.1.1.5

Methods

Research/Information Collection 12.1.1.12.1

Measure the noise levels within land surrounding Rangiora Aerodrome.

Measure the noise levels within land adjoining strategic roads.

Information 12.1.1.12.2

Provide land developers with available information on likely noise effects from aircraft landing and taking off, road traffic and suitable methods of noise insulation.

Information about the 50 dBA Ldn aircraft noise contour for Christchurch International Airport on Land Information Memoranda for all properties within the contour as shown on Plan Map 138.

District Plan Maps 12.1.1.12.3

Map the noise contours, and sound exposure levels for a Boeing 747-200 single event, for Christchurch International Airport.

Liaison 12.1.1.12.4

Meet with Christchurch City Council, Christchurch International Airport Ltd, and Rangiora Aerodrome users, to monitor effects of aircraft noise, and appropriateness of District Plan provisions.

Processes to Deal With Cross Boundary Issues 12.1.1.12.5

NOTE: See Chapter 19: Cross Boundary Issues

District Plan Rules 12.1.1.12.6

Noise insulation standards within the 55Ldn dBA noise contour of Christchurch International Airport.

Rural Zone subdivision standards for allotment area as a controlled activity.

Rural Zone minimum site areas for dwellinghouses as a permitted activity.

Noise and Vibration – Earthquake Recovery Rebuilding

Policy 12.1.1.13

Within existing Business Zones, noise and vibration generated as a result of earthquake recovery rebuilding activities (including from traffic movements) shall be controlled to a level that will not create nuisance, damage structures, or adversely affect amenity values and the health and safety of people on neighbouring sites and zones.

Policy 12.1.1.14

In any existing Residential Zone, noise and vibration generated as a result of earthquake recovery rebuilding activities (including from traffic movements) shall be controlled to a level that will not create nuisance, damage structures, or adversely affect amenity values and the health and safety of people on neighbouring sites and zones.

Hazardous Substances

Policy 12.1.1.15

Hazardous substances should be securely contained during storage, use, or transportation, and monitoring and contingency procedures established, to minimise the risk of spillage or leakage and contamination of land and water.

Explanation

The greatest risk of contamination comes from accidental loss or leakage of material from containers. Care needs to be taken to ensure that material does not escape, and that in all situations where the unexpected occurs and leakage or spillage occurs, that measures such as secondary containment and procedures be put in place to ensure that environmental damage is minimised. A contingency plan may be required as a condition on a resource consent.

Policy 12.1.1.16

Hazardous substances should be used in locations and by methods that avoid or mitigate adverse effects on the environment and health and safety.

Explanation

The nature and scale of environmental effects and risks associated with hazardous substances are influenced by their intrinsic hazard, and their location such as their proximity to water bodies or residential areas. The use and storage of hazardous substances will be controlled in relation to location and the nature of environmental effects and the level of risk.

Site design, layout, and operational and management procedures greatly affect the risks to the environment from hazardous substances. Although some sites with hazardous substances may be permitted to operate without a land use consent because the risk they pose is deemed to be low, an aggregation of such facilities may increase the level of risk, and the potential for adverse environmental effects.

Policy 12.1.1.17

Facilities that store or use hazardous substances should be sited so as to minimise adverse effects on the community's use of the road network.

Explanation

The transportation of hazardous substances puts people at risk. It is not always possible to avoid residential areas. However, vehicles should use strategic, arterial or collector routes as far as practical, and avoid local roads when transporting hazardous substances.

Policy 12.1.1.18

Co-ordinate with national and regional organisations and adjoining District Councils in the management of hazardous substances.

Explanation

The Resource Management Act 1991 requires the Canterbury Regional Council to define the appropriate role for the District Council in developing objectives, policies and rules relating to control of the use of land to deal with adverse effects of hazardous substances through the Regional Policy Statement. The Regional Policy Statement reserves the role of dealing with adverse effects on water quality of the storage, use, disposal or transportation through a pipeline of certain specified substances to the Regional Council itself. It also reserves for itself the role of developing objectives, policies and rules in relation to the use of hazardous substances in the coastal marine area.

The management of hazardous substances, particularly its transport, requires co-ordination of District Plan proposals for roading and standards for volumes of material.

Methods

District Plan Rules 12.1.1.18.1

Standards for quantities of hazardous substances by zone.

Standards for use and management of hazardous substances.

Enforcement and Abatement 12.1.1.18.2

Some adverse effects can be addressed by the general enforcement powers of the Resource Management Act 1991.

Waimakariri Solid Waste Management Strategy 12.1.1.18.3

Contains proposals for the identification, treatment, and disposal of hazardous substances.

Education 12.1.1.18.4

Increasing public awareness about the nature, risks, and degree of hazard, and appropriate responses to emergencies.

Liaison 12.1.1.18.5

Working with industry groups, the Canterbury Regional Council, emergency services, and landowners to promote good management, and co-ordinate emergency responses.

Other Legislation 12.1.1.18.6

Hazardous Substances and New Organisms Act 1996.

Processes to Deal With Cross Boundary Issues 12.1.1.18.7

NOTE: See Chapter 19: Cross Boundary Issues

Retail Activity – Priority Areas

Policy 12.1.1.19

- a. Manage retail activity within Land Use Recovery Plan greenfield priority areas in a way that:
- b. avoids adverse effects on the viability of Key Activity Centres;
- c. provides for local retail centres limited in distribution and scale and demonstrates adherence to urban design principles;
- d. provides for future urban development options by avoiding retail activities within the Rural Zones;
- e. enables home occupations where ancillary to a residential purpose;
- f. recognises the role of community facilities within residential neighbourhoods;
- g. ensures commercial and industrial activities are the primary Business 2 Zone activities;
- h. provides for retail activities within the Business 4 Zones;
- i. ensures office activity is located within Key Activity Centres by avoiding office activity, other than ancillary office uses, within Residential, Business 2 and Rural Zones.

Farms and Dwellinghouses

Objective 12.1.2

The establishment and expansion of both farming activities and other activities in the Rural Zones in a way which gives consideration to existing activities while maintaining a quality environment appropriate for the zone.

Policy 12.1.2.1

Encourage farm activities to avoid or mitigate adverse effects through appropriate management, siting and design of operations.

Policy 12.1.2.2

Protect lawfully established farm activities by controlling the establishment of dwellinghouses and other land uses sensitive to the adverse effects of farming activities.

Policy 12.1.2.3

Protect lawfully established dwellinghouses and other sensitive land uses from significant adverse effects from future farm activities.

Explanation

Farm activities that can potentially produce adverse effects off-site include: the intensive farming of animals in buildings and associated treatment and/or disposal of collected effluent, the production of large amounts of compost, and the construction of farm land fills and offal pits. (Operations dealing with effluent, particularly urban sourced material, may be covered by Chapter 4: Land and Water Margins and/or Chapter 11: Utilities and Traffic Management).

Effects can include: production of offensive odour, over spray, noise or dust nuisance, and reduction in water quality. The nature of farming operations means that these effects, particularly those related to odour, can be transitory and can be weather and management dependent. Appropriate management, siting and design involves making use of currently available technology and best practice, and requires some understanding of the potential for adverse effects, for example, minimising the time between collection and application of effluent to land to reduce odour. Such practices can avoid and/or mitigate adverse effects.

Sensitive land uses are generally those activities where people dominate. Dwellinghouses are associated with high levels of occupation, both the number of people affected, and the length of time that they are present. Residential Zones have similar characteristics. The effect on the quality of the environment can depend on the surrounding land uses, zone qualities and expectations of the community. Refer to the policies that set out the characteristic of each zone: Rural (Policies 14.1.1.2 and 14.1.1.3), Urban (Policy 15.1.1.1), Business (Policies 16.1.1.1 to 16.1.1.9) and Residential (Policies 17.1.1.2 and 17.1.1.3).

For odour, the need to address adverse affects comes from the presence of people. There is generally no issue unless the odour is perceived by people.

Where the life-supporting capacity of water or land is potentially affected, the effect on the resource is the focus – the presence of people does not necessarily trigger the policy.

When a farming operation is proposed the separation distances detailed are not the optimal buffer areas. Larger distances may be appropriate and consideration should be given to relevant guidelines, i.e. codes of practice for pig farming.

CROSS REFERENCE: Policies 12.1.3.1, 12.1.3.2, 14.1.1.2, 14.1.1.3, 15.1.1.1, 16.1.1.1, 16.1.1.3, 16.1.1.8, 17.1.1.2 and 17.1.1.3

Methods

Advocacy 12.1.2.3.1

Advocating with industry and farming groups for use of best practice.

District Plan Rules 12.1.2.3.2

Standards for separation of dwellinghouses and Residential Zones from intensive farm activities, effluent treatment systems (other than septic tanks); and the application of farm effluent to land.

Enforcement and Abatement 12.1.2.3.3

Some adverse effects can be addressed by the general enforcement powers of the Resource Management Act 1991.

Guidelines 12.1.2.3.4

Management, design, location of offal pits and farm landfills.

Air

Objective 12.1.3

Protect people, vegetation, animals, and other natural and physical resources, from the adverse effects resulting from the discharge of contaminants to air.

Policy 12.1.3.1

Locate and/or design activities, that lead to the discharge of contaminants to air, so that any adverse effects on people, vegetation, animals and/or other natural and physical resources are avoided or mitigated.

Policy 12.1.3.2

Avoid dwellinghouses and other sensitive land uses locating near to where contaminants are already being discharged to air, unless any adverse effects of the discharge are avoided or mitigated.

Explanation

Many adverse effects can be avoided with the use of separation distances between incompatible activities, such as between a discharge to air and a dwellinghouse. Other sensitive land uses include places where people regularly gather such as schools, hospitals, shops and some businesses where the process or product is sensitive to contaminants such as odour, chemical sprays and dust.

Methods of addressing the adverse effect of contaminants in air may also include, in addition to separation distances, barriers or dispersal techniques. The timing of activities may also be important in mitigating the adverse effects.

The definition of contaminant is such that not all contaminants will result in an adverse effect. The resource management issue exists when the presence of people or other natural or physical resources means that they are sensitive to the contaminant and their health, safety or wellbeing is adversely affected. Contaminants causing adverse effects can include dust, odour, chemical sprays, smoke and fumes.

CROSS REFERENCE: Policies 12.1.2.1 to 12.1.2.3

Methods

Advocacy 12.1.3.2.1

Working with farming and transport users, contractors and others, advocating the use of best practice.

Work with other agencies to encourage the use of heating systems which avoid or minimise contaminant discharges.

Asset Management 12.1.3.2.2

Maintenance and design of road surfaces to reduce dust problems.

Liaison 12.1.3.2.3

Working with the Canterbury Regional Council and Community and Public Health to address issues where there are overlapping responsibilities.

Plants

Objective 12.1.4

The retention of plants that contribute significantly to the amenity of a site, or the character or quality of the surrounding environment.

Policy 12.1.4.1

Plants that contribute significantly to the amenity of a site, or the immediate area, shall be recognised and provided for in any work or subdivision of land, including being protected as a condition of consent.

Policy 12.1.4.2

Retention and protection of significant plants will be taken into account in determining the extent of adverse effects in assessing land use and development.

Explanation

Plants contributing to the level of amenity can be either indigenous or exotic. Generally they are of a scale to provide shade and/or be distinguishable as features in the landscape.

Plants which are considered notable are covered by Chapter 10: Notable Plants. Policies 12.1.4.1 and 12.1.4.2 have a wider scope, assessing the value of all plants at the time of land development.

Policy 12.1.4.2 provides the opportunity for the protection of plants to be weighed against other adverse effects of the land use. Plant protection is included as a matter which can be considered in assessing the extent to which an activity or development standard can be breached.

CROSS REFERENCE: Chapter 10: Notable Plants

Methods

District Plan Rules 12.1.4.2.1

The existence of and protection of significant plants is a matter taken into account in a resource consent application.

2010/11 Canterbury Earthquake Demolition, Deconstruction and Earthworks

Objective 12.1.5

Adverse effects from demolition or deconstruction of structures or buildings as a result of the 2010/11 Canterbury Earthquakes are avoided or mitigated.

Policy 12.1.5.1

Material and stock piling of material from demolition or deconstruction is managed through:

- i. the siting and size of stockpiles and the relationship between structures on adjacent sites, road corridors and landscaping;
- ii. levels and characteristics of noise, air borne contaminants and odour experienced by people;
- iii. disposal of waste, including rehabilitation;
- iv. environmental contamination from hazardous substances and waste;
- v. levels of traffic and impacts on the District's roading network; and
- vi. levels of signage.

Principal Reasons For Adopting Objectives, Policies and Methods 12.1.6

In promoting sustainable management particular regard must be given to the maintenance and enhancement of amenity values (section 7(c) Resource Management Act 1991), and the maintenance and enhancement of the quality of the environment (section 7(f) Resource Management Act 1991). Land use can affect amenity values and the existing and future quality of the environment through:

- i. the siting and design of structures (buildings and signs);
- ii. the relationship between open spaces, road corridors, trees, dwellinghouses and other aspects of the built environment;
- iii. levels and characteristics of light, noise, air borne contaminants and odour experienced by people;
- iv. disposal of farm waste, including effluent; and
- v. environmental contamination from hazardous substances and waste.

Some aspects of land use become an issue because they affect people, ie noise and odour. Other effects of land use affect the life-supporting capacity of air, water, soil, or ecosystems. Both relate to the quality of the environment.

Sustainable management requires consideration of the community's health and safety (section 5 Resource Management Act 1991). There is not always a clear distinction between effects on amenity values and effects on one's health and safety. An odour, for example, may be perceived by one person as affecting amenity, while for another it is a matter of

health. Signs have effects both on amenity values and on safety, particularly on roads. The policies do not always specify why a land use is being controlled as the circumstances of the case may require more weight to be given to amenity values or health or safety.

The Canterbury Regional Council controls discharge of contaminants into or onto land, air, or water, and discharges of water into water (section 30(f) Resource Management Act 1991). The District Council controls any actual or potential effects of the use, development, or protection of land (section 30(b) Resource Management Act 1991). Where a land use can result in non-point discharges of contaminants both councils have some responsibility. This is the case with odour associated with effluent production, use or disposal. Both Councils share responsibility for management of hazardous substances.

Buildings

The Council as a road controlling authority has the ability to affect the amenity value of the road corridor and reserve areas through asset management and design controls.

In urban environments site coverage controls limit the density of buildings on a site. Along with height controls and recession planes, these measures seek to maintain the building form and hence streetscape of what might be expected in an area, particularly residential areas. Consideration is focused on the effect of buildings on urban qualities and adjoining sites.

Residential Zones often adjoin Rural Zones or Business Zones and buildings and structures at the boundary should protect the amenity values of the area where people reside, primarily Residential Zones. Rules are necessary to set the minimal parameters.

Signs

The New Zealand Transport Agency (NZTA) is the body responsible for the maintenance of State Highway safety and controls the erection of signs within the State Highway Network. All signage erected within the State Highway road reserve is subject to the approval of the NZTA. Signage erected on land adjacent to State Highways may have an adverse effect on the safe and efficient operation of these roads. Where signage is erected in these locations, the Council as the decision making authority may consider the NZTA to be an affected party as part of any resource consent application. The Building Act 2004 controls the structural integrity of signs. Signs erected in a Council controlled road reserve are subject to the Council bylaw.

Glare

Glare, as perceived by people, can adversely affect amenity values and health and safety.

In all zones the safety of people using the roads can be affected by light from other sources. Lighting can distract drivers, diverting their attention and causing a nuisance by affecting the ability of the driver to see. On the positive side, light can improve pedestrian safety and security.

There are different expectations regarding the level of light experienced in different zones so reference is made to other policies, and rules set different standards for different zones.

The Council, as a road controlling authority and a service provider, can play a key role in the lighting of the road corridor, which affects the ambient light levels.

Noise

Noise can affect people's health and perception of amenity values. It is not a contaminant and the District Plan provisions focus on the protection of people. Sound does not become noise unless perceived by people. The use of the notional boundary for the Rural Zones emphasises the need to control noise in the places where people live and sleep. The generally low level of noisy business activities and small town nature of the District is recognised by the 7pm limit for day time noise levels.

Rules recognise that different zones are expected to have different noise environments. The Rural Zones are relatively noisy. It is a working area where the main activity is farming. It is not necessary to control the noise level at the boundary of two rural sites. This could result in significant parts of adjoining farms having noise standards precluding agricultural use. Unless there are people residing near the boundary there is no need to protect the use at the boundary.

At 65dBA there is speech interference. It protects use within a Business Zone, but is not sufficient to provide a comfortable living environment.

The Resource Management Act 1991 and the New Zealand Standards exclude traffic noise so the rules do not control it, although the receiving environments, ie roadside settlement, can be designed in a way to mitigate the noise (Policy 12.1.1.12).

Policy 12.1.1.12 also addresses the effects of landing and departing aircraft. The Resource Management Act 1991 limits control of aircraft noise to that associated with airports and excludes aircraft in flight (Resource Management Act 1991 section 9(8) Resource Management Act 1991 and related definition of "airport"). As the source of the noise can not be controlled, the receiving environment is the focus of the policy.

This District contains a number of small airfields, the largest being Rangiora Aerodrome and Forest Field Aerodrome. There is currently no information available on the levels of noise experienced around these operations and this needs to be addressed.

Some areas are subject to the noise of aircraft using Christchurch International Airport, and the predicted noise contour can be used to assess the appropriateness of residential developments. The plan change process triggers this consideration. Dwellings and other noise sensitive activities are required to meet certain noise insulation standards. Information on the likely effect of aircraft through the District Plan Maps can assist in guiding future building design.

Hazardous Substances

The potential or actual adverse environmental effects associated with the leakage or discharge of hazardous substances are likely to be significant because of the toxicity, persistence, explosive, or flammable nature of this material. Contamination of land and water may adversely affect their life-supporting capacity and indirectly the health and safety of communities. The health and intrinsic values of ecosystems may be jeopardised.

Future control of hazardous substances will be through the Hazardous Substances and New Organisms Act 1996. Significant resource management issues, however, are tied to land use choices, particularly in the community expectation that some areas of the District will have low risk to their health and safety, and to the quality of their environment.

The Regional Policy Statement assigns to this District Council specific responsibilities for hazardous substances (Policy 12.1.1.18).

Most people have a need to use hazardous substances, if only to fuel their vehicles. The scale and location of facilities giving access is offset against environmental expectations, and locations that minimise risk to vulnerable environments.

A survey of the type, volume and location of hazardous substances in the District confirms that:

- i. by far the most common substances are vehicle fuels;
- ii. agrichemicals and most industrial chemicals are not stored in significant volumes, and are subject to other storage and use regulations;
- iii. the largest volumes stored on sites are related to service stations, and timber treatment facilities;
- iv. there are no combined facilities using, storing, or disposing of hazardous substances;
- v. most sites with significant quantities of material are in Business Zones, or the Rural Zone; and
- vi. significant sites using or storing hazardous substances in Residential Zones are related to service stations, swimming pools and water treatment plants.

The District Plan provisions control hazardous substances in relation to this situation.

Farms and Dwellinghouses

As the Regional Council maintains control for discharges to water, land and air, there is overlap in control over some activities. Land use can be primarily responsible for contaminants entering the air, land and water, requiring intervention by the District Council.

Some farm activities can have associated adverse effects, affecting the amenity values of the surrounding area. In many cases appropriate siting, management practices and design of equipment can avoid or mitigate the effect, particularly as the effects are often transitory in nature. Such good practices are encouraged.

Policies 12.1.2.1 to 12.1.2.3 address the need for separation of incompatible land use. Buffer Zones provide some level of protection for existing land uses. Protection of existing farming operations is focused on, rather than all future farming activities. This is reflected in the District Plan rules which require an intensive farming activity to apply for a consent if the operation grows over a set limit. Although intensive farms are important to the District, their continued growth in some areas may not be in the best interest of the community.

The characteristics of different animals means that the farm practices associated with them have different effects. The rules recognise the different intensive farm activities – pigs, poultry and cattle operations with appropriate separation distances. The specific circumstances of the small lot sizes permitted in the Mapleham Rural 4B Zone are recognised by the classification of intensive farms as a prohibited activity.

Air

Air pollutants do not generally stay within the boundary of the property on which they are produced/discharged. The Canterbury Regional Policy Statement (Chapter 13, Objective 2, Policy 5) seeks that the District Councils consider appropriate locations for activities discharging to air and the protection of existing activities. The Regional Council has the responsibility for setting standards for emission levels, however, the District Plan can consider the resource management issues arising from the location of land use activities associated with the discharge of contaminants to air. Policies 12.1.3.1 and 12.1.3.2 address the need for separation of incompatible land uses.

Plants

Subdivision, land use, and development are powerful agents for changing environmental quality. A simplistic approach to development based on cost-effectiveness, and efficiency, that is common in the District is to clear a site to enable its development potential, or preferred use, to be more easily achieved. This approach confers costs on the community through loss of amenity, scale, continuity of streetscape, and habitat. Retention of plants that contribute to the amenity of a site or streetscape is necessary. It has the benefits of helping new development fit into the existing urban fabric, reducing the adverse effects of new development and maintaining scale and character of an area. A fundamental premise of urban areas is that they should be pleasant and attractive places in which to live, work and socialise. Retention of significant plants, and if appropriate, non-compliance with some activity or development standards, helps to make change to a familiar environment more sustainable. Rules are an effective instrument.

The issue of site clearance is of less concern in rural areas, but the need for controls on removal of significant plants is appropriate in that context too.

Anticipated Environmental Results and Monitoring 12.2

Anticipated Environmental Result	Monitoring Indicator	Information	Monitoring Frequency
Different zones maintain their valued, distinctive qualities	Comparisons of zone qualities: density, road corridor amenity and ambient noise, light and odour	Council records Asset management qualities	Annually
The layout and design of buildings, structures and open spaces and presence of plants provides a high quality environment	Valuation of properties and areas Noise and glare assessments Perceptions of residents Plants retained as part of subdivision and land use consents and plan changes	Real Estate agents Monitoring by Council staff Regional Council assessments Conditions on subdivision, land use and building consents	Annually
People's health and safety is not adversely affected by inappropriate development, design or siting of roads, structures and signs	Accident data Incidents where safety is compromised Level of people utilising public spaces Concerns of Residents	NZTA Council records Police records Safe Waimakariri Surveys	Annually
Future development using, storing, transporting or disposing hazardous substances does not compromise the amenity values, and health and safety of residents	Conditions on subdivision and land use consents and plan change applications Level of complaints Siting and controls on facilities utilising hazardous substances	Council records Regional Council records	Annually
Future development does not put undue pressure on legitimate existing farming activities to move	Changes in land use	Industry groups	Annually
Significant plants are retained on sites subject to subdivision and/or development	Extent to which plants are retained	Subdivision and land use consent records Surveys	Annually

15. Urban Environment

Issue 15.1

Potential adverse effects of population growth, development, and subdivision on the rural setting and the built, social, economic and cultural fabric of urban environments.

Objective 15.1.1

Quality urban environments which maintain and enhance the form and function, the rural setting, character and amenity values of urban areas.

Policy 15.1.1.1

Integrate new development, subdivision, and activities into the urban environments in a way that maintains and enhances the form, function and amenity values of the urban areas.

