

GENERAL PROVISIONS

INFORMATION TO ACCOMPANY APPLICATIONS**1. General Information**

Section 88 of the Act sets out the general procedure for making an application for resource consent. The information required to be supplied with any application for resource consent should be sufficient for any person to understand:

- a) Who is making the application;
- b) The location of the site to which the proposed activity relates, including the legal description(s) of the property, certificate of title(s) and photographs of any relevant features;
- c) The nature, staging, and physical extent of the proposed activity;
- d) The actual or potential effects that the activity may have on the environment;
- e) The ways in which any adverse environmental effects may be avoided, remedied or mitigated;
- f) Any other resource consents that the activity may require, and whether or not such consents have been applied for;
- g) Any application in regard to a proposed subdivision, should also contain such information as required by the Act and included under 6 (below) and such information as required in Chapter 31 (Subdivision) of this Plan.

2. Additional Information

In addition to the above information requirements, an application may also require any of the following information where it is appropriate to the application:

- a) An explanation of how the proposed activity is consistent with the relevant objectives and policies specific to the particular site and/or Zone;
- b) Reports from relevant experts, such as a registered engineer or geologist, detailing the proposal and its suitability for the site(s) or area.
- c) Specific information to be included where necessary in an engineering/geotechnical investigation.

The engineering geological plan should where necessary show:

- An engineering geological plan of the proposed development drafted at a scale of between 1:100 and 1:2000 (appropriate scale to be determined in consultation with the Council); and
- An engineering geological/geotechnical appraisal.

- Existing features (including natural ground contours, hydrological and/or hydrogeological features such as watercourses, ponds and seepage zones, areas of fill and active or potentially active geomorphic features);
- Distribution and extent of surface geology deposits and bedrock;
- Proposed site engineering features (including access tracks/ roads, final construction levels, stages of development, drainage structures and sediment traps); and
- Location of suitable building platforms for each site or Lot.

The engineering geological assessment should include (where necessary) information on:

- Foundation materials (bedrock and surface geology);
- Any existing fill material (depth, extent and nature of);
- Surface and subsurface drainage patterns;
- Topographic and/or engineering constraints to site development and/or site access;
- Any active or potentially active geomorphic processes such as land instability and streambank erosion; and)
- If appropriate, site preparation requirements for any fill, fill placement requirements and engineering design, fill performance monitoring and drainage control measures.

Note 1 The engineering geology assessment report should provide guidelines for subdivision planning and recommendations for further investigations (if and where appropriate).

Note 2 The engineering/geotechnical investigation should be completed and the report prepared by a person suitably qualified and experienced in engineering and/or geotechnical and/or engineering geological matters.

- d) Specific details regarding the nature, scale and design of the proposal (including, where appropriate, building materials, colours, hours of operation, vehicle parking spaces, access and proposed landscaping);
- e) If a sign is to be included in the proposal, the information to be displayed on the sign;
- f) A description of the methodology of effluent disposal and water supply (if appropriate);
- g) An explanation of any consultation undertaken. Any concerns, recommendations or requirements made known by any Regional, District or City Council, the Department of Conservation, iwi or any other relevant organisation or affected persons should be recorded;
- h) Any relevant hazard information, including any protection or hazard mitigation measures and an explanation as to whether the proposal will exacerbate the extent or effects of any hazard beyond the site;

- i) The extent of any earthworks;
- j) The location of any significant areas of indigenous vegetation, water bodies (including lakes and streams) and ridgelines and an explanation of any effect of the proposed activity(s) on any Protection Policy Area, Coastal Protection Area, Conservation Reserves, or Protected Building, object or site, or Notable Building, object or site, or 'silent file' areas;
- k) Any proposal to establish production forestry which requires consent as a controlled, discretionary, restricted discretionary or non-complying activity must include as part of the application the following information:
- Location and dimensions of areas proposed for clearance of existing vegetation and/or production planting.
 - Location and extent of any archaeological or historic sites within the site subject of clearance and/or planting or earthworks and details of how they will be affected by the proposal.
 - Location and dimensions of any surface water bodies within the site subject of clearance and/or planting or earthworks and details of how they will be affected by the proposal.
 - Measures to be used to protect any areas of indigenous vegetation within the site subject of the application.
 - Methods to be used to prevent invasion by wilding seedlings of any adjacent areas of indigenous vegetation.
 - Methods to be used to prevent erosion during any clearance, planting or harvesting work.
 - The time period over which any clearance and/or planting will take place.
 - Measures to be used to protect water flow and quality of any bodies of water or wetlands in the vicinity.
 - Methods to be employed to inhibit the spread of fire within and in the vicinity of the area to be forested, including fire access roads.
 - Likely methods to be employed in harvesting operations.
 - Anticipated date(s) and time period(s) of harvesting.
 - ú Roading and harvesting shall be conducted in accordance with the principles of the NZ Forest Code of Practice or its successor ruling at the time.
- l) For all applications involving heritage resources the following information is required:
- An explanation of the nature of the heritage resources affected, i.e. heritage building/place/site/waahi tapu;
 - The specific location of the heritage resource, (preferably a map showing the location of the resource and area of impact the proposal has on the resource);
 - A statement as to whether the activity will affect the whole/part of the heritage resource;
 - An indication as to how adverse effects on heritage values will be mitigated;

- Where it is likely a significant adverse effect will result, a description of any possible alternative location or methods of undertaking the activity;
- What consultation (if any) has occurred with Tangata whenua (if it relates to a waahi tapu and/or waahi tapu area) and the New Zealand Historic Places Trust.

Amendments to design and other details of any application for resource consent may be made until the close of hearing, only if such amendments are within the scope defined by the original application. If such amendments go beyond that scope, such as by increasing the scale or intensity of the proposed activity, or by significantly altering the character or effects of the proposal, a fresh application will be required.

3. Drawings and Plans

In addition to the above information, all applications for resource consent must (unless inappropriate to do so) include a set of plans and/or drawings to illustrate the proposal.

An application for a land use consent must supply an original, plus two copies, as A3 or A4 reductions, of each plan or drawing. The plan and/or drawings must be accurate, and legible and shall include the following information:

- a) **Site Location:** with road name, property boundaries, and north point.
- b) **Site Plan:** at an appropriate scale for detail (which in any urban area shall be at a scale of no less than 1:200), showing as applicable:
 - property dimensions in metres;
 - the location of all existing and proposed buildings and structures;
 - all sealed areas;
 - the position of any easement over the site;
 - the position and dimensions of every parking and loading space;
 - kerb lines adjacent to the site and any adjacent street trees;
 - levels on site boundaries and around any buildings and, if the site is not level (a uniform grade of less than 1 in 10), ground contours;
 - proposed retaining walls, excavations and landfills;
 - existing trees and areas of vegetation and proposed landscaping;
 - where appropriate, shadow diagrams or models showing overshadowing of proposed structures on adjacent properties;
 - watercourses, and drainage and sewerage pipes within the site; and
 - the means to manage all stormwater and sanitary drainage.
- c) **Floor Plan:** of each building at a scale of no less than 1:100, showing:
 - the use of all parts of the building including parking, storage and service areas;

- where appropriate, internal layout of the building and identification of the use of such rooms or parts of a floor. (Where several floors are of the same area and use, a standard floor plan may be used).
- d) Elevations of each building at a scale of no less than 1:100 showing:
- the external appearance of the building (including windows and doors);
 - the number of floors;
 - building heights and distance to any property boundary and, where relevant, building height envelopes and maximum permitted height; and
 - original and modified ground levels underneath the proposed building.

4. Assessment of Environmental Effects

Any assessment of environmental effects supplied with an application must provide sufficient information for any person to understand the actual or potential effects (both beneficial or adverse) of that proposed activity on the environment, and the ways it is proposed to avoid, remedy or mitigate any adverse effects.

An application for a controlled activity need only address those matters over which the Council has retained control. An application for a discretionary activity consent to vary a condition for a permitted activity or standard for a controlled activity need only address those matters related to the activity's non-compliance with the particular condition or standard.

The assessment for other types of applications shall address all relevant matters relating to the actual or potential effects of the proposed activity on the environment, and shall be in sufficient detail to enable a clear understanding of the scale and significance of those effects.

Where an application is required to include an assessment of environmental effects the applicant may be required, unless it is unreasonable in the circumstances, to consult as part of the assessment with the following persons as appropriate:

- a) The owner(s) and occupier(s) of the subject land;
- b) Persons likely to be directly affected by the proposed activity;
- c) The District and Regional Council;
- d) The Department of Conservation;
- e) The New Zealand Historic Places Trust;
- f) Relevant iwi;
- g) Crown Public Health;
- h) Other authorities, organisations or individuals as appropriate.

5. Supplementary Information**5.1 Further Information**

The Council may, in terms of section 92 of the Act, require applicants to supply further information relating to the application where such information is necessary to better understand:

- The nature of the proposed activity;
- The effects the proposed activity may have on the environment; and
- The ways in which any adverse environmental effect may be avoided, remedied or mitigated.

Where the Council considers that any significant adverse environmental effect may result from a proposed activity, it may also require an explanation of any possible alternative locations or methods for undertaking the activity, the applicant's reasons for making the proposed choice and the consultation undertaken by the applicant.

5.2 Commissioned Reports

The Council may also commission a report on any matters raised in relation to an application, including a review of any information provided in the application. The purpose of any review would be to:

- Audit the information provided in an application in terms of its accuracy, relevance, and comprehensiveness; or
- Review any technical, scientific, or operational detail pertaining to the proposed activity; or
- Identify and assess any natural hazard or the use or storage of any hazardous substance pertaining to the proposed activity, including reasonable measures to avoid, remedy or mitigate any potential adverse environmental effects; or
- Provide information on other matters pertaining to the application, such as design and appearance of buildings or heritage, amenity, or cultural considerations.

Prior to commissioning any such report/s as detailed above, and for which the applicant will incur the costs, the Council is to advise the applicant, that such report/s will be commissioned and an estimate of likely costs of such report/s.

6. Specific Information Accompanying Subdivision Consent Applications

Any application for subdivision consent shall include (but is not limited to):

- a) A description of the activity for which consent is sought;
- b) The address and legal description of the property, and a copy of the Certificate(s) of Title for the land to be subdivided;

- c) A statement specifying any other resource consent(s) the applicant may require in regard to any aspect of the proposed activity, and whether the applicant has applied for such consent(s);
- d) Such information as is required under section 219 of the Act;
- e) In regard to an application for a discretionary or non-complying activity, an Assessment of Environmental Effects;
- f) Plan(s) drawn to an identified scale, preferably on either A3 or A4 sized paper or larger, containing sufficient information to adequately define and identify:
- the address and legal description of the property;
 - the position of all new boundaries, including restrictive covenant boundaries for cross-lease applications, and unit, accessory unit and common property boundaries for unit title applications;
 - the areas of all new allotments (except for a subdivision by grant of cross lease or company lease or by the deposit of a unit title);
 - the location and areas of new reserves to be created (including esplanade reserves), esplanade or access strips, and any proposed improvements;
 - the location and areas of any land below Mean High Water Spring Tide Mark or of any part of the bed of a river or lake which is required under section 235 of the Act to be shown on the survey plan as land to be vested in the Crown;
 - the location and areas of land to be set aside as new road;
 - the location and area of any proposed easement;
 - abutting and underlying title boundaries, existing building line restrictions and any existing easements;
 - the balance area of the property to be subdivided showing any proposals for future development;
 - where appropriate, contours at an interval sufficient for the design of accessways and services, or to show the general topography of the area, particularly around proposed house sites;
 - any features or areas to be protected by covenant or other method;
 - the principal topographic and geological features, including areas of loose fill and faultline or fault traces;
 - areas of land that may be subject to flooding or inundation, erosion, landslip or subsidence, or areas of land that are within an identified natural hazard high risk area;
 - any significant environmental feature or area of indigenous vegetation;
 - all surface water bodies;
 - the existing sewer and stormwater drainage system with invert and manhole levels;
 - existing utility services;
 - existing groundwater bores and their Regional Council reference number;
 - existing and proposed septic tanks, soakage areas, and irrigation systems;

- existing structures (including buildings), and fences and whether such structures will be retained, relocated or removed;
 - appropriate building platform or platforms identified in accordance with the objectives and policies for subdivision and rules for the relevant Zone, unless it is not intended to erect a building, in which case a consent notice may be imposed by the Council which precludes the erection of a building on a site;
 - details of any earthworks required to establish building platforms and access, including the quantity of cut and fill proposed;
 - existing roads, carriageways, and pathways to which connection will be made;
 - proposed roads, access points onto the lot(s), accessways, and service lanes with relevant widths, areas and gradients, methods of formation and surfacing;
 - proposed areas of excavation and fill, together with the proposed finished contours for proposed cuts and fills greater than 5m³;
 - any designations applying to all or part of the lot;
 - memorandum of easements; and
 - any necessary amalgamation condition.
- g) Information shall also be provided in plans, drawings or reports on the following matters, where appropriate:
- **Potable Water Supply:** verification that each new lot is capable of providing an adequate water supply;
 - **Utility Services:** information on the availability, or otherwise, of common utility services;
 - **Stormwater Drainage:**
 - ú Where existing stormwater sewers are proposed to be used or connected to service the subdivision, confirmation that adequate capacity is available; or
 - ú If stormwater is proposed to be discharged into a watercourse or the sea, any consultation undertaken and consents required; or
 - **Sewage Disposal:**
 - ú Whether there is adequate capacity through existing sewers; or
 - ú Evidence that the lot(s) has the ability to adequately dispose of sewage on-site in an environmentally acceptable manner, and if so, that the relevant consents have been lodged or obtained; or details of the method(s) of sewage disposal to be employed.
 - **Stability:** a statement that there is no uncontrolled fill on the site, and there is no evidence of soil creep, slumping, or other site instability;
 - **Faultlines:** if any faultlines or traces are shown on the survey plan, a full geotechnical report must also be submitted;
 - **Hazardous Substances:** if the subject land contains or has contained an installation in which a hazardous substance was stored, used or disposed of the applicant shall include an assessment of risks posed by the installation by referring to the “ANZ ECC Guidelines” and/or

“Guidelines and Priorities and Procedures for Contaminated Sites Investigations” published by the Ministry of Health or its successor at the time.

- Heritage Sites and Protected and Notable Buildings, objects and sites: if the subject land contains an identified feature, the application must include information about the feature and any proposed method of protecting and/or enhancing the feature as necessary;
- An application for a cross lease or company lease or unit title shall include:
 - ú Information to demonstrate that the building(s) has or have existing use rights; or
 - ú A copy of the certificate of compliance for each building; or
 - ú Any land use consent granted for the subject buildings; or
 - ú Information to demonstrate the subject buildings meet the relevant development controls of this Plan.
- **Staged Cross-Lease Subdivision:** sufficient information to demonstrate that the undeveloped balance portion of land is suitable for further development that would be in accordance with the requirements of the District Plan and that all possible site constraints to such development have been investigated and reported;
- **Staged Unit Title Subdivision:** information must be submitted with the application to show the proposed staging of development, including:
 - ú How all existing or proposed buildings will meet the requirements of the District Plan; or
 - ú The land use consent issued for any proposed buildings; or
 - ú The building consent issued for any proposed buildings.
- **Staged Freehold Subdivision:** information on the proposed staging process and time frame.

7. **Specific Information Accompanying Applications to Waive an Esplanade Reserve or Esplanade Strip Requirement**

In addition to any other information requirements, an application to reduce or waive an esplanade reserve or esplanade strip requirement shall include the following:

- a) A description of the ecological characteristics of the water body and the land subject to an esplanade reserve or esplanade strip, including any existing or alternative measures for protecting or enhancing those characteristics;
- b) The requirements of the landowner to use the site in an effective and reasonable manner;
- c) The extent to which the public can obtain access to the water body and what recreational value it may have;

- d) The extent to which the natural character and visual quality of the water body will be preserved; and
- e) The location of any buildings or structures that may effect or influence the width of the reserve or strip.
- f) A description of any constraints such as, but not limited to; pests and weeds that may affect the usefulness/value of the land for esplanade purposes.

CRITERIA FOR ASSESSING RESOURCE CONSENT APPLICATIONS

1. Assessment of Land Use Consents

The matters contained in sections 104 and 105 and in Part II of the Act apply to the consideration of all resource consents for land use activities. In addition to these above matters, the Council shall consider the following matters;

- a) The relevant matters stated for the consideration of any controlled or discretionary activity;
- b) Whether the proposed activity would be contrary to any relevant objectives and policies of the Plan;
- c) Whether conditions can be devised to avoid, remedy or mitigate any adverse effects of the proposal;
- d) The environmental outcomes intended to be achieved by the Plan;
- e) The design and location of any proposed building and its effect on the visual amenity of the area;
- f) The nature of any goods or products, including hazardous substances, that are to be used or stored on the site and the degree to which they affect the quality of the locality or public safety;
- g) The hours of operation or frequency with which the activity is proposed to be undertaken and the extent to which it will have adverse effect on the amenity of the area in terms of noise generation, effect on public safety and efficiency, privacy, amenity and character of the locality;
- h) Any recommendations made by a relevant expert;
- i) The outcome of any consultation undertaken;
- j) The degree to which any potential hazardous substances can be avoided, remedied or mitigated; and

- k) The extent to which any significant environmental feature and the landscape values of the area will be maintained and/or enhanced.
- l) Any detrimental effects on utility services and the roading network.
- m) Tangata Whenua should be consulted on resource consents where it is deemed that they could be adversely affected. In particular, Section 6 and 7 of the Resource Management Act 1991 should be considered.