Explanation

The urban environment covers all the settlements. This includes Rangiora, Kaiapoi, Oxford and Woodend – Ravenswood, the beach settlements, the new town of Pegasus and small towns of Ashley, Sefton, Cust, Ohoka and Tuahiwi. The areas zoned as Rural-Residential in the Transitional District Plan are also considered to provide urban environments. These areas are valued as small residential areas in rural settings with the benefit of some urban standard services.

Urban form relates to the manner in which an urban area is arranged around natural features and how it has been shaped by choices in its servicing by roads, open space and other infrastructure. Historical choices in the way an area develops commonly leaves legacies for present communities to benefit from, or with which to grapple.

Urban form has a major bearing on how successfully an urban area functions and contributes to its resident's social and economic wellbeing. The form and function of an urban area significantly affects its qualities reflected in its setting, character, and amenity values.

The form and function of an urban area affects its ability to fulfil a full range of resident and visitor needs for living, work, economic, social, recreation and educational purposes. How well these needs are met depends in part on:

- i. accessibility to key locations such as the town centre, schools and recreation areas;
- ii. the integration of new development into the rest of the urban area through roading layout and traffic management, walking networks, open space links, and the careful use of natural features;
- iii. possible conflicts between new residential developments and existing uses nearby; and
- iv. the efficient utilisation of infrastructure.

Consultation has indicated that the community values, as part of the form and function of the District's urban areas, the following:

- i. all settlements, including main towns, are small compared to Christchurch;
- ii. rural setting – all urban areas are separated and surrounded by rural open space;
- iii. dominant central community focal point and concentration of business activity in main towns;
- iv. easy accessibility to locations within the urban area, to other urban areas within the District, and to Christchurch;
- v. mixed housing densities, with flexibility in some areas to provide for varied housing needs;
- vi. absence of high-rise buildings;
- vii. generous open space such as parks and reserves;
- viii. no heavy industry;
- ix. urban services such as reticulated or community sewerage and water, kerb and channelling footpaths and street lighting particularly in the main towns;
- x. a relatively quiet and safe environment when compared with a large metropolitan area; and
- xi. cycleways

These characteristics provide high quality living and working areas.

This policy seeks to maintain and enhance the form and function of urban areas in order to promote sustainable management of natural and physical resources of the District's urban environments.

Policy 15.1.1.2

Within the urban environment subdivision, land use, development and protection should avoid, or mitigate adverse effects on:

- a. the rural setting of the District's towns and settlements;
- b. efficient and effective functioning of roads;
- c. ease and efficiency of access;
- d. urban water bodies, and downstream effects on rural water bodies;
- e. mixed density housing from low scale, low density to higher density levels in areas designed as a comprehensive development. This provides for flexibility in some areas allowing for varied housing needs;
- f. quiet and safe environments;

- g. cycleways; and
- h. the individual character of the settlement.

Policy 15.1.1.3

Promote subdivision design and layout that maintains and enhances the different amenity values and qualities of the different urban environments by:

- a. providing links to public open spaces including walkways, cycleways and roads;
- b. ensuring allotment lay out maximises the amenity and sustainable energy benefits;
- c. enhancing the form and function of the surrounding environment;
- d. providing efficient and effective transport networks including cycleways;
- e. integrating new developments with the rest of the urban area, where they adjoin existing urban areas; and
- f. avoiding or mitigating conflicts between the effects of different land uses, such as between residential and business activities.

Explanation

Subdivision design plays an important role in the maintenance and enhancement of amenity values and environmental quality of the District.

Methods

District Plan Rules 15.1.1.3.1

Health, safety and wellbeing rules.

Floor area threshold tests for the location of some retail activities.

On-site parking standards and provision for off-site or shared parking.

Subdivision rules.

Constraints on development rules.

Concept plans or outline development plans.

District Plan Zones 15.1.1.3.2

Distinguish different densities and character of development by lot size.

Provision of deferred zones, where required in urban growth areas.

Road Hierarchy 15.1.1.3.3

Maintenance of a safe, convenient road network that is managed in terms of a hierarchy which sets roles and functions for different roads.

Esplanades 15.1.1.3.4

Plan standards provide for esplanades along nominated rivers.

Guidelines 15.1.1.3.5

Urban design, including Planning and Urban Design Forum.

Subdivision design.

Design guidelines for the Business 1 Zones of Rangiora and Kaiapoi.

For the purposes of the East Kaiapoi Outline Development Plan area, the Ruby Views Integrated Urban Design Report (December 2011). (Note this report has been incorporated into the District Plan by reference under Part 3, Schedule 1 of the Resource Management Act 1991).

Objective 15.1.2 Role of Key Activity Centres

Recognise the role of the Key Activity Centres at Rangiora and Kaiapoi as significant concentrations of business activities with key transport, cultural and community infrastructure in a way that:

- a. strengthens the Business 1 Zones of Rangiora and Kaiapoi as the primary employment and civic destinations;
- b. identifies the role of local retail centres as providing convenience retail functions appropriate within the zone to which they are located;
- c. acknowledges the Business 1 Zones of Woodend, North Woodend, Pegasus and Oxford, that provide for a similar range of activities to the Key Activity Centres at a size sufficient to provide for the needs of those communities; and,
- d. provides for limited retail activities within Business 2 Zones that are supportive of the Key Activity Centres.

Policy 15.1.2.1

Provide for activities within Key Activity Centres in a way that:

- a. achieves efficient utilisation and redevelopment of sites;

- b. considers integrated public transport linkages;
- c. allows for the efficient movement of pedestrians;
- d. avoids reverse sensitivity effects on existing Key Activity Centre activities; and
- e. anticipates appropriately located commercial tenancies that fulfil a retail anchor function.

Objective 15.1.3 Transport Networks

Transport networks that are safe, sustainable, efficient and facilitate connected communities and a choice of travel modes.

Policy 15.1.3.1

Convenient, safe, accessible and efficient connections for a range of transport modes.

Objective 15.1.4 Efficient Land Use – Comprehensive Residential Development

Efficient use of urban areas incorporating urban design best practice.

Policy 15.1.4.1 Urban Development – Comprehensive Residential Development

Integrate new development, subdivision and activities in a way that maintains and enhances form, function and amenity values through:

- a. high standards of street scene amenity;
- b. location within walkable distance of reserves, and local convenience retail facilities;
- c. location of highest residential densities closest to town centre and associated urban services and facilities including public transport;
- d. encouraging the development of corner sites to include features that emphasise the focal position of the corner site, including windows that overlook both streets, clearly identified pedestrian access and avoidance of blank walls and service areas visible from either street;
- e. stormwater facilities to manage flooding and water quality;
- f. effective and efficient use of utility networks;
- g. availability and character of open spaces; and
- h. protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features.

Whilst recognising the need to mitigate the adverse effects of natural hazards and how this will influence development design and layout.

Principal Reasons For Adopting Objectives, Policies and Methods 15.1.5

The natural and physical resources of urban environments shall be sustainably managed to enable people and communities to provide for their wellbeing, and health and safety (section 5 Resource Management Act 1991). The Council has a function to prepare resource management proposals that achieve integrated management of the use, development or protection of those resources. It is also required to control effects of land use (section 31(a), (b) Resource Management Act 1991).

The Regional Policy Statement identifies the role of rural towns in meeting regional settlement needs (Chapter 12, Objective 5, Policy 7).

Recent growth, change, and development in the District has raised the issue of how recent trends, which are projected to continue, will be managed in a sustainable way. The policies highlight the key features of the District's urban environments that must be maintained in considering growth and development proposals. The community wishes to retain the qualities of its towns; it is necessary for a policy framework, and some regulation, to secure those qualities as a consideration in resource management decisions.

Anticipated Environmental Results and Monitoring 15.2

Anticipated Environmental Result	Monitoring Indicator	Information	Monitoring Frequency
Maintenance of the rural setting, character and amenity of urban environments	Nature of land use on urban boundaries	Subdivision and land use consents Aerial photos Community survey	Annually
	Extent and condition of indigenous flora and fauna	Biological surveys	5 yearly
Maintenance and enhancement of the form and function of urban environments	Changes in measures of compactness; distances from periphery to town centre	Survey and analysis	5 yearly
Housing is still predominantly low scale, low density or of mixed density in defined areas	Number of buildings three storeys and more Percentage of sites in excess of Plan density standards	Subdivision and land use consents Building consents Aerial photographs	Annually

17. Residential Zones

Issue 17.1

The effects of growth and development on the existing Residential Zones of the District, and the potential loss of those characteristics of Residential Zones that provide for residents' and visitors' health, safety and wellbeing.

Objective 17.1.1

Residential Zones that provide for residents' health, safety and wellbeing and that provide a range of living environments with distinctive characteristics.

Policy 17.1.1.1

Maintain and enhance the characteristics of Residential Zones that give them their particular character and quality of environment and provide for comprehensive residential development within the Residential 1, 2, and 6 Zones.

Policy 17.1.1.2

Recognise and provide for differences between Residential Zones reflecting the community's expectations that a range of living environments will be maintained and enhanced.

Explanation

The Residential 1 Zone is the highest density living environment in the District. The zone surrounds the town centres of Rangiora and Kaiapoi. Residential 1 Zone provides an opportunity for higher density living within walking distance of town centre facilities and reinforces the dominant community focal point role of these towns. The zone is sensitive to adverse effects that may spill over from the adjacent Business 1 Zone.

The Residential 2 Zone occupies most of the living environment in the District's towns. It is characterised by the single storey detached dwelling, surrounded by lawns and gardens. The streets are open and spacious and generally carry only local traffic. The Residential 2 Zone is sensitive to adverse effects that may spill over from adjacent zones, especially the Business and Rural Zones.

The Residential 3 Zone reflects the view of the community that the beach settlements and small rural towns are different in character from the four main towns in the District. These differences largely stem either from their origins as holiday settlements, their small size, and low density of building. Servicing constraints such as at Allin Drive/Queens Avenue, Waikuku Beach which limit subdivision potential have the effect of maintaining the particular character of some settlements and towns.

The Residential 4 Zones are based on the former "Rural-Residential Zone". The zones provide a living environment within the rural area. The nature of these zones has increasingly taken on urban characteristics. People value them as very low density residential sites in a rural setting. Increasingly it is expected that servicing standards will mirror urban rather than rural settings. The difference between the 4A Zone and 4B Zone relates to lot sizes. New 4A and 4B Zones can only be created by plan change. The 4B Zones are the original Rural-Residential Zones created under the Transitional District Plans based on limited public servicing and one hectare average lot sizes.

The Residential 5 Zone provides for a special quality residential environment focused around man-made water bodies. It is a zone that has restrictive controls in place in recognition of the qualities of the environment including habitat and wildlife values of those water bodies. It is a location where extensive landscaping and amenity plantings are required. The Residential 5 Zone is a unique zone within the District. A particular character and level of amenity will be created within this zone.

The Residential 6 and 6A Zones provide for the residential development at Pegasus new town to the east of State Highway 1, north-east of Woodend and Ravenswood, north of Woodend. It is anticipated that the zones will enable a variety of housing environments of differing densities, from single storey detached dwellings on spacious sections to higher density living within close proximity to the community and commercial facilities in Pegasus and Ravenswood. Pegasus has the potential, when fully developed, to accommodate a population of approximately 5000 people in a comprehensively designed community which reflects the nature conservation and cultural heritage values of its surrounding environment. The town is designed around a town centre, recreation and community facilities, which will provide an urban focus for the town, with attractive, safe and efficient links to the residential neighbourhoods.

The Residential 7 Zone provides for mixed residential development at West Kaiapoi. The zone provides three levels of densities ranging from 200m² to 540m² minimum averages. These higher densities are supported by a network of open space and reserves, including enhancement of existing linkages and construction of new linkages along and across the Kaiapoi River. The need for this higher level of density has arisen from the red zoning of properties in Kaiapoi following the Canterbury earthquakes of 2010/2011. A consistent message that has come from the Council's consultation exercises with the community is a call for orderly change. There is a desire to retain the fundamental elements that give the Residential Zones their characters. The community's interest lay in managing the rate of change, not stopping nor prescribing acceptable change. It accepted that it was not possible to anticipate and therefore plan for likely futures. Management of Residential Zones should not be directed at retaining any particular known residential landscape. The management should ensure the retention of those Residential Zone characteristics set out in Table 17.1, and in Policy 17.1.3 for the Residential 7 Zone.

Table 17.1: Residential Zone Characteristics – Residential 1 and 2

Residential 1	Residential 2
— Predominant activity is living;	— Predominant activity is living;
— facilities include schools, limited commercial activities , reserves, churches, and service related businesses;	— predominantly detached dwellings;
— highest density of dwellings for the District's Residential Zones;	— facilities include schools, local shops, churches, places of assembly, reserves;
— flats and townhouse developments are more common than Residential 2;	— lower density of dwellings than for Residential 1;
— minimum lot size 300 square metres, and maximum site coverage 50%;	— lot sizes minimum 600 square metres and maximum site coverage 35%;
— streetscapes enhanced by mature trees and other plants;	— open, spacious streetscape, with hard surfaces visually dominant;
— hard surfaces visually dominant;	— low traffic speeds;
— full urban services; and	— fewer traffic movements on many streets than in Residential 1;
— footpaths on both sides of the street	— limited advertising;
	— full urban services; and
	— trees and plants enhance streetscapes

Table 17.1: Residential Zone Characteristics – Residential 3 and 4A/B

Residential 3	Residential 4A/B
<ul style="list-style-type: none"> — Predominant activity is living; — detached dwellings including a number of bachs; — high proportion of smaller dwellings; — diverse styles and ages of dwellings; — range of housing options, including comprehensive housing development focussed around village areas at Tuahiwi; — settlements are significantly smaller than other main towns; — wide range of lot sizes; — reduced size and nature of individual lots within Tuahiwi; — a rural outlook and setting; — access to public open space including the coastal environment — easy access to walking and cycling opportunities; — churches, local shops, reserves and camping grounds are important activities within the zone; — provision of a mixed use centre at Tuahiwi focusing on community facilities, convenience retail, recreational and business opportunities; — limited advertising; — intimate and informal streetscapes; — the streets are areas of community interaction; — limited footpaths; — minimal kerb and channels; — low noise levels; — low traffic volumes on side streets; — significant traffic levels on main roads, and during holidays; and — limited services and utility capacities in most zones 	<ul style="list-style-type: none"> — Predominant activity is living; — detached dwellings and associated buildings; — some limited farming and horticulture; — dwelling density is lowest for Residential Zones; — dwellings in generous settings; — average lot size of 0.25 -1.0 hectare; — limited number of lots located in a rural environment; — rural style roads or accessways; — opportunity for a rural outlook from within the zone; — few vehicle movements within the zone; — access to zones not from arterial roads; — community water and/or sewerage schemes; and — limited kerb, channelling and street lighting

Table 17.1: Residential Zone Characteristics – Residential 5 and 6/6A

Residential 5	Residential 6/6A
<ul style="list-style-type: none"> — Predominant activity is living; — mixture of dwelling densities, both low and medium density opportunities exist; — residential environment focused on water features of the site; — reticulated urban services; — limited kerb, channelling and street lighting; — high amenity values; — limited number of allotments; — strict controls on building design; — innovative use of water bodies; — enhancement of water bodies and surrounds; — extensive landscaping; — private accessways; — development controlled by concept plan; and — water-based activities strictly limited to protect habitat, wildlife and amenity values 	<ul style="list-style-type: none"> — Predominant activity is living; — compact, cohesive urban community; — convenient and distinctive town centre adjoining a central lake at Pegasus; — facilities include a school, local shops and other commercial and service-related businesses; other community facilities and reserves; — a variety of housing densities and styles, with a density of dwellings in places as high as Residential 1; — townhouse and comprehensive housing developments focussed around the town or village centres of Pegasus and Ravenswood, main access roads through the communities, and the community facilities; — minimum lot sizes of generally 400 square metres in the Residential 6 Zone and a maximum lot size of 412.5 square metres in the Residential 6A Zone; — streetscapes enhanced by significant plantings of trees; — full urban services; — structured roading layout, with associated walking and cycling provision, linking the commercial and community activities with the residential neighbourhoods; — generous areas of open space throughout the town, linking to the enhanced nature conservation areas and the recreation and open space resources of the surrounding area; and — safe and efficient urban environment reflecting the natural and cultural attributes of its surroundings

CROSS REFERENCE: Policy 13.1.1.2 and Policy 17.1.1.3

Methods

District Plan Rules 17.1.1.2.1

Standards for noise, glare, hazardous substances, signs.

Control of dwellinghouse density, numbers, site development standards in relation to height, setbacks, recession planes.

Control of access.

Standards for parking.

Subdivision standards and classifications of activities reflecting environmental outcomes sought for each zone.

Standards for utility provision.

Outline Development Plan controlling the layout of development in Pegasus and Ravenswood.

Requirement for Outline Development Plans for new areas zoned for residential development.

Requirement for comprehensive residential developments for each of the Area A blocks within the Residential 7 Zone.

Engineering Code of Practice 17.1.1.2.2

A set of engineering standards developed by the Waimakariri District Council for roads, domestic water supply and sewerage.

Asset Management Plans 17.1.1.2.3

Forward plan of services including standards of servicing.

Parks Categories and Levels of Service.

District Development Strategy 17.1.1.2.4

Non-statutory documents setting out the Waimakariri District Council's preferences as service, facility, and utility provider for the location, design and nature of future development including proposals for the integrated and staged provision of the services, facilities and utilities required by that development. The strategy is drawn around urban design principles and a 20 year planning period and for environmental enhancement.

Settlement Development Plans 17.1.1.2.5

Plans that provide for the integrated management of service development and upgrading, and environmental enhancements.

Policy 17.1.1.3

Provide for development within the Residential 7 Zone based on the characteristics of that zone by:

- a. Whole of Zone.
 - Predominant activity is living;
 - Mixture of dwelling densities within defined areas ranging from apartment/townhouse style living to the existing Residential 2 standard;
 - Centrally located convenience retail and community service function area (zoned Business 4);
 - Full urban services;
 - High amenity values, associated with reserves and the Kaiapoi River, including fencing adjacent to reserves;
 - Staged development of key infrastructure;
 - A integrated transport network including a range of road hierarchies and on and off road pedestrian and cycle facilities;
 - Individual allotment amenity contributes to the amenity of adjacent public space;
 - Minimum allotment sizes, averages and household yields; and
 - Efficient road connections with the State Highway and Kaiapoi.
- b. Area A.
 - The characteristics of the whole zone;
 - Specific requirements for outdoor space, access, parking and building design control;
 - An opportunity for an outlook towards open space and reserves;
 - Location on roads in the road hierarchy appropriate to the density and through movements; and
 - Comprehensive design for the whole of each area.
- c. Areas B and C.
 - Predominant activity is living;
 - Full urban services;
 - High amenity values, associated with reserves and the Kaiapoi River, including fencing adjacent to reserves;
 - Staged development of key infrastructure;

- A integrated transport network including a range of road hierarchies and on and off road pedestrian and cycle facilities;
- Fencing, landscaping and allotment layout along the Arterial Road for Area C;
- Streetscapes enhanced by appropriate landscaping;
- Public open spaces accessible from the roading network; and
- Range of lot sizes and their orientations, together with a varied road network layout and hierarchy.

CROSS REFERENCE: Policy 16.1.1.7

Explanation

A range of characteristics apply to the Residential 7 Zone. These characteristics form the basis for development within the zone and represent those fundamental elements to ensure a sustainable living environment. The need for this higher level of density has arisen from the red zoning of properties in Kaiapoi following the Canterbury earthquakes in 2010/2011.

Methods

District Plan Rules 17.1.1.3.1

Standards for noise, glare, hazardous substances, signs.

Control of dwellinghouse density, numbers, site development standards in relation to height, setbacks, recession planes.

Control of access.

Standards for parking.

Subdivision standards and classifications of activities reflecting environmental outcomes.

Standards for utility provision.

Requirement for Outline Development Plans for new areas zoned for residential development.

Requirement for comprehensive residential developments for each of the Area A blocks within the Residential 7 Zone.

Engineering Code of Practice 17.1.1.3.2

A set of engineering standards developed by the Waimakariri District Council for roads, domestic water supply and sewerage.

Asset Management Plans 17.1.1.3.3

Forward plan of services including standards of servicing.

Parks Categories and Levels of Service.

Policy 17.1.1.4

Ensure that subdivision and development within the Oxford Road, West Rangiora Outline Development Plan area, Lehman's Road - West Rangiora Outline Development Plan area and North East Woodend Outline Development Plan area achieve a minimum net density of 10 households per hectare averaged over the entire Outline Development Plan area.

Explanation

Policy 17.1.1.4 requires a minimum net residential density of 10 household units per hectare to enable the most sustainable use of land, and to create a compact urban area which is effectively and efficiently served by infrastructure. This is in accordance with the objective to achieve urban consolidation in greater Christchurch contained in the Regional Policy Statement.

Residential densities shall be calculated in accordance with the definition of net residential density.

Policy 17.1.1.5

Provide for subdivision and/or business and residential development that enables Residential 3 zoned land within Maori Reserve 873 to be used as intended by Kemps Deed of 1848 and the Crown Grants Act (No.2) of 1862 for places of residence and living activities for the original grantees and their descendants whilst:

- a. recognising a range of housing options and dwellinghouse densities providing for a variety of allotment sizes;
- b. creating compact contained village areas;
- c. providing for a centrally located, mixed use centre that recognises the need for community facilities, convenience retail, recreational and business opportunities at a size and scale appropriate to the development of Tuahiwi;
- d. defining any increase in the Residential 3 Zone by natural features, landscape character areas and built features;
- e. implementing an Outline Development Plan;
- f. connecting to Council reticulated water and sewer;
- g. avoiding residential development on land subject to hazards, including flooding from either breakouts or localised ponding;
- h. maintaining a rural outlook and setting;
- i. providing good connectivity via walking and cycling linkages;
- j. providing active interaction with the street frontages;
- k. re-establishing, protecting and ecologically enhancing the historic streams draining the eastern basin; and
- l. protecting and enhancing views from village areas to Maungatere and Nga Tiritiri o te Moana.

Objective 17.1.2 Integration - Comprehensive Residential Development

Comprehensive residential development that contributes to the character and identity of urban areas, providing vitality and interest through streetscape integration, landscaping, building design, orientation and materials.

Policy 17.1.2.1 Onsite Amenity – Comprehensive Residential Development

High levels of onsite amenity will be achieved through the provision of:

- a. sites and buildings that are oriented to achieve access to sunlight within dwellinghouses and outdoor living areas;
- b. best practice urban design principles;
- c. outdoor living areas for each dwellinghouse that:
 - i. are of a usable size and shape;
 - ii. can receive direct sunlight for a reasonable time each day throughout the year; and
 - iii. are directly accessible from a living room or kitchen within a dwellinghouse located at ground level, or where located above ground level, provides useable open space through balcony or shared ground level outdoor areas;
- d. landscaping is provided for visual interest, particularly in relation to boundaries, accessways, parking and open space;
- e. design that minimises direct views between the living areas of adjacent dwellinghouses and outdoor living areas whilst recognising any need to provide for raised floor levels, foundation and building designs and ground preparation that mitigate the adverse effects of natural hazards;
- f. habitable rooms and outdoor living areas that are sufficiently quiet to avoid adverse effects on human health, including adverse effects on sleep disturbance;
- g. safe, clear vehicular and pedestrian access to each dwellinghouse.
- h. accessways that are designed, formed and of sufficient width to provide safe and convenient passage of vehicles, and avoid adverse effects on visual amenity from stormwater runoff;
- i. onsite car parking and manoeuvring space and use of on-street parking where sufficient parking capacity is available. Availability of on-street parking will require consideration of:
 - i. the demand for parking generated by the development;
 - ii. the function and design of the road;
 - iii. current and predicted parking use;
- j. any potential conflict with walking, cycling or public transport routes; and
- k. the potential to create new parking facilities within the road reserve area.