2. Assessment Criteria for Restricted Discretionary Activities or Discretionary Activities which do not Conform with Conditions for Permitted Activities or Standards and Terms for Controlled Activities

The following matters will be considered in an assessment of a restricted discretionary activity or discretionary activity.

- a) Whether the degree of non-compliance with any particular condition, standard or term is minor, having regard to the purpose of that control; or
- b) If it is unreasonable to require compliance with the condition, standard or term; or
- c) Whether conditions can be imposed to avoid, remedy or mitigate any adverse environmental effects resulting from the non-compliance with any rule, standard or term; or
- d) Features of the site which make compliance difficult, including size, shape, access, topography, geotechnical constraints, or the presence of a natural hazard or indigenous vegetation.
- e) Aspects relating to existing development which make compliance difficult, including the location or layout of existing buildings, the need for architectural coherence, the preservation or enhancement of any heritage features or significant environmental features, or the provision of special facilities for the community or groups within the community (such as the disabled).
- f) Unusual amenity circumstances, including improvements to amenity on site or in the immediate vicinity, the retention of vegetation or open space, screening or shading, the preservation of privacy, or the improvement of public views.
- g) Special environmental considerations, including the proximity of noxious, dangerous, offensive or objectionable land uses to the site, any unusually located building on an adjacent site, preservation of the natural character of the area or the enhancement of the environmental quality of the neighbourhood.
- h) Unusual traffic conditions (vehicular or pedestrian), including volumes of traffic, traffic safety, efficiency of traffic movement, pedestrian amenity,

adequate alternative provision for parking, improvement to existing parking, better design of access and parking facilities and improved on and off-site access.

3. Specific Criteria for Assessing Land Use Consent Applications

a) Amenity

Yards/Separation Distances/Amenity Planting

- The extent to which any intrusion into a yard requirement is necessary to enable more efficient, practical and/or reasonable use of the balance of the site or the long term protection of significant trees or significant environmental features on the site;
- Any adverse effects of the proximity or bulk of the building resulting in loss of access to daylight or privacy on adjoining sites;
- The provision of landscaping or screening to mitigate the adverse effects of any yard encroachment;
- For a front yard setback, the extent to which alternative practical locations are available on the site;
- The extent to which an alteration of the front yard will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites;
- The adverse effects of any building intrusion into the front yard on the outlook and privacy of people on the adjoining sites;
- The extent to which any encroachment into the front yard will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area; and
- The visual effects of amenity tree planting on views from public places or on local landscape and amenity values.

Height

- The extent to which the proposed buildings will be compatible with the scale of other buildings in the surrounding area;
- The effect of the increased height in terms of visual dominance of the outlook from other sites, roads and public open spaces in the surrounding area;
- The extent to which the increased height would have an adverse effect on sites in the surrounding area in terms of loss of privacy through being overlooked;
- The extent to which the proposed building will overshadow adjoining sites and result in reduced sunlight and daylight admission; and
- Whether any adverse effects of increased height may be avoided, remedied or mitigated by such as through increased separation distances between the building and adjoining sites or the provision of screening.

Artificial Light

- The effect of the light on adjoining and other properties;
- Whether a reduction in the level of glare is possible; and
- Whether the direction in which the light is aimed, and the duration and hours of operation of the activity requiring the lighting, can be changed to avoid, remedy or mitigate any adverse effects.

Screening of Non-Residential Activities

- The effect of reduced landscaping and screening in terms of the visual impacts of the buildings and the scale of these buildings;
- The importance of landscaping and screening on the particular site, taking into account the visual quality of the surrounding environment; and
- The extent to which the site is visible from adjoining sites and the likely consequences on outlook from those sites of any reduction in landscaping or screening standards.

Earthworks

- The visual impact on the immediate vicinity and on any areas of landscape value; or
- The effects of sediment and stormwater runoff on stream systems, habitats, and adjacent properties; or
- The removal of material by wind and any off-site effects; and
- The effects on ground water quality and quantities, including from leachate; or
- The effects on amenity values from dust nuisance and noise;
- The ability to mitigate any adverse environmental effects, through means including site and vegetation restoration, landscape treatment and planting and engineering measures; and
- The ability to adequately re-vegetate any cut slopes.

b) Traffic Generation

- Any adverse effects, in terms of noise and vibration from vehicles entering or leaving the site or adjoining road(s), which are incompatible with existing noise or vibration levels in the area; or
- Any adverse effects, in terms of glare from headlights of vehicles entering or leaving the site, which intrude on residents or occupants of adjoining residential sites; or
- Levels of traffic congestion or effects on traffic safety; or
- Any cumulative effect of traffic generation from the activity in conjunction with the traffic generation from other activities in the area; and
- The ability to mitigate any adverse effects of the additional traffic generation through the location and design of vehicle crossings, parking and loading areas or the provision of screening or other appropriate measures.

4. Specific Criteria for Assessing Subdivision Consent Applications

- a) The following matters will be considered, where relevant:
- The provision for disposal of sewage and stormwater without adverse effects on public health or the environment;
 - The provision of a sufficient supply of potable water;
 - The provision or ability of every allotment to have vehicular access to a formed road or proposed formed road;
 - The cumulative impacts on the infrastructure of the District and its efficient use and development;
 - The provision of access within every lot;
 - The ability of any existing or likely future building to comply with conditions and standards in this Plan;
 - Whether amenity values and character will be protected or enhanced;
 - The appropriateness of the subdivision in relation to any sites or resources of significance to tangata whenua, including water quality;
 - The appropriateness of the subdivision in relation to Part II of the Act;
 - Whether any visually obtrusive or environmentally damaging earthworks associated with the proposed development of the subdivided land can be avoided or minimised;
 - Whether the subdivided land contains any substances that may be hazardous to future occupiers of the land;
 - Whether the allotment has an adequate building platform to allow a complying building to be constructed that will not be subject to unacceptable risks from natural hazards or will not significantly exacerbate the risks to other properties and people; and
 - Whether the allotment(s) comply with section 321 of the Local Government Act 1974 in regard to access to a legal road.
- b) For a staged unit development, whether the proposal has been granted a resource consent, or a certificate of compliance has been issued.
- c) For a subdivision of a building, the following matters will also be considered as relevant:
- Whether the use of the building complies with all requirements of this Plan or has an applicable resource consent or has existing use rights;
 - Whether the building complies with all Building Code requirements including those generated by any change of use or has been lawfully erected; and
 - Whether the new allotments meet, or can meet, the requirements of section 46(4) of the Building Act 1991.
- d) Approval of Discretionary Activities
- Consent to an application for subdivision as a discretionary activity may not be granted if one or more of the above criteria for assessment is not met. In addition, consent may not be granted under the following circumstances:
- For proposed leases of a building or part of a building not involving a cross lease, company lease or unit title, if the Council is not satisfied

that the subject building complies with all building code requirements or has been lawfully erected;

- For a proposed cross lease or unit title:
 - ú If the Council is not satisfied that any proposed covenant, unit or auxiliary unit boundary has taken into account all relevant requirements under this Plan; or
 - ú If the building has not been completely framed, up to and including roof level, so that the Council can be satisfied that the building has been built in accordance with the requirements of this Plan; or
 - ú If the cross lease is to be staged, the Council is not satisfied that the lot has sufficient area for further complying development and/or that such development will be free from inundation and is capable of being adequately serviced;
- If the application is for a staged unit title subdivision, if a unit development plan has not been approved.

OVERVIEW (Updated: 2 July 2011)

The principle purpose of subdivision is to provide a framework for land ownership so that development and activities can take place. Because subdivision is the foundation for much of the development that occurs in the District, it frequently influences the future use of land. It is not the act of subdivision itself that causes adverse effects, rather the activities undertaken on the sites created. For example, the size and shape of sites often have a direct effect on the range of uses, which can be undertaken, on land. Such uses can, in turn, have effects on the environment and therefore raise issues of potential concern such as amenity values and natural hazards mitigation.

The Plan does not make assumptions about the activities which may be undertaken on land as a result of subdivision, nor does it seek to pre-determine activities which can take place following subdivision. However, it can be assumed that the resources within a newly created site are likely to be used, and it is this use that may have an impact on the environment and generate demands on reserves, network infrastructure and community infrastructure.

The adverse effects of activities are generally controlled by the provisions for each Zone. However, in dealing with subdivision it is appropriate to give consideration to the potential effects of those activities that may be undertaken on sites which are created.

For example, buildings, earthworks, and the formation of vehicle access associated with permitted activities, may have an impact on the amenity of an area. Therefore, it is appropriate at the time of subdivision to ensure that where sites may be used for activities that involve buildings, consideration is given to suitable building platforms and the means of achieving vehicle access.

The requirement to identify building platforms is most appropriately made at the subdivision stage. It is at this stage that consideration can be given to the location of building platforms in relation to vegetation, topography and impact on the landscape.

Some sites created by subdivision may be used for activities, which do not require the erection of buildings and/or are not suitable for buildings. This may include sites subdivided for the purpose of conservation or landscape protection among others. It may be appropriate that such sites are not unduly constrained by minimum site area rules. Subdivision in any site, all or part of which is contained within the Summit Road (Canterbury) Protection Act is controlled by this Act.

It is possible that some such sites are also suitable as lifestyle properties for residential purposes as long as the main purpose of conservation or landscape protection is achieved. For cases where that may not be so, provision is made to transfer the subdivision/development right to a more suitable location provided again that permanent protection of the feature is thereby achieved.

Accordingly, the rules are structured to allow a range of site sizes to provide opportunities for the sustainable management of land in the District. It is anticipated that not all sites will have a building constructed on them. Where it is intended to construct a building on a site, the siting of the building should be considered in terms of the objectives and policies for subdivision and the relevant Zone.

The subdivision of land to create sites on undeveloped land inevitably requires consideration of the need for reserves, network infrastructure, community infrastructure, telecommunications and electricity which may vary considerably, even in urban areas. The matter of servicing is often an important aspect of the subdivision process, particularly for new, undeveloped sites and needs careful consideration to ensure all effects and costs are taken into account.

The subdivision of land that is already developed, such as the dividing of a property with two houses on it into two separate sites, may not raise questions of servicing and access. Such subdivision includes the internal subdivision of buildings.

Under the Resource Management Act, all subdivisions to create allotments under 4 ha are required to have esplanade reserves of 20 metres in width created along the edges of any rivers and lakes or the coast which the allotment includes or adjoins, **except** as provided by any rule in a District Plan. For allotments of more than 4 ha, esplanade reserves or esplanade strips of 20 metres in width shall be created, if there is a rule to such effect in the Plan. Although subdivision is the primary method of creating esplanade reserves/strips, they may also be created as a condition of consent for a land use consent. A road which is unformed for much of its length encircles the coastline of the district and a substantial portion of the margins of Wairewa and Te Waihora. Esplanade reserves and strips cannot be required on the subdivision of sites which abut this road. This road provides public access to the sea around almost all of the Banks Peninsula District and is twenty metres in width with the exception of the following areas:

- Akaroa, Beach Road from opposite Rue Benoit through to Rue Brittan;
- Lyttelton, from the Awaparahi bay to, and including the navel point reclamation;
- Little Port Cooper;
- Between Akaroa Harbour and the heads.

For this reason the creation of esplanade reserves/strips will be required only for subdivision of land abutting the margins of Wairewa and Te Waihora. Esplanade reserves/strips **may** also be created as a condition of a land use consent. Esplanade reserves/strips **may** also be created adjacent to rivers. In addition, there are rules to provide for variations to the widths of esplanade reserves/strips, or for the complete waiver of the esplanade requirements and for the waiver of requirements to vest the beds of rivers and lakes.

A network of unformed legal roads exists within the District and in some locations this network offers opportunities for appropriate pedestrian access to the

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coastline and other places having public amenity value. Consultation with landowners is an integral part of this process.

(Updated November 2010)

ISSUE 1 Sites created by subdivision may be inappropriate for permitted and controlled activities in particular Zones and thus have the potential to indirectly result in adverse effects on the environment.

OBJECTIVE 1 To ensure that sites which are created by subdivision do not indirectly result in adverse effects on Outstanding Natural and Coastal Natural Character Landscapes and the visual amenity and natural values of the environment.

POLICIES

- 1A** Every new site created shall be able to accommodate a permitted, controlled or discretionary activity in terms of the rules of the relevant Zone.
- 1B** Sites created to contain existing buildings shall be able to accommodate those buildings in compliance with the rules of the Zone, or without increasing any existing non-compliance.
- 1C** Site layout should assist in achieving the long-term protection of outstanding natural features and landscapes, significant indigenous vegetation and significant habitats.
- 1D** The layout and size of sites should recognise existing landscape patterns, including topographical features such as ridgelines, valleys and watercourses.
- 1E** Where it is intended that sites are to accommodate a building, appropriate building platforms shall be determined at the time of subdivision.
- 1F** Where it is considered that an appropriate building platform is not available on a site, the Council may impose a consent notice which precludes the erection of a building on that site.
- 1G** All building platforms and driveways shall avoid areas of indigenous vegetation worthy of protection.
- 1H** All building platforms and driveways should take into account the topography of sites.
- 1I** Sites created in the Residential Conservation Zone should reflect the historic pattern of adjacent sites.

EXPLANATION AND REASONS

Although the act of subdivision does not create any direct adverse effects on the environment, the size and layout of sites and the location of boundaries and accessways can have an indirect effect because of the way in which future activities undertaken on land may be influenced by subdivision. Similarly, the size and layout of sites and the location of boundaries may result in adverse effects because of the way in which they relate to significant environmental features and landscape patterns.

To ensure that the act of subdivision does not lead to adverse effects on the environment, the size and layout of sites should take into account the natural and environmental features of the land, including vegetation and topography. The size and layout of sites should also take into account where buildings and driveways can be located without resulting in adverse effects and the historic pattern of sites and buildings in the Residential Conservation Zone.

In areas located within Outstanding Natural and Coastal Natural Character Landscapes, the subdivision rules have been designed to ensure that the natural character, openness and landscape values of these areas is maintained. The creation of a title carries an expectation that some form of land use activity or development can be undertaken on the land and the requirement for a consent notice is considered appropriate having regard to the non-complying status of buildings outside Existing Building Clusters in these landscapes.

ISSUE 2	Inappropriate subdivision and development may lead to soil erosion and slope instability.
OBJECTIVE 2	To ensure that natural hazards, soil erosion and slope instability are not exacerbated by activities.

POLICIES

- 2A** Any site created shall not increase risks from natural hazards, soil erosion and slope instability unless such adverse effects can be avoided, remedied or mitigated.
- 2B** All earthworks necessary for the creation of vehicle accessways should cause minimum disturbance to the landform of the site and adjoining sites.

EXPLANATION AND REASONS

Because subdivision can influence the impact activities have on the environment, it follows that subdivision on land affected by soil erosion, slope instability and natural hazards has the potential to exacerbate such problems.

Also, because the size and layout of sites can influence future activities on land, such as the creation of driveways and building platforms, the size and layout of sites should take into account the extent to which such activities may affect areas susceptible to soil erosion, slope instability and natural hazards.

ISSUE 3	Conservation Reserves, or Heritage Items which are appropriate for the creation of a reserve may be compromised by inappropriate subdivision.
OBJECTIVE 3	To enable sites to be created for reserves or to contain Conservation Reserves, or Heritage Items.

POLICY

3A The subdivision of land to contain any Conservation Reserves, Heritage Item or land for the purpose of reserves shall be a controlled activity.

EXPLANATION AND REASONS

Inappropriate subdivision can compromise Conservation Reserves, Heritage Items or land which is appropriate for the creation of a reserve by isolating them from other similar areas or exposing them to potential adverse effects from future activities which could take place on new sites. The Plan enables land containing Conservation Reserves or Heritage Items to be created as a reserve.

ISSUE 4	Subdivision may generate unsustainable demand on infrastructure and services provided by the Council, such as roads, water, and sewage facilities.
OBJECTIVE 4	To ensure that adequate provision is made for services, infrastructure and access to sites which are created.

POLICIES

4A To ensure, upon subdivision that anticipated development is provided with a means of disposing of sewage in a manner which is consistent with maintaining public health; and avoids, remedies or mitigates adverse effects on the environment.

4B To require that the adverse effects of stormwater disposal on coastal and freshwater ecosystems are avoided, remedied or mitigated.

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- 4C** Adequate provision should be made for vehicle access to a formed road from each site. In the case of land being subdivided with frontage to a state highway, all access should be from an alternative road where such access is available.
- 4D** Adequate provision should be made to allow for the supply of energy and telecommunication services.
- 4E** Access via existing public walkways should be maintained and enhanced where appropriate.