Policy 17.1.2.2 Offsite Amenity – Comprehensive Residential Development

Residential amenity for adjoining sites and areas will be maintained or enhanced through:

- a. ensuring the amenity and safety of adjoining sites, streets, open spaces and other areas are not adversely affected by development, in particular by:
 - i. excessive shading;
 - ii. significant loss of privacy whilst recognising any need to provide for raised floor levels, foundation and building designs and ground preparation that mitigate the adverse effects of natural hazards;
 - iii. dominant structures;
 - iv. unsympathetic design and materials;
 - v. the positioning of blank building facades adjacent to any street and the use of extended continuous building lines or rooflines;
 - vi. noise;
 - vii. excessive traffic movements; and
 - viii. fencing;
- b. the retention of mature trees that contribute to neighbourhood amenity and visual continuity;
- c. design that recognises the relationship between dwellinghouses and streetscape including:
 - i. orientation of dwellinghouses to the street;
 - ii. a main entrance to the dwellinghouse being obvious and accessible;
 - iii. the placement of windows and doors within dwellinghouse facades;
 - iv. the location of habitable rooms adjacent to the street frontage;
- d. any fencing adjacent to front boundaries, walkways or cycleways being sufficiently low or permeable to promote open streetscapes and enhance pedestrian and cyclist safety;
- e. limiting car parking and hard surface treatments that dominate the development when viewed from the street; and
- f. requiring garages that are visible from the street to be designed to ensure placement and materials do not dominate or otherwise detract from residential and street amenity.

Policy 17.1.2.3 Residential Choice – Comprehensive Residential Development

Provide for residential choice by:

- a. encouraging and enabling comprehensive residential development in the Residential 1 Zone;
- b. providing for comprehensive residential development in Residential 2 and 6 Zones where character and integration matters are addressed.

Policy 17.1.2.4 Site Assembly – Comprehensive Residential Development

Encourage efficient use of residential land through comprehensive residential development and the amalgamation of adjacent sites to provide increased opportunities for efficient layout of structures and services.

Integration - Comprehensive Residential Development

Policy 17.1.2.5

Development that addresses any cumulative effects from increased residential density on the open space characteristics of the Residential 2 Zone.

Policy 17.1.2.6

Building style, scale and materials, open spaces and natural elements that are sympathetic to the neighbourhood in which they are situated and avoid the use of elements such as conspicuous signage, walls, fences or surface treatments that discourage integration with the wider residential area.

Policy 17.1.2.7

Residential development that supports a highly connected transport network and includes walking and cycling routes that are suitable for a wide range of ages and abilities.

Policy 17.1.2.8

Development that considers the context of the zone or adjacent zone.

Objective 17.1.3 Efficiency and Sustainability – Comprehensive Residential Development

Efficient and sustainable use of residential land and utility services that achieves long term energy efficiency.

Sustainable and Efficient Design – Comprehensive Residential Development

Policy 17.1.3.1

In order to minimise energy and water use, the use of low impact design such as optimal site layout, passive solar design, solar power and water heating, grey water recycling and the storage and reuse of rainwater for garden irrigation is encouraged.

Policy 17.1.3.2

Ensure stormwater runoff from comprehensive residential development is managed onsite, or by financial contribution to upgrade the receiving stormwater system, to achieve a level of stormwater runoff that is no greater than that generated by the site or sites prior to development.

Principal Reasons For Adopting Objectives, Policies and Methods 17.1.4

The natural and physical resources of Residential Zones need to be sustainably managed to enable people and communities to provide for their wellbeing, and health and safety (section 5 Resource Management Act 1991). The Council has a function to prepare resource management proposals that achieve integrated management of the use, development or protection of those resources. It is also required to control effects of land use (section 31(a), (b) Resource Management Act 1991).

Recent growth, change, and development in the District has raised the issue of how recent trends, which are projected to continue, will be managed in a sustainable way. The policies highlight the key features of the District's Residential Zones that must be maintained in considering growth and development proposals. As the community wishes to retain the qualities of its Residential Zones; it is necessary for a policy framework, and some regulation, to secure those qualities as a consideration in resource management decisions.

Policy 17.1.1.2 enables the maintenance of seven distinct residential environments, and two rural-residential environments. This variety will enable residents to provide for their health, safety and wellbeing in environments that best suit their purposes. Flexibility in level and quality of servicing reinforces the distinctions between the zones (Policy 13.1.1.3). Plan rules for subdivision, significant plants, allotment dimensions, site coverage and number of dwellings are necessary controls to avoid adverse effects of land use. Activity and development standards are set at a level appropriate for the maintenance of preferred zone characteristics. Avoiding the loss of these characteristics will promote the sustainable management of the natural and physical resources.

Anticipated Environmental Results and Monitoring 17.2

Anticipated Environmental Results and Monitoring 17.2	Monitoring Indicator	Information	Monitoring Frequency
Distinctive residential environments are a feature of the District's towns	Dominant activity	Survey	Annually
	Density of dwellings by site/zone	Subdivision and land use consents	
	Allotment sizes created by subdivision		
	Incidence of tree planting		
	Traffic movements		
	Urban design principles		
Community perceives the Residential Zones as desirable places in which to live	Community safety standards	Survey	5 yearly
	Community values		

31. Health, Safety and Wellbeing – Rules

Rules in this chapter are divided as follows:

- i. Buildings and Structures (31.1 - 31.6)
- ii. Signs (31.7 - 31.9)
- iii. Glare (31.10 - 31.11)
- iv. Noise (31.12 - 31.13)
- v. Hazardous Substances (31.14 - 31.16)
- vi. Farms and Dwellinghouses (31.17 - 31.20)
- vii. Retail Activities and Traffic Matters (31.21 - 31.25)
- viii. Retail Activities within Land Use Recovery Plan Greenfield Priority Areas (31.26 - 31.28)
- ix. Retail Activities within Land Use Recovery Plan Greenfield Priority Area – Flaxton/Fernside Business 6 Zone (31.29 - 31.30)
- x. Pegasus (31.31 – 31.32)
- xi. Maori Reserve 873 – Rural Zone (31.33 – 31.35)

Buildings and Structures

NOTE: The Plan definition of "structures" includes "buildings" - see Chapter 1: Definitions

31.1 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a controlled, discretionary (restricted), discretionary or non-complying activity under Rules 31.2 to 31.5;
- ii. complies with the conditions under Rule 31.1.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.1.1 Conditions

Dwellinghouses

- 31.1.1.1 In the Rural Zone any dwellinghouse shall be on a site which has a minimum area of 4ha.
- 31.1.1.2 In the Maplesham Rural 4B Zone no more than one dwellinghouse shall be on a site created in general accordance with the Maplesham Rural 4B Concept Plan (District Plan Map 147) provided that no dwellinghouse is permitted on Lot 36 or Lot 37.
- CROSS REFERENCE: Rule 31.6
- 31.1.1.3 In the Rural Zone, where there is more than one dwellinghouse on a site, it shall be able to be shown that:
- a. each dwelling can be contained within its own delineated area and there is no overlap between delineated areas;
 - b. Rules 32.1.1.1 (areas and dimensions), 32.1.1.3 (provision for a building platform and sewage disposal area), 32.1.1.30 and 32.1.1.31 (common vehicle crossing for multiple lots), 32.1.1.58 and 32.1.1.59 (energy supply to the allotment) and 32.1.1.64 (stormwater connection to public drain) can be complied with as though any delineated area was an allotment;
 - c. Rules 30.6.1.2 (access to seven or more sites) and 31.1.1.15 (setbacks for structures) and 31.10.1.1 (glare) can be complied with as though any delineated area was a site;
 - d. any delineated area, other than one that encompasses an existing habitable dwellinghouse, can be connected to a reticulated potable water supply; and
 - e. no esplanade reserve or esplanade strip would be required to be created or set aside in accordance with Chapter 33: Esplanades: Locations and Circumstances – Rules if any delineated area was created by subdivision.
- CROSS REFERENCE: Rule 30.6.1.19 (Table 30.4)
- 31.1.1.4 In Residential 1, 2, 3, 6, 6A and 7 Zones and Business 2 Zones any dwellinghouse shall be on a site that complies with the area and dimensions set

out in Table 32.1 (Subdivision – Rules) as though the site was an allotment, except as provided for by Rule 32.1.1.8.

CROSS REFERENCE: See Rule 31.1.1.56 for the Residential 5 Zone

- 31.1.1.5 In any Residential 4A or 4B Zone any dwellinghouse shall be on a site that complies with the following minimum areas:
- in any 4A Zone a minimum area of 2500m²;
 - in any 4B Zone a minimum area of 5000m².
- 31.1.1.6 In any Residential 2, 3, 4A, 4B or 7 (Areas B and C) Zone, where there is more than one dwellinghouse on a site, it shall be able to be shown that:
- each dwelling can be contained within its own delineated area and there is no overlap between delineated areas;
 - for Residential 2 and 3 Zones, that the areas and dimensions of any delineated area can comply with the standards and terms of Rule 32.1.1.1 as though the delineated area was an allotment;
 - for the Residential 7 Zone any delineated area can comply with the standards and terms of Rules 32.1.1.1 to 32.4 as appropriate, as though the delineated area was an allotment created by subdivision;
 - for Residential 4A and 4B Zones, that the areas and dimensions of any delineated area can comply with the standards and terms of Rules {32.1.1.11} to 32.1.1.22 as appropriate, as though the delineated area was an allotment created by subdivision;
 - Rules {32.1.1.50} and 32.1.1.51 (reticulated water supply); 32.1.1.54 (reticulated sewerage); {32.1.1.58} and 32.1.1.59 (energy supply to the allotment); 32.1.1.61 and 32.1.1.62 (stormwater connection); can be complied with as though any delineated area was an allotment; and Rules 30.6.1.2 (access to seven or more sites); 30.6.1.14 (formation of accessways for one or more sites); 31.1.1.10 and 31.1.1.11 (structure coverage); 31.1.1.20 and 31.1.1.22 (recession plane), 31.1.1.24 to 31.1.1.26 (structure heights); can be complied with as though any delineated area was a site; and
 - no esplanade reserve or esplanade strip would be required to be created or set aside in accordance with Chapter 33: Esplanades: Locations and Circumstances – Rules if any delineated area was created by subdivision.
- 31.1.1.7 For that land contained within part RS 321 SO 7784 and SO 11556 (former NZ Railway Land, Fuller Street, Kaiapoi) any structure shall be set back 10m from the boundary with Williams Street.
- 31.1.1.8 In Pegasus and Ravenswood dwellinghouses shall only be located in:
- the Residential 6 and 6A Zones and only within the areas shown as "Residential Areas" on District Plan Maps 142 and 158; or
 - the Business 1 Zone in the areas defined as "Town Centre – Intensive Business" and "Town Centre – General Business" on District Plan Map 142, and in the "Town Centre – Intensive Business" area shall only be located above ground floor level; or
 - the Business 1 Zone area defined on District Plan Map 158.
- 31.1.1.9 Within the Oxford Road, West Rangiora, and Lehmanns Road, West Rangiora, Outline Development Plan areas shown on District Plan Maps 168 and 183, any dwellinghouse on a site greater than 1,200m² in area shall be contained within its own delineated area, where that delineated area:
- complies with the area and dimensions set out in Table 32.1 (Subdivision – Rules) as though the site was an allotment; and
 - is of an area and dimension, and located in such a position, that does not frustrate compliance with Rule 32.1.1.10.

Structure Coverage

- 31.1.1.10 The structure coverage of the net area of any site shall not exceed:
- 50% in Residential 1 Zones;
 - 35% in Residential 2, 3, 5 and 6 Zones;
 - 20% in the Rural Zone, the Mapleham Rural 4B, Residential 4A and 4B Zones, except for the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169;
 - in the Residential 6A Zone (Pegasus):
 - 24% where any road frontage of the site is 15m or greater, or
 - 38% where any road frontage of the site is less than 15m;
 - in the Residential 7 Zone:
 - Area A 60%;
 - Area B 50%; and
 - Area C 40%;
 - 55% in the Business 1 Zone Pegasus "Town Centre – General Business Area" as identified on District Plan Map 142;
 - 35% in the Business 4 – Williams/Carew Zone as identified on District Plan Maps 104 and 105; or

- h. 40% in Business 4 – Lilybrook Zone as shown on District Plan Maps 113 and 117;
- i. 55% in Business 4 West Kaiapoi Zone as shown on the District Plan Map 104;
- j. 40% in the Residential 6A Zone Ravenswood, as shown on District Plan Map 158; and
- k. 10% for lots over 3000m² in area and 15% for lots between 2500 - 2999m² in area, or 500m², whichever is the lesser in the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169.
- l. 40% in the Mandeville North Business 4 Zone as shown on District Plan Map 182.

CROSS REFERENCE: Rule 31.1.2.4

31.1.1.11 The structure coverage of the net area of any site within the Comprehensive Residential Development areas shown on District Plan Maps 152, 163 and 172 shall not exceed 50%.

31.1.1.12 The structure coverage of the net area of any site within a comprehensive residential development within the Residential 1, 2 or 6 Zones shall not exceed:

- a. 60% in Residential 1 Zones;
- b. 50% in Residential 2 or 6 Zones.

31.1.1.13 For the purpose of Rules 31.1.1.10, 31.1.1.11 and 31.1.1.12:

- a. The calculation of net area of any site shall exclude any part of the site:
- b. subject to designation; or
- c. used as an accessway or access leg except for comprehensive residential development; and the calculation of structure coverage shall exclude any area covered solely by any:
 - d. eave, pergola or deck;
 - e. outdoor swimming pool;
 - f. fence; or
 - g. structures less than 5m² in floor area and less than 2m high;
- h. provided that in the Residential 6A Zone any area covered by:
 - i. any verandah or up to 6m² of bay window(s) located within 4m of a road frontage, provided that any bay windows located within this 4m setback do not have a single or combined length of greater than 4m,
 - ii. any deck which is less than 1m in height,
 - iii. eaves less than 900mm in width, or
 - iv. any garage
- i. shall be excluded from the calculation of structure coverage; and, provided that in the Business 1 Zone at Pegasus any area covered by verandahs and bay windows shall be excluded from the calculation of structure coverage.

31.1.1.14 In the Residential 6A Zone, the ground floor area of any garage shall not exceed:

- a. 40m² where any road frontage of the site is 15m or greater; or
- b. 21m² where any road frontage of the site is less than 15m.

Setbacks For Structures

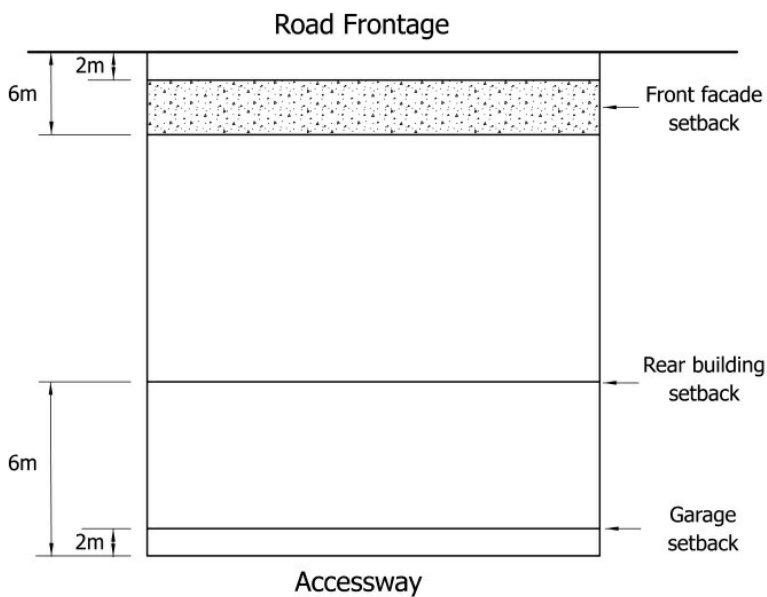
31.1.1.15 Any structure shall comply with the minimum setback requirements in Table 31.1 and measurements shall be taken from the nearest point of any part of any structure (or dwellinghouse).

31.1.1.16 In the Residential 6A Zone (Pegasus), at least 50% of the width of the front facade(s) of any dwellinghouse shall be setback no less than 2m and no more than 6m from the road boundary(ies) of the site; except that this may be reduced to 45% of the width of the front facade where the facade faces a road frontage of the site which is less than 15m (refer to Figure 31.1).

For the purpose of this rule the front facade is any facade of a dwellinghouse structure which faces a road, but does not include verandahs and bay windows.

CROSS REFERENCE: See Rule 31.1.2.4

Figure 31.1: Residential 6A Zone Setback Requirements



31.1.1.17 In the Residential 6A Zone, all garages and structures above garages, shall be set back no more and no less than 2m from an accessway (Refer to Table 31.1).

Table 31.1: Minimum Structure Setback Requirements

Location	A setback is required from	Setback depth (minimum)
Rural Zone	Any road boundary	20m for any dwellinghouse 10m for any structure other than a dwellinghouse
	Any internal site boundary	20m for any dwellinghouse 3m for any structure other than a dwellinghouse
	Any existing dwellinghouse on an adjoining site	10m for any structure (excluding a dwellinghouse)
Rural Zone Maori Reserve 873 cluster housing	Any road boundary, any site boundary external to the cluster, and any existing dwellinghouse on an adjoining site	15m
All Residential Zones other than the Residential 4A Zone (Wards Road, Mandeville North and Mill Road, Ohoka), Residential 6A and 7, the Residential 4A Zone (Bradleys Road, Ohoka) and the Mandeville Road – Tram Road Mandeville North Residential 4A Zone, and the Residential 4A Zone (Woodend Beach Road, Woodend) (excluding any comprehensive residential development)	Any road boundary (other than a boundary to a strategic road or arterial road) or any accessway	2m
	The zone boundary within Tuahiwi at the northern, eastern and southern extent as shown on District Plan Map 176B	15m
NOTE: See Rule 31.1.1.15 Comprehensive residential development within Residential 1, 2 and 6 Zones	The road boundary	2 m for any dwellinghouse
		4 m for any garage where the vehicle entrance is generally at a right angle to the road.
		5.5 m for a garage where the vehicle entrance faces the road, and the garage must not be located closer to the road boundary than the front façade of the associated dwellinghouse
Residential 4A Zone (Bradleys Road, Ohoka) shown on District Plan Map 169 and the Mandeville Road – Tram Road Mandeville North Residential 4A Zone shown on District Plan Map 182	Any road boundary	15m
	Any internal site boundary	5m
Residential 4A Zone (Wards Road, Mandeville North) shown on District Plan Map 162, Residential 4A Zone (Mill Road, Ohoka) shown on District Plan Map 160 and Woodend Beach Road shown on District Plan Map 171)	Any boundary from a local road	10m
Residential 4A Zone (Mill Road, Ohoka) shown on District Plan	Mill Road boundary	15m

Location	A setback is required from	Setback depth (minimum)
Map 160	Any internal site boundary	5m
All Residential Zones, other than Residential 6, 6A and 7, where the site fronts onto a strategic or arterial road	The road boundary of any strategic or arterial road	6m, or 4m for any garage where the vehicle entrance is generally at right angles to the road
Residential 5 Zone	Any site boundary adjoining an accessway for allotments 15, 16, 17, 27, 28 and 29 shown on District Plan Map 140	4m
Residential 6A Zone (other than areas identified on District Plan Map 142 as excluded from the setback requirement)	Any internal site boundary, other than boundaries with accessways	2m for any structure other than garages and structures above garages
Residential 6A	Boundaries with accessways	10m for any structure other than a garage and structures above garages NOTE: Refer to Figure 31.1 and Rule 31.1.1.16
Residential 7	Any road boundary (other than to a arterial road) or any accessway	2m for any dwellinghouse within Area A 3m for any dwellinghouse within Areas B and C 5.5m for any structure other than a dwellinghouse within Areas A, B and C
	The road boundary of any arterial road	6m
	Any internal site boundary	2m
	Any site boundary of 309 Island Road being Lot 1 DP 62400	20m
Business 2, 3 and 6 Zones, where the site fronts onto a strategic or arterial road	The road boundary of any strategic or arterial road	10m
Business 2, 3, 5 and 6 Zones, and Woodend Business 1 Zone where the site is adjacent to a Residential Zone or a Rural Zone boundary	The zone boundary, or where the zone boundary is a road, the road boundary	10m
Business 4: Williams/Carew Zone and Business 4: Mandeville North	Any road boundary	6m
	Any internal site boundary	5m
Business 5 Zone at Kaiapoi	The zone boundary, the Smith Street boundary, and any site boundary adjoining a reserve	10m
All Zones	All 110kV overhead high voltage electrical lines as shown on District Plan Maps	32 metres either side of the centreline
	All 220kV and 350kV overhead high voltage electrical lines as shown on District Plan Maps where the span length is less than 375 metres	32 metres either side of the centreline
	All 220kV overhead high voltage electrical lines as shown on District Plan Maps where the span length is 375 metres or greater	37 metres either side of the centreline
	All 350kV overhead high voltage electrical lines as shown on the District Plan Maps where the span length is greater than 375 metres	39 metres either side of the centreline

Location	A setback is required from	Setback depth (minimum)
CROSS REFERENCE: Rule 31.1.1.58 for Business 6 Zone, Rule 31.21.1.1 for Business 1 Zones and Rule 31.1.1.33 for the Business 4 – Lilybrook and West Kaiapoi Zones, Pegasus Business 1 Intensive and General see Rules 31.21.1.6 and 31.21.1.7		
31.1.1.18	Any structure (including dwellinghouse) within the Lehmans Road – West Rangiora Outline Development Plan area shall comply with the minimum setback requirements in Table 31.1A and measurements shall be taken from the nearest point of any part of any structure (or dwellinghouse).	

Table 31.1 A

Location	A setback is required from	Setback depth (minimum)
Lehmans Road – West Rangiora Outline Development Plan	All 220kV overhead high voltage electrical lines and support structures as shown on the Outline Development Plan	12 metres either side of the centreline, and 12 metres from support structures

31.1.1.19 All structures, earthworks and other activities must comply with the requirements in NZECP 34:2001.

Structure Height

- 31.1.1.20 Within any Residential Zone, other than the Residential 6A Zone or Residential 7 Zone (Area A), or within a site which adjoins any Residential Zone, other than the Residential 6A Zone, no structure shall project beyond the building envelope defined by recession planes constructed 2.5m above any site boundary or any boundary adjoining the Residential Zone, as shown in Appendix 31.1. Except that for the purpose of this rule, the following structures are exempt:
- lines and wires;
 - support structures for utilities;
 - flagpoles, antennas other than dish antennas;
 - lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts;
 - decorative features such as steeples, towers and finials;
 - within the Residential 6 Zone:
 - dormer windows; and
 - parapets which do not exceed a maximum height of 6.5m and a maximum depth of 400mm;
 - provided that none of the structures listed in items c to f has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary;
 - in the case of dormer windows in the Residential 6 Zone:
 - no dormer window has an overall width exceeding 1.5m;
 - the apex of the dormer window is below the ridge line of the dwellinghouse;
 - there is no more than one dormer window per continuous 5m length of roof; and
 - there is a minimum separation of 1m between each dormer window; and
 - for buildings on adjoining sites which share a common wall, where the recession plane requirement shall not apply along that part of the internal site boundary covered by such a wall.