EXPLANATION AND REASONS

Subdivision to create sites on undeveloped land inevitably requires consideration of the demand likely to be created for services such as road access, sewage disposal, water supply, electricity and other infrastructure. These requirements may vary considerably, even in urban areas. The matter of servicing is therefore an important aspect of the subdivision process, particularly for new, undeveloped sites and needs careful consideration to ensure all effects and costs are taken into account. Vehicle access is required to be to a road other than a state highway where alternative access to a legal road is available, in order to protect the through-road function and safety of the state highway.

ISSUE 5 There is some land in the District which is already closely subdivided and which is inappropriate for certain activities because it is susceptible to erosion and soil instability, is inaccessible or is within Conservation Reserves or contains Heritage Items.

OBJECTIVE 5 To encourage consolidation of titles of small sites which are located in areas which are susceptible to erosion and soil instability, are inaccessible or are identified as a Conservation Reserve or Heritage Item.

POLICY

- 5A** The Council will take into account the positive effects of the consolidation of titles of small sites on land which is susceptible to erosion and soil instability, is inaccessible or is identified as a Heritage Item when considering applications to subdivide land in the Rural Zone to less than 20 ha.

EXPLANATION AND REASONS

Inappropriate subdivision has taken place in the past in areas which are susceptible to erosion and soil instability, are inaccessible or are now identified as a Heritage Item. Such subdivision has the potential to result in adverse effects because of certain activities which are permitted in the Zone. The consolidation of titles of closely subdivided land in inappropriate areas will avoid the potential for adverse effects and will be taken into account by the Council when considering applications to subdivide land in the Rural Zone to less than 20 ha.

ISSUE 6	Subdivision and activities carried out adjacent to the sea or other water bodies may compromise conservation values or limit public access and use.
OBJECTIVE 6	To contribute to the protection of conservation values, public access and recreational use of rivers, lakes and the coastal environment by creating esplanade reserves and strips.

POLICIES

- 6A** Esplanade reserves or strips should be created where they will contribute to the protection of conservation values adjacent to the sea, rivers and lakes.
- 6B** Esplanade reserves or strips should also be created where they will enable public access and appropriate recreational use along the sea, rivers and lakes.
- 6C** Esplanade reserves or strips should not be created within the Lyttelton Port Zone for reasons of public safety and for the reasons of security of cargo and port operations.

EXPLANATION AND REASONS

Under the Resource Management Act, conditions on which a subdivision consent can be granted may include the provision of an esplanade reserve or strip along the edge of rivers and lakes or the coastal environment. The purpose of esplanade reserves or strips is to maintain and enhance the conservation values and public access associated with the sea, rivers and lakes. The objective and policies intend to ensure that public access and recreational use of the coast, rivers and lakes is maintained and enhanced, provided they are compatible with conservation values.

ISSUE 7	Subdivision may be able to assist in securing protection or preservation of significant indigenous vegetation or sites of natural, scientific or cultural significance.
OBJECTIVE 7	To encourage the protection or preservation of areas of significant indigenous vegetation, outstanding natural features or landscapes, or sites of natural, scientific or cultural significance.

POLICIES (Updated November 2010)

- 7A** The Council is to consider the potential benefits arising out of subdivisions for a separate title for an area of significant indigenous vegetation, outstanding natural feature and landscapes, and coastal natural character landscapes, or sites of scientific or cultural significance the outcome of which is to permanently protect the site from further subdivision or development but which may also create the right to construct and occupy a dwelling either on the site or in another location.
- 7B** Where for any reason a dwelling is not sought or would not be appropriate on such a site, the Council through a resource consent process, is to consider creating a further site more suitable in environmental terms for the placement of a dwelling and transferring the development rights to construct and occupy a dwelling to that site, or alternatively, the granting of environmental merits.

EXPLANATION AND REASONS

The prospect of financial gain to landowners willing to protect areas of significant indigenous vegetation or other areas worthy of protection is an effective incentive.

METHODS TO ACHIEVE OBJECTIVES AND POLICIES

- Standards and terms for subdivision set out in the Plan.
- Education and advocacy – initiating meetings to discuss land management issues with landowners and organisations (such as Federated Farmers, the Fish and Game Council, surveyors, foresters, LINZ and DOC).
- Support of Landcare groups and other community based environmental initiatives and organisations.

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- Summit Road (Canterbury) Protection Act.
- Council will consider the signposting of unformed legal roads in the District where this is appropriate.
- Development of a comprehensive schedule, in conjunction with landowners, the Department of Conservation and interest groups, identifying priority areas for access and marginal protection in the District.

RULES (Updated November 2010)

1. Controlled Activities

- a) The creation of utility allotments (unstaffed) shall be a controlled activity. The Council reserves control for the purpose of assessment of the necessity for and/or standard of access of such allotments, and the necessity for esplanade reserves and esplanade strips, and any other matters listed in 1.1 below.
- b) The following subdivisions are controlled activities where they meet the standards and terms for controlled activities set out in Rule 2 (below):
 - The creation of esplanade reserves and esplanade strips (except in the Lyttelton Port Zone).
 - Boundary adjustments, provided that:
 - ú the smallest of any new sites created meets the controlled activity minimum site area standard; or
 - ú any new site created is no smaller than the smallest of any of the existing sites subject of the boundary adjustment.
 - The subdivision of a building, provided that the building lawfully exists, complies with the Building Code, and either complies with the rules of the Plan or has obtained a resource consent for any non-compliance with the rules.
 - The subdivision of any existing site to create a new site or sites for the purpose of a reserve or wholly containing land identified in the Planning maps as a Conservation Reserves or Heritage Item, provided that:
 - ú the balance lot meets the minimum site area standard for the Zone; and
 - ú an instrument is registered on the title of the permitted site which protects the Conservation Reserves or Heritage Item in perpetuity.
 - The creation of a new site by subdivision from a parent title within any area shown on the Planning Maps as a Rural Amenity Landscape where:
 - ú the new site which will be contained in a separate certificate of title is no less than 1ha in area and is for the purpose of erecting a dwelling and;

- ú a balance area of the parent title which is legally defined and which in combination with the new site achieves a minimum area of 40ha and;
 - ú both the new site and the balance area of the parent title are subject to covenants preventing the erection of any further dwellings on the total land area of the parent title in perpetuity.
- The creation of a new site not located in Low-Moderate or Moderate-High instability area natural hazards, Coastal Natural Character or Outstanding Natural Landscapes, with a minimum net site area as set out in the following table: (Updated November 2010)

Zone	Minimum Net Site Area	Minimum Average Net Site Area
Rural – Rural Amenity Landscape	40 ha unless a site is located entirely above the 160m contour line in which case the minimum site area is 100ha	
Residential	400m ²	
Residential Diamond Harbour Density Overlay Area	600m ²	
Residential Conservation (Lyttelton)	250m ²	
Residential Conservation (Akaroa)	400m ²	
Boat Harbour	No minimum	
Town Centre	No minimum	
Papakaianga	800m ²	
Small Settlements	1000m ²	
Small Settlement Zone at Governors Bay	1000m ²	1200m ²
Small Settlement Zone (Takamatua CDA only)	1500m ²	There is no minimum average lot net site area, however, a maximum number of lots to be created is 25 (excluding incidental lots as are required to be set aside for reserves, roads or for services catering for the entire subdivision such as telephone or water tanks)
Akaroa Hill Slopes	5000 m ²	
Industrial	No minimum	

- Notwithstanding the above, minimum net site areas shall not apply to sites created to establish facilities for network utility operators.

1.1 Matters Over Which Control may be Exercised (Updated: 2 July 2011)

In considering an application for a controlled activity the Council may exercise control over the following matters:

- **Access** – the location and construction of any vehicle accessways, access lots or access strips in relation to natural hazards,

topographical features such as ridgelines, valleys, watercourses, watersheds, and areas of indigenous vegetation.

- **Sewage** – the design and construction of any reticulated or on-site effluent disposal system, including the capacity, type of system, location and method of disposal.
- **Stormwater** – the design and construction of any stormwater disposal system, including the type of system, location and method of disposal.
- **Shape, size and orientation of sites** – the location of sites and boundaries in relation to natural hazards, existing buildings, topographical features such as ridgelines, valleys, watercourses, watersheds, and areas of indigenous vegetation.
- **Building platforms** – the location of building platforms identified on sites in relation to areas of indigenous vegetation, ridgelines, existing development and other features in the landscape. Where no building platform is indicated or where it is determined by the Council that there is no appropriate building platform available on a site then a consent notice may be issued which precludes the erection of a building on that site.
- **Walkways** – the location of walkways, including linkages between other areas, other walkways and public open spaces.
- **Landscaping** – the location of tree planting and landscaping.
- **Water** – the ability to provide a sufficient supply of potable water.
- **Archaeological sites** – the development and layout of the subdivision should seek to avoid the modification, damage or destruction of archaeological sites. If a site is permanently protected by an easement or similar mechanism, consideration of this shall be given by Council of this in assessing any financial contribution involving reserves applying to the subdivision.

1.2 Assessment of Applications

In assessing any application for a controlled activity the Council will have particular regard to the objectives and policies for Subdivision and any other relevant objectives and policies of the Plan.

2. Standards and Terms for Controlled Activities

These standards and terms apply only to controlled activities listed in Rule 1(b).

2.1 Density (Updated November 2010)

No subdivision shall be permitted which results in a density of dwellings on any site that exceeds the density of dwellings allowed by the conditions and standards for permitted and controlled activities in the relevant Zone.

With respect to subdivision within any area shown on the Planning Map as a Rural Amenity Landscape, any building platform for a dwelling must be located on that area of the site, either above or below the 160m contour line, which will comply with the site density standard.

2.2 Access

All sites shall have legal access which is able to accommodate a driveway to a formed road. Where land to be subdivided with frontage to a state highway has practical legal access to an alternative road there shall be no access to the state highway. In the event of multiple site subdivision where parking is provided as a common facility, that parking area shall have legal access to a formed road.

2.3 Staging of Subdivision

A subdivision may be completed in stages, provided that each stage meets all of the conditions of approval appropriate to that stage, and that the balance of the site remaining after the completion of each stage is a site which complies with the provisions of the Plan.

2.4 Esplanade Reserves

The subdivision of sites adjoining the coast or rivers and lakes shall comply with the esplanade requirements of the Plan.

2.5 Financial Contributions (Updated: 2 July 2011)

The creation of new sites by subdivision shall comply with the terms for financial contributions involving reserves in Chapter 32 of the Plan.

2.6 Servicing

A subdivision may only be undertaken in the Residential Zone if connections to a Council-approved stormwater disposal system, effluent disposal system and a potable water supply are provided to each new allotment. All work associated with connections to these systems must be carried out in accordance with the Banks Peninsula District Council's Code of Urban Subdivision.

2.7 Takamatua and Robinsons Bay Comprehensive Development Area

Within the Takamatua Comprehensive Development Area and Robinsons Bay Comprehensive Development Area any application for subdivision shall be consistent with the respective Comprehensive Development Plan in Appendix XVII. Any subdivision that is inconsistent with the respective Plan shall be a non-complying activity.

2.8 New Roads

All new roads shall be laid out, constructed and vested in accordance with the standards set out below and in Table 1.

- Residential street gradients shall not be steeper than 12.5% measured on the inside kerb alignment. The absolute maximum longitudinal gradient shall be 16.6% on short straight sections of carriageway only.
- Horizontal curves in 50km/hr zones may be circular, with a minimum centreline radius of 80m for all industrial streets and for urban collector

streets. For local urban streets the inside kerb radius may be reduced progressively to a minimum of 15m as the traffic volume decreases.

- All new roads vested upon subdivision of land shall be given distinctive names, along similar themes as existing road names in the area, not already in use within the District of Banks Peninsula.

All names shall be approved by Council. Where any new road or road extension is formed or is to be vested in the Council or a named access is provided, the developer shall pay to the Council a financial contribution for the manufacture and erection of all necessary name plates. This financial contribution shall be made up of all direct costs incurred by Council plus a 10% administration fee. All name plates shall be as per Council's standard for the area.

Table 1: Road Standards

Road classification	Typical total equivalent car movements per day (ecm/d)	Minimum road reserve widths (metres)	Minimum carriageway widths (metres)	Foot-paths required
Local – Rural	<25	15	5	None
Local – Rural	25 to 200	15	6	None
Collector – Rural	>200	15	7	*
Local – Urban	<250	12	6	One
Local – Urban	>250	14	8	One
Collector – Urban	>750	16	9	One/two*

Equivalent car movement is defined as follows:

- 1 car to and from the property = 2 equivalent car movements.
- 1 truck to and from the property = 6 equivalent car movements.
- 1 truck and trailer to and from the property = 10 equivalent car movements.
- This measurement is based on an assumption that a single residential dwelling is deemed to generate a minimum of 8 equivalent car movements per day (ecm/d).
- Truck movements must occur at least 4 days per week to be classed as typical.
- * Possibly required, and will be determined by Council on a case by case basis.

2.9 Accessways

All new accessways (individual driveways and right of ways) shall be laid out and constructed in accordance with the standards set out below and in Table 2.

- Access gradients shall not be steeper than 16.6% with an absolute maximum longitudinal gradient of 25% on short straight sections of sealed carriageway only. The first 10m of formed right of way off the carriageway shall have a maximum gradient of 10%.

- All accesses steeper than 10% or servicing 3 or more dwelling units must have turning areas available so vehicles do not have to back up or down accesses.
- All right of ways and individual driveways shall have a 'cut off drain' drained to an approved watercourse to prevent stormwater runoff crossing or entering the carriageway.
- Accesses shall only be named at the discretion of Council where there are insufficient legal road numbers available to allocate to the proposed allotments, or where the access serves 10 or more residential units. The name, name plate and costs shall be approved and charged as for new roads.

Table 2: Minimum Requirements for Access

Activity	Potential no. of units	Minimum legal width (metres)	Formed width (metres)	Sealed and drained
Residential	1 to 3	3.0	2.7	*
Residential	3 to 6	4.0**	3.5**	Yes
Residential	6 to 12	6.0**	5.0**	Yes
Service lane		6.0	4.0	Yes

* Where the gradient exceeds 10% the access is to be sealed with a non-slip surfacing to enable access in wet or icy conditions and to prevent gravel and other detritus from being deposited onto the carriageway through vehicle movements.

** At the discretion of Council these may be increased (or passing bays included) where the accessway is longer than 50m or contains a horizontal curve(s).

2.10 Port Influences Overlay Area (Updated April 2007)

- The subdivision of land or buildings shall not be within the Port Influences Overlay Area of the Residential zone or the Residential Conservation zone.
- The subdivision of buildings or land shall not be for the purpose of establishing a Port Noise Sensitive Activity within the Port Influences Overlay Area of the Town Centre, Industrial or Recreation Reserve Zones.

3. Discretionary Activities – Rural Zone (Updated November 2010)

3.1 The creation of a new site where:

- The site is partly or wholly located within a Coastal Natural Character or Outstanding Natural Landscape as shown on the Planning Maps; and
- There is a commitment that there shall be no dwellings established on that part of the new site located within the Coastal Natural Character or Outstanding Natural Landscapes which is further than 100m from an Existing Building Cluster. This commitment shall be implemented through a consent notice on the title.
- The new site created consists of a minimum area of 4ha.

3.2 The creation of a new site within any area shown on the Planning Map as a Rural Amenity Landscape where the minimum net site area does not

comply with the minimum net site area in Rule 1b of this chapter but is at least 4ha.

- 3.3 The creation of a new site by subdivision from a parent title within any area shown on the Planning Maps as a Rural Amenity Landscape where:
- The new site, which will be contained in a separate certificate of title, is no less than 1ha in area and is for the purpose of erecting a dwelling; and
 - A balance area of the parent title which is legally defined and which in combination with the new site achieves a minimum area of 4ha; and
 - Both the new site and the balance area of the parent title are subject to covenants preventing the erection of any further dwellings on the total land area of the parent title in perpetuity.

3.4 Assessment of Applications (Updated: 2 July 2011)

In assessing any application for discretionary activities in the Rural Zone, the Council will have regard to the following matters:

- **Archaeological sites** – the development and layout of the subdivision should seek to avoid the modification, damage or destruction of archaeological sites. If a site is permanently protected by an easement or similar mechanism, consideration shall be given by Council of this in assessing any financial contribution involving reserves applying to the subdivision.
- **Access** – the location and construction of any vehicle accessways, access lots or access strips in relation to natural hazards, topographical features such as ridgelines, valleys, watercourses, watersheds, and areas of indigenous vegetation.
- **Sewage** – the design and construction of any reticulated or on-site effluent disposal system, including the capacity, type of system, and location and method of disposal.
- **Stormwater** – the design and construction of any stormwater disposal system, including the type of system and location and method of disposal.
- **Shape, size and orientation of sites** – the location of sites and boundaries in relation to natural hazards, existing buildings, topographical features such as ridgelines, valleys, watercourses, watersheds, and areas of significant indigenous vegetation, outstanding natural features or landscapes, or sites of natural, scientific or cultural significance.
- **Building platforms** – the location of building platforms identified on sites in relation to areas of significant indigenous vegetation, outstanding natural features or landscape, sites of natural, scientific or cultural significance, ridgelines, existing development and other features in the landscape.
- **Amalgamation of titles** – the positive effects of the consolidation of an equivalent or greater number of titles of sites less than 4 ha where such sites are located on land which is susceptible to erosion and soil

instability, is inaccessible or is identified as a Conservation Reserves or Heritage Item or is within a Outstanding Natural Feature and Landscape Protection Area, and where it can be demonstrated by the applicant that such amalgamation will take place.

- **Water** – the ability to provide a sufficient supply of potable water.
- **Landscape** – the capacity of the landscape to absorb change having regard to existing geomorphological features and built development and landscape values of the area, including amenity values.
- **Environmental Merit**
 - any impacts on significant indigenous vegetation, outstanding natural features and landscape, coastal natural character landscapes, sites of natural, scientific or cultural significance, ecological corridors, and
 - ú whether there are any positive effects of the retention/protection of these areas on other areas closely related to the application site.
 - ú whether a sufficient area of land is to be provided around the area to ensure that any permitted, controlled, restricted discretionary, or discretionary activity which may take place adjacent to the area will not detract from the intrinsic qualities of the area.
 - ú whether the area is to be protected in perpetuity by an appropriate legal instrument such as a covenant or consent notice. Such an instrument would specify the means by which the area is to be protected from further subdivision or development.

4. Discretionary Activities – Rural-Residential Zone (Updated November 2010)

4.1 Samarang Bay and Allandale Rural Residential Zones.

Any subdivision in either the Samarang Bay or the Allandale Rural Residential Zones is a discretionary activity and shall be in general accordance with the layout (and, in the case of Samarang Bay, conditions) shown on the respective concept plans in Appendix XVI.

4.2 Assessment of Applications (Updated: 2 July 2011)

In assessing any application in terms of Rule 4.2 in the Rural-Residential Zone the Council will have regard to, but shall not be limited by, the following matters:

- **Access** – the location and construction of any vehicle accessways, access lots or access strips in relation to natural hazards, topographical features such as ridgelines, valleys, watercourses, watersheds, and areas of indigenous vegetation.
- **Sewage** – the design and construction of any reticulated or on-site effluent disposal system, including the capacity, type of system, and location and method of disposal.

- **Stormwater** – the design and construction of any stormwater disposal system, including the type of system and location and method of disposal.
- **Shape, size and orientation of sites** – the location of sites and boundaries in relation to natural hazards, existing buildings, topographical features such as ridgelines, valleys, watercourses, watersheds, and areas of indigenous vegetation.
- **Building platforms** – the location of building platforms identified on sites in relation to areas of indigenous vegetation, ridgelines, existing development and other features in the landscape. Where no building platform is indicated or where it is determined by the Council that there is no appropriate building platform available on a site then a consent notice may be issued which precludes the erection of a building on that site.
- **Water** – the ability to provide a sufficient supply of potable water.
- **Archaeological sites** – the development and layout of the subdivision shall seek to avoid the modification, damage or destruction of archaeological sites. If a site is permanently protected by an easement or similar mechanism, consideration shall be given by Council of this in assessing any financial contribution involving reserves applying to the subdivision.
- The degree to which significant environmental features on the site are capable of protection in perpetuity by an appropriate legal instrument such as a consent notice or covenant. Such instrument should specify the means by which the feature or features are to be protected from the effects of any land use activity.
- The degree to which a sufficient area of land is provided around any significant environmental feature to ensure that any permitted or controlled activity which may take place adjacent to the feature will not detract from the intrinsic qualities of the feature.
- The degree to which natural topography, drainage and other features of the natural environment determine site boundaries where that is practicable.

4.3 Particular Standards and Terms (Updated: 2 July 2011)

Any land on a site identified on the Planning maps as a Conservation Reserves, Outstanding Natural Features and Landscape Protection Area or Heritage Item shall be protected from development in perpetuity by a covenant, consent notice or similar legal instrument. The Council will take such protection into account when assessing any financial contribution involving reserves which applies to the subdivision.

5. Discretionary Activities – Papakaianga Zone (Updated November 2010)

- 5.1 The creation of a new site with a minimum net site area of less than 800 m² not located in a Low-Moderate or Moderate-High instability area natural hazard.

5.2 Assessment of Applications (Updated: 2 July 2011)

The Council will consider all relevant objectives and policies for Subdivision when assessing applications for discretionary activities. In addition, the standards and terms for controlled activities will be used as a guide.

- **Archaeological sites** – the development and layout of the subdivision shall seek to avoid the modification, damage or destruction of archaeological sites. If a site is permanently protected by an easement or similar mechanism, consideration shall be given by Council of this in assessing any financial contribution involving reserves applying to the subdivision.

5.3 Particular Standards and Terms (Updated: 2 July 2011)

- The subdivider shall be tangata whenua of the ancestral land and should provide evidence to the Council of such status, endorsed by the relevant runanga and shall provide the written approval of the relevant runanga for the subdivision.
- The site shall be capable of containing a permitted dwelling.
- The creation of new sites by subdivision shall comply with the terms for financial contributions in Chapter 32 of the Plan.

In addition, the Council will consider all relevant objectives and policies of the Papakaianga Zone.

6. Discretionary Activities – Residential Zone (Updated November 2010)

6.1 The creation of a new site with a minimum net site area of less than 400m².

6.2 The creation of a new site located in the Low-Moderate or Moderate-High instability area.

6.3 Assessment of Applications (Updated: 2 July 2011)

The Council will consider all relevant objectives and policies for Subdivision when assessing applications for discretionary activities. In addition, the standards and terms for controlled activities will be used as a guide.

- **Archaeological sites** – the development and layout of the subdivision should seek to avoid the modification, damage or destruction of archaeological sites. If a site is permanently protected by an easement or similar mechanism, consideration shall be given by Council of this in assessing any financial contribution involving reserves applying to the subdivision.
- **Access** – the location and construction of any vehicle accessways, access lots or access strips in relation to natural hazards, topographical features such as ridgelines, valleys, watercourses, watersheds, and areas of indigenous vegetation.

6.4 Particular Standards and Terms (Updated: 2 July 2011)

- A subdivision consent shall be made in conjunction with a building consent for the same site.
- The “Conditions for Permitted Activities and Standards for Controlled Activities” set out in Rule 3 of the Residential Zone shall be met.
- The creation of new sites by subdivision shall comply with the terms for financial contributions in Chapter 32 of the Plan.
- The subdivision of land or buildings shall not be within the Port Influences Overlay Area of the Residential Zone. (Updated April 2007)

In addition, the Council will consider all relevant objectives and policies of the Residential Zone and the standards and terms for controlled activities.

7. Discretionary Activities - Residential Conservation Zone within Lyttelton (Updated November 2010)

7.1 The creation of a new site with a minimum net site area of less than 250 m² not located in a Low-Moderate or Moderate-High instability area.

7.2 Assessment of Applications (Updated: 2 July 2011)

The Council will consider all relevant objectives and policies for Subdivision when assessing applications for discretionary activities. In addition, the standards and terms for controlled activities will be used as a guide.

- **Archaeological sites** – the development and layout of the subdivision should seek to avoid the modification, damage or destruction of archaeological sites. If a site is permanently protected by an easement or similar mechanism, consideration shall be given by Council of this in assessing any financial contribution involving reserves applying to the subdivision.

7.3 Particular Standards and Terms: (Updated: 2 July 2011)

- A subdivision consent shall be made in conjunction with a building consent for the same site.
- The ‘General standards for restricted discretionary activities’ set out in Rule 5 of the Residential Conservation Zone shall be met.
- The creation of new sites by subdivision shall comply with the terms for financial contributions in Chapter 32 of the Plan.
- The subdivision of land or buildings shall not be within the Port Influences Overlay Area of the Residential Conservation Zone. (Updated April 2007)

In addition, the Council will consider all relevant objectives and policies of the Residential Conservation Zone.

8. Discretionary Activities – Residential Conservation Zone within Akaroa (Updated November 2010)

8.1 The creation of a new site with a minimum net site area of less than 400 m² not located in Low-Moderate or Moderate-High instability area.

8.2 Assessment of Applications (Updated: 2 July 2011)

The Council will consider all relevant objectives and policies for Subdivision when assessing applications for discretionary activities. In addition, the standards and terms for controlled activities will be used as a guide.

- **Archaeological sites** – the development and layout of the subdivision should seek to avoid the modification, damage or destruction of archaeological sites. If a site is permanently protected by an easement or similar mechanism, consideration shall be given by Council of this in assessing any financial contribution involving reserves applying to the subdivision.

8.3 Particular Standards and Terms (Updated: 2 July 2011)

- A subdivision consent shall made in conjunction with a building consent for the same site.
- The 'General Standards for restricted discretionary activities' set out in Rule 5 of the Residential Conservation Zone shall be met.
- The creation of new sites shall comply with the terms for financial contribution in Chapter 32 of the Plan.

In addition, the Council will consider all relevant objectives and policies of the Residential Conservation Zone.

9. Non-Complying Activities (Updated November 2010)

9.1 The creation of a new site in which is partly or wholly within an area shown as Outstanding Natural or Coastal Natural Character Landscapes on the Planning Maps and where there is no consent notice proposed in accordance with rule 3.1 of this chapter.

9.2 The creation of a new site in any area shown as Rural Amenity Landscape on the Planning Maps with a minimum net site area that is less than 4ha except where provided or by Chapter 31, Rule 1(b) 5th bulletpoint or rule 3.3.

9.3 Any activity which does not comply with the general rules or with the rules for controlled activities or discretionary activities is a non-complying activity.

9.4 The subdivision of a building or land within the Port Influences Overlay Area of the Residential or Residential Conservation Zones, or the subdivision of a building or land for a Port Noise Sensitive Activity Port within the Influences Overlay Area of the Town Centre, Industrial or Recreation Reserve Zones. (Updated April 2007)

10. Reference to Other Standards (Updated November 2010)

All subdivisions are required to conform to with the Banks Peninsula District Council's Code of Urban Subdivision or successive standards.

11. Esplanade Reserves and Strips (Updated November 2010)

11.1 Circumstances in which Esplanade Reserves or Esplanade Strips shall be created

An esplanade reserve or esplanade strip shall be required for any subdivision along the margins of Wairewa and Te Waihora.

11.2 Circumstances in which Esplanade Reserves or Esplanade Strips may be created

- An esplanade reserve or esplanade strip may be required in regard to any land along the Mean High Water Spring Tide Mark of the sea or along the bank of any river which is the subject of an application for a resource consent under this Plan if one or more of the following criteria are met:
 - ú Special ecological or natural values would be protected or enhanced; or
 - ú An existing or proposed reserve would be enhanced; or
 - ú Appropriate access to an existing or potential future reserve or heritage feature or significant environmental feature would be provided or enhanced; or
 - ú Public recreational use of or access to the coast or river in a manner compatible with its conservation values would be provided or enhanced; or
 - ú Water quality or aquatic habitat value would be enhanced; or
 - ú The land is within a natural hazard area or where there is an identified risk from one or more natural hazards (such as coastal erosion); or
 - ú The formation of an esplanade reserve would complete or promote the marginal protection of a river or lake.
- Such a requirement would be made as a condition of consent.
- The creation of an esplanade reserve or esplanade strip as a condition of a land use consent, by way of a financial contribution, shall be in accordance with Chapter 32 of this Plan. (Updated: 2 July 2011)

11.3 Circumstances in which Esplanade Reserves or Esplanade Strips shall not be required

- Esplanade reserves shall not be required on any site, which abuts the coastline between the seaward extremities of Rue Brittain and Rue Jolie at Akaroa.
- An esplanade reserve shall not be required unless the reserve is adjacent to any road or any part of a road along the Mean High Water Spring Tide Mark of the sea, or along the bank of a river, or the margin

of a lake is stopped, pursuant to section 345(3) of the Local Government Act 1974.

- An esplanade reserve shall not be required where public access restrictions are considered necessary to protect the stability or performance of flood control and other essential structures.
- An esplanade reserve shall not be required where public access restrictions are considered necessary to protect public safety.
- An esplanade reserve shall not be required where restrictions are considered necessary to avoid conflicts with activities of land-owners or occupiers.

11.4 Width of Esplanade Reserves and Esplanade Strips and circumstances in which the width may be varied

- The width of an esplanade reserve or esplanade strip shall be 20 metres unless varied under Rule 12.4.
- The width of an esplanade reserve or esplanade strip required under Rules 12.1 and 12.2 (above) may be varied in the following circumstances:
 - ú Special ecological or natural values warrant a wider or narrower esplanade strip or esplanade reserve; or
 - ú Topography, or the siting of any building or other feature, renders the 20 metre width inadequate or excessive in meeting the purposes for esplanade reserves or esplanade strips set out in section 229 of the Resource Management Act, in terms of the protection of conservation values, public access, natural hazard mitigation or public recreation; or
 - ú Access to an existing or potential future reserve or feature of public significance would be enhanced by the greater width; or
 - ú Suitable access to an existing or potential future reserve or feature of public significance can be provided by an esplanade strip of lesser width.
 - ú The protection of waahi tapu, mahinga kai and other taonga requires an esplanade reserve or esplanade strip of greater or lesser width than 20 metres; or
 - ú The protection or enhancement of water quality requires an esplanade reserve or esplanade strip of greater or lesser than 20 metres; or
 - ú The land is within a natural hazard area or where there is an identified risk from one or more natural hazards (such as coastal erosion); or
 - ú The costs of the provision and maintenance of a 20 metre wide esplanade reserve or esplanade strip are more than the potential public benefits of the purposes of esplanade reserves or strips; or
 - ú Where the creation of a 20 metre wide esplanade reserve or esplanade strip would create economic hardship or risks to public safety or the security of property; or
 - ú Where no additional sites are being created by the subdivision.

- ú Where a site is being subdivided for the sole purpose of creating a utility allotment (unstaffed)
- Unless the application is for a non-complying activity, an application for a subdivision or land use consent which includes a proposal to reduce the width of, or waive an esplanade reserve or esplanade strip, shall be a discretionary activity.

11.5 Waiver of Requirement for an Esplanade Reserve or Esplanade Strip

- The Council retains the discretion under section 230 of the Resource Management Act to waive a requirement for an esplanade reserve or esplanade strip if it is satisfied that there is:
 - ú adequate alternative public access; or
 - ú adequate means of protecting water quality and conservation values; or
 - ú adequate provision for public recreational use of the area of coast, river or lake in question.
 - ú where a site is being subdivided for the sole purpose of creating a utility allotment (unstaffed).

11.6 Circumstances in which an Access Strip may be Appropriate

- The creation of an access strip may be appropriate where land being subdivided can provide enhanced public access (consistent with the relevant objectives and policies of the Plan) from a road or reserve to:
 - ú Wairewa and/or Te Waihora; or
 - ú A Conservation Reserves listed in Appendix XI; or
 - ú A Heritage Feature listed in Appendix XII; or
 - ú The road which encircles a large part of the coastline and Wairewa and Te Waihora; or
 - ú Any existing or proposed esplanade reserve or esplanade strip, pursuant to Section 237B of the Resource Management Act.

11.7 Vesting of Land within the Beds of Rivers and Lakes

Pursuant to section 237A(2) of the Resource Management Act, the Council reserves the discretion to waive the requirement to vest the bed of a river or lake in the Council where the Council is satisfied that the natural values, public access or public recreational values relating to that river or lake will not be adversely affected by the waiver or where there are exceptional circumstances, including whether the land on either side of a river is held under one title.

ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are anticipated from the implementation of the objectives and policies relating to Chapter 31, Subdivision:

- The maintenance of the open landscape qualities of the rural parts of the District.

CHAPTER 31 SUBDIVISION

- Protection of identified areas of significant indigenous vegetation and habitats at the time of subdivision.
- Patterns and density of development which maintain amenity values within the settlements of the District.
- Provision of appropriate access to lakes, rivers and the coast at the time of subdivision.

REFERENCE TO OTHER PROVISIONS

Attention is drawn to the provisions of any relevant zone rules for land use activities that may be associated with subdivisions. Should an activity not meet any one or more of those rules, then application for consent will also need to be made in respect to those rules. Those rules which may be applicable include:

- 14 Cultural Heritage
- 15 Trees
- 16 Conservation Reserves Zone
- 22 Papakaianga
- 32 Financial Contributions
- 35 Access Parking and Loading
- 38 Natural Hazards

(Updated: 2 July 2011)

OVERVIEW

The Act empowers the Council to require a financial contribution as a condition of a resource consent for the purposes specified in the Plan. Financial contributions provide the opportunity and the ability to offset any adverse effects (including cumulative adverse effects) arising from resource use, where it is impossible or unreasonable to avoid, remedy or mitigate those effects. A financial contribution may be required on both land use and subdivision consents.

The Council is also empowered by the Local Government Act 2002 to levy development contributions. Development contributions are levied in accordance with the Development Contributions Policy in the Long Term Council Community Plan. Generally, the Council levies the majority of contributions as development contributions. This chapter of the District Plan outlines the purposes for which financial contributions may also be taken, for matters that fall outside the scope of Local Government Act provisions for development contributions.