CROSS REFERENCE: Rule 30.1.1

- 31.1.1.21 Within the Residential 6A Zone or Residential 7 Zone (Area A), or within any site which adjoins the Residential 6A Zone, no structure shall project beyond the building envelope defined by recession planes constructed from points 5.7m above any internal site boundary (other than boundaries with accessways) and inclined inwards to the site at an angle of 45° from the horizontal; except that recession planes for garages, including structures above garages, shall be constructed from points 4.6m above any internal site boundary (other than boundaries with accessways), as shown in Appendix 31.1 – Figure 31.6.

Except for the purpose of this rule, the following structures are exempt:

- lines and wires;
 - support structures for utilities;
 - flagpoles, antennas other than dish antennas;
 - lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts;
 - decorative features such as steeples, towers and finials;
- provided that none of the structures listed in items c to e has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary;
- dormer windows provided that:

- i. no dormer window has an overall width exceeding 1.5m,
- ii. the apex of the dormer window is below the ridge line of the dwellinghouse,
- iii. there is no more than one dormer window per continuous 5m length of roof, and
- iv. there is a minimum separation of 1m between each dormer window;
- g. parapets provided they do not exceed a maximum height of 6.5m and a maximum depth of 400mm; and
- h. buildings on adjoining sites which share a common wall, where the recession plane requirement shall not apply along that part of the internal site boundary covered by such a wall.

CROSS REFERENCE: Rule 30.1.1

31.1.1.22 Within the Comprehensive Residential Development areas identified on District Plan Maps 152, 163 and 172 no attached or semi-detached dwelling shall project beyond the building envelope defined by recession planes as shown in Appendix 31.1, Figure 31.5 constructed 5.7m above any site boundary or any boundary adjoining the Comprehensive Residential Development areas. Except that for the purpose of this rule, the following structures are exempt:

- a. lines and wires;
- b. support structures for utilities;
- c. flagpoles, antennas other than dish antennas;
- d. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts; and
- e. decorative features such as steeples, towers and finials,

provided that none of the structures listed in items c to e has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary.

CROSS REFERENCE: Rules 30.1.1 and 31.1.1.22

31.1.1.23 For the purpose of Rules 31.1.1.20, 31.1.1.21 and 31.1.1.23 where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary.

31.1.1.24 Any structure in a Residential 1, 2, 3, 6 or 7 Zone (Areas B and C) shall not exceed a height of 8m except within the View Protection Area identified in Maori Reserve 873 shown on District Plan Map 176B, where any structure shall not exceed a height of 5 metres.

31.1.1.25 Any structure in the Residential 7 Zone (Area A) shall not exceed a height of 9m.

31.1.1.26 Any structure in the Mapleham Rural 4B Zone, or in a Residential 4A Zone, except within the Waikuku Beach Outline Development Plan area shown on District Plan Map 161, 4B or 6A Zone shall not exceed a height of 10m, provided that in the Residential 6A Zone garages shall not exceed a height of 6m.

31.1.1.27 Within the Waikuku Beach Outline Development Plan area shown on District Plan Map 161 no structure shall exceed 5.5m in height above finished ground level.

CROSS REFERENCE: Rule 27.1.1.19

31.1.1.28 Any structure in the Residential 5 Zone shall not exceed a height of 7.5m or more than 5.5m in height to the underside of the eaves.

31.1.1.29 Any structure in a Business 2 or 6 Zone shall not exceed a height of 15m.

31.1.1.30 Any structure in a Business 1 Zone shall not exceed a height of:

- a. 8m in Oxford;
- b. 10m in Pegasus;
- c. 12m in Rangiora and Kaiapoi; and
- d. 15m in Woodend.

31.1.1.31 Any structure in the Business 1 Zone (Rangiora and Kaiapoi), with road frontage shown by Figure 31.2, shall have a minimum height of 5m.

31.1.1.32 Any structure in the Business 4 – Williams/Carew Zone shall not exceed a height of 8m.

31.1.1.33 Any structure in the Business 4 – Lilybrook and West Kaiapoi Zones shall not exceed a height of 9m.

31.1.1.34 Any structure in the Kaiapoi Business 5 Zone shall not exceed a height of:

- a. 10m within a 20m distance from the 10m setback along the southern zone boundary.
- b. 12m in all other areas.

For the purposes of determining building height in the Kaiapoi Business 5 Zone, ground level is the level of the ground existing when filling to achieve the minimum finished floor level required by Rule 27.1.1.30 has been completed.

- 31.1.1.35 Any structure in the Mandeville North Business 4 Zone not exceed a height of 8 metres.

Outdoor Living Space and Service Areas

- 31.1.1.36 Each dwellinghouse in the:
- Residential 6A Zone or Residential 7 Zone (Area A) shall be provided with a continuous area of outdoor living space of no less than 30m² and with a minimum dimension of no less than 4m, and contained within the site of the dwellinghouse. At least half of the required area shall be located so as to be able to receive sunlight at midday on the shortest day of the year. The required minimum area of outdoor living space shall not be occupied by any building, driveway, or parking space, other than an outdoor swimming pool.
 - Business 1 Zone in Pegasus shall be provided with 16m² of outdoor living space contained within the site of the dwellinghouse. This may be provided by way of decks, balconies, courtyards, or other outdoor area, provided that the required minimum area is not occupied by any building, driveway, or parking space, other than an outdoor swimming pool.

- 31.1.1.37 Comprehensive residential developments shall be provided with:

- a continuous private ground level outdoor living space per dwellinghouse that:
 - contains a 4 x 4m square;
 - has a minimum dimension of 3m;
 - is not occupied by any building, driveway, manoeuvring or parking area; and
 - has direct sunlight available throughout the year.
- a minimum of 5m² of outdoor service area per dwellinghouse to provide for rubbish and recycling storage for each dwellinghouse that:
 - has a minimum dimension of 1.5m; and
 - is screened or located behind buildings when viewed from any road or public open space.

Non-compliance with Rule 31.1.1.37 will not require an application to be notified or served on affected persons, unless required through non-compliance with other plan conditions.

Outdoor Community Space

- 31.1.1.38 For each Area A density block within the West Kaiapoi Outline Development Plan shown on District Plan Map 164, where any block exceeds 1ha, a minimum of 200m² of outdoor community space shall be provided. These areas shall be held in the same ownership or by tenancy-in-common in the same ownership as the lots or sites to which the community space is provided.

Screening and Landscaping

- 31.1.1.39 Where a site within any Business Zone, other than the Business 4 – West Kaiapoi Zone, shares a boundary with any Residential Zone, the site shall be screened from the adjoining Residential Zone site(s) to a minimum height of 1.8m except where a lesser height is required in order to comply with Rule 30.6.1.24, for unobstructed sight distances.
- 31.1.1.40 Within any setback from a road boundary (required by Rules 31.1.1.15, 31.1.1.16, 31.1.1.17 and Table 31.1) in any site in any Business Zone the area shall be landscaped for an average depth of 2m from the site boundary. For the Southbrook Business 2 Zone, Todds Road Business 2 Zone, Kaiapoi Business 5 Zone and the Business 6 Zone this shall include an evergreen tree of at least 1.5m in height at the time of planting at a spacing of one tree every 10m or a minimum of one tree per site frontage.
- 31.1.1.41 Any site within the Business 4 – Lilybrook Zone shall be landscaped for an average depth of 2m along all road boundaries.
- 31.1.1.42 Within the Residential 1 Zone in Kaiapoi between the railway line and Williams Street, a landscaped area of 10m minimum width within Lots 1 and 2 DP 325119 shall be maintained at all times as a buffer to the Business 2 Zone. The landscaped area shall be along that part of the boundary:
- running at right angles to the railway line at the south-eastern end of the Residential 1 Zone; and
 - running at right angles to the railway line adjacent to Lot 2 DP 18838 at the south-eastern end of the Residential 1 Zone.
- 31.1.1.43 Within the Mandeville Road – Tram Road, Mandeville North Residential 4A Outline Development Plan Area shown on District Plan Map 182, all site boundary fences shall:
- have a maximum height of 1.2 metres within the 15 metre road setback and elsewhere a maximum height of 1.8 metres;
 - be farm-style post and wire or post and railing; and,
 - achieve at least 80% permeability.

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- 31.1.1.44 Any fence erected along the Williams Street frontage within the north-east Kaiapoi Outline Development Plan (Planning Map 156) shall be located a minimum of two metres from the road boundary, and have a visually permeable upper quarter and not exceed a height of 1.5 metres.
- 31.1.1.45 Within the Enverton Drive – Ballarat Road and Enverton Drive – Ashley Street, North Rangiora, and Oxford Road, West Rangiora Outline Development Plans shown on District Plan Maps 165, 166 and 168, fencing within 2 metres of the boundary of the walkway links shall have a maximum height of 1 metre.
- 31.1.1.46 Within the Woodend Beach Road Outline Development Plan Area shown on District Plan Map 171, all site boundary fences shall:
- have a maximum height of 1.2 metres within the 10 metre road setback and elsewhere a maximum height of 1.8 metres; and
 - be farm-style post and wire or post and railing and achieve at least 80% permeability.
- 31.1.1.47 Within the McHughs Road, Mandeville North Outline Development Plan area shown on District Plan Map 174 all fencing of the pedestrian and cycleway access links shall be rural style post and wire or post and rail fencing with a maximum height of 1.2m.
- 31.1.1.48 Within the Residential 7 Zone, all fencing between residential properties and reserve land and also residential properties fronting neighbourhood roads shall have a minimum visual permeability/openness of 45%.
- 31.1.1.49 Within the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169 any fences/walls within any boundary setback shall be:
- limited to a maximum height of 1.2m and a minimum height of 0.6m; and
 - limited to traditional post and wire or post and rail fences, and be at least 50% open; and
 - of a length equal to or greater than 80% of the length of the front boundary.
- 31.1.1.50 Within the Mandeville Road - McHughs Road Residential 4A Zone shown on District Plan Map 179, any fence greater than 1.2 metres in height or less than 50% visually permeable shall be:
- located a minimum of 15 metres from any road boundary, a minimum of 10 metres from any internal site boundary and a minimum of 20 metres from any Rural Zone; and
 - limited to a length of not more than 2w0 metres along any one side.
- 31.1.1.51 Within the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169, within any road boundary setback on any site:
- the maximum total area of paving (including gravel surface) shall be 100m²;
 - a minimum of one specimen tree shall be planted and maintained for each 10m of road frontage. These trees shall be located within 10m of the road frontage boundary and be planted not more than 10m apart. Specimen trees planted shall be a minimum height of 2 metres and a minimum trunk diameter of 3 centimetres at a height of 30 centimetres above ground level selected from the following species: Maples, Silk Tree, Alders, Oaks, Elms, Magnolias, Olives, Plane Trees, Birches, Cyresses and Kowhai.
- 31.1.1.52 Within the South West Rangiora Residential 2 Zone shown on District Plan Map 173 all fencing:
- where located between a residential property and reserve land shall have a maximum height of 1.5m and have a minimum visual permeability/openness of 45%; and
 - where located on and between the road boundary and any part of a dwellinghouse shall have a maximum height of 1.2m.

Streetscape: Comprehensive Residential Development

- 31.1.1.53 Residential 1, 2 and 6 Zones (Sites with Direct Road Frontage):
- the width of any garage door shall not exceed 50% of the width of the site frontage, or 6m metres, whichever is the lesser;
 - at least one habitable room or kitchen shall be located facing the street at ground level and will include at least 20% of the front façade in glazing (within window or door panels); and
 - each dwellinghouse shall include a door that is directly visible and accessible from the street.
- For the purpose of this rule, a habitable room includes any living room, bedroom, family room or study.
- 31.1.1.54 Within the Lehman's Road - West Rangiora Outline Development Plan shown on District Plan Map 183, all fencing, where located within 2 metres of the boundary of a pedestrian/cycleway access linkage, shall be 50% visually permeable above 1.2 metres in height, and shall not exceed 1.8 metres in height.

Special Requirements for Wards Road Residential 4A Zone

31.1.1.55 Within the Wards Road, Mandeville North, Outline Development Plan Area the:

- a. existing shelter belt planting on Tram Road within the Amenity Strip shown on District Plan Map 162 shall be permanently maintained;
- b. existing vegetation and new landscape planting on Wards Road and Dawsons Road within the Amenity Strip shown on District Plan Map 162 shall be provided for at the time of subdivision and maintained permanently; and
- c. new landscape planting along the rural interface boundary within the Amenity Strip shown on District Plan Map 162 shall be provided for at the time of subdivision and maintained permanently. The selection of plant species shall comprise a mix of exotic and natives.

Special Requirements for Residential 5 Zone

31.1.1.56 Development within the Residential 5 Zone shall generally comply with the Concept Plan shown on District Plan Map 140.

CROSS REFERENCE: Rule 32.1.1.1

31.1.1.57 Within the Residential 5 Zone:

- a. Riparian planting shall be established and maintained for a minimum distance of 2m from the high water level of the lake, except where any dwellinghouse is located at or over the high water level of the lake.
- b. Vegetation of local provenance shall be established and maintained in general accordance with the Concept Plan on District Plan Map 140 provided that vegetation along the southern boundary (adjoining Lot 1 DP 8962 Kaiapoi Lakes) is to be replaced and maintained to ensure a screen from the recreation reserve.
- c. No lawn or impervious surfaces shall encroach into the area of planting required by clause a above.
- d. All structures (excluding wire fencing) on sites with lake frontage shall be located within the "identified building sites" and "house sites" as indicated on the Concept Plan on District Plan Map 140.
- e. Exterior wall cladding including gable ends, dormers and trim of all structures shall be either timber, concrete block, local stone or rough textured plaster and shall be finished in their natural colours or coloured earthy midtones of between 12% and 40% reflectivity.
- f. Roofs of all structures including trim shall be finished in their natural colours or coloured dark tones between 5% and 12% reflectivity.
- g. No structure shall have a roof pitch greater than 37°.
- h. The roofs of any accessory structure shall be finished in the same materials as the dwellinghouse on the same allotment.
- i. No cats shall be brought in or kept on any allotment or in any structure.
- j. There shall be no use of the pedestrian right of way on the southern boundary (except in circumstances of emergency or with permission of the lake owning company) between 1 September and 15 December in any year.
- k. Two dwellinghouses can be erected on allotment numbers 15, 16, 17, 27, 28 and 29 as shown on District Plan Map 140.

Special Requirements for Business 6 Zone

31.1.1.58 Within the Business 6 Zone any boundary with Lots 1 and 4 DP 352557 and Lot 3 DP 33763 shall be landscaped to a minimum depth of 10 metres.

31.1.1.59 Within the Business 6 Zone any industrial activity shall be setback a minimum of 50 metres from the museum, wedding venue, tavern, conference and non-permanent accommodation facility. Within the 50 metre setback, a minimum of 10 metres of landscaping shall be provided.

31.1.1.60 Within the Business 6 Zone a maximum of 260 car parking spaces shall be provided.

Special Requirements for Waikuku Beach Residential 4A Zone

31.1.1.61 Within the Residential 4A Zone – Waikuku Beach Outline Development Plan area shown on District Plan Map 161:

- a. the landscape planting shown on the Outline Development Plan shall be provided at the time of subdivision and maintained permanently in the Amenity Strip by the relevant lot owner; and
- b. the new landscape planting is to be completed within the first planting season (April – September) after the time of subdivision approval.
- c. all site boundary fencing as shown around the edge of the Amenity Strip on the Outline Development Plan shall be post and wire or post and rail fencing and shall have a maximum height of 1.5m.
- d. no buildings or vehicle accessways are permitted within the Amenity Strip shown on the Outline Development Plan;
- e. The requirement for the above works shall be secured by way of a Consent Notice on any new title created within the Waikuku Beach Outline Development Plan area shown on Map 161 which contains any part of the Amenity Strip.

Special Requirements for the Residential 3 Zone in Maori Reserve 873

31.1.1.62 Within the Residential 3 Zone in Maori Reserve 873 shown on District Plan Map 176B:

- a. the landscape strip shown on the Outline Development Plan shall be provided at the time of subdivision and maintained permanently;

- b. landscape planting is to be completed within the first planting season (April – September) after the time of subdivision approval;
- c. the landscape strip shall extend for the length of the lot boundary to a depth of 5m and shall include shrubs and trees. The selection of plant species shall include a majority of indigenous species;
- d. trees shall be provided at the rate of one tree for every 10m. All trees shall be a minimum of 1.5m in height at the time of planting and be of a species that is capable of reaching 4m at maturity;
- e. all trees shall be maintained so that any dead, dying, damaged or diseased plants are replaced immediately; and
- f. these requirements shall be secured by way of a Consent Notice on any new title created within the Residential 3 Zone in Maori Reserve 873 shown on District Plan Map 176B.

Special Requirements for Residential 4A Zone Mill Road Ohoka

31.1.1.63

Within the Residential 4A Zone, Mill Road, Ohoka shown on District Plan Map 160:

- a. Any fence erected within any road or internal site boundary setback shall be limited to:
 - i. a maximum height of 1.2m;
 - ii. post and wire or post and rail fences; and
 - iii. be at least 50% transparent.
- b. Any gate structure or wing walls shall be limited to:
 - i. a maximum height of 1.8m;
 - ii. gates shall be at least 50% transparent and constructed in timber.
 - iii. wing walls shall be constructed in either: timber, stone or plastered masonry, and if painted shall be finished in hues of grey, green or brown with a reflectivity value of no more than 37%.
- c. There shall be no fixed outdoor lighting within any road or internal boundary setback.
- d. Within a 10m setback from the marked boundaries a minimum of one tree shall be planted for every 20 metres of the relevant allotment boundary. Such trees may be grouped within each allotment adjacent to the marked boundary.
- e. Any hedge of more than 5 metres in length along any lot boundary shall not exceed 1.5m in height.
- f. Trees required in accordance with (d) above shall:
 - i. comprise a mix of large high amenity trees that reflect and complement species found in Ohoka, from the following tree list:
 - Alnus spp (alder)
 - Castanea sativa (sweet chestnut)
 - Aesulus hippocatanum (common horse chestnut)
 - Cupressus macrocarpa (macrocarpa), C x leylandii (Leyland cypress)
 - Eucalyptus pauciflora (snow gum), E. gunii (cider gum), E. cinerea (silver dollar gum), E. mannifera ssp mannifera
 - Fagus spp (European beech)
 - Fraxinus excelsior (European ash)
 - Gingko biloba (gingko)
 - Juglans nigra (black walnut)
 - Liquidambar styraciflua (liquidamber)
 - Magnolia grandiflora (evergreen magnolia), m. Soulangeana (saucer magnolia)
 - Platanus x acerifolia (London plane), P. orientalis (oriental plan)
 - Podocarpus Totara (Totara)
 - Populus nigra x euramericana 'Crows nest', P. yunnanensis (Chinese poplar)
 - Quercus robur (English/common oak), Q. rubra (red oak), Q. palustris (pin oak), Q. ilex (Holm oak), Q. coccinea (scarlet oak), Q. cerris (Turkey oak)
 - Robinia pseudoacacia (black locust)
 - Tilia x europaea (common lime)
 - Ulmus glabra (wych elm), U. procera (English elm), U. hollandica 'Dodens' (Dutch elm)
 - ii be at least 1.5m high at the time of planting; and
 - iii be maintained so that any dead, dying, damaged or diseased plants are replaced immediately.
- g. No structures or dwellinghouses are permitted within Area C shown on the outline Development Plan.

Special Requirements for the Kaiapoi Business 5 Zone

31.1.1.64

Within the Kaiapoi Business 5 Zone the development of land shall be in accordance with Outline Development Plan area shown on District Plan Map 170:

- a. new buildings shall connect to the stormwater management system shown on the Outline Development Plan;
- b. stormwater management areas shall be designed and managed to fully drain within 48 hours of the cessation of a 2% AEP storm event;
- c. any outdoor storage area shall not be located within the 10m Building Setback;
- d. the 5m Landscape Area along the southern zone boundary shall be provided with:
 - i. a minimum of one native specimen tree for every 10m, planted no more than 10m apart, or closer than 8m; and
 - ii. at least 50% of other plants capable of growing to at least 1.5m at maturity selected from the following plan schedule:

<u>Botanical</u>	<u>Common Name</u>
Trees and Shrubs	
<i>Austoderia richardii</i>	toi toi
<i>Coprosma robusta</i>	karamu
<i>Cordyline australis</i>	cabbage tree
<i>Hebe salicifolia</i>	koromiko
<i>Hoheria angustifolia</i>	lacebark
<i>Pittosporum eugenioides</i>	lemonwood
<i>Pittosporum tenuifolium</i>	kohuhu
<i>Podocarpus totara</i>	totara
<i>Sophora microphylla</i>	kowhai
Wet Tolerant Planting	
<i>Carex Secta</i>	sedge
<i>Juncus edgariea</i>	common rush

- e. tree planting shall be provided along the Smith Street boundary and the Council reserve (west) boundary:
 - i. at a minimum of one tree for every 15m;
 - ii. no more than 15m apart or closer than 13m; and
 - iii. the drip line of any tree shall not encroach within 2m of the centre line of any water or stormwater pipeline.
- f. trees required by (d)(i) and (e) above shall be at least 1.8m high at the time of planting and of a species capable of growing to at least 8m at maturity.
- g. any building walls within 20m distance from the 10m setback along the southern zone boundary, and which face directly or are generally parallel to the Kaiapoi River, shall be painted or finished in recessive colours in the natural range of browns, greens and greys, with a reflectivity of no more than 35%.
- h. any fencing within 10m of the zone boundary shall be limited to stock fencing or wire mesh security fencing. Security fencing shall not exceed 2.7m in height and shall be located on the inside of the 5m Landscape Area along the southern boundary.

31.1.2 Exemptions

31.1.2.1

The replacement of any habitable dwellinghouse, which is deemed to be destroyed, dangerous, or insanitary, as a result of fire, flood or natural event is exempt from complying with Rules 31.1.1.1 to 31.1.1.6 provided that a building consent is granted within one year of the loss of the dwelling.

31.1.2.2

Any dwellinghouse erected on a site or an allotment, that was created by subdivision and was on a subdivision plan that was issued with a subdivision consent between 1 October 1991 and 24 February 2001 (inclusive of both dates) is exempt from complying with Rules 31.1.1.1, 31.1.1.4 and 31.1.1.5, provided that all dwellinghouses maintain a setback from internal boundaries of not less than 10m.

31.1.2.3

Any comprehensive residential development is exempt from complying with Rule 31.1.1.6.

31.1.2.4

Any unstaffed utility, or utility building or structure, 35m² or less in total floor area is exempt from complying with the structure coverage Rules 31.1.1.10 to 31.1.1.14.

31.1.2.5

The following structures are exempt from complying with Rules 31.1.1.15 to 31.1.1.17 (setback for structures):

- a. any fence 1.8m or less in height in any zone other than a Residential 1, 2, 3 or 7 Zone or Residential 4A Zone as shown on District Plan Map 171;
- b. any fence 1.5m or less in height in a Residential 1, 2 or 3 Zone (excluding any comprehensive residential development);
- c. any fence within a comprehensive residential development in a Residential 1, 2 or 6 Zone 0.9m or less in height, or a fence of up to 1.8m where at least 50% of the fence is transparent (such as spaced metal railings that provide clear visibility through the fence);

- d. any fence 1.5m or less in height in the Residential 7 Zone not adjoining a neighbourhood road, or any fence 1.3m or less where the fence adjoins a neighbourhood road;
 - e. wire fencing in the Residential 5 Zone;
 - f. poles and masts up to 6.5m in height;
 - g. service station canopies which are non-enclosed;
 - h. structures less than 10m² floor area and less than 3m in height;
 - i. the replacement, maintenance and minor upgrading of any utility structure;
 - j. any structure in any Business 4 Zone that existed at 20 June 1998;
 - k. any structure in the Business 4 – West Kaiapoi Zone;
 - l. any structure adjoining an accessway, other than those listed in points a to h of this rule or a dwellinghouse in any Residential or Business Zone, which does not have any doors or windows that open into that accessway;
 - m. in the Residential 6A Zone, verandahs and bay windows on corner sites may project into the setback from a road boundary by up to 1m, provided that they are located within 4m of both road frontages; and
- CROSS REFERENCE: See Rule 31.1.1.15
- n. in the Residential 6A Zone and Residential 7 Zone (Area A), buildings on adjoining sites sharing a common wall do not require a setback along that part of the internal site boundary covered by such a wall.

31.1.2.6 The following fences are exempt from complying with Rule 31.1.1.44:

- a. any fence, or other screening structure that is at least 50% visually transparent and has a maximum height of 2 metres.

31.1.2.7 Within the Residential 5 Zone structures at the common boundaries of allotments 15 and 16; 16 and 17; 27 and 28; and 28 and 29, as shown on District Plan Map 140, are exempt from complying with recession plane Rule 31.1.1.20.

31.1.2.8 Within the Maplesham Rural 4B Zone, and the Residential 1, 2, 3, 4A, 4B, 6, 6A or 7 Zones, the following structures are exempt from complying with the structure height controls (Rules 31.1.1.24 to 31.1.1.27):

- a. any decorative feature, steeple, finial, chimney, spire, lightning rod or ventilation shaft that does not have a horizontal dimension exceeding 3m at any point above 8m in height;
- b. lines, wires and utility support structures carrying up to 66kV lines up to 15.5m in height;
- c. lift and stair shafts, roof water tanks, solar heating devices;
- d. Fire Service hose drying or training towers up to 13m in height;
- e. antennas which do not project more than 2m above the highest point of the rest of the structure;
- f. non-lattice support structures for radio communication facilities up to 15.5m in height, where the support structure does not exceed a diameter of 0.5m at a point 4m above ground level; and
- g. in the Residential 6A Zone, structures on corner sites may have a maximum height of 10m where the structure is located within 4m of both road frontages.

CROSS REFERENCE: Rule 31.1.1.16

31.1.2.9 Within any Business 1, 2, 4 or 5 Zone, the following structures are exempt from complying with structure height Rules 31.1.1.29 to 31.1.1.35:

- a. structures less than 10m² floor area and less than 3m in height;
- b. poles and masts up to 6m in height;
- c. lines, wires and utility support structures carrying up to 110kV lines up to 18.5m in height;
- d. antennas which do not project more than 2m above the highest point of the rest of the structure; and
- e. non-lattice support structures for radio communication facilities up to 18.5m in height, where the support structure does not exceed a diameter of 0.5m at a point 4m above ground level.

31.1.2.10 Sites within the Business 1 Zone (Rangiora, Oxford and Kaiapoi), which share a boundary with a Residential Zone and where that zone boundary is along a road, shall be exempt from Rule 31.1.1.39.

31.1.2.11 Within the Business 1 Zone (Rangiora, Oxford and Kaiapoi), the following are exempt from complying with structure height Rule 31.1.1.30:

- a. any decorative feature, steeple, finial, chimney, clock tower, spire or partial storey where located on a building on a corner site, provided that it is located at the road frontage corner and does not exceed 50% of the length of either road frontage.

31.1.2.12 Sites within the Business 1 Zone in Pegasus, which share a boundary with a Residential Zone and where that zone boundary is along a road, shall be exempt from Rule 31.1.1.39.

31.1.2.13	Buildings and structures are exempt from compliance with Rule 31.1.1.15 in relation to the vertical clearance from overhead high voltage electrical lines and support structures as shown on the District Plan Maps where written engineering approval has been obtained from Transpower New Zealand Limited.
31.1.2.14	For the purpose of Rule 31.34.1, within Maori Reserve 873 where the land immediately beyond the site boundary functions as an accessway to a rear lot, the boundary of the accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the setback under Table 31.1, provided this deemed site boundary is no further than 10m from the site boundary.
31.1.2.15	Any site within the Mandeville North Business 4 Zone shown on District Plan Map 182 is exempt from complying with Rules 31.1.1.39 and 31.1.1.40 (Business Zone screening and landscaping).

31.2 Controlled Activities

- 31.2.1 Within the Mandeville North Business 4 Zone, shown on District Plan Map 182, development of the zone, including any buildings or structures shall occur as a comprehensive business development, including:
- a. any single grocery tenancy shall have a maximum gross floor area of 1000m²;
 - b. any other tenancy shall have a maximum gross floor area of 450m², with the maximum average gross floor area (excluding the grocery tenancy) not exceeding 200m²;
 - c. the total number of carparks shall be limited to a maximum of 85 parking spaces;
 - d. any outdoor storage area for the temporary or permanent storage of goods shall not be located within any structure setback set out in Table 31.1 of Rule 31.1.1.15;
 - e. Landscaping, footpath, and Mandeville Road access design shall occur:
 - i. for a minimum depth of 2 metres, with a minimum average depth of 4 metres along the length of the Tram Road boundary except for the vehicle entrance locations, including:
 - i. trees to be capable of reaching a minimum height of 8 metres;
 - ii. a minimum of one tree per 10 metres of road boundary frontage; and
 - iii. a maximum tree spacing of 15 metres.
 - ii. by a landscaping strip between the vehicle accessway linking Mandeville Road and the south eastern boundary with a minimum depth of 950mm.
 - iii. by an accessway with a minimum width of 6 metres.
 - iv. by a landscaping strip with a minimum width of 1.7 metres between the vehicle accessway linking Mandeville Road and the proposed footpath, which shall be planted with specimen trees, capable of reaching a height of 3 metres, planted at intervals of no more than 10 metres.
 - v. as a 3 metre wide footpath adjacent to the north western-boundary.
 - f. the site shall be fenced to prevent pedestrian access from and onto Tram Road;
 - g. any building shall be finished to achieve a light reflectance value of less than 45%;
 - h. within the car parking area, there shall be a minimum of one tree, planted for every 10 parking spaces provided;
 - i. there shall be no dwellinghouses;
 - j. the maximum gross retail area shall 1700m²;
 - k. Car parking shall be provided to achieve a ratio between 3.5 and 5 carparking spaces per 100m² of gross retail area within the zone; and,
 - l. any access from Tram Road shall be formed to prevent right hand turn vehicle movements from Tram Road.

is a controlled activity

In considering any application for resource consent under Rule 31.2.1 the Council shall, in granting consent and in deciding whether to impose conditions, exercise control over the following matters:

- i. the characteristics of the Mandeville settlement set out in Objective 18.1.3;
- ii. the objective and characteristics of the Mandeville North Business 4 Zone set out in Objective 16.1.2 and Policy 16.1.2.1;
- iii. the effects on the characteristics of the zone set out in Objective 12.1.1, Policies 12.1.1.1, 12.1.1.4, 12.1.1.7 to 12.1.1.11, 12.1.1.15 to 12.1.1.17, Objectives 16.1.1, 17.1.1, 18.1.1 and 18.1.3;
- iv. those matters over which control is exercised under Rule 32.1.3;
- v. the quality of building design, architectural features and details, use of colour and building materials;
- vi. the extent to which tree planting and landscaping achieves a highly quality outcome and mitigates adverse visual effects, amenity effects and scale of business activities;
- vii. the location of buildings, outdoor storage and loading areas and carparking and its design in relation to adjoining reserves and roads;
- viii. the extent to which any signage in buildings is integrated with buildings' architectural detail;
- ix. the extent to which the principles of crime prevention through environmental design are incorporated into any development;

- x. effects on the amenity of the surrounding Residential 4A, Residential 4B and Rural Zones;
- xi. effects on the safe and efficient functioning of Tram Road and onsite vehicle circulation to discourage through traffic within the Business 4 Zone, including traffic calming measures;
- xii. methods to prevent adverse traffic impacts on the function, safety and use of Tram Road from right turn manoeuvres into and out of the Business 4 Zone and the eastern service entrance;
- xiii. methods to ensure that the eastern service access is only used as an entrance from Tram Road;
- xiv. standard of construction of roads, service lanes and accessways; and
- xv. compliance with Outline Development Plan Map 182.

31.3 Discretionary Activities (Restricted)

31.3.1 Except as provided for by Rule 31.4 any land use which does not comply with Rule 31.1.1.7 (former NZ Railway Land, Fuller Street, Kaiapoi) is a discretionary activity (restricted).

In considering any application for a resource consent under Rule 31.3.1, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. the need for landscaping to create a pleasant, safe and visually attractive setting for the site and the surrounding neighbourhood;
- ii. whether the creation of on-site parking will adversely affect the visual appearance of the site;
- iii. the effect of any new structures and any signs on the amenity values, streetscape of Williams Street and character of the area in the immediate vicinity of the site;
- iv. whether on-site movement of vehicles is affected by the location of structures, topography, or the size and shape of the site;
- v. effects on the characteristics of the zone set out in Policies 15.1.1.1 and 17.1.1.2;
- vi. effects on the efficient and effective functioning of adjoining roads, and the safety of road users, and
- vii. financial contributions as provided for in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules and Development Contributions as set out in Waimakariri District Council's Development Contributions Policy.

Comprehensive Residential Development

31.3.2 In the areas identified on District Plan Maps 152, 163 and 172 as being available for Comprehensive Residential Development, any Comprehensive Residential Development is a discretionary activity (restricted).

In considering any application for a resource consent under Rule 31.3.2, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. visual appearance, including building design, detailing, colours and materials, and the provision of an integrated design theme;
- ii. collective pattern and form of the development and the character and amenity of the area;
- iii. access to sunlight, including at midwinter;
- iv. maintenance of privacy between residential units; and
- v. the design of the vehicle access and manoeuvring areas.

31.3.3 An application for a resource consent under Rule 31.3.2, in relation to the East Kaiapoi Outline Development Plan area shown on District Plan Map 163, shall be considered without the need to obtain the written approval of affected persons in accordance with section 95 of the Resource Management Act 1991 and shall be non-notified.

31.3.4 Comprehensive residential development within the Residential 1 Zone is a discretionary activity (restricted) provided that:

- a. a design statement is submitted as part of the assessment of environmental effects; and
- b. the proposal complies with conditions 31.1.1.12 (structure coverage), Table 31.1 (structure setbacks), 31.1.1.37 (outdoor living and service areas), 31.1.1.53 (streetscape).

In considering any application for a resource consent under Rule 31.3.3, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. efficient land use;
- ii. residential variety and density;
- iii. integration with residential surroundings;
- iv. the extent to which any adverse effects of natural hazards are mitigated;
- v. streetscape;

- vi. residential amenity;
- vii. crime Prevention through Environmental Design (CPTED) principles;
- viii. urban design;
- ix. energy efficiency and sustainable design;
- x. road safety and efficiency;
- xi. transport connectivity including walking, cycling and public transport;
- xii. access, parking and manoeuvring;
- xiii. utility services; and
- xiv. financial contributions.

Identified Outline Development Areas

31.3.5 Within the West Kaiapoi Outline Development Plan area as shown on District Plan Map 164, a fence shall be erected along the arterial road frontage boundary as a discretionary activity (restricted).

In considering any application for a resource consent under Rule 31.3.5, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. visual appearance, safety, height, detailing, colours and materials;
- ii. design, including construction changes and steps in length;
- iii. landscaping and tree planting as it applies to steps in length; and
- iv. opportunity for a rural outlook from within the Residential 7 Zone.

CROSS REFERENCE: Rule 32.1.1.83 and 32.2.12

31.3.6 Within the Kaiapoi Business 5 Zone, the planting of trees that do not comply with Rule 31.1.1.64(e) is a controlled activity.

In considering any application for a resource consent under Rule 31.3.6 the Council shall, in granting consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. location and species of tree planting in relation to public water supply and stormwater infrastructure; and
- ii. the effectiveness of tree planting in enhancing the character of the streetscape.

An application for any resource consent under Rule 31.3.6 shall be considered without the need to obtain the written approval of affected persons in accordance with section 95A and 95E of the Resource Management Act 1991 and shall be non-notified.

31.3.7 Within the Kaiapoi Business 5 Zone any stormwater management area that does not comply with Rule 31.1.1.64(b) is a discretionary activity (restricted).

In considering any application for a resource consent under Rule 31.3.7 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

- i. the extent to which the stormwater management area is:
 - a. designed and managed to fully drain as quickly as possible after a rainfall event; and
 - b. designed and managed (including all margins and plantings) to avoid attracting bird species which constitute a hazard to aircraft.

Any application for resource consent arising from non-compliance with Rule 31.1.1.64(b) will only require written approval from Christchurch International Airport Limited.

31.4 Discretionary Activities

31.4.1 Except as provided for by Rules 31.1.2, 31.2, 31.3, 31.5 and 31.6 any land use which does not comply with one or more of Rules 31.1.1.10 to 31.1.1.17, 31.1.1.20 to 31.1.1.64 is a discretionary activity.

In considering any application for a resource consent in the Residential 6 Zone under Rule 31.4.1, the Council shall, in deciding whether to grant consent, and in deciding whether to impose conditions, have regard to (but not be limited by) the following matters:

- i. the fostering of compact, cohesive communities, sharing a common architectural style or theme;
- ii. the collective contribution of the pattern and form of the development to the character and amenity of the area;
- iii. the development of a town with a form which encourages walking, cycling and the use of public transport as alternatives to the use of motor vehicles, through the location of higher density forms of residential development in close proximity to the town centre, the main access road through the town to the town centre, the school, or other community facilities;
- iv. the creation of a high standard of amenity and privacy for residents through the use of techniques, such as the following:

- i. the careful arrangement of the buildings and outdoor spaces and the provision of landscape plantings, fencing and other landscape developments,
 - ii. provision of private outdoor living spaces and living rooms for each residential unit, with ample access to sunlight, including at midwinter,
 - iii. the careful placement of windows to ensure maintenance of privacy between residential units,
 - iv. the provision of screened utility and service spaces for the residential units,
 - v. the design of the vehicle access and manoeuvring areas and footpaths to encourage reduced vehicle speeds and safe and pleasant pedestrian environments,
 - vi. design and layout to facilitate fire safety and fire management, and
 - vii. the creation of residential sites of sufficient size to ensure a high level of on-site amenity;
- v. the avoidance, remedying or mitigation of adverse effects on the visual and amenity values and environmental qualities of the neighbourhood, having regard to the following:
- i. the visual appearance of the development, including building design, detailing, colours and materials, and the provision of an integrated design theme throughout the development,
 - ii. the extent to which the scale and intensity of the development is compatible with the natural and amenity values of the surrounding locality,
 - iii. the creation of residential sites of sufficient size to ensure any actual or potential adverse effects (direct or cumulative) of the proposed density of development on neighbourhood amenity are avoided, remedied or mitigated,
 - iv. the provision of an overall landscape plan integrating the planting and development of the sites, vehicle access and manoeuvring areas,
 - v. the location and design of vehicle access, parking and manoeuvring areas and the effects of vehicle and pedestrian movements on traffic safety and efficiency and on levels of noise, glare and general disturbance for neighbouring sites,
 - vi. the avoidance of dominance of outlook from neighbouring sites and the street by bulky buildings,
 - vii. the avoidance of overshadowing of neighbouring sites and the street,
 - viii. the avoidance of loss of privacy for neighbouring sites and the street,
 - ix. the avoidance of traffic and parking congestion on adjoining streets; and
- vi. the avoidance, remedying or mitigation of adverse effects on the landscape values and qualities of the town and its surrounding environment, having regard to the following:
- i. the natural characteristics and topography of the land, the natural vegetation, the rural setting of the town, and views (both to and from the site),
 - ii. the characteristics of the site's topography, particularly its pattern of dunes and inter-dune hollows,
 - iii. visual and ecological connections between the wetland areas and the open space network adjoining and within the residential areas, and
 - iv. the extent to which the development within the town is visible from the coastal environment, the surrounding roads and neighbouring settlements, and the retention of open space buffer areas and existing screening by way of sand dunes and vegetation.

Residential 7 Zone Area A

31.4.2

For each Area A density block within the West Kaiapoi Outline Development Plan shown on District Plan Map 164, any development shall occur as a comprehensive residential development, including;

- a. able to be shown that the development can comply with the standards and terms of Rules 32.1.1.1 to 32.4 as appropriate; and
- b. no esplanade reserve or esplanade strip would be required to be created or set aside in accordance with Chapter 33: Esplanades: Locations and Circumstances – Rules if any delineated area was created by subdivision.

is a discretionary activity.

In considering any application for a resource consent under Rule 31.4.2 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, have regard to (but not be limited to) the following matters:

- i. visual appearance, including building design, detailing, colours and materials, and the provision of an integrated design theme;
- ii. collective pattern and form of the development and the character and amenity of the area;
- iii. access to sunlight, including at midwinter;
- iv. maintenance of privacy between residential units;
- v. the design of the vehicle access and manoeuvring areas;
- vi. the average and maximum number of allotments set out by Rules 32.1.1.24 and 32.1.1.27;
- vii. provision of private and community outdoor space;
- viii. access for emergency and sanitary services;
- ix. pedestrian connectivity within the comprehensive development and public open space; and

- x. effects on the characteristics of the zone set out in Policy 17.1.1.3 and the adjoining Rural Zone (Objective 14.1.1), Residential 2 Zone (Policy 17.1.1.2) and the Business 4 – West Kaiapoi Zone (Policy 16.1.1.8).

CROSS REFERENCE: Rule 32.3.3

31.4.3 Comprehensive residential development within the Residential 1 Zone that does not comply with conditions 31.1.1.12 (structure coverage), Table 31.1 (structure setbacks), 31.1.1.37 (outdoor living space and service areas) or 31.1.1.52 (streetscape) is a discretionary activity provided that a design statement is submitted as part of the assessment of environmental effects.

Regard will be given to, but not limited to, the matters specified in Rule 31.3.4.

31.4.4 Comprehensive residential development within the Residential 2 and 6 Zones is a discretionary activity provided that:

- a. a design statement is submitted as part of the assessment of environmental effects; and
- b. the proposal complies with conditions 31.1.1.12 (structure coverage), Table 31.1 (structure setbacks), 31.1.1.37 (outdoor living space and service areas), 31.1.1.52 (streetscape), and where regard shall be given, but not limited to, the matters set out in Rule 31.3.4 and the following matters:
 - i. any cumulative effects from the intensification of residential development;
 - ii. access to outdoor living space and open space.

31.5 Non-complying Activities

31.5.1 Any land use which does not comply with Rules 31.1.1.1 to 31.1.1.6 (standards for a site, or delineated area, containing a dwellinghouse) or Rules 31.3.2 and 31.4.2 is a non-complying activity except where exempted under Rule 31.1.2.

31.5.2 Any land use which does not comply with Rule 31.1.1.8 (location of dwellinghouses in the Residential 6 and 6A Zones) and the erection of any dwellinghouse in the Pegasus Rural Zone is a non-complying activity.

31.5.3 The erection of any new dwellinghouse or change of use of any building for use as a dwellinghouse within the Business 4 Zone – West Kaiapoi or Todds Road Business 2 Zone is a non-complying activity.

31.5.4 Any land use which does not comply with Rule 31.1.1.9 (location of dwellinghouses within the Oxford Road, West Rangiora and Lehman's Road - West Rangiora Outline Development Plan areas) is a non-complying activity.

31.5.5 The erection of any dwellinghouse at ground floor level within the Key Activity Centre areas at Kaiapoi and Rangiora, and the Business 1 Zone at Kaiapoi, Rangiora, Woodend and Oxford is a non-complying activity.

31.5.6 Comprehensive residential development that does not comply with Rules 31.3.4, 31.4.3 or 31.4.4 is a non-complying activity.

31.5.7 The establishment of any noise-sensitive activity, or change of use of any building for use as a noise-sensitive activity, within the Kaiapoi Business 5 Zone is a non-complying activity.

31.5.8 Any land use that does not comply with Rule 31.2.1 (Development of the Mandeville North Business 4 Zone) is a non-complying activity.

31.5.9 Any land use which does not comply with Rule 31.1.1.18 or 31.1.1.19 is a non-complying activity.

31.6 Prohibited Activities

31.6.1 The erection of any dwellinghouse on Lots 36 and 37 as shown on the Maplesham Concept Plan (District Plan Map 147) is a prohibited activity and no resource consent will be granted.

Signs

31.7 Permitted Activities

Any sign is a permitted activity if it:

- i. is not otherwise listed as a discretionary or non-complying activity under Rule 31.8 or 31.9;
- ii. complies with the conditions under Rule 31.7.1; and

iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.7.1 Conditions

31.7.1.1 Any sign in any zone shall advertise the goods or services available at that site and be wholly located within that site.

31.7.1.2 Any sign in any zone shall not:

- a. mimic traffic signals;
- b. have flashing or revolving lights.

31.7.1.3 Any sign in any Residential or Rural Zone shall not:

- a. illuminate or reflect upon exposure to artificial light;
- b. have movable parts (including blimps).

Residential Zones

31.7.1.4 On any site in any zone where the posted speed limit is greater than 70 km/hr there shall be not more than one sign visible from the State Highway per site.

31.7.1.5 On a site in any Residential Zone:

- a. not more than one sign shall be erected per site;
- b. the display area of any sign shall not exceed 0.6m², except where a sign is facing a strategic or arterial road;
- c. the display area of any sign facing a strategic or arterial road shall not exceed 3m²; and
- d. free standing signs shall not exceed 2m in height.

Business Zones

31.7.1.6 On any site in any Business 1 or 4 Zone:

- a. no more than 1 free standing sign shall be erected per site;
- b. the display area shall not exceed 6m²;
- c. no sign which is attached to a structure shall protrude above the apex of the roof at its highest point; and
- d. no sign which is attached to the leading edge of a veranda on a building shall be more than 400mm in height.

On any site in any Business 2, 3 and 5 Zone

- e) not more than one free standing sign shall be erected per site, except where a site has a road frontage of more than 20m or two or more road frontages;
- f) where the site has a road frontage of more than 20m, or two or more road frontages, not more than three free standing signs shall be erected per site;
- g) any free standing sign shall not exceed 7.5m in height;
- h) the display area of any sign shall not exceed 12m²; and
- i) where there are more than two free standing signs on a site, one of the free standing signs shall not exceed 3m in height and the display area shall not exceed 3m².