In addition to the contributions specified below, financial contributions may also be in the form of cash in lieu for required car parking spaces and paying the full cost of new road signs. These contributions are addressed in Chapter 35 and Chapter 31 respectively.

ISSUE 1	The need generated by new development to expand or upgrade existing infrastructure and services which are provided by the Council.
OBJECTIVE 1	To avoid, remedy or mitigate the adverse effects of new development on the physical infrastructure of the District.
OBJECTIVE 2	To ensure the costs of delivering infrastructure and services that are not recoverable through the Development Contributions Policy under the Local Government Act 2002 are fairly and reasonably borne by new development.

POLICIES

- 1.1** To ensure that where a new development, including subdivision and/or land use activity, necessitates an upgrade or expansion of reserves, network infrastructure or community infrastructure and the cost of that infrastructure or reserves is not being recovered through the Development Contributions Policy under the Local Government Act 2002, then a fair and reasonable proportion of the cost of the reserves and/or infrastructure will be recovered from the development in resource consent conditions as either financial contributions or works and services conditions or both.

- 1.2 To ensure that financial contributions are taken in order to offset or mitigate the adverse environmental effects of development, including impacts on public reserves, network infrastructure and community infrastructure.
- 1.3 To identify methods in the District Plan to ensure financial contributions are calculated in a fair and reasonable manner.

EXPLANATION AND REASONS

New development in the District may generate use of existing services and infrastructure provided by the Council which requires them to be expanded or upgraded. Where expansions or upgrades are anticipated by the Council, provision is likely to have been made for the necessary capital expenditure and works through the Council's Development Contributions Policy under the Local Government Act 2002. Where new infrastructure or upgrades are not anticipated, financial contributions can be used to offset or avoid, remedy, or mitigate adverse effects from new development. Financial contributions can be recovered through conditions on resource consent, either as cash and/or land or as requirement for works or services, so that the community is not indirectly subsidising new development. Double charging will be avoided by taking into account previous contributions made and other revenue sources (e.g. development contributions). Consideration will also be given to ensuring that financial contributions are borne fairly and reasonably by the developer, proportionate to the significance of any adverse effects caused or contributed to by the activity.

RULES**1. Provision of or Financial Contributions Towards Facilities, Works or Services which are Specific to a Proposed Subdivision**

Where a proposed subdivision or other activity will create or add to the need for any new or additional works relating to reserves, network infrastructure or community infrastructure, the Council may, as a condition of the resource consent, require such works to be undertaken or an equivalent monetary contribution to be paid.

Provided that:

Prior to imposing such a condition the Council is satisfied that:

- The works are outside any Council-approved development programme for which development contributions are currently being recovered through the Council's Development Contributions Policy; and

- There is a direct relationship between the need for any financial contribution or works and the adverse environmental effects of a proposed activity, including adverse impacts on network and community infrastructure.

Provided further that:

The scope and terms of any such condition shall not exceed the extent to which the required works will serve the proposed activity. Where any additional or residual benefit to other users (either existing or likely in the future) will result from the required works, the proportionate fair share of costs applicable to the proposed activity in question will be calculated in accordance with Rule 2.

2. Calculating Contributions

Table 2.1: Maximum Amount of Contribution

For contributions for reserve purposes	Where a land or cash contribution is required for reserve purposes, the contribution shall be equivalent to a maximum of 7.5% of the current market value of the additional lots created, provided that where agreement between the Council and the applicant cannot be reached, the current market value shall be as assessed by a registered valuer acceptable to both parties, subject to the costs of obtaining such valuation being met by the applicant
For contributions for network infrastructure or community infrastructure, other than reserves	The level of contribution will be up to 100% of the actual or estimated costs, necessary to provide the new, or upgraded, or extended infrastructure.

Note for clarification: the formulas for calculating contributions that are contained in the Council's current Development Contributions Policy may be referred to as a guide in determining actual or estimated infrastructure costs.

The amount and type of the contribution may be reduced or waived by the Council. The reduction will be determined on the facts of each application with particular regard to the following matters:

- The connection between the amount or type of contribution sought and the benefits that the proposed development will enjoy;
- Whether a financial contribution has previously been paid or provided for a development on the site and it can be demonstrated that the purpose of the previous financial contribution was to avoid, remedy or mitigate adverse effects of a similar scale, intensity and nature.
- The extent to which the contributions sought are in reasonable proportion to the level of adverse effects caused or contributed to by the proposed activity;
- The extent to which any positive effects of the activity offset any adverse effects, including:
 - whether or not a benefit will accrue to the wider environment

- whether the heritage values of any listed cultural heritage items are being safeguarded.

3. Timing of payment of contributions

Financial contributions shall be paid prior to the issue of certificate under Section 224 of the Resource Management Act 1991, if subdivision is involved; or, if subdivision is not involved, it shall be paid prior to the uplifting of the necessary building consents under the Building Act 1991. If neither building consent or subdivision consent are involved, financial contributions shall be paid prior to giving effect to the land use consent that contains the condition requiring the financial contribution.

4. Provision of Esplanade Reserves or Strips where subdivision does not occur

Where a proposed activity adjoins a river, lake or the sea and subdivision does not occur, an esplanade reserve or strip may be required as a condition of consent and the provisions of Chapter 31 Section 12.2-12.5 of this Plan will apply. For avoidance of doubt, this clause does not apply within the Lyttelton Port Zone or for port related uses and development within the Port Environs Overlay Area. (Updated: July 2012)

OVERVIEW (Updated April 2007)

The effects of noise on the environment and on the health and welfare of communities is an issue which is given particular recognition in the Resource Management Act. Section 16 (1) of the Act states that:

“Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on or under a water body or the coastal marine area shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.”

Section 16(2) of the Act also provides local authorities with the right to prescribe noise emission standards in plans.

The existing noise environment of any district is determined by the nature of activities which take place within it. Banks Peninsula has a unique noise environment. Ambient noise levels range from the tranquility experienced in parts of the Residential, Rural, Papakainga and Small Settlement Zones to the industrial levels existing at Lyttelton Port. The wide range of existing noise levels require methods, including noise controls, that recognise and allow for long established activities within the District while protecting public health, maintaining levels of amenity and, where practicable, enhancing those levels. (Updated April 2007)

The proximity of Lyttelton Port to Lyttelton means that there is a potential for conflict between noise generating activities taking place within the Lyttelton Port Zone and noise sensitive activities within the township. To enable the Lyttelton Port to continue to operate and develop in an efficient and effective manner, landuse controls for noise sensitive activities in close proximity to the port are introduced. The preparation and implementation of a port noise management plan and a port noise mitigation plan is a requirement of the Lyttelton Port Recovery Plan. (Updated April 2007)

ISSUE 1	Noise generated by activities can adversely affect public health and detract from amenity values in the various areas of the District.
OBJECTIVE 1	To ensure that noise generated by activities does not exceed levels considered to be reasonable and appropriate.

POLICIES

- 1A** Levels of noise shall be consistent with guidelines set out in the relevant New Zealand Standards.
- 1B** The frequency, intensity and duration of noise generated by activities shall be kept to a level which is as low as is reasonably achievable.

CHAPTER 33 NOISE

- 1C** The frequency, intensity and duration of noise generated by an activity shall not have more than a minor adverse effect on the existing amenity of any adjacent site.
- 1D** Noise levels in Rural Areas shall be such that amenity values are maintained but without unduly restricting normal primary production activities.

EXPLANATION AND REASONS (Updated April 2007)

The Resource Management Act contains special provisions for noise. Councils have a duty to control the emission of noise and to control the effects of noise. The controls in the Plan are based upon the New Zealand Standards which contains guidelines for setting noise limits to provide acceptable protection for the health and welfare of the community. Section 16 of the Act also requires every occupier of land to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level. Generally, noise limits for the District recognise the existing noise environment and allow for the maintenance of current levels in order to protect existing levels of amenity. Noise limits for the Rural Zone recognise that noise from some agricultural activities is of limited duration and aim to maintain the amenity of rural dwellings.

(Updated April 2007)

ISSUE 2	The efficient and effective operation, use and development of Lyttelton Port may be compromised by the establishment of nearby noise sensitive activities;
OBJECTIVE 2	Avoid the potential for noise sensitive activities in Lyttelton township creating a reverse sensitivity issue for noise generating port activities.

POLICIES (Updated April 2007)

- 2A** Avoid the establishment of port noise sensitive activities within the Port Influences Overlay Area in Lyttelton Township in order to minimise the likelihood of reverse sensitivity effects occurring.
- 2B** Notwithstanding Policy 2A, enable noise affected property owners to replace or extend their existing dwellings within the Port Influences Overlay Area of the Residential Zone and the Residential Conservation Zone provided that such replacement or extension is of a similar character, intensity and scale and that any new or extended habitable room is acoustically insulated to the appropriate standard.
- 2C** Notwithstanding Policy 2A, recognise that a limited number of new apartments of a minimum floor area may, in appropriate circumstances, establish upstairs in existing heritage or notable buildings within the Town

Centre Zone so as to give owners a further option that would assist in the conservation of these buildings, provided that it is demonstrated that the potential for reverse sensitivity effects are minimised.

- 2D** When considering any resource consent for a restricted discretionary activity to establish a port noise sensitive activity in the Port Influences Overlay Area considerable weight must be placed on whether:
- i) Acoustic insulation is to be provided to the appropriate standard,
 - ii) Written approval has been obtained from the Lyttelton Port Company Limited,
 - iii) A no-complaints covenant has been entered into, and
 - iv) Any other relevant methods to minimise the potential for reverse sensitivity effects have been incorporated, including minimising the exposure of outdoor living to port noise.

EXPLANATION AND REASONS (Updated April 2007)

The Council recognises that Lyttelton Port and the township of Lyttelton have co-existed for a long time and, as a result, residential housing is already located in close proximity to the Port. However, there is the potential for reverse sensitivity effects on noise generating port activities and hence the Lyttelton Port Company Limited, to arise. Because Lyttelton Port is infrastructure of regional significance, cannot locate elsewhere, and generally requires to operate 7 days a week, 24 hours a day, the Council considers it prudent to ensure the potential for reverse sensitivity effects are not increased by avoiding intensification of noise sensitivity activities in the Port Influences Overlay Area, as set out in Policy 2A. However, there are two exceptions to this policy direction.

First, under Policy 2B, the replacement of an existing dwelling, or an extension to an existing dwelling, in a noise affected property is anticipated so that people can reasonably meet their residential living expectations provided that the character, intensity and scale of the building is similar. For example, an owner seeking an additional bedroom or extension to a lounge or dining room, or the complete replacement of a dwelling with a new one of a similar scale, is anticipated provided that the necessary acoustic insulation measures are completed. Any significant intensification of residential use would require resource consent.

Second, under Policy 2C, a limited number of apartments located in the upper storeys of the heritage or notable buildings in the Port Influences Overlay Area of the Town Centre Zone may be appropriate in certain circumstances if limited residential use facilitates the use, and hence the conservation, of these buildings. However, in assessing any resource consent all measures to minimise the potential for reverse sensitivity effects on port activities and the Lyttelton Port Company Limited should have been undertaken, including the necessary acoustic insulation of such apartments, written approval obtained from the Lyttelton Port Company Limited and the entering into a no-complaints covenant.

The Council considers a fundamental tool in managing the possible limited establishment of new habitable rooms under Policies 2B, 2C, and 2D is the

employment of a no-complaints covenant in favour of the Lyttelton Port Company Limited. This is expected to be an important matter for it when considering whether to give its written approval. This covenant should apply to the title of the land so that it applies both to existing and future owners and occupiers.

RULES

1. Conditions for Permitted Activities

1.1 Within the Town Centre Zone

Any activity undertaken within the Town Centre Zone for Lyttelton shall be designed and conducted so as to ensure that the following noise limits are not exceeded:

- At any point outside the site boundary and within the Town Centre Zone.
 - ú At any time - 65 dBA (L10)
 - ú At night time - 85 dBA (Lmax)
- At any point within the Residential or Residential Conservation Zones:
 - ú At night time - 40 dBA (L10)
70 dBA (Lmax)
 - ú At all other times - 50 dBA (L10)

1.2 Within the Industrial Zone for Lyttelton

Any activity undertaken within the Industrial Zone for Lyttelton shall be designed and conducted so as to ensure that the following noise limits are not exceeded:

- At any point outside the site boundary and within the Industrial Zone for Lyttelton.
 - ú At night time - 45 dBA (L10)
 - ú At all other times - 60 dBA (L10)
- At any point within the Residential or Residential Conservation Zones:
 - ú At night-time - 40 dBA (L10)
70 dBA (Lmax)
 - ú At all other times - 50 dBA (L10)

1.3 Within the Rural Zone

All activities shall be designed and conducted so as to ensure that the following noise limits are not exceeded at any point within the notional boundary of any dwelling, other than a dwelling on the same site:

- At night-time - 40 dBA(L10)
70 dBA(Lmax)
- At all other times - 50 dBA(L10)

1.4 Within All Parts of the District not Referred to in Rules 1.1 to 1.4 above

Any activity shall be designed and conducted so as to ensure that the following noise limits are not exceeded at any point outside the site boundary:

- At night time - 40 dBA(L10)
70 dBA(Lmax)
- At all other times - 50 dBA(L10)

1.5 Blasting

Where blasting is undertaken as part of a permitted or controlled activity, vibration from the site shall not exceed a peak particle velocity of 5 mm/sec, provided that this level may be exceeded on up to 5% of the total number of blasts over a period of 12 months. The level shall not exceed 120 dB (Lin peak) at any time.

Airblast overpressure from blasting on any land shall not exceed a peak non-frequency weighted (linear or flat) level of 115dB provided that this level may be exceeded on up to 5% of the total number of blasts over a period of 12 months. The level shall not exceed 120dB (Lin Peak) at any time.

1.6 Exceptions

The noise limits set out in Rules 1.1 to 1.6 (above) shall not apply in the following circumstances:

- Where warning devices are operated by an emergency service.
- On any site where construction activity is taking place. In this circumstance construction noise in any management area shall comply with the provisions of the New Zealand Standard NZS 6803P:1984 - The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work. Any discretionary adjustments provided for in clause 6.1 of this standard shall be mandatory within the District.
- In the case of temporary military training activities (as defined). These activities shall be conducted such that the following noise limits are not exceeded at any point within the notional boundary of any site on which a dwelling, residential institution or educational facility is located:
 - ú At night-time - 60 dBA(L10)
75 dBA(Lmax)
 - ú At all other times - 75dBA(L10)
90dBA(Lmax)

Impulsive noise arising from the use of explosives, ammunition or pyrotechnics at any time shall not exceed a peak non frequency-weighted sound pressure level of 120dB.

Provided that these limits shall not apply between the hours of 10:00am and 5:00pm on no more than two days in any period of 12 months where any exhibition of military activities is open to the public.

The Armed Service engaged in temporary military training activities shall ensure that liaison is maintained with the neighbouring community before and during each such occasion.

- Routine residential maintenance activities (other than construction activities) between the hours of 7:30am and 8:00pm.
- Activities (such as harvesting) required as part of normal farming practice in those zones where farming is a permitted or controlled activity. (Note: this clause does not relieve those carrying out such activities of the duty to comply with the provisions of s16 of the Act).
- Noise arising from the use of roads by vehicles.

1.7 Measurement and Assessment of Noise

- Where standards for noise are specified the measurement of noise shall be in accordance with NZS 6801:1991, 'Measurement of Sound' and assessed in accordance with NZS 6802:1991, 'Assessment of Environmental Sound'.
- For the purposes of administering the rules of this section of the Plan the following meanings shall apply:
 - ú dBA means the A-frequency weighted sound pressure level in decibels relative to a reference sound pressure of 20 micro pascals.
 - ú L10 means the L10 exceedance level set in A-weighted decibels which is equalled or exceeded ten percent of the total measurement time.
 - ú Lmax means the maximum A-frequency-weighted sound level (dBA L max) during a stated time period.
 - ú Night-time means the period of time between 10 pm and 7 am the following day.
 - ú Long-term average sound level shall be the time-average sound level (day-night level) Ldn and shall be determined from the inverse-logarithmic mean of the measured Ldn level for each day over any five day period within a week.
 - ú The 'notional boundary' of any dwelling shall be 20 metres from the façade of that dwelling, or the legal boundary of the site where this is closer to the dwelling.

1.8 Determination of the Appropriate Internal Design Sound Level (Updated April 2007)

For the purposes of Rule 3.9 (b) in Chapter 24, Rule 6.4 in Chapter 25, and Rule 5.12 (c) in Chapter 26, in determining an appropriate design to the achieve an internal design sound level of a habitable room, the external noise environment will be the modelled level of port noise taken from the predicted dBA Ldn (5 day) contour closest to the habitable room, in accordance with the methodology of *NZS 6809:1999 Port Noise Management and Land Use Planning*.

Note: There will be a port noise contour map attached to the Port Noise Management Plan, which is to prepared and regularly updated in

accordance with the Lyttelton Port Recovery Plan. This map will show the dBA Ldn (5 day) contour lines, in 1 dBA increments, across Lyttelton Township and would be available for a property owner's acoustic design consultant to use.