Within the Business 6 Zone:

- j) no more than 1 free standing sign shall be erected per site;
- k) no sign shall be located on the Fernside Road Frontage;
- l) no more than one sign shall be located on the Flaxton Road Frontage;
- m) any free standing sign shall not exceed 7.5 metres in height; and
- n) the display area of any sign shall not exceed 12m².

Rural Zones

31.7.1.7	On any site in any Rural Zone:
	<ul style="list-style-type: none"> a. not more than one sign shall be erected per site, except where a site has a road frontage of more than 200m and two or more frontages two signs can be erected, but no more than one sign per frontage; b. where the sign is visible from any road with a posted speed limit of 70km/hr or greater, present an unrestricted view to the motorists for a minimum distance of 180m; c. display no more than six words, or, if a combination of words and symbols, display no more than 40 characters; d. display symbols or letters of a minimum height of 160mm; e. have a display area of any free standing sign not exceeding 3m², f. not exceed a height limit of 3 metres; g. where the sign is facing a State Highway where the posted speed limit is 70km/hr or greater, the minimum lettering height for the sign shall be 180mm; and h. where the sign is facing a State Highway, be located no closer than 15m to an official road sign erected by the New Zealand Transport Agency.

31.7.2 Exemptions

31.7.2.1	Any real estate sign in any zone advertising the sale of property is exempt from complying with Rules 31.7.1.4 to 31.7.1.7 provided that: <ul style="list-style-type: none"> a. the display area does not exceed 1.2m²; b. the sign relates to the property on which it is erected; c. the number of real estate signs along any one road frontage is less than three.
31.7.2.2	Any real estate sign in any zone advertising both the development and sale of property is exempt from complying with Rules 31.7.1.4 to 31.7.1.7 provided that: <ul style="list-style-type: none"> a. the display area does not exceed 2.4m²; b. the sign relates to the property on which it is erected; c. the number of signs along any one road frontage is no greater than one.
31.7.2.3	Any sign on legal road approved for erection by the road controlling authority is exempt from complying with the Rules 31.7.1.1 to 31.7.1.7.
31.7.2.4	Any sign promoting an event in any zone that: <ul style="list-style-type: none"> a. does not exceed 2m in height; b. has a display area not exceeding 3m²; and c. is displayed for no longer than 6 weeks prior to the date of the event and taken down within 1 week after that event <p>is exempt with complying with Rules 31.7.1.1 and 31.7.1.4 to 31.7.1.7.</p>
31.7.2.5	Any directional sign in any zone that: <ul style="list-style-type: none"> a. does not exceed 1m in height; b. has a display area not exceeding 0.6m²; and c. is limited to directional arrows and "entry" or "exit" or equivalent terminology <p>is exempt from complying with Rules 31.7.1.1 and 31.7.1.4 to 31.7.1.7.</p>
31.7.2.6	Any sign required in order to discharge a statutory function is exempt from complying with Rules 31.7.1.1 to 31.7.1.7.
31.7.2.7	Any local government election sign in any zone that: <ul style="list-style-type: none"> a. does not exceed 2m in height; b. has a display area not exceeding 3m²; and c. is displayed no longer than 8 weeks prior to the election date and is taken down within 1 week after that election date. <p>is exempt with complying with Rules 31.7.1.1 and 31.7.1.4 to 31.7.1.7.</p>

31.8 Discretionary Activities (Restricted)

31.8.1 Any land use which does not comply with one or more of Rules 31.7.1.3 to 31.7.1.7 is a discretionary activity (restricted), except where exempted under Rule 31.7.2.

In considering any application for a resource consent under Rule 31.8.1, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. conditions for permitted activities (Rule 31.7.1);
- ii. whether the size, design and position of any sign has an adverse effect on the amenity of the site where it is proposed, or the surrounding area, including any road;
- iii. effects on the efficient and effective functioning of adjoining roads and the safety of road users;
- iv. alternative locations for the sign; and
- v. effects on the characteristics of the zone as set out in Objective 14.1.1 and Policies 14.1.1.3, 16.1.1.1, 16.1.1.3, 16.1.1.4, 16.1.1.6, 16.1.1.8, 17.1.1.2 and 17.1.1.3.

31.9 Non-Complying Activities

31.9.1 Any land use which does not comply with Rules 31.7.1.1 and 31.7.1.2 is a non-complying activity except where exempted under Rules 31.7.2.1 to 31.7.2.7.

Glare

31.10 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a discretionary activity (restricted) under Rule 31.11;
- ii. complies with the conditions under Rule 31.10.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.10.1 Conditions

31.10.1.1 In any Rural Zone, any artificial exterior lighting within a site shall:

- a. be directed away from the sky;
- b. except for any street light, be directed away from the site boundary and roads so as to avoid light spill, or in the case of a road boundary, avoid a distraction or glare which would create a traffic hazard; and
- c. be placed so as to avoid causing an air or sea navigation hazard.

31.10.1.2 In any Residential or Business Zone, artificial lighting, (except any street light, navigational light or traffic signal), shall not:

- a. emit light exceeding 20 lux (horizontal and vertical) measured at or within the boundary of any other site zoned Residential, or the notional boundary of any dwellinghouse in a Rural Zone;
- b. spill onto any road in a way which might distract traffic or interfere with any traffic aids and signals;
- c. spill into the sky or over the sea in a way which might distract or interfere with any air or sea navigation lights; or
- d. imitate traffic signals.

31.10.2 Exemptions

31.10.2.1 Any land use associated with farming or any agricultural activity, other than a land use where light emanates from a structure, is exempt from complying with Rule 31.10.1.1 providing that it does not create a road traffic, air or sea navigation hazard.

31.11 Discretionary Activities (Restricted)

- 31.11.1 Any land use which does not comply with one or more of Rules 31.10.1.1 and 31.10.1.2 is a discretionary activity (restricted), except where exempted under Rule 31.10.2.1.
- In considering any application for a resource consent under Rule 31.11.1, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:
- i. conditions for permitted activities (Rule 31.10.1);
 - ii. effects on the efficient and effective functioning of any road, and the safety of road users;
 - iii. effects on the amenity of the site, and adjoining sites, or surrounding area;
 - iv. effects on the characteristics of the zone as set out in Objective 14.1.1 and Policies 15.1.1.1, 16.1.1.1, 16.1.1.3, 16.1.1.5, 16.1.1.8, 17.1.1.2 and 17.1.1.3;
 - v. effects of light colour, flashes, strength, siting and hours of operation; and
 - vi. effects on the needs of aviators, navigators and astronomers.

Noise

31.12 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a discretionary activity (restricted) under Rule 31.13;
- ii. complies with the conditions under Rule 31.12.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.12.1 Conditions

- 31.12.1.1 All sound levels shall be measured and assessed in accordance with the provisions of NZS: 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".
- For the purposes of this Plan the following additional provisions shall limit application of NZS 6802:1991 (the Standard):
- a. Adjustments for special audible characteristics, if present, as provided for in clauses 4.3 and 4.4 of the Standard, shall apply.
 - b. Where measured noise levels are averaged as provided for in clause 4.5 of the Standard, the L_{10} value shall be determined by an energy average (inverse logarithmic mean) of any four L_{10} measurement sample time intervals on the same day.
 - c. Measurement time intervals as provided for in clause 5.1 of the Standard shall be limited to 10 to 15 minutes excluding pause and data exclude times.
- 31.12.1.2 Activities in any zone, other than the Business 3 Zone, shall not exceed the following noise limits within measurement time intervals in the time-frames stated at any point within the notional boundary of any dwellinghouse in the Rural Zone, or at any point within any Residential Zone:
- a. Daytime: 7am to 7pm Monday to Saturday, and 9am to 7pm Sundays and Public Holidays: 50dBA L_{10} .
 - b. Other times: 40dBA L_{10} .
 - c. Daily 10pm-7am the following day: 70dBA L_{max} .
- 31.12.1.3 Activities in the Business 3 Zone shall not exceed the following noise limits, within measurement time intervals in the time-frames stated, at any point within the notional boundary of the dwellinghouse located at 126 Beatties Road (GPS 43.264 Latitude South; 172.626 Longitude East), or at any point within any Residential Zone:
- a. Daytime: 7am to 7pm Monday to Saturday, and 9am to 7pm Sundays and Public Holidays: 55dBA L_{10} .
 - b. Other times: 45dBA L_{10} .
 - c. Daily 10pm to 7am the following day: 75dBA L_{max} .
- 31.12.1.4 Within the 55dBA Ldn noise contour shown on District Plan Map 138, any proposed dwellinghouse, or any building or part of a building described in Table 31.2, shall be insulated from aircraft noise to ensure that indoor sound levels stated in that table are not exceeded.

- 31.12.1.5 Within the 55dBA Ldn noise contour shown on District Plan Map 138, any additions to existing dwellinghouses, or to any buildings or parts of a building described in Table 31.2 shall be insulated from aircraft noise to ensure that indoor sound levels stated in that table are not exceeded.
- 31.12.1.6 For the purpose of sound insulation calculations for Rules 31.12.1.4 and 31.12.1.5 the external noise levels for a site shall be determined by the application of the noise contours dBA Ldn (shown on District Plan Map 138) and the SEL dBA noise contours for the 747-200 series aeroplane (shown on District Plan Map 139). Where a site falls within the contours the calculation shall be determined by linear interpolation between the noise contours.

Table 31.2: Indoor Design Levels Within 55dBA Ldn Noise Contour

Business Zones

Building Type and Activity	Indoor Design and Sound Level	
	SEL dBA	DBA Ldn
Residential Units		
Sleeping areas	65	40
Other habitable areas	75	50
Travellers' Accommodation		
Relaxing or sleeping	65	40
Conference meeting rooms	65	40
Service activities	85	60
Education Activities		
Libraries, study areas	65	40
Teaching areas, assembly areas	65	40
Workshops, gymnasias	85	60
Retail Activities, Retail Services and Offices		
Conference rooms	65	40
Private offices	70	45
Drafting, open offices, exhibition spaces	75	50
Typing, data processing	80	55
Shops, supermarkets, showrooms	85	60

- 31.12.1.7 Activities in any Business 1 or 2 Zone shall not exceed the following noise limits at any point beyond any Business 1 or 2 Zone site boundary:
- At all times 65dBA L_{10} .
 - On any day between 10pm and 7am the following day 75dBA L_{max} .
- 31.12.1.8 Activities in any Business 2 or 5 Zone shall not exceed the following noise limits at any point within any Business 2 or 5 Zone site boundary:
- At all times 65dBA L_{10} .
 - On any day between 10pm and 7am the following day 75dBA L_{max} .
- 31.12.1.9 Activities in the Business 6 Zone shall not exceed the following noise limits when measured or assessed at any site (including the site emitting the noise) within the Business 6 Zone:
- daily from 0700 hours to 2200 hours: 65dB LAeq;
 - and at other times: 55dB LAeq;
 - daily from 2200 hours to 0700 hours the following day: 85dB LAFmax.

Business Zones – Earthquake Recovery Rebuilding

- 31.12.1.10 Earthquake recovery rebuilding activities within Business Zones:
- all sound levels shall be measured and assessed in accordance with the provisions of NZS 6801: 2008 "Acoustics - Measurement of Environmental Sound" and NZS 6802: 2008 "Acoustics - Environmental Noise"; and
 - within any Business 1 Zone shall not exceed the following noise limits at the boundary with any adjoining site or separate tenancy within a

site:

- i. Between 7a.m and 10p.m: 60dB LAeq;
 - ii. Other times: 45dB LAeq;
 - iii. Between 10p.m and 7a.m: 85dB LAFmax; and
- c. within any Business 2 Zone shall not exceed the following noise limits at the boundary with any adjoining site or separate tenancy within a site:
- i. Between 7a.m and 10p.m: 65dB LAeq
 - ii. Other times: 55 dB LAeq
 - iii. Between 10p.m and 7a.m 85dB LAFmax.

31.12.1.11 Earthquake recovery rebuilding activities for construction noise and vibration arising from any Business Zone shall not exceed the recommended limits specified in, and shall be measured and assessed in accordance with, the provisions of:

- a. NZS 6803: 1999 "Acoustics - Construction Noise". Adjustments and exemptions provided in this Standard shall apply, and
- b. DIN 4150-3:1999 Structural Vibration.

Residential Zones - Earthquake Recovery Rebuilding

31.12.1.12 In any Residential Zone construction noise and vibration arising from Earthquake recovery rebuilding activities shall not exceed the recommended limits specified in, and shall be measured and assessed in accordance with, the provisions of:

- a. NZS 6803: 1999 "Acoustics - Construction Noise". Adjustments and exemptions provided in this Standard shall apply, and
- b. DIN 4150-3:1999 Structural Vibration.

Construction Noise

31.12.1.13 Construction noise in any zone shall not exceed the recommended limits specified in, and shall be measured and assessed in accordance with, the provisions of NZS:6803: P1984 "Measurement and Assessment of Noise from Construction, Maintenance, and Demolition Work". Adjustments and exemptions provided in clause 6 of NZS:6803: P1984 shall apply.

Helicopter Landing Sites

31.12.1.14 The night weighted sound exposure (Edn) day-night average noise level (Ldn) and night time maximum sound level (L_{max}) generated from a helicopter landing site as measured at or within the boundary of any site shall not exceed:

- a. Business 1 and 2 Zones: Edn 100Pa2s and 65dBA Ldn.
- b. Business 3 Zone: Edn 1000 Pa2s and 75dBA Ldn.
- c. Residential Zone: Edn 3.5 Pa2s and 50dBA Ldn and between 10pm and 7am 70dBA L_{max}.
- d. At the notional boundary of any dwellinghouse in the Rural Zone: Edn 3.5Pa2s and 50dBA Ldn and between 10pm and 7am 70dBA L_{max}.

31.12.1.15 Helicopter landing site noise shall be measured and assessed in accordance with the provisions of NZS 6807:1994 "Noise Management and Land Use Planning for Helicopter Landing Sites".

North Woodend Outline Development Plan Area

31.12.1.16 Within the North Woodend Outline Development Plan Area shown on District Plan Map 158 any residential unit located within 100m of State Highway No. 1 shall meet the internal noise levels specified in ANS/NZ 2107:2000. A report from a suitably qualified acoustic specialist confirming compliance shall be provided at the time of building or resource consent.

31.12.2 Exemptions

31.12.2.1 Any land use associated with farming or any agricultural activity other than stationary engines or stationary equipment, but including any engine or equipment used for frost fighting purposes, is exempt from complying with Rule 31.12.1.2.

31.12.2.2 The following are exempt from complying with Rules 31.12.1.1 to 31.12.1.9 and 31.12.1.12 to 31.12.1.14:

- a. temporary military training activities undertaken by the Ministry of Defence;
- b. any noise source which is part of a warning device used by any emergency service; or

-
- c. dwellinghouses which exist on the same site as a noise source being assessed.

- 31.12.2.3 Helicopter flight movements associated with short duration events (including temporary activities such as fairs and A & P shows) are exempt from complying with Rules 31.12.1.1 to 31.12.1.8 and 31.12.1.13 to 31.12.1.15, where the helicopter operations occur within one 12 hour period within any six month term.
- 31.12.2.4 The construction and use of the Arterial Road within the West Kaiapoi Outline Development Plan area shown on District Plan Map 164 is exempt from complying with Rule 31.12.1.2.
- 31.12.2.5 Activities subject to Rule 31.12.1.12 are exempt from Rules 31.12.1.1, 31.12.1.2 and 31.12.1.11.
- 31.12.2.6 Activities subject to Rules 31.12.1.10, and 31.12.1.11 are exempt from Rules 31.12.1.1, 31.12.1.7, 31.12.1.8, and 31.12.1.13.

31.13 Discretionary Activities (Restricted)

- 31.13.1 Any land use which does not comply with one or more of Rules 31.12.1.1 to 31.12.1.15 is a discretionary activity (restricted), except where exempted under Rule 31.12.2.
- In considering any application for a resource consent under Rule 31.12.1, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:
- i. conditions for permitted activities (Rule 31.12.1);
 - ii. the length of time noise is emitted, the time of day the noise is emitted, the level and tonal character of the noise, and the likely disturbance that this may cause;
 - iii. in respect of earthquake recovery rebuilding activities within Residential Zones the level, duration and timing of ground borne vibration and the likely disturbance or structural impact this may cause;
 - iv. within Residential Zones, the control of noise and vibration generated as a result of earthquake recovery rebuilding activities (including from traffic movements) in regard to creation of nuisance, damage to structures, effects on amenity values and the health and safety of people on neighbouring sites and zones;
 - v. the nature and location of nearby land uses and the effects that they may experience;
 - vi. effects on the characteristics of the zones receiving the noise or vibration as set out in Objective 14.1.1 and Policies 16.1.1.1, 16.1.1.2, 16.1.1.3, 16.1.1.8, 17.1.1.2 and 17.1.1.3;
 - vii. effects on the zone within which the noise or vibration is generated as set out in Policies 14.1.1.1, 16.1.1.1, 16.1.1.8, 17.1.1.2 and 17.1.1.3;
 - viii. mitigation measures; and
 - ix. in addition to the matters listed above, and in respect of activities within the 55dBA Ldn noise contour that do not comply with Rules 31.12.1.4, 31.12.1.5 or 31.12.1.6:
 - i. the sensitivity of activities in and around the dwellinghouse to aircraft noise,
 - ii. timing and type of noise sensitive activities, and
 - iii. measures to mitigate aircraft noise.

Hazardous Substances

31.14 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a controlled or discretionary activity (restricted) under Rules 31.15 and 31.16;
- ii. complies with the conditions under Rule 31.14.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.14.1 Conditions

- 31.14.1.1 Within any site in the Mapleham Rural 4B Zone, or within any site in any Residential Zone, or within any site within 75m of any Residential Zone, the maximum amounts of listed hazardous substances set out in column 1 of Table 31.3 shall not be exceeded.
- 31.14.1.2 Within any site in the Rural Zone or Pegasus Rural Zone, or any Business Zone, the maximum amounts of the listed hazardous substances set out in column 2 of Table 31.3 shall not be exceeded.

Table 31.3: Hazardous Substance – Maximum Levels Per Site

Substance	1	2
	Any Site in the Mapleham Rural 4B Zone or Any Residential Zone or Within 75m of Any Residential Zone	Any Site in the Rural Zone or Pegasus Rural Zone/Any Business Zone
Class 3a flammable liquid such as petrol, ethanol, methanol, acetone, and adhesives	2000 litres	100,000 litres
Class 3c flammable liquids in above ground tanks such as diesel, and petroleum oils	10,000 litres	100,000 litres
Chlorine gas	10 kg	1 tonne
Chlorites	50 kg	1 tonne
LPG	2 tonnes	6 tonnes 20,000 litres (water equivalent)
Timber treatment preservatives	400 litres	4000 litres
31.14.1.3	All sites, or parts of sites, where any hazardous substance below the maximum quantities set out in Table 31.3 are permanently used or stored shall: <ul style="list-style-type: none"> a. have all use, handling, and storage areas sealed from the ground with impervious materials; and b. provide protection measures to contain a spill or release of hazardous substance within a bunded or other secure area. 	
31.14.1.4	No hazardous substance shall be stored, used or disposed of in a manner in which it can be deposited or carried into any stormwater system, or water body.	
31.14.1.5	The manager or owner of any site or facility used for the use, storage, transportation, re-use, manufacture or disposal of hazardous substances listed in Table 31.3 shall hold on the site, or on the facility, a copy of a contingency plan setting out emergency procedures to be followed in the event of an escape or spillage of hazardous substances.	

31.14.2 Exemptions

31.14.2.1	Any land use involving the mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests on the site is exempt from complying with Rules 31.14.1.1 to 31.14.1.5.
31.14.2.2	The use, transportation, or storage of any hazardous substance for any temporary military training activity is exempt from complying with Rules 31.14.1.1 to 31.14.1.3.
31.14.2.3	The transportation of any hazardous substance in any zone is exempt from complying with Rules 31.14.1.1 and 31.14.1.2.
31.14.2.4	<p>The domestic use and storage of hazardous substances, including:</p> <ul style="list-style-type: none"> a. hazardous substances used solely for the purpose of controlling plant and animal pests; b. domestic cleaning products; c. LPG for heating and cooking; d. diesel for heating; or e. petroleum products or diesel, for fuel in any vehicle or other machinery, up to a maximum of 110 litres; <p>is exempt from complying with Rules 31.14.1.3 and 31.14.1.4.</p>
31.14.2.5	Petroleum products, diesel or LPG stored or used as fuel in any vehicle or machinery, vessel, rail locomotive or aircraft is exempt from complying with Rules 31.14.1.3 and 31.14.1.5.
31.14.2.6	Any land use which is classed as a controlled activity under Rule 31.15 is exempt from complying with Rules 31.14.1.1 and 31.14.1.2.

31.15 Controlled Activity

31.15.1	<p>Within any Residential Zone or Mapleham Rural 4B Zone the construction and use of any facility for the storage of petrol, diesel or LPG that does not comply with Rule 31.14, is a controlled activity except in the following circumstances:</p> <ul style="list-style-type: none"> a. the construction and use of any facility for the storage of petrol, diesel or LPG is a discretionary activity (restricted) under Rule 31.16.1 or Rule 31.16.2.
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Standards and Terms

The activity shall comply with the following standards and terms:

- i. the facility has the capacity to contain on the site the following maximum levels of fuel:
 - i. 100,000 litres of petrol, or
 - ii. 100,000 litres of diesel, or
 - iii. 6 tonnes of LPG;
- ii. all sites, or parts of sites, where any hazardous substance listed in Table 31.3 is permanently used or stored (regardless of the quantity) shall:
 - i. have all use, handling, and storage areas sealed from the ground with impervious materials, and
 - ii. provide protection measures to contain a spill or release of hazardous substance within a bunded or other secure area; and
- iii. conditions for Rules 31.14.1.4 and 31.14.1.5.

In considering any application for a resource consent under Rule 31.15.1 the Council shall, in granting consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. siting and design of storage and service areas;
- ii. construction and design of connections to stormwater facilities or water bodies;
- iii. contingency plans in the event of an escape or spillage of any hazardous substance; and
- iv. compliance with:
 - i. Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems (1992),
 - ii. Supplement No 1 Management of Existing Underground Petroleum Storage Systems (June 1995),
 - iii. Environmental Guideline for Above-ground Bulk Tank Containment Systems, and
 - iv. Australian/New Zealand Standard 1596:1997 LP Gas Storage and Handling and Supplement 1 (1994) Siting of LP Gas Automotive Outlets.

31.15.2 An application for any resource consent under Rule 31.15.1 shall be considered without the need to obtain the written approval of affected persons and shall be non-notified in terms of section 95A(1) of the Resource Management Act 1991.

31.16 Discretionary Activities (Restricted)

31.16.1 Any activity that does not comply with one or more of Rules 31.14.1.1 to 31.14.1.5 is a discretionary activity (restricted), except where exempted under Rule 31.14.2 or provided for as a controlled activity under Rule 31.15.1.

31.16.2 The construction and use of any facility for the storage of petrol, diesel or LPG which does not comply with one or more of the standards or terms under Rule 31.15.1 (for Rural and Business Zones) or Rule 31.15.1 (for Residential or Mapleham Rural 4B Zones) is a discretionary activity (restricted).

In considering any application for a resource consent under Rules 31.16.1 or 31.16.2, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. conditions for permitted activities (Rule 31.14.1);
- ii. the effect on the health, safety and wellbeing of the residents of residential areas and sites;
- iii. the effects on natural ecosystems and life-supporting capacity of land and water;
- iv. proposals to avoid, remedy or mitigate adverse effects arising from the escape or spillage of hazardous substances;
- v. the level of risks imposed by the nature and volume of the hazardous substance;
- vi. effects on the environmental qualities and characteristics of the zone, and adjoining zones set out in Objective 14.1.1 and Policies 15.1.1.1, 16.1.1.1, 16.1.1.3, 16.1.1.5, 17.1.1.2 and 17.1.1.3;
- vii. effects on the efficient and effective functioning of any road, and the safety of road users;
- viii. provision of esplanades; and
- ix. compliance with:
 - i. Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems (1992),
 - ii. Supplement No 1 Management of Existing Underground Petroleum Storage Systems (June 1995),
 - iii. Environmental Guideline for Above-ground Bulk Tank Containment Systems, and
 - iv. Australian/New Zealand Standard 1596:1997 LP Gas Storage and Handling and Supplement 1 (1994) Siting of LP Gas Automotive Outlets.

Farms and Dwellinghouses

31.17 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a discretionary activity (restricted) under Rule 31.19;
- ii. complies with the conditions under Rule 31.17.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.17.1 Conditions

Intensive Farming

- 31.17.1.1 The notional boundary of any dwellinghouse shall be set back from any established intensive farming activity, except for any intensive farming activity on the same site or in the same ownership or within the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169, in accordance with Table 31.4.
- 31.17.1.2 Any intensive farming activity shall be set back from the Mapleham Rural 4B Zone or any Residential Zone and the notional boundary of any legally constructed dwellinghouse except for any dwellinghouse on the same site or in the same ownership, in accordance with Table 31.4.
- 31.17.1.3 Distances from any intensive farming activity shall be measured from the edge of any permanent building, enclosure or yard in which animals or poultry are held, or in which any compost is produced, stored or used.
- 31.17.1.4 Compliance with the separation distances as set out in Table 31.4 shall be met for all new dwellinghouses, located within 750 metres of a piggery, 300m of a poultry operation or 100 metres of a cattle operation, from intensive farming operations detailed in the Council's 'Intensive Farming Operation' database.

Table 31.4: Separation Distances Between Intensive Farming Activities, and Dwellinghouses or the Residential Zones/Mapleham Rural 4B Zone

Intensive Farming Activity	Units of Production (see Chapter 1: Definitions)	Separation Distance from the Notional Boundary of any Dwellinghouse or Residential Zone/Mapleham Rural 4B Zone (m)
Piggery (P value)	150 to 500	200m
	501 to 3000	500m, or unit of production to the nearest 50 x 0.25m, whichever is the greater, to a maximum of 750 metres
Poultry – including egg and broiler production (number of birds)	500+	300m
Cattle (number)	50 to 100	100m

Farm Effluent Treatment Systems

- 31.17.1.5 The distance between any farm effluent treatment and storage activity and any dwellinghouse on the same site shall be not less than 20m.
- 31.17.1.6 No dwellinghouse, except where it is provided for by Rule 31.17.1.5, shall be situated within 150m of any farm effluent treatment or storage activity, including ponds for farm liquid waste disposal.
- 31.17.1.7 No farm effluent treatment or storage facility, including any effluent ponds for on-farm liquid waste disposal or compost produced from solids screened from effluent produced on site, shall be situated within 300m of the Mapleham Rural 4B Zone or any Residential Zone, or within 150m of any dwellinghouse legally established, except where provided for by Rule 31.17.1.5.
- 31.17.1.8 Distances from any farm effluent treatment or storage facility shall be measured from the edge of the facility, structure, pond, or land used for treatment purposes, and from or to the notional boundary of any dwellinghouse.

Farm Effluent Application to Land

- 31.17.1.9 Minimum separation distances between any application of liquid farm effluent onto land and any dwellinghouse, the Mapleham Rural 4B Zone boundary, or Residential Zone boundary, except the boundary with the Residential 4A Zone, Bradleys Road, Ohoka, identified on District Plan Map 169, shall be as set out in Table 31.5.

Table 31.5 Minimum Separation Distances (m)

	Application of Effluent Stored Anaerobically for More than 48 hours	Application of Effluent Stored for Less than 48 hours or an Anaerobic Lagoon	Subsoil Injection or from an Aerobic Lagoon	Application of Effluent from Tertiary Treatment Systems
From any Residential 1, 2, 3, 5 or 7 Zone	2000	1500	500	400
From the Mapleham Rural 4B Zone, any Business 1 or 2, or Residential 4A or 4B Zone	1000	500	200	150
From any dwellinghouse in a Rural Zone on a separate site	500	250	150	125
From any dwellinghouse on the same site	20	20	20	20

31.17.1.10 Compliance with the separation distances as set out in Table 31.5 shall be met for all new dwellinghouses from any application of liquid farm effluent detailed in the Council's 'Liquid Farm Effluent Spreading' database.

31.17.1.11 Distances from any application of liquid farm effluent onto land, whether or not the effluent originates from the site on which it is being disposed, shall be measured from the outermost point of wetted area resulting from the application closest to the zone boundary or dwellinghouse.

31.17.2 Exemptions

31.17.2.1 Minimum separation distances between any application of liquid farm effluent onto land and any dwellinghouse, the Mapleham Rural 4B Zone boundary, or Residential Zone boundary, is exempt from complying with Table 31.5 where the application of liquid farm effluent, identified within the Council's 'Liquid Farm Effluent Spreading' database, occurs at a frequency of two or less times per annum, over the site, for a period not exceeding 4 days in total.

31.17.2.2 Any dwellinghouse erected within the South West Rangiora Residential 2 Zone Outline Development Plan area shown on District Plan Map 173 is exempt from complying with Rule 31.17.1.10.

31.18 Controlled Activities

31.18.1 The erection of a dwellinghouse on a site or allotment created by a subdivision approval prior to 17 July 2007 that cannot meet Rules 31.17.1.4 and 31.17.1.10 and the setbacks in Tables 31.4 and 31.5 is a controlled activity provided a minimum 150 metre setback from the intensive farming activity or liquid farm effluent spreading can be met, and where written approval has been obtained from affected persons in accordance with section 95A(2) (a) of the Resource Management Act 1991.

In considering any application for a resource consent under Rule 31.18.1 the Council shall, in granting consent, and in deciding whether to impose conditions, exercise its control over the following matters:

- i. consideration of the prevailing wind direction;
- ii. tree planting for screening;
- iii. the use of internal air-conditioning; and
- iv. the conditions for permitted activities (Rules 31.1 and 31.17).

31.19 Discretionary Activities (Restricted)

31.19.1 The erection of a dwellinghouse on a site or allotment created by a subdivision approval prior to 17 July 2007 that cannot meet Rules 31.17.1.4, 31.17.1.10 and 31.18.1 and the setbacks in Tables 31.4 and 31.5 is a discretionary activity (restricted) provided a minimum 150 metre setback from the intensive farming activity or liquid farm effluent spreading can be met or where the site or allotment is affected on two boundaries, a minimum 150 metre setback from one boundary and a minimum 70 metre setback from the other boundary can be met.

In considering any application for a resource consent under Rule 31.19.1, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to oppose conditions, restrict the exercise of its discretion to the following matters:

- i. consideration of the prevailing wind direction;
- ii. tree planting for screening;
- iii. the use of internal air-conditioning;
- iv. reverse sensitivity effects; and
- v. the conditions for permitted activities (Rules 31.1 and 31.17).

31.19.2 An application for resource consent under Rule 31.19.1 shall be considered without the need to obtain the written approval of the affected persons in accordance with section 95 of the Resource Management Act 1991.

NOTE: Notwithstanding Rule 31.19.1 the Council still has the right to notify an application where it considers that special circumstances exist in terms of section 95A(4) of the Act.

- 31.19.3 Any activity which does not comply with one or more of Rules 31.17.1.1 to 31.17.1.11, or is not provided for as a controlled activity under Rule 31.18.1 or as a discretionary activity (restricted) under Rule 31.19.1, shall be a discretionary activity (restricted) except where exempted under Rule 31.17.2.1.
- In considering any application for a resource consent under Rule 31.19.3, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:
- i. conditions for permitted activities (Rule 31.17.1);
 - ii. management practices, and design and siting of building, structures and landscaping to mitigate anticipated environmental effects;
 - iii. effects on the characteristics of adjoining zones as set out in Objective 14.1.1 and Policies 12.1.1.5, 12.1.2.1 to 12.1.2.3, 16.1.1.1, 16.1.1.3, 16.1.1.5 and 17.1.1.1;
 - iv. effects on the characteristics of the zone within which the activity occurs as set out in Objective 14.1.1 and Policies 12.1.1.5, 12.1.2.1 to 12.1.2.3, 16.1.1.1, 16.1.1.3, 16.1.1.5 and 17.1.1.1;
 - v. effects on surface and groundwater quality;
 - vi. land use in the surrounding area;
 - vii. provision of esplanades;
 - viii. effects arising from localised flooding;
 - ix. effects on wahi taonga and mahinga kai; and
 - x. reverse sensitivity effects.

31.20 Non-complying Activities

- 31.20.1 Any dwellinghouse and any rooms within accessory buildings used for sleeping or living purposes located within the Poultry Odour Control Setback Area or the Effluent Spreading Odour Control Setback Area in the Residential 4A Zone, Bradleys Road, Ohoka identified on District Plan Map 169 is a non-complying activity. This rule shall only apply for as long as a poultry farm continues to operate on Part Rural Section 2561 with respect to the Poultry odour Control Setback Area, and for as long as dairy effluent is spread on Lot 2 DP 55728 with respect to the Effluent Spreading Odour Control Setback Area.

Retail Activities and Traffic Matters

31.21 Permitted Activities

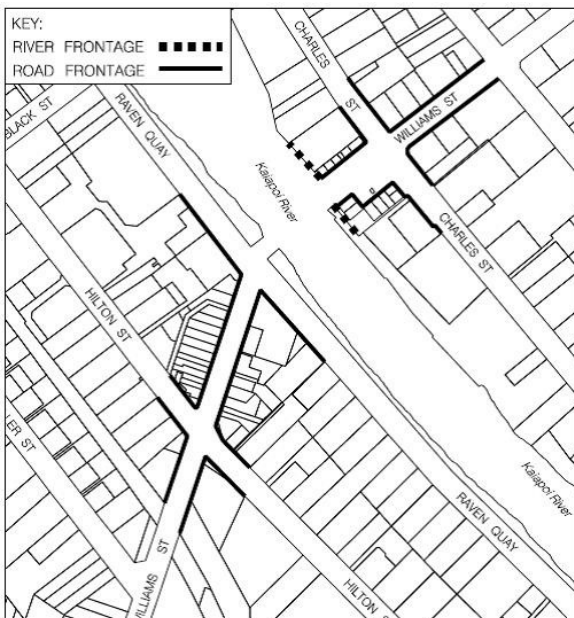
Any land use is a permitted activity if it:

- i. is not otherwise listed as a controlled, discretionary (restricted), discretionary or non-complying activity under Rules 31.22, 31.23, 31.24 or 31.25;
- ii. complies with the conditions under Rule 31.21.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.21.1 Conditions

- 31.21.1.1 Buildings in the Business 1 Zones (Rangiora and Kaiapoi), with road frontage shown by Figure 31.2 and District Plan Map 178 shall:
- a. be built up to the road boundary;
 - b. occupy the full frontage of the site, except where necessary to provide pedestrian access to the rear of the site;
 - c. contain clear glazing to a minimum of 60% and a maximum of 90% of the ground floor frontage for the display of goods and services;
 - d. contain clear glazing to a minimum of 20% and a maximum of 90% on any upper floor frontage;
 - e. include a verandah on the road frontage for the full width of the building;
 - f. include pedestrian access directly from the road boundary and any public open space; and
 - g. demonstrate modulation where frontages exceed 8m in length.

Figure 31.2: Rangiora and Kaiapoi Principal Shopping Street Building Frontages



31.21.1.2

Except as provided for by Rule 31.21.1.1, buildings in the Key Activity Centre areas shall:

- a. position any on-site car parking to the rear of any building façade. Parking spaces shall not be located between any building and the road frontage;
- b. be landscaped along the length of the road boundary, except where set back less than 2m from the road boundary or where necessary to provide pedestrian and vehicle access;
- c. contain clear glazing to a minimum of 40% and a maximum of 90% of the ground floor frontage for the display of goods and services where facing the road boundary;
- d. contain clear glazing to a minimum of 20% and a maximum of 90% on any upper floor where facing the road boundary; and
- e. include pedestrian access directly from the road frontage.

31.21.1.3

Buildings in the Business 1 Zone (Kaiapoi) with frontage to the Kaiapoi River, as shown by Figure 31.2, shall:

- a. include pedestrian access directly from the river frontage;
- b. contain clear glazing to a minimum of 60% and a maximum of 90% of the ground floor frontage for the display of goods and services; and
- c. demonstrate modulation where frontages exceed 8m in length.

31.21.1.4

Buildings and development within Sub-Areas A to D of the Rangiora Central Outline Development Plan Area, shown on District Plan Map 178, shall be limited to:

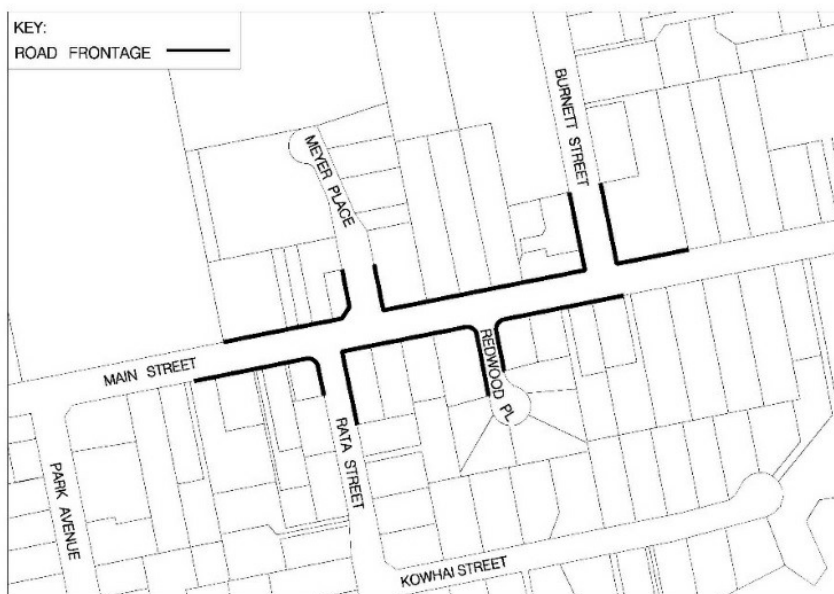
- a. Sub-Area A:
 - i. retail activities, including hospitality at identified building corner ground floor locations; and
 - ii. public open space.
- b. Sub-Area B:
 - i. retail activities; and
 - ii. loading and manoeuvring for service vehicles.
- c. Sub-Area C:
 - i. retail activities at the ground floor; and
 - ii. public car parking on upper floors within a purpose built parking building; and
 - iii. loading and manoeuvring for service vehicles.
- d. Sub-Area D:
 - i. retail activities, including hospitality at identified building corner ground floor locations; and
 - ii. loading and manoeuvring for service vehicles.

31.21.1.5

Buildings in the Oxford Business 1 Zone with road frontage shown by Figure 31.3, shall:

- a. locate road facing walls within 4m of the road boundary;
- b. limit any front fencing to a maximum height of 0.9m;
- c. be landscaped along the length of the road boundary, except where set back less than 2m from the road boundary or where necessary to provide pedestrian and vehicle access;
- d. position any on-site car parking to the rear of the building;
- e. occupy the full frontage of the site, except where necessary to provide pedestrian and vehicle access to the rear of the site;
- f. contain clear glazing to a minimum of 60% and a maximum of 90% of the ground floor road frontage for the display of goods and services;
- g. contain clear glazing to a minimum of 20% and a maximum of 80% on any upper floor road frontage;
- h. include pedestrian access directly from the road frontage; and
- i. demonstrate modulation where frontages exceed 8m in length.

Figure 31.3: Oxford Building Frontages



31.21.1.6

Within the Pegasus Business 1 Zone identified on the District Plan Map 142 as "Town Centre – Intensive Business" buildings shall:

- a. be built up to the road boundary;
- b. occupy the full frontage of the site except for walkways no more than 2m wide to the rear of the sites;
- c. have a maximum height of 10m and a minimum façade height of 7m at the line of the road boundary setback; and
- d. include a verandah on the road frontage for the full width of the site, which verandah shall be at least 3m above the pavement and extend 2.5m horizontally from the front façade of the building.

31.21.1.7 Within the Pegasus Business 1 Zone identified on District Plan Map 142 as "Town Centre – General Business" buildings shall:

- a. be set back not less than 2m and not more than 4m from the road boundary provided that where a building is setback more than 2m from the road boundary it shall have a verandah or up to 6m² of bay window(s) located within 4m of that road boundary - any bay windows located within this 4m setback shall not together have a single or combined length of greater than 4m;
- b. occupy the full width of the site within the 2m to 4m setback except for walkways no more than 2m wide to the rear of the sites; and
- c. have a maximum height of 10m and a minimum façade height of 7m at the line of the road boundary setback.

31.21.1.8 Any retail activity in any Residential 1, 2, 3, 4A, 4B, 5, 6, 6A or 7 Zone, Rural Zone or Business 2 or 3 Zone shall not exceed 20% of the net floor area of the sum of all buildings on any site.

31.21.1.9 Goods retailed from any site in any Residential 1, 2, 3, 4A, 4B, 5, 6, 6A or 7 Zone, Rural Zone, or Business 2 or 3 Zone shall be produced and/or processed, on the site including ancillary products and goods.

31.21.1.10 Any retail activity in the Kaiapoi Business 5 Zone shall be limited to the following: trade suppliers;

- a. large floor plate office activities;
- b. food and beverage outlets, where the total net floor area for food and beverage outlets in the Zone does not exceed 2,000m²;
- c. the display and sale of goods produced and/or processed on the site, including ancillary products and goods, not exceeding 20% of the net floor area of the sum of all buildings on any site.

31.21.1.11 Any office in the Kaiapoi Business 5 Zone shall be limited to:

- a. singular or agglomerated office activities, where the minimum net floor area of any single tenancy is not less than 120m², and the total aggregated net floor area for such office activities in the Zone does not exceed 1,500m²; or
- b. office activities associated with and ancillary to any permitted activity located on the same site.

31.21.2 Exemptions

31.21.2.1 Any retail activity located within the Business 2 or Residential 1 and 2 Zones within Key Activity Centre areas is exempt from complying with Rules 31.21.1.8 and 31.21.1.9.

31.21.2.2 The maintenance, repair and minor upgrading of an existing utility is exempt from complying with Rule 31.21.1.5 (Oxford Urban Design Guidelines).

31.22 Controlled Activities

31.22.1 Except where provided for by Rules 31.23 or 31.24 any land use in a Residential Zone, other than a dwellinghouse or associated residential accessory building, which increases the gross floor area of structures previously on the site, other than any previous dwellinghouse is a controlled activity in respect of financial contributions.

In considering any application for a resource consent under Rule 31.22.1, the Council shall, in granting consent and in deciding whether to impose conditions, exercise its control over financial contributions as set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules and development contributions as set out in the Waimakariri District Council's Development Contributions Policy.

31.22.2 An application for any resource consent under Rule 31.22.1 shall be considered without the need to obtain the written approval of affected persons in accordance with section 95A(1) of the Resource Management Act 1991, and shall be non-notified.

CROSS REFERENCE: Rules 30.11

31.22.3 Except as provided for by Rules 31.23 or 31.24 any land use within any Business Zone which increases the gross floor area of buildings on a site additional to the gross floor area of buildings previously on the site is a controlled activity in respect of financial contributions.

In considering any application for a resource consent under Rule 31.22.3 the Council shall, in granting consent and in deciding whether to impose conditions, exercise its control over financial contributions as set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules and development contributions as set out in the Waimakariri District Council's Development Contributions Policy.

31.22.4 An application for any resource consent under Rule 31.22.3 shall be considered without the need to obtain the written approval of affected persons in

accordance with section 95A(1) of the Resource Management Act 1991, and shall be non-notified.

CROSS REFERENCE: Rule 30.10

31.23 Discretionary Activities (Restricted)

31.23.1 Except as provided for by Rule 31.24, any land use on any site in the Maplesham Rural 4B Zone, any Residential 1, 2, 3, 4A, 4B, 5, 6 or 7 Zone that has a parking requirement of two or more on-site parking spaces, or three or more on-site parking spaces in the Residential 6A Zone, under Rule 30.6.1.34, excluding:

- a. requirements associated with any dwellinghouse; or
- b. a primary school and activities accessory to a primary school in the Residential 6 Zone, provided that these are located within the area shown as "Primary School" on District Plan Map 142;

is a discretionary activity (restricted).

31.23.2 Any land use on any site in the Rural Zone that has a parking requirement of 10 or more on-site spaces under Rule 30.6.1.34, excluding parking requirements associated with any dwellinghouse, is a discretionary activity (restricted).

31.23.3 Except as provided for by Rule 31.24, any land use in any zone resulting in a total of more than 250 motorised vehicles movements, either entering or exiting the site, per day is a discretionary activity (restricted).

In considering any application for a resource consent under Rules 31.23.1 to 31.23.3, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of its discretion to the following matters:

- i. conditions for permitted activities (Rule 31.1.1);
- ii. the need for landscaping to create a pleasant, safe and visually attractive setting for the site and the surrounding neighbourhood;
- iii. whether the topography, size and shape of the site, or the location of any natural or built feature(s) on the site or other requirements such as easements, right of ways or restrictive covenants, impose constraints on the activity;
- iv. whether the creation of on-site parking will adversely affect the visual appearance of the site;
- v. the positive effects arising from the retention and protection of notable plants, other significant plants, or heritage resources;
- vi. the effect of any activity on the visual and acoustic privacy of adjacent structures and private open space;
- vii. effects on the characteristics of the Residential Zones (Policies 17.1.1.2 and 17.1.1.3) and the Rural Zone (Objective 14.1.1);
- viii. effects on the form and function of the Urban Environment (Policy 15.1.1.1) and the Rural Zone (Policy 12.1.1.5);
- ix. effects of the activity in terms of Policy 15.1.1.2;
- x. the effect of the activity on the streetscape and character of the area in the immediate vicinity of the site;
- xi. effects of the activity in relation to noise, glare, dust, odour, or the use, storage or disposal of hazardous substances;
- xii. whether on-site movement of vehicles is affected by the location of structures, topography, or the size and shape of the site;
- xiii. financial contributions as provided for in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules and development contributions as set out in the Waimakariri District Council's Development Contributions Policy; and
- xiv. provision of esplanades.

31.24 Discretionary Activities

31.24.1 Any land use which does not comply with one or more of the conditions under Rule 31.21.1 is a discretionary activity.