OVERVIEW

Signs are a physical resource, which have an integral role in the efficient functioning of both the commercial and social components of the District. Their purpose is to advertise goods, services and events, to identify individual sites and premises, and to provide direction and information.

The design, size, location and type of sign can have adverse effects on the visual amenities of the buildings and locations on which they are placed and can also create a traffic hazard.

The provisions of the Plan controlling signs aim to maintain and enhance the amenity values of the District and to ensure pedestrian and traffic safety.

ISSUE 1	Signs can have an adverse effect on the visual amenity of the District and in particular the heritage value of buildings and sites.
OBJECTIVE 1	To provide for signs in a manner that does not have an adverse effect on the visual amenity of an area and in particular the heritage value of buildings.

POLICIES

- 1A** The size and number of signs should be consistent with the maintenance of the character and amenity values that currently exist within the Zones.
- 1B** Signs located on Protected and Notable Buildings, objects and sites should not compromise their heritage value.

EXPLANATION AND REASONS

Adverse effects of signs on the visual amenity of the District are caused by:

- Poor design and placement, inappropriate colours and size not in keeping with the surrounding environment; or
- A proliferation of signs resulting in visual clutter which can reduce the effectiveness of each sign; or
- The unsympathetic design, location, colour and placement of signs on heritage building and sites.

The principal concern of the Council with regard to signs is to avoid, remedy or mitigate their adverse effects on amenity values. The areas in which most control is warranted are the Residential Conservation and the Town Centre Zones where inappropriate signage can have a significant effect on existing amenity values. A further concern is the potential adverse effects of signage on the heritage value of buildings and sites.

Resource consent applications will be required to determine such effects on an individual basis. Further, the Plan seeks to control the number of signs, especially in the Town Centre Zones. Large numbers of signs create visual clutter, which detracts from amenity values and diminishes the effectiveness of each individual sign as an advertising tool.

ISSUE 2	Signs on or near roads, other than those for the purpose of traffic safety, can have adverse effects on the safe and efficient functioning of the road network.
OBJECTIVE 2	To provide for signs in a manner that avoids or mitigates adverse effects on traffic and pedestrian safety.

POLICIES

- 2A** Signs shall not cause confusion, distraction or obstruct the visibility necessary for motorists and pedestrians.
- 2B** The erecting by the roading authorities of appropriate signs essential for traffic safety and motorist information shall be facilitated throughout the district.
- 2C** To encourage the contents of signs to contain minimal wording and symbols.
- 2D** The location and number of signs on footpaths and pedestrian accessways shall not cause unnecessary obstruction or hazard to pedestrians.

EXPLANATION AND REASONS

Signs may detract from the safe and efficient functioning of the road network:

- By causing driver distraction or confusion; or
- By obstructing the visibility of road users through poor placement or other reasons such as glare.

There is a considerable weight of evidence to suggest that the inappropriate placement, design, size or number of signs erected in the vicinity of roads can have an adverse effect on the safe functioning of the road network. Although an individual sign may not, of itself, represent a hazard, the cumulative effect of signs on road safety can be significant.

A further consideration is the amount of information on a sign, particularly when viewed from the road. Simple and clear messages using a minimum number of words and symbols are less likely to be a distraction for road users.

The location and number of signs on pedestrian accessways will be controlled so as not to create a hazard.

METHODS TO ACHIEVE OBJECTIVES AND POLICIES

- Standards and conditions set out in the Plan.
- Design guidelines for signs (Appendix XII).

RULES

1. Permitted Activities

The following are permitted activities in all areas, except the Residential Conservation and Town Centre Zones, provided they meet the conditions set out in Rule 3 (below):

- a) Street signs
- b) All forms of commercial and special event signage except moving displays, illumination and captive balloons.
- c) Temporary signs.

Traffic signs approved for erection by Transit New Zealand are permitted activities in all areas without the need to meet the conditions set out in Rule 3 (below).

2. Controlled Activities

The following are controlled activities:

- a) All permanent signs in the Residential Conservation and Town Centre Zones where they meet the standards set out in Rule 3 (below).

2.1 Matters over which Control may be Exercised

In considering an application for a controlled activity the Council may exercise its discretion in relation to the following matters:

- The size, style and location of any sign on a site.

3. Conditions for Permitted and Standards for Controlled Activities**3.1 Street Signs**

These controls shall also apply to named private right-of-ways, accessways and thoroughfares.

All costs incurred by the Council in obtaining and fixing a sign on privately owned land shall be borne by the applicant.

Sign lettering and background colours:

- Town Centre and Residential Conservation Zones within Akaroa: white reflective lettering on a black background.
- All other Zones: white reflective lettering on a blue background.
- Lettering styles: Highway Gothic in capital letters.
- Minimum lettering height: 100mm.
- Sign lettering and background shall be in retroreflective materials.

Maximum dimension: 1.2 m long by 200 mm high.

3.2 Dimensions of all Other Signs

For all Residential, Small Settlement, Papakaianga, Lakes and Recreational Reserves Zones:

- Maximum height for all signs is 3 metres except where the sign is attached to a building, in which case the maximum height of the sign is no higher than the maximum height of the building.
- Maximum sign area: 0.2m², except for temporary signs.
- Maximum number of signs per site: 2 (with the maximum area per sign being 0.2m²).
- Maximum number of words and/or logos/symbols per sign: 10.
- Minimum lettering height: 75 mm.

For the Rural Zone:

- Maximum height of all signs is 4 metres except where the sign is attached to a building, in which case the maximum height of the sign is no higher than the maximum height of the building.
- Maximum sign area: 2m², including temporary signs.
- Maximum number of signs per site: 1 with the maximum area per sign being 2m².
- Maximum number of words and/or logos/symbols per sign: 6.
- Minimum lettering height: 160mm.
- Signs, apart from street signs and traffic safety signs, shall not be located on road reserve.
- Erected signs shall provide the motorist with an unrestricted view for the following minimum distances:

Regulatory Speed Limit (km/hr)	Visibility Distance (metres)
70	130
100	250

For the Boat Harbour and Industrial Zones:

- Maximum height of all signs is 6 metres except where the sign is attached to a building, in which case the maximum height of the sign is no higher than the maximum height of the building.
- Maximum sign area: 4m², except for temporary signs.
- Maximum number of signs per site: 4 with the maximum area per sign being 2m².
- Maximum number of words and/or logos/symbols per sign: 10.
- Minimum lettering height: 100 mm.

For the Lyttelton Port Zone:

- Maximum height of all signs is 6 metres except where the sign is attached to a building, in which case the maximum height of the sign is no higher than the maximum height of the building.
- For advertising signs the conditions of the Boat Harbour Zone shall apply.

For the Town Centre Zone:

- Signs attached to buildings shall not exceed the highest point of that building.
- Signs affixed to the underside of street verandahs shall:
 - ú be no lower than 2.5 metres above the footpath level;
 - ú not protrude beyond the fascia line of the verandah;
 - ú be set back a minimum of 500 mm from the line of the kerb;
 - ú have a minimum separation of 2 metres from other verandah signs (including those on adjoining properties);
 - ú 1 sign per property for every 10 metres of road frontage, or part thereof.
- Signs affixed to a verandah fascia shall:
 - ú have a maximum depth of 500mm;
 - ú be contained within the existing profile of the verandah structure.
- Signs affixed to the face of a building shall:
 - ú have a maximum thickness of 200 mm;
 - ú project no further than 1.2 metres beyond the building face.
 - ú be no lower than 2.5 metres above the footpath level or other areas where pedestrians are likely to walk, if the sign protrudes more than 100mm beyond the property boundary with the road frontage.
- Maximum signage area of all types per site (excluding window displays): the lesser of 10% or 5 m² of the building frontage area facing the road, with any one sign having a maximum area of 2 m².
- Freestanding Signs:
 - ú Maximum height: 6 metres.
 - ú Maximum sign area per site: 2 m².
 - ú Maximum number per site: 3, with the maximum area per sign being 1.0m².
- Lettering Styles and Colour Combinations: All new signs and renovated existing signs in the Town Centre and Residential Conservation Zones shall be in accordance with the lettering guides set out in the guidelines in Appendix XII.

3.3 Temporary Signs

Temporary signage may be displayed for elections, public health and safety, community, educational or recreational events and building construction, provided that:

- maximum sign area - 2 m² (except in the Residential Zones where the maximum sign area is 0.5m²)
- the sign is erected not earlier than 2 months prior to the event and removed not later than 1 week following the completion of the event.

Additional signage may be permitted advertising the sale, leasing, renting or otherwise disposal of property provided that:

- maximum area of signage – 0.7m²;
- shall be limited to a display period of 6 months in any 12 month period; and
- the sign shall be removed within two weeks of the sale, leasing agreement, etc. being confirmed.

3.4 Visibility

All signs other than those provided for in Rule 3.3(a) shall be sited so that they do not restrict visibility to and from intersections, property access points, bends and any traffic sign or signal.

3.5 Location

All signs shall be sited so that they are located on the property to which they refer.

4. Restricted Discretionary Activities

An application must be made for a restricted discretionary activity for any activity included in the lists of permitted or controlled activities which does not comply with one or more of the conditions for permitted activities and standards for controlled activities.

4.1 Resource Consent Conditions

In considering an application for a resource consent the Council shall restrict the exercise of its discretion to those conditions for permitted activities or standards for controlled activities with which the proposal fails to comply.

5. Discretionary Activities

The following are discretionary activities:

- a) Signs with moving components.
- b) Illuminated signs, including intermittently illuminated signs.
- c) Signs located on historic and notable buildings or historic sites.
- d) Captive balloons.

6. Standards for Discretionary Activities

6.1 Captive Balloons

- Maximum height - 40 metres.
- The tethering point for any captive balloon shall not be located within 50 metres of the centre-line of the traffic lane of any state highway, or within 60 metres of any Residential Zone.
- There shall be no more than 1 captive balloon per site.

7. Non-Complying Activities

7.1 Captive balloons which do not comply with Rule 6.1

7.2 Any sign not otherwise specified as a permitted, controlled, restricted discretionary, or discretionary activity is a non-complying activity.

ASSESSMENT OF APPLICATIONS

8. Controlled Activities

Applications for controlled activities will be assessed against the following:

- The objectives and policies set out in Signs.
- The objectives and policies of the relevant Zone.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).

9. Restricted Discretionary Activities

Assessment of applications for restricted discretionary activities will be limited to those conditions of permitted activities or standards for controlled activities with which the proposal fails to comply.

Applications for discretionary activities will be assessed against the following:

- The objectives and policies set out above.
- The objectives and policies for the relevant Zone.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).
- The guidelines in Appendix XII.

In addition, the conditions for permitted activities will be used as a guide.

10. Discretionary Activities

Applications for restricted discretionary activities will be assessed against the following:

- The relevant objectives and policies set out above.
- The objectives and policies for the relevant Zone.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).
- The guidelines in Appendix XII.

In addition the conditions for permitted and standards for controlled activities will be used as a guide.

ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are anticipated from the implementation of the objectives and policies relating to signs:

- The maintenance of traffic safety on the District's roads through controls on the location, size, design and number of signs to reduce driver distractions from signs other than traffic signs.
- The maintenance and enhancement of visual amenity throughout the District by preventing clutter and dominance from the number and size of signs.
- The protection of the historical character of the Town Centre and Residential Conservation Zones in Akaroa and Lyttelton through controls on sign design and colour.

OVERVIEW

The efficiency and safety levels inherent in the District roading network are, in part, a product of the adjacent land uses. The level of service provided by a road is influenced, in part, by the location and form of access, trip generation rates from activities, and on-street and on-site parking. The speed of traffic on the road is influenced by the road design, site distances, access and intersection location. The Council will manage matters relating to the speed environment at the resource consent stage. The resource consent process will enable consideration of matters which influence the level of service of the road.

A roading hierarchy indicates those roads that may require special treatment and management. Because of the nature of the District roading system, only two levels are identified: State Highways and District Roads. District roads are broken into sub-levels depending on their traffic volumes and purpose. These sub-levels are indicated in Rule 2.8 of the Subdivision Chapter. The primary function of state highways is to provide for a through road function. The safety and efficiency of the state highways is protected by rules in the District Plan (e.g. access, signage). District roads provide for mainly a property access function. Transit New Zealand further protects the safety and efficiency of State highways by authorising the location and design standards of side road intersections and works in the road reserve, including crossing places.

The prime mechanism for managing on-site parking and manoeuvring areas is the Building Code. The Council wishes to augment that code to cover activity that does not involve buildings and where loading is required.

Parking and loading on-site is necessary to preserve a road's level of service and to reduce congestion and thereby maintain the safety, character and pleasantness of the street environment.

The Council will continue to establish service lanes and public carparks to relieve on-street congestion where appropriate.

ISSUE 1	Transport systems can adversely affect the quality of the environment through increased noise, air quality emissions, loss of visual amenity, privacy and accessibility.
OBJECTIVE 1	To provide a safe and efficient transport network within the District while avoiding, remedying or mitigating the adverse effects on the environment.

POLICIES

- 1A** To provide for the use, maintenance and development of roads while avoiding, remedying or mitigating any adverse effects on the environment.

- 1B** To manage the District's transport network to promote the safety needs of all users, including drivers, cyclists and pedestrians.
- 1C** Practical methods to achieve greater energy conservation and energy efficiency in the transport sector shall be promoted.

EXPLANATION AND REASONS

It is essential for the continued development of the district that access to arterial road networks is maintained or enhanced. The district plan needs to recognise and provide for a transportation system, which is vital to the people of Banks Peninsula and the wider region.

The transport system however can have many and significant impacts on people and the environment. There are direct effects of traffic such as noise, vibration and fumes, and there are also indirect effects such as a reduction in the amount of land available for alternative uses, loss of privacy, increased congestion, and accident damage and injury. The Council has limited ability to control some of these factors, but it can impose standards for works associated with roading, and can require landscaping of roading improvements.

There is limited opportunity for decreasing the reliance on private motor vehicles in this district since population densities are low, and to a large degree public transport within the district is not viable. Efficiency gains are more likely to be made through other ways such as providing information for vehicle owners as to how vehicles can be run more efficiently, and by promoting or facilitating the use of telecommunications as an alternative to transportation. Increasing vehicle efficiency and decreasing the use of vehicles will help to avoid adverse environmental effects such as air pollution and will help to conserve the steadily dwindling sources of fossil fuels.

ISSUE 2	The need to promote a transport network, including access, parking and loading, that is safe and efficient, for the benefit of people and the community and to enhance the social and economic wellbeing of the District.
OBJECTIVE 2	To ensure that the transport network, including vehicle access, and vehicle parking and loading areas, is designed and located to an acceptable standard for public safety and allows for the efficient movement of traffic.

CHAPTER 35 ACCESS, PARKING AND LOADING

POLICIES (Updated: 2 July 2011)

- 2A** A road hierarchy shall be maintained and protected to enable the District to function with minimal conflict between activities, traffic, and people.
- 2B** Ensure that the number, location, design and gradient of vehicle accesses and vehicle crossings are compatible with road capacity and function, including the State Highways, in order to promote both vehicle and pedestrian safety.
- 2C** Ensure the provision of off-street parking and loading areas, based on potential parking demand, in order to promote vehicle, cyclist and pedestrian safety and to promote the efficient functioning of the roads, including State Highways. In certain circumstances consideration will be given to reduced parking levels or alternative means of parking provision, including a financial contribution in lieu of providing car parking spaces.
- 2D** To promote integrated development planning, including traffic management, for areas and communities within the District where development and land use change is occurring.

EXPLANATION AND REASONS (Updated: 2 July 2011)

The Plan seeks to ensure that there is integration between development and land use and the transport network to ensure that problems associated with congestion, manoeuvring, access, parking and loading do not occur.

Provision needs to be made for off-street parking and loading facilities to avoid the need to carry out these manoeuvres on the street. The efficiency and safety of roads may be adversely affected by vehicles parking or loading/unloading goods off site particularly on roads where vehicle speeds and volumes are greatest. In some circumstance consideration will be given to reduced or alternative parking provision, including the use of cash in lieu of car parking spaces as financial contribution, particularly where sites are constrained in some way, joint provision of spaces is acceptable or where the activity involves a change to the use of a protected or notable building where compliance with parking provision is not possible or would adversely affect the historic character of a building or the surrounding area.

Vehicle access ways need to be positioned away from intersections to avoid unnecessary distractions for drivers in areas where a visually confusing environment complicates decision making. The size, number and gradient of accesses also need to be controlled to allow ease of vehicle access and upgrading of roads while maintaining the roads capacity and function and also protecting other road users and pedestrians from unpredictable manoeuvres.

ISSUE 3	The safe and efficient operation of key transportation corridors and strategic transportation infrastructure can be compromised by inappropriate development.
OBJECTIVE 3	To protect key transportation corridors and strategic transportation infrastructure from the effects of landuse and development that may compromise their strategic function, safety and efficiency.