31.24.2 Any building in the Key Activity Centre Areas and the Oxford Business 1 Zone that:

- a. has a net floor area of 450m² or greater; or
- b. is located on a site with a road frontage, or public open space frontage, of 20m or greater in length

is a discretionary activity.

In considering any resource consent application under Rule 31.24.1 or Rule 31.24.2, the Council shall, in deciding whether to grant consent, and in deciding whether to impose conditions, have regard to (but not be limited by) the following matters:

- i. the extent to which the proposed retail activity is complementary to retail activities in the Business 1 Zones, or Key Activity Centres;
- ii. the extent to which the proposed retail activities have physical characteristics and effects, or adverse amenity effects, unsuited to a Business 1 location, or Key Activity Centres;
- iii. the extent to which the proposed retail activity would reinforce the District's Key Activity Centres by locating in a Business 2 Zone which immediately adjoins a Business 1 Zone;

-
- iv. any cumulative effects of the proposed activity;
 - v. the extent to which the proposal is pedestrian-oriented or creates significant pedestrian movements beyond the site, and the effects that that may have on the surrounding environment;
 - vi. the potential indirect effects of reduced options for use of heritage buildings in the Business 1 Zone with the redirection of retail development away from the town centre;
 - vii. the effect on the overall availability of commercial and community services and facilities, and the effects on the community's access to such facilities within a concentrated area (eg a potential reduction in convenience with the need for multiple trips);
 - viii. the effects on the continued efficient utilisation of existing infrastructure supplying and servicing the town centres (car parking areas, street and landscaping improvements, sewerage, water etc);
 - ix. the effects on private and public transport patterns, in particular, the extent to which the proposal results in the reduction (or increase) in the use of fossil fuels by decreasing (or increasing) travel distances; and/or encourages the use or maintains the integrity of the public transportation network;
 - x. the effects of the proposal on the characteristics of the zone as set out in:
 - i. Objective 14.1.1 for the Rural Zone,
 - ii. Policies 16.1.1.1, 16.1.1.3, 16.1.1.4, 16.1.1.6 and 16.1.1.8 for Business Zones, or
 - iii. Policies 17.1.1.2 and 17.1.1.3 for Residential Zones;
 - xi. effects on the form and function of the Urban Environment as set out in Policy 15.1.1.1;
 - xii. the role and function of Key Activity Centre areas as set out in Objective 15.1.2 and Policy 15.1.2.1;
 - xiii. proposals to avoid, remedy or mitigate any significant adverse effects identified by the assessment of i to xi above and in relation to Policy 15.1.1.2;
 - xiv. financial contributions as set out in Chapter 20: Financial Contributions and Chapter 34: Financial Contributions – Rules; and
 - xv. in addition to the matters listed above, and in respect of retail activities located within the Residential 6 Zone outside the "Town Centre":
 - i. the visual appearance of the development, including building design, setback from streets, detailing, colours and materials, and the provision of an integrated design theme throughout the development,
 - ii. the provisions of any landscape plan devised for all or part of that zone,
 - iii. the avoidance of parking allotments between the street and the buildings,
 - iv. the design and location of buildings so that they face public spaces such as streets and parks,
 - v. the location and design of vehicle access, parking and manoeuvring areas and the effects of vehicle and pedestrian movements on traffic safety and efficiency and on levels of noise, glare and general disturbance for neighbouring sites,
 - vi. the avoidance of dominance of outlook from neighbouring sites by bulky buildings,
 - vii. the avoidance of overshadowing of neighbouring sites and the street,
 - viii. the avoidance of loss of privacy for neighbouring sites and the street,
 - ix. the avoidance of traffic and parking congestion on adjoining streets, and
 - x. the size, scale and nature of the development and its compatibility with the size, scale and nature of activities in the surrounding locality.
 - xvi. in addition to matters i to xiv listed above, and in respect to the Key Activity Centres of Rangiora and Kaiapoi and the Oxford Business 1 Zone:
 - i. the extent to which the proposal addresses the road frontage, public open space and provides for pedestrian and vehicular connectivity within a site, between sites, roads and public open spaces and considers the relationship of buildings with sunlight and daylight to the street;
 - ii. the extent to which the proposal contributes to the built character of the town centre, taking into account height, location of doors for primary pedestrian access and glazing provision;
 - iii. the provision of façade modulation and articulation, and the avoidance of blank walls;
 - iv. the extent to which the proposal complements heritage buildings or the setting of heritage buildings;
 - v. the extent to which the proposal provides pedestrian verandahs along road frontages, taking into account weather protection for pedestrians;
 - vi. the design, including plantings, hard paving, and fences and intended use of land adjacent to the road frontage;
 - vii. the location and design of vehicle access, maneuvering areas and any effects on adjoining activities, sites and the transport network;
 - viii. the avoidance of car parking between the building and any road;
 - ix. safety and security as it applies to public open spaces, roads and footpaths;
 - x. the extent to which building materials and colour appropriately relate to existing buildings and town centre character;
 - xi. the effects of shading by buildings on roads and public open space; and
 - xii. the design guidelines for the Business 1 Zones of Rangiora and Kaiapoi.

31.25 Non-complying Activities

31.25.1 Any land use which does not comply with Rules 31.21.1.10 and 31.21.1.11 is a non-complying activity.

Retail Activities within Land Use Recovery Plan Greenfield Priority Areas

31.26 Permitted Activities

Any land use is permitted activity if it:

- i. is not otherwise listed as a discretionary or non-complying activity under Rules 31.27 or 31.28;
- ii. complies with the conditions under Rule 31.26.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.26.1 Conditions

Residential Zones

31.26.1.1 Any retail activity on any site within a Land Use Recovery Plan Greenfield Priority area, other than a Local Retail Centre, shall not exceed 50m² of retail area.

Business Zones

31.26.1.2 Any retail activity in any Business 2 Zone within a Land Use Recovery Plan Greenfield Priority area shall not exceed 20% of the net floor area of the sum of all buildings or 100m² on any site, whichever is the lesser.

31.27 Discretionary Activities

31.27.1 Any land use which does not comply with Rule 31.26.1.1 or Rule 31.26.1.2 is a discretionary activity.

Business 4 – West Kaiapoi Zone

31.27.2 For the Business 4 Zone within the West Kaiapoi Outline Development Plan shown on District Plan Map 164, development of buildings or structures shall occur as a comprehensive business development, including;

- a. a minimum of 1000m² gross floor area of community facilities. For the purpose of this clause, community facilities includes medical facilities, daycare facilities for children and the elderly and community infrastructure;
- b. a maximum of 450m² gross floor area for any single occupancy building; and
- c. able to be shown that the development can comply with the standards and terms of Rules 32.1.1.1 to 32.4 as appropriate.

is a discretionary activity.

Local Retail Centre - Residential Zone

31.27.3 Any Local Retail Centre within a Land Use Recovery Plan Greenfield Priority area shall occur as a comprehensive business development that:

- a. includes a maximum retail area of 1500m² per Land Use Recovery Plan greenfield priority area;
- b. limits any single retail tenancy to a maximum gross floor area of 450m²;
- c. locates wholly within a Residential Zone Land Use Recovery Plan greenfield priority area;
- d. locates within a Land Use Recovery Plan greenfield priority area that exceeds 10 hectares; and
- e. locates on a collector road or higher order road in the road hierarchy.

is a discretionary activity.

In considering any resource consent application under Rule 31.27, the Council shall, in deciding whether to grant consent, and in deciding whether to

impose conditions, have regard to (but not be limited by) the following matters:

- i. the quality of building design, architectural features and details, use of colour and building materials;
- ii. the extent to which tree planting and landscaping, achieves a high quality outcome and mitigates adverse visual effects and scale of commercial buildings and business activities;
- iii. the location of buildings, outdoor storage and loading areas, and car parking and its design within a site or sites, the Zone or sites within the Zone, in relation to adjoining reserves and roads;
- iv. the extent to which any signage on buildings is integrated with buildings' architectural detail;
- v. access for emergency and sanitary services;
- vi. effects on surrounding sites;
- vii. the scale and extent of the retail area and effects on the viability of the Key Activity Centres; and
- viii. effects on the characteristics of the zone set out in Policies 16.1.1.3, 16.1.1.6 and 16.1.1.8 and the adjoining Residential Zones set out in Policies 17.1.1.2 and 17.1.1.3.

31.28 Non-complying Activities

- 31.28.1 Any land use which does not comply with Rule 31.27.3 (Local Retail Centre) is a non-complying activity.
- 31.28.2 Any retail activity within any Rural Zoned Land Use Recovery Plan greenfield priority area, is a non-complying activity.
- 31.28.3 Any office activity within any Residential, Business 2 or Rural Zoned Land Use Recovery Plan greenfield priority area, other than ancillary to a retail activity, is a non-complying activity.

Retail Activities within Land Use Recovery Plan Greenfield Priority Area – Flaxton/Fernside Business 6 Zone

31.29 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a non-complying activity under Rule 31.30;
- ii. complies with the conditions under Rule 31.29.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.29.1 Conditions

Business Zones

- 31.29.1.1 Within the Business 6 Zone the chapel, museum, tavern, conference centre and gym shall not be exceed the following maximum gross floor area:

<u>Activity</u>	<u>Maximum gross Floor Area</u>
Chapel	150m ²
Tavern	400m ²
Museum / Conference centre including café and shop	4000m ²
Gym	200m ²

- 31.29.1.2 Within the Business 6 Zone a maximum of 20 Non-Permanent Accommodation units shall be provided.
- 31.29.1.3 Within the Business 6 Zone, any activity other than a museum, wedding venue, tavern or conference facility shall not utilise an area in excess of 40% of the total area of the Zone.
- 31.29.1.4 Any retail activity in the Business 6 Zone shall not exceed 20% of the net floor area of the sum of all buildings or 100m² on any site, whichever is the lesser, except where necessary to comply with Rule 31.29.1.1.

31.30 Non-complying Activities

31.30.1 Any land use which does not comply with Rules 31.29.1.1, 31.29.1.2, 31.29.1.3, and 31.29.1.4 (Business 6 retail activities) is a non-complying activity.

Pegasus

31.31 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a non-complying activity under Rule 31.32;
- ii. complies with the conditions under Rule 31.31.1; and
- iii. complies with all the conditions and provisions for permitted activities in this and all other chapters.

31.31.1 Conditions

31.31.1.1 The area shown as "Special Purpose Area" on District Plan Map 142 shall only be used for the subsurface treatment and disposal of wastewater from the Pegasus sewage treatment plant, including accessory buildings and structures, and the associated surface management and cultivation.

31.31.1.2 The areas shown as "Eastern Conservation Management Area" and/or "Mudfish Conservation Area" on District Plan Map 142, shall only be used for:

- a. the protection of archaeological and historic cultural values; and
- b. the enjoyment, maintenance and enhancement of nature conservation values, including the habitat of all indigenous species, and associated recreation and education.

31.31.1.3 The area shown as "Western Ridge Conservation Area" on District Plan Map 142, shall only be used for the protection of archaeological and historic cultural values.

31.31.1.4 The site shown as "Primary School" on District Plan Map 142 shall only be used for the purpose of a primary school or activities accessory to a primary school.

31.31.1.5 No dwellinghouses shall contain open fireplaces or any coal-burning heating appliances.

31.31.1.6 All buildings for human habitation shall be constructed to achieve a building performance index of 0.07kWh per m² per degree-day. The building performance index shall be the energy from an external source needed to maintain a building at a constant internal temperature, measured per m² of floor area and per degree-day, over the period 1 May to 31 August, under standard conditions.

The standard conditions shall be:

- i. a uniform continuous indoor temperature of 20°C throughout the building;
- ii. an air change rate of one change per hour or the actual air leakage rate, whichever is the greater;
- iii. a heat emission contribution arising from internal heat sources for the period being considered of 1000kWh for the first 50m² of floor area and 10kWh per m² of floor area thereafter; and
- iv. windows to have a shading co-efficient of 0.6 (made up of 0.8 for windows and recesses and 0.75 for site shading).

The number of degree-days in any given day (H) shall be calculated as follows:

$$H = 15.50C - (T_{\max} - T_{\min})/2$$

Where $(T_{\max} - T_{\min})$ is less than 15.5°C, H shall be counted. Where $(T_{\max} - T_{\min})$ is greater than 15.5°C, H shall be taken as zero.

The building performance index may be verified by following the procedures of the ALF (Annual Loss Factor) Design Manual (1990): "An Aid to Thermal Design of Buildings", MR Bassett, RC Bishop and IS van der Werff.

31.31.1.7 Any earthworks associated with the subdivision and development of land within the Residential 6 and 6A Zones and Pegasus Rural Zone shall be carried out in such a manner as to mitigate dust nuisance. In particular:

- a. the area being stripped of topsoil at any one time shall not exceed 5ha;

- b. on completion of an earthworks operation on any part of the site, topsoil cover will be placed immediately and grass sown to bind the soils;
- c. a water cart will be available on site during working hours to be used to help prevent dust, sand and other materials being blown about and causing a dust nuisance;
- d. contractors will be required to take such measures as the brooming, watering and removal of debris etc., to prevent the accumulation of dust, sand and other materials; and
- e. where material is stockpiled on the site, measures will be taken to prevent a dust nuisance from the stockpiles, such as the compaction and shaping of the stockpiles to allow access by a water tanker.

31.31.1.8 At any boundary of the Residential 6 Zone and Pegasus Rural Zone, other than at the boundary between these two zones, the sound level from any site preparation activities or subdivision construction shall meet the limits recommended in, and be measured and assessed in accordance with, New Zealand Standard NZS:6803P:1984, "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work". Adjustments and exemptions provided in clause 6 of NZS:6803:P1984 shall apply.

31.32 Non-complying Activities

31.32.1 Any land use which does not comply with one or more of the conditions under Rule 31.31.1 is a non-complying activity.

Maori Reserve 873 - Rural Zone

31.33 Permitted Activities

Any land use is a permitted activity if it:

- i. is not otherwise listed as a discretionary or non-complying activity under Rules 31.34 and 31.35;
- ii. complies with conditions under Rule 31.33.1; and
- iii. complies with all conditions and provisions for permitted activities in this and all other chapters.

31.33.1 Conditions

31.33.1.1 In the Rural Zone, within Maori Reserve 873, any dwellinghouse on a site which has an area of less than 5000m² gross shall:

- a. be held on a separate Certificate of Title existing at 29 October 2015;
- b. not be located within the 0.2% Annual Exceedance Probability flood event area;
- c. connect to a reticulated potable water supply and reticulated sewage disposal utility; and
- d. be located on a site where it is demonstrated that one or more of the owners is a descendant of an original grantee of land within Maori Reserve 873 as set out in the Crown Grants Act (No 2) 1862 and the Crown Grants Act 1873.

31.33.2 Exemptions

31.33.2.1 Any dwellinghouse erected on, or relocated onto a site or an allotment that is within the Maori Reserve 873 under Rule 31.33.1.1 or for the purpose of cluster housing under Rule 31.34.1, is exempt from complying with Rules 31.1.1.1, 31.1.1.3 and 31.1.1.10.

31.34 Discretionary Activities

31.34.1 Cluster housing within Maori Reserve 873 within the Rural Zone where:

- a. the owner or one of the owners of the site or sites is a descendant of an original grantee of land as set out in the Crown Grants Act (No 2) 1862 and the Crown Grants Act 1873;
- b. the site or combined area of two or more contiguous sites is 5000m² gross or greater;
- c. the total number of dwellinghouses is limited to a minimum of three and a maximum of seven only;
- d. the height of any dwellinghouse shall not exceed 8 metres;
- e. the structure coverage of the net area of any site shall not exceed 15%;

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- f. a cluster housing development plan for the site or sites demonstrates:
 - i. the design and arrangement of any existing, proposed or consented dwellinghouses and clusters and the interrelationship between them;
 - ii. if applicable, the staging of development, including that each sequential dwellinghouse will be the next adjacent and contiguous dwellinghouse in the cluster;
 - iii. access, open space links and service areas;
 - iv. proposed infrastructure, including that required for firefighting purposes;
 - v. areas to be exclusive and common and their dimensions;
 - vi. existing topographical features including existing vegetation, streams and overland stormwater flowpaths;
 - vii. proposed planting and ecological enhancement of watercourses;
 - viii. selected ground heights or contours;
 - g. dwellinghouses, other private use buildings and any associated curtilages (excluding the accessway):
 - i. are designed as a group and are wholly contained within a single location;
 - ii. are clustered, such that they are contiguous (except where separated by the accessway), and in a location that does not exceed 20% of the total net area of the site or sites; and
 - iii. are not located within the balance of the site or sites.
 - h. not more than one accessway is provided to the cluster.

is a discretionary activity.

NOTE: An approved application for any resource consent under Rule 31.34.1 shall have a ten year lapsing period.

In considering any resource consent application under Rule 31.34.1 the Council shall, in deciding whether to grant consent, and in deciding whether to impose conditions, have regard to (but not be limited by) the following matters:

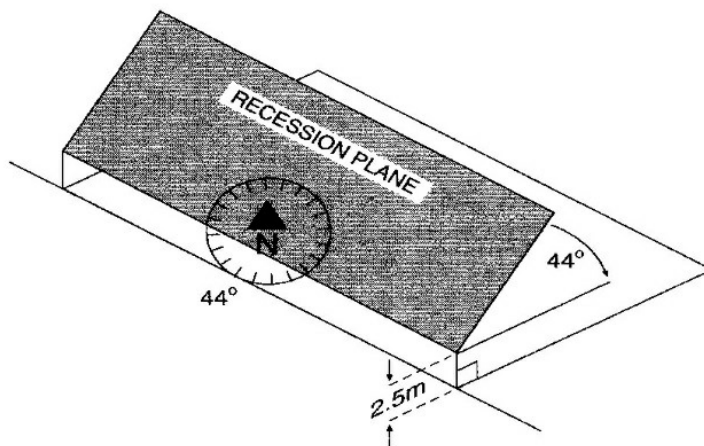
- i. the proximity of any proposed dwellinghouses or clusters to existing or consented dwellinghouses and clusters on neighbouring sites and in the wider locality;
- ii. the extent to which the rural character and amenity in the wider area is adversely affected by the cumulative impact of existing or proposed clusters;
- iii. the extent to which any additional ancillary private use buildings proposed are necessary for rural activities or customary use and mahinga kai;
- iv. whether landscaping is proposed along boundaries and the extent to which it maintains or enhances rural amenity and outlook;
- v. the extent to which the proposed buildings compliment the rural environment;
- vi. the extent to which the cluster provides open space and maintains rural amenity when viewed from public roads and accessways;
- vii. the extent to which any watercourses are ecologically enhanced; and
- viii. advice received from design professionals and Tuahiwi Runanga or Marae Trustees, as well as any relevant design guide.

31.35 Non-complying Activities

31.35.1 The erection of any dwellinghouse within Maori Reserve 873 that does not comply with Rule 31.33.1.1 is a non-complying activity.

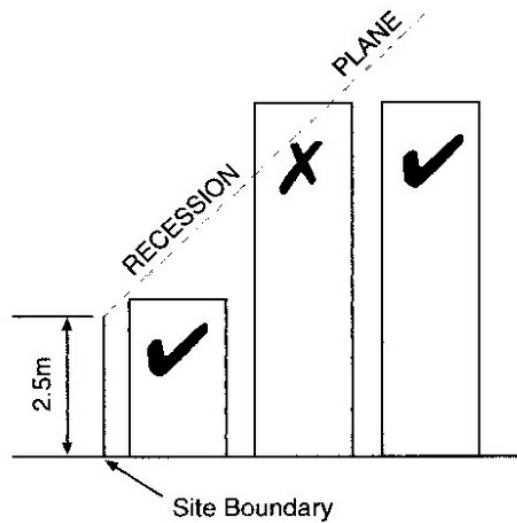
31.35.2 Cluster housing within Maori Reserve 873 that does not comply with Rule 31.34.1 is a non-complying activity.

Appendix 31.1: Height Recession Planes



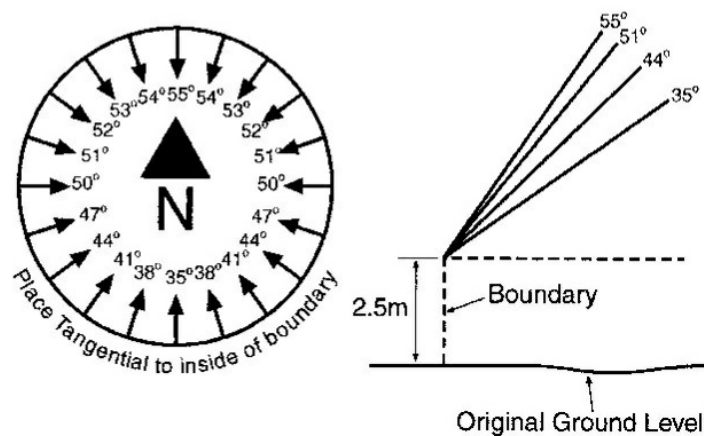
31.4

- i. "Recession planes" are used as a technique to ensure that structures do not unduly shade or overlook adjacent properties. A recession plane is an imaginary surface extending inward from a site boundary – see Figure 31.3.
- ii. Because recession planes slope upwards from site boundaries, the further a structure is set back from a boundary the higher it can be without protruding through the maximum "building envelope" defined by the recession planes – see Figure 31.4.



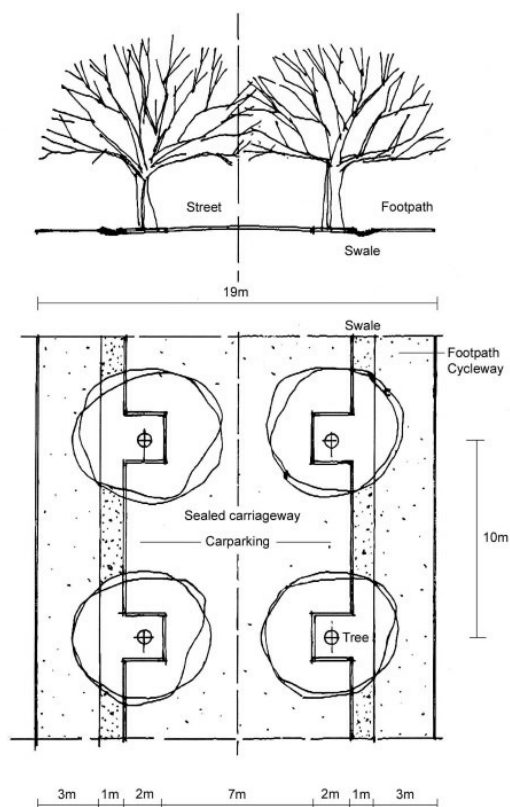
31.5

- iii. Recession planes begin 2.5m vertically above site boundaries.
- iv. The angle of inclination of a recession plane from horizontal depends on the orientation of the boundary concerned – see Figure 31.5.



31.6

- v. Figure 31.5 can be used on site, or for greater accuracy it can be used with a site plan. It must always be orientated to true north. Where the boundary touches the circle between marked angles, interpolations are made. In the case of irregular boundaries, the same principles apply – a recession angle can be determined for any point on the boundary. As a guide it can be noted that a 45° recession plane allows an increase of 1m in height for each metre of setback from the boundary, ie at boundary, 2.5m maximum height; at 1m setback, 3.5m maximum height; at 2m setback, 4.5m maximum height.



31.7

CROSS REFERENCE: See Rule 31.1.1.17