POLICIES

- 3A** To provide for the safe and efficient use of key transport corridors (including road and rail) and strategic transport infrastructure and protect them from the establishment or expansion of incompatible adjacent landuse activities that could adversely affect their primary function.
- 3B** To recognise and protect the primary function of State Highway 74 to provide the road transport access route to the Port of Lyttelton while recognising that Norwich Quay also serves Lyttelton township and must be managed appropriately.
- 3C** To require a standard and level of access onto the State Highways that avoids ribbon development, promotes road user safety and provides for the on-site parking, loading and manoeuvring of vehicle traffic generated by new activities or redevelopment of existing facilities.
- 3D** In order to maintain a safe and efficient State Highway network, the provision of internal roading networks and the rationalisation of access onto the State Highway for development or redevelopment initiatives will, where practicable and reasonable, be promoted within the District.

EXPLANATION AND REASONS

In terms of transportation into and out of the District, high quality transport links are needed, particularly to Lyttelton Port. This requires an efficient, safe network appropriate to the types of vehicles and trains, which will be using the links. It is essential to maintain and further develop links that are both efficient and safe so as to support the viable operation of transport links for people and goods.

Given that rail and arterial road links are busy, it is important that new sensitive landuse activities do not encroach on these key transport corridors. Lyttelton Port is a vital sea link to the district, region and New Zealand, and for that reason is an important part of the strategic transportation infrastructure. It is important that it continues to provide an efficient and effective service through the protection of associated rail and arterial road corridors. Protection of the Port is further addressed through the Lyttelton Port Recovery Plan.

In order to maintain an efficient and safe State Highway network, it is recognised that developments or redevelopments with access onto a Highway will, where practicable and reasonable, need to rationalise any access points through internal roading networks or, where available, use alternative access onto the local roads.

METHODS TO ACHIEVE OBJECTIVES AND POLICIES

- District Plan rules for access, loading, parking and manoeuvring.
- Liaison with road controlling authorities or individual about works and planning programs.
- Liaison with developers to co-ordinate proposals and to explore alternative means of providing for servicing.
- Implementation of the Akaroa Waterfront and Traffic Management Plan.
- Council will give consideration to ways of promoting or facilitating increased use of telecommunications in place of the need for transportation.
- Provision of information to vehicle owners as to how vehicles can be run more efficiently.

RULES

1. Permitted Activities

Permitted activities are identified in the Zone rules. These and the following activities are permitted where they meet the conditions set out in Rule 2 (below):

- a) Any activity carried out on a road (as defined by the Local Government Act 1974) is permitted where it involves the exercise of public's right of passage.
- b) Works on a road are a permitted activity, and the earthworks rules in the underlying Zones shall not apply. It should be noted that the road controlling authority requires any person undertaking works to seek authorisation from the authority.

2. Conditions for Permitted Activities

The following standards shall be met by all permitted activities and shall be used as a guide for all other activities, except that these standards do not apply in the Lyttelton Port Zone. Any permitted activity which fails to comply with any of these standards shall be deemed to be a discretionary activity.

2.1 Access to State Highways and District Roads

The creation of a new property access, or the change in character, intensity and scale of the use of an existing access is a permitted activity provided the following conditions are met:

- The traffic generated by the property activity is less than 60 equivalent car movements per day for access to a State Highway, or 100 equivalent car movements per day for access to a district road.
- Compliance with Table 1 regarding sight distances, clearance from intersections and minimum access spacing. This table is to be read in conjunction with Appendix XIV.
- For access to State Highways, construction of vehicle access (crossing design and/or localised road widening) is provided in accordance with either Diagram C or D in Appendix XIV, as determined by the vehicle generation thresholds (a) and (b) in Table 2.
- For access to State Highways, no alternative legal access is available to another road.
- All properties with legal access to a State Highway shall provide for all parking and manoeuvring on-site.

Table 1: Property Access Performance Criteria

Posted (Legal) Speed Limit (km/h)	Minimum Sight Distances (m) ¹	Location of Property Access Relative to Intersection – see Diagram B (Appendix XIV)						Minimum Spacing Between Adjacent Property Accesses (on same or opposite frontages)	
		Minimum Distance K (m)		Minimum Distance L (m)		Minimum Side Road Distance M (m)			
		Vehicle Generation Thresholds (ecm/d) (ecm/d = equivalent car movements per day) ²							Distance N (m) see Diagram B
		(a)	(b)	(a)	(b)	(a)	(b)		
50	85	15	20	20	30	15	20	7.5 or 15 ³	
60	115	30	50	40	50	20	30	20	
70	140	60	100	100	100	30	45	40	
80	170	90	120	120	120	30	60	100	
100	250	150	200	200	200	30	60	200	

Notes:

¹ Sight distance to and from an access to enable safe vehicle turning manoeuvres. Refer to Diagram A (Appendix XIV) for method to determine sight distance at a property access.

- 2 Equivalent car movement is defined as follows:
- 1 car to and from the property = 2 equivalent car movements.
 - 1 truck to and from the property = 6 equivalent car movements.
 - 1 truck and trailer to and from the property = 10 equivalent car movements.
- Provided that a single residential dwelling is deemed to generate 8 car equivalent movements per day (ecm/d).
- 3 7.5m for residential, 15m for all other land uses.
- 4 Vehicle generation thresholds are determined in accordance with the roading hierarchy for the District, and refer to the equivalent car movements as set out below in Table 2.

Table 2: Vehicle Generation Thresholds

Roading Hierarchy	(a)	(b)
State Highways	Up to 30 ecm/d	30 – 60 ecm/d
District Roads	Up to 50 ecm/d	50 – 100 ecm/d

The construction of the access shall be in accordance with either diagram C or D in Appendix XIV, as determined by the vehicle generation thresholds, a) or b), set out in the table above. Vehicle generation thresholds are determined in accordance with the roading hierarchy for the District, and refer to the equivalent car movements per day, as set out below.

2.2 Access to Rural Roads for Activities (Rural, Rural-Residential and Akaroa Hill Slopes Zones)

All new rural entrances on District roads shall be constructed in accordance with diagrams C and D in Appendix XIV. The entrances must be designed so that heavy vehicles can enter and leave the property in a safe and convenient manner without damaging the edge of seal.

Where a building consent is issued for a building on any site that does not already have a satisfactory entrance, the owner will be required to construct an entrance to the current Council standard.

The Council may require the upgrading of existing roads necessary to serve any controlled, discretionary or non-complying activities.

2.3 Access to Urban Roads for Activities (Residential, Residential Conservation, Papakaianga, Small Settlement, Boat Harbour, Industrial and Town Centre Zones)

One vehicle crossing per site. Any further crossings will be assessed as a discretionary activity.

All work on crossings within the road boundaries shall be done at the expense of the owner of the property serviced by the crossing. In respect of any premises requiring a crossing, the charge will be the cost of construction of the crossing as determined annually.

Subdividers shall normally be required to provide only those crossings where the location is fixed at the time of subdivision, such as private ways. In all other cases, the crossings shall be constructed at the time of building in accordance with Council standards.

2.4 Loading Path and Space Dimensions

Activities requiring loading facilities or servicing from heavy vehicles shall comply with the percentile designs for two axled trucks (see Appendix XIV) or a greater dimension of design where articulated vehicles or trucks and trailers are to be used.

2.5 On-Site Parking and Loading

Every person who proposes to establish an activity on any site or who changes the use of any land or building, shall provide suitable areas for the parking of vehicles and loading as required below, unless specified elsewhere in the rules of the Plan:

Table 3: Parking Space Requirements

Activity	Parking Spaces Required
Health Care Facilities	1 per 50m ² gross floor area
Industry	1 per 50m ² gross floor area 1 loading space per 200m ² of gross floor area
Offices	1 per 50m ² gross floor area
Places of Assembly - Activities within buildings - Activities outside buildings	1 per 30m ² gross floor area 15 per hectare gross land area
Retail Premises	1 per 30m ² gross floor area 1 loading space per 200m ² gross floor area
Service Stations	1 per 50m ² gross floor area Loading area on site for an articulated fuel tanker clear of access/egress aisles
Visitor Facilities - Restaurants - Taverns	1 per 30m ² gross floor area 1 per 10m ² gross floor area
Visitor Accommodation - Accommodation (excluding hotels and backpackers) - Hotels - Backpacker hostels	1 for every accommodation unit, plus 1 staff park for every 10 units. 1 for every four bedrooms, plus 1 staff park for every 20 bedrooms. 1 for every five beds.
Residential (Papakaianga, Rural-Residential, Small Settlement, Residential, Residential Conservation (Akaroa) and Town Centre Zones)	2 per dwelling, minimum dimensions: width 3 metres, depth 5.5 metres
Residential Conservation Zone, Lyttelton	1 per dwelling, minimum dimensions: width 3 metres, depth 5.5 metres

Activity	Parking Spaces Required
Residential (Town Centre)	2 parking spaces which may be stacked. Parking spaces shall have the minimum internal dimensions: width 3 metres, depth 5.5 metres
Small Settlement Zone (Takamatua CDA area only)	4 parking spaces per dwelling, minimum dimensions: width 3m, depth 5.5m

2.6 Exclusion of Land for Service Lane or Road

All parking and loading spaces and manoeuvring areas shall be provided on-site but not on land required for a service lane or any road.

2.7 Location of Parking and Loading Areas

The provision for parking and loading in respect of any site shall not be on:

- part of any manoeuvring area or access lane or road.
- any screening area required by this Plan; or
- any solid waste storage area required by this Plan, provided that in the Town Centre Zone manoeuvring may be on service lanes where land for a service lane is provided by the applicant.

Parking spaces shall not occupy loading spaces or loading spaces occupy parking spaces.

Parking and loading spaces are to be either visible from the public road or clearly signposted at the road frontage.

2.8 Formation of Parking and Loading Areas

Parking and loading areas shall be formed and paved with an all weather surface so as not to create a dust nuisance for adjoining properties.

3. Restricted Discretionary Activities

3.1 Variation to the Access Provisions Provided

Creation of a new property access, or the change in character, intensity and scale of the use of an existing access which does not meet the conditions required for Rule 2.1 above is a restricted discretionary activity in regard to access considerations alone.

3.2 Resource Consent Conditions

If granting a resource consent, the Council shall restrict the exercise of its discretion to conditions on the following:

- The location of vehicle entry and exit from the site.
- Design of the crossing.
- Design and size of parking and queuing spaces on site.

4. Discretionary Activities (Updated: 2 July 2011)**4.1 Variation to the Number of Parking Spaces Provided**

An application must be made for consent as a discretionary activity to reduce the number of parking spaces required by Rule 2.5 above. The Council shall consider the following alternative means of parking and loading:

- **Joint Provision of Parking and Loading for Several Activities**
 - ú Where several activities are established on any one site or on several sites in any area the Council may permit the developers of such activities to provide joint off-street parking and loading areas for their common use. The number of parking spaces required shall be the sum of the requirements for each activity.
 - ú Where it can be shown that the parking or loading demand of one or more of the activities occurs at a different time from that of the remaining activities, the Council may allow a reduction in respect of the parking or loading requirement for one or more of the activities.
 - ú The Council may allow a developer to enter into an agreement to use an existing parking or loading area as a joint area where the demand for parking or loading of vehicles occurs at a different time from that of the existing activities or where the Council considers there is sufficient capacity to accommodate the additional vehicles.
 - ú In every case the Council shall require written documentation of the agreement or arrangement entered into.
 - ú The Council reserves the right to re-impose the individual requirements should circumstances change with respect to a consent granted to any developer, owner or occupier to use any joint parking or loading area.
- **Cash in Lieu**
 - ú The Council may accept a financial contribution in lieu of car parking spaces and the monies received shall equate to the cost of the land nearby and formation of a carpark for the spaces not provided on-site. A financial contribution for parking shall only be received where the Council owns or has land in the vicinity of the subject site which is identified as suitable for public car parking.
 - ú An account shall be kept at the Council's offices of the number of spaces funded by developments in the vicinity of the identified public carpark. This information must be referred to prior to the Council accepting a financial contribution.
- **On-Street Parking**
 - ú Where on-site parking is required but the Council considers it is not reasonable or practicable, now or in the future, to make such provision, the Council may approve on-street parking facilities as close to the site as is reasonable and practicable.
 - ú The Council may require a set back of the footpath to accommodate on-street parking and may require the full cost to be borne by the applicant.

- Additional Land Areas
 - ú The Council may approve parking on suitable land sufficiently close to the subject site. The Council shall require legal evidence of the parking site being tied to the activity.

4.2 Protected and Notable Buildings

The Council may consider waiving, in whole or in part, the parking requirements for any activity which is established within a Protected or Notable Building identified in Appendices IV and V where it can be demonstrated that the occupation of the building by the activity will facilitate the objectives and policies in Chapter 14 of the Plan.

5. Non-Complying Activities

Any permitted activity which does not comply with the conditions for permitted activities and is not otherwise specified as a restricted discretionary or discretionary activity is a non-complying activity.

REFERENCE TO THE BUILDING CODE

Vehicle manoeuvring distances, parking dimensions, queuing spaces and circulation rates and pedestrian access are controlled by the Building Code. It should be noted that the 1993 Building Code “Acceptable Solutions” or its successor must be complied with at the building stage.

Parking and Access for Disabled Persons are to be provided in accordance with the Building Code.

REFERENCE TO TRANSIT NEW ZEALAND’S FUNCTIONS

Transit New Zealand retains control of the design and construction standards of crossing places and road intersections with State highways.

ASSESSMENT OF APPLICATIONS

6. Restricted Discretionary Activities

Applications for restricted discretionary activities shall be assessed against the following criteria:

- Whether the crossing is sufficiently remote from an intersection having regard to traffic volumes on the roads, the 85th percentile of vehicles on the

roads, and any other factors that will prevent congestion and confusion between vehicles turning at the crossing or the intersection.

- Whether there is a need to separate entry and exit in order to reduce potential traffic confusion and congestion.
- Whether there is adequate queuing and parking space on site so that vehicles do not queue over vehicle crossings.
- The design of the crossing in relation to pedestrian and cyclist safety.
- Any cumulative effects of extra access points on the function of the frontage road(s) in terms of its position in the roading hierarchy.
- Whether the speed environment of the road, as determined by the 85th percentile speed data, is such that the sight distance standards in the Plan can be safely reduced.

7. Discretionary Activities

Applications for discretionary activities will be assessed against the following:

- The relevant objectives and policies of this chapter.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).
- In addition, the conditions for permitted activities and standards for controlled activities will be used as a guide.

ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are anticipated from the implementation of the objectives and policies relating to transport, parking, access and loading:

- Improved safety in the transportation network.
- Improved access and safety for pedestrians.
- Parking and loading facilities provided in a way that minimises the impact of vehicles accessing those activities and on the safety and efficiency of the adjacent road network.
- Safe and efficient operation of key transportation corridors and strategic transport infrastructure.

OVERVIEW

Utilities are regarded as physical resources in the Resource Management Act. Utilities make up the infrastructure of the District and include water, telecommunications, electricity and gas transmission systems, sewage and storm water disposal systems, lighting and roads.

Network utility operators are defined in section 166 of the Act and may, in certain circumstances, have requiring authority status under the Act. Requiring authorities can designate particular projects, works or operations which can be included in the District Plan. The designation process is set out at Part VIII of the Act. (Updated May 2009)

Because utilities are essential to the functioning of almost all activities in Banks Peninsula, they are required to be located throughout the District. Also, in order to meet the changing needs of the District as a result of physical changes, population growth, technological innovation and deterioration over time, utilities are constantly being constructed, upgraded, expanded, altered and maintained.

The structures and works associated with utilities have the potential to impact on the environment. Utilities involve physical structures and buildings and works such as earthworks, all of which may have an adverse effect on the part of the District in which they are located. This can be avoided, remedied or mitigated by imposing appropriate conditions, standards and terms.

ISSUE 1	Utilities can generate actual or potential adverse effects on the environment within which they are located.
OBJECTIVE 1	To protect the environment from the actual and potential adverse effects of utilities.

POLICIES

- 1A** Above-ground utility buildings and structures should not be located on ridgelines or in Conservation Reserves, or on Heritage Items, unless there is no technically feasible alternative.
- 1B** Where above-ground utility buildings and structures are located within the Coastal Protection Areas or Outstanding Natural Features and Landscape Protection Areas they should be sited in such a way and be of a size, height and position, or be screened by planting, so that they do not detract from the intrinsic qualities of those areas.
- 1C** Utilities should be located underground or within existing buildings or structures where this is feasible.

CHAPTER 36 UTILITIES

- 1D The co-siting and sharing of compatible facilities should be encouraged where technically and operationally feasible.
- 1E Utilities should not require the removal of indigenous vegetation.
- 1F Earthworks associated with any utility should not detract from any significant landforms.
- 1G Earthworks associated with any utility should not create or exacerbate any soil erosion or slope instability.
- 1H Screening by landscaping and other appropriate means should be used to avoid, remedy or mitigate the adverse visual effects of utilities.
- 1I To avoid, remedy or mitigate actual or potential adverse effects arising from the use, provision, upgrading, repair, or maintenance of transport infrastructure.

EXPLANATION AND REASONS

Utilities can involve the establishment of structures or the undertaking of activities such as earthworks. Structures and activities can result in adverse visual affects, the degradation of landscape amenity values, the disturbance of landforms and indigenous vegetation, and the creation or exacerbation of slope instability and soil erosion. The extent of such adverse effects depends on the nature, scale and location of the proposed utility and the sensitivity of the receiving environment. However, matters of technical or operational feasibility may influence the location and design of utility structures.

ISSUE 2	Large scale utility projects, works or operations may be more appropriately undertaken in terms of a designation in the Plan rather than through a resource consent.
OBJECTIVE 2	To encourage the designation of more significant utilities by network utility operators with requiring authority status.

POLICY

- 2A Utilities of a large scale and capacity, which are not allowed as a permitted or discretionary activity, should be designated.

EXPLANATION AND REASONS

The designation procedure in Part VIII of the Act makes provision for public works and network utility operations. Designations are evaluated for the work or project to which they relate and in terms of their impact on the environment.

METHODS TO ACHIEVE OBJECTIVES AND POLICIES

District Plan rules allowing utilities as permitted, restricted discretionary and discretionary activities where they comply with conditions, standards and terms aimed at avoiding, remedying or mitigating actual or potential adverse effects on the environment.

Note: These rules do not apply to the holder of an existing privilege under the Crown Minerals Act, for example Liquigas, provided that the holder is acting within the terms of the privilege.

RULES (Updated May 2009)

These rules on utilities replace any zone rules which may otherwise apply to utilities in zones through which utilities pass, or within which they are sited unless specifically stated to the contrary in this chapter.

1. Permitted Activities

- a) All utilities are permitted activities in all areas of the District where they meet the conditions for permitted activities except in Rule 2, unless otherwise specified as a Controlled, Restricted Discretionary, or Discretionary Activity in this chapter.

2. Conditions for Permitted Activities (Updated May 2009)

2.1 Earthworks

- a) The earthworks conditions for permitted activities in the relevant Zone shall apply, except for those identified in b) and c) below.
- b) Earthworks associated with the establishment of foundations for aboveground telecommunication and radiocommunication facilities.
- c) Earthworks for the undergrounding of utilities involving trenches shall be backfilled the same day as excavation, and final restoration shall be completed within 7 days of the trenching being completed. For large scale trenching work lasting more than 7 days, temporary restoration work shall be completed every 7 days.

2.2 Height and Size of Buildings and Structures

- (a) Except for utilities in the Residential Conservation Zone and Town Centre Zone, the height conditions for permitted activities in the relevant Zone shall

apply to all utility structures other than those utility structures listed in b) and c) below.

- (b) For pole structures associated with utilities other than radiocommunication facilities (see (c) below), the maximum permitted height shall be 15 metres. Such pole structures are not required to comply with the Building Height in Relation to Boundary rule that may apply in the Various Zones.
- (c) For support structures associated with radiocommunication facilities (e.g. Masts and poles but excluding buildings) the following heights above ground level shall not be exceeded in the Zones listed below in (i), (ii) and (iii). Such support structures are not required to comply with the Building Height in Relation to Boundary rule that may apply in the Various Zones.
 - (i) 20 metres for Small Settlement, Papakainga, Residential, Rural-Residential and Akaroa Hillslope Zones (excluding Town Centre and Residential Conservation Zones), providing that the support structure is not located within 30 metres of a residential unit sited within any of the aforementioned zones (including the Town Centre and Residential Conservation Zones) and the support structure and antennas do not have a diameter greater than 0.4m.
 - (ii) 25 metres for Boat Harbour, and Industrial Zones providing that the support structure is not located within 30 metres of a residential unit sited within any of the zones referred to in rule 2.2(c)(i) above and the support structure does not have a diameter greater than 0.5m from a point 6m above ground level.
 - (iii) 30 metres for Rural Amenity Landscape (except Main Ridgelines), providing that:
 - The horizontal dimension of the support structure does not exceed more than 0.5m from a point 6m above ground level, and
 - The support structure shall be located a minimum of 30 vertical metres, measured at right angles from the highest point of the axis of the ridgeline on which it is located.

2.3 Yards

- (a) The yard conditions for permitted activities in the relevant Zone shall apply to above ground utility structures over 3 metres in height or 10m² in area.
- (b) Rule 2.3(a) shall not apply to the following:
 - (i) Equipment buildings associated with telecommunication facilities and radiocommunication facilities that are less than 3.5m in any horizontal direction in all zones other than the:
 - Town Centre
 - Residential Conservation,
 - Outstanding Natural Landscapes,
 - Coastal Natural Character Landscapes and
 - Main Ridgelines as identified within the Rural Amenity Landscape.
 - (ii) Support structures associated with radiocommunication facilities in all zones, other than in the Rural Amenity Landscapes where any support structure shall be setback 30m from an existing dwelling that

is located on an adjoining site in different ownership to the site on which the utility is proposed.

- (c) In relation to any permanent natural surface water body, no buildings, earthworks or indigenous vegetation clearance associated with utilities shall be undertaken within the setbacks specified in the permitted activity yard standards for all other zones, other than for those utilities listed in (i) and (ii) below.
- (i) Telecommunication facilities and radiocommunication facilities and pole structures for overhead lines, which are no closer than 7.5m from any permanent natural surface water body.
 - (ii) Below ground telecommunication facilities and electricity lines which are not required to be setback from any permanent natural surface water body as long as Rule 2.1(c) is complied with.

2.4 Protected Trees

Any utility structure or activity shall comply with the rules relating to protected trees.

2.5 Tree Clearance

There shall be no clearance of indigenous trees in any Rural Zone or Lakes Zone.

2.6 Overhead Lines

Extension of overhead lines in the Outstanding Natural Character and Coastal Natural Character Landscapes, Conservation Reserves, Residential Conservation and Town Centre Zones are permitted provided any extension of existing overhead lines incorporates a maximum of three new pole supports.

Any extension undertaken shall be deemed to be part of an existing overhead line once the extension has been installed for a 12-month period.

2.7 Hazardous Substances

All utility activities shall meet the standards for Hazardous substances for the relevant zone.

2.8 Screening

Any above ground utility (other than a telecommunication or radiocommunication facility) in the Residential Conservation and Town Centre Zones less than 1.8m in height and 6m² in area and which is clearly visible from the adjacent road frontage shall be screened with a 1.8m high solid fence and/or gate except that this rule shall not apply to any above ground utility that is less than 0.5m² in area.

3. Controlled Activities (Updated May 2009)

The following utilities are controlled activities:

- a) Any above ground telecommunication or radiocommunication facility in the Residential Conservation and Town Centre Zones (provided this shall not apply to dish antenna not exceeding 1 metre in diameter in the Residential Conservation and Town Centre zones).

In considering an application for a controlled activity, Council may impose conditions in relation to the following matters:

- Siting, design and location
- Colour
- Method of construction
- Earthworks and site restoration

4. Restricted Discretionary Activities (Updated May 2009)

Unless provided for as a controlled activity in Rule 3, the following utilities are restricted discretionary activities:

- a) An application must be made for a restricted discretionary activity for any permitted activity which does not comply with one or more of the standards for permitted activities in Rule 2.

5. Discretionary Activities (Updated May 2009)

The following utilities are discretionary activities:

- a) Any above ground utility, other than those provided for in Rule 2.6, within Heritage Items, Recreational Reserves and Conservation Reserves Zones and the Outstanding Natural Landscapes, Coastal Natural Character Landscapes and Main Ridgelines as identified within the Rural Amenity Landscape.
- b) Any above ground utility structure, other than a telecommunication or radiocommunication facility and those provided for in Rule 2.6, in the Residential Conservation and Town Centre Zones which exceeds 1.8m in height and 6m² in area.

ASSESSMENT OF APPLICATIONS (Updated May 2009)

6. Controlled and Restricted Discretionary Activities

Assessment of applications for controlled or restricted discretionary activities will be limited to that condition or conditions for permitted activities with which the proposal fails to comply. Applications will be assessed against the relevant objectives and policies for Utilities and the relevant Zone.

7. Discretionary Activities

Applications for discretionary activities will be assessed against the following:

- The relevant objectives and policies of the Utilities Chapter.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).

In addition, the Waste Management Strategy for Banks Peninsula will be used as a guide when considering proposals for waste transfer or disposal.

ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are anticipated from the implementation of the objectives and policies relating to utilities:

- Maintenance of the amenity values of the District, particularly in the areas of landscape or natural value, and in the Residential Conservation and Town Centre Zones.
- Provision for utilities which avoid, remedy or mitigate adverse effects on the environment.

OVERVIEW

The use of resources frequently results in the production of wastes. A significant proportion of waste products generated in the District can be reduced, making better use of resources and avoiding adverse effects on the environment. The Council has in place a waste management strategy aimed at minimising the waste stream, recycling wastes where possible and phasing out and monitoring the solid waste landfills it operates or has operated in the past.

Any activity, which involves any hazardous substance also, has the potential to have a significant adverse effect on the environment and on the health of the community. While the Canterbury Regional Council takes an overall co-ordination, education and enforcement role in dealing with hazardous substances, the District Council has responsibility for the control of the use, development and protection of land to avoid, remedy or mitigate any adverse effects resulting from the use, storage, disposal and transportation of hazardous substances.

The management of hazardous substances has not been an issue of major significance in most of the Banks Peninsula District. Relatively small volumes are used and stored in the District, but potential problems associated with hazardous substances are considerable. The main categories of hazardous substances are those associated with agriculture, commercial, industrial and household wastes and fuel tanks.

The Council currently operates three landfills in the District, in Gollans Bay, Birdlings Flat and Onuku. Each of these is operated under a management plan. In addition, there are transfer stations located in Le Bons Bay, Little Akaloa, Okains Bay and Barrys Bay.

The level of waste production in the District is currently static because the population is increasing but per capita waste production is reducing as more material is being recycled or reused. However, the District is coming to the end of its existing landfill capacity and is examining alternative disposal options.

The Council has developed a comprehensive waste management strategy for the District up to the year 2000. Public input through meetings and submissions on the draft Akaroa/Wairewa strategy has been incorporated in this strategy. The strategy involves the closure of all the existing landfill sites and the replacement of these with an integrated solid waste management system which includes regional resource recovery, recycling, reuse of green waste, and a network of transfer stations with a single landfill outside the district serving the region. It also highlights the importance of waste minimisation and recycling as a means of reducing the pressure on solid waste disposal and the resulting need to find additional landfill sites. The strategy will form the basis of the Council's Waste Management Plan but is currently being reviewed in response to the Council's involvement in the regional Waste Working Party to develop a regional landfill.

Waste management issues with regards to liquid waste disposal, and the constraints on future development are covered in Chapter 11 'Waste Management'.

ISSUE 1	Waste management practices, including the poor location and management of disposal sites, can have significant adverse environmental effects and offend cultural values.
OBJECTIVE 1	To avoid, remedy or mitigate the adverse effects on the environment resulting from waste management practices.

POLICIES

- 1A** Landfills, transfer stations and other waste disposal facilities are to be located and managed so that any adverse environmental effects are avoided, remedied or mitigated.
- 1B** Closed waste disposal sites shall be managed to avoid, remedy or mitigate adverse environmental effects.
- 1C** The relationship of tangata whenua with the natural resources of the district should be recognised when managing the disposal of waste in the District.
- 1D** Future landfills and transfer stations should not be located in, in the Outstanding Natural Features and Landscape Protection Areas or Coastal the Protection Areas, in the Lakes Zone, or adjacent to any wetland, river or stream.

EXPLANATION AND REASONS

There are a range of adverse environmental effects which can result from poorly managed waste disposal measures. These include such effects as contamination of ground water and other water bodies by leachate and creation of health hazards and offensive odours.

The effects of the disposal of waste is a major issue for Maori and requires that cultural concerns are considered in providing facilities and in encouraging various methods of waste disposal. It will be important to consult with local runanga when decisions are made regarding waste management.

Most solid waste generated within the District is disposed of in landfills. Avoiding, remedying or mitigating the adverse effects of these landfills, such as leachate, is a key component of a sound waste management strategy. The Council's waste management strategy envisages that the existing landfills in the District will

eventually be closed and that the waste stream produced will be managed through a network of transfer stations. It is important that old landfills are decommissioned, and the land appropriately rehabilitated, so that any potential on-going environmental effects such as leachate and ground subsidence are properly managed.

ISSUE 2 **Waste generated in the District can be reduced to make better use of resources and avoid adverse effects on the environment.**

OBJECTIVE 2 **To reduce the amount of waste generated and, consequently, the need for landfill sites.**

POLICIES

2A Solid waste disposal methods should achieve waste minimisation.

2B To promote waste minimisation through the following hierarchy: reduction, reuse, recycling, recovery and residue management.

EXPLANATION AND REASONS

Banks Peninsula District Council will encourage resource users to take responsibility for reducing waste and to adopt this hierarchy of waste management practices. The Council will also adopt this hierarchy in its own practices. By monitoring levels of waste and how it is being managed, any weaknesses in the implementation of the waste management hierarchy can be identified and remedied.

ISSUE 3 **Hazardous substances can have significant and long-lasting adverse environmental and health effects by contaminating water and soil and other natural and physical resources of the District.**

OBJECTIVE 3 **To limit the risk of hazardous substances damaging the health of people and communities and contaminating the environment.**

POLICIES

3A To undertake the management of hazardous substances within the District in a manner which is consistent with the responsibilities of national and regional agencies.

- 3B** To identify hazardous substances and assess their potential risks to health and to the environment.
- 3C** To avoid, remedy or mitigate adverse environmental effects arising from the use, storage, disposal, transportation manufacture of hazardous substances.
- 3D** Hazardous substances facilities should be located, designed, constructed and managed to avoid, remedy or mitigate adverse effects and unacceptable risks to the environment.
- 3E** Hazardous substances facilities should be located so they do not pose a risk to the environment.

EXPLANATION AND REASONS

Many substances which are used frequently but in minor quantities (ammonia for household use, for example) could be considered hazardous in larger quantities. The use of such substances in small quantities does not create a significant adverse effect on the environment, and the Plan does not seek to control their use.

However, rigorous control is necessary over the use, storage, disposal or transportation of hazardous substances in quantities greater than certain threshold limits because of the potential risks to public health and the environment. Therefore, every proposed activity involving hazardous substances above defined threshold quantities requires consent to a discretionary activity.

There may also be sites in the District within which hazardous substances have been used, stored or produced which contain residues which have contaminated the soils or other resources on the site to a level that make those sites unsuitable for human occupancy or use. Such sites need to be identified and investigated.

The regulatory system under which hazardous substances and new organisms are controlled is currently undergoing reform. While local, regional and central government all currently have responsibilities for the management of hazardous substances, the nature of those responsibilities is likely to change with the promulgation of new legislation.

In the transitional phase there will be a need to maintain close liaison between the agencies which have responsibility within the region.

In the meantime, any sites contaminated with hazardous substances that may have adverse effects on human health or the environment need to be addressed and advice and assistance provided to landowners where necessary. The Council will also use its powers under the Resource Management Act to manage hazardous substances and supplement this with education and advice to users.

The Council does not consider that any control is necessary on the transportation of hazardous substances in the District because of the existing legislation and New Zealand Standards. However, any activity proposing to use or store significant quantities of hazardous substances would be assessed as to how the hazardous substances would be delivered to or dispatched from a site.

METHODS TO IMPLEMENT OBJECTIVES AND POLICIES

- Co-ordinating with other agencies with responsibilities for waste disposal and the management of hazardous substances.
- Use of powers available to the Council under other legislation to manage the disposal of wastes and control of hazardous substances.
- Investigation and identification of possible contaminated sites within the District.
- Implementing the Waste Management Strategy for Banks Peninsula.
- Implementing the Banks Peninsula Waste Minimisation Strategy.
- Promoting the development of codes of practice, guidelines and site management contingency plans.
- Providing information and advice on recycling, waste minimisation and the storage and handling of hazardous substances.
- Promoting alternatives to the use of products containing hazardous substances.
- Developing and implementing a detailed strategy for the safe decommissioning, rehabilitation and monitoring of closed waste disposal sites.
- Monitoring of old waste disposal sites and identifying suitable future land uses for these sites.
- Identifying and recording the location of closed landfill sites.
- Keeping a recorded of the types of material known to have been disposed of.
- Providing advice and assistance, as appropriate, to owners of any sites contaminated with hazardous substances that may have adverse effects on human health or the environment.
- District Plan rules, including standards aimed at controlling the environmental effects of hazardous substances.

(Note: these rules do not apply to the Lyttelton Port Zone or to the holder of an existing privilege under the Crown Minerals Act, provided that the holder is acting within the terms of the privilege.)

RULES**1. Permitted Activities**

The following are permitted activities where they meet the standards specified:

- a) The use, storage, manufacture or disposal of any hazardous substance listed in the schedule in Appendix XV where the standards set out in Rule 5.1 (below) are met. The maximum quantities for permitted activities are set out in Column A of that schedule.
- b) The transportation of any hazardous substance.
- c) The use, storage, manufacture or disposal of hazardous substances listed in the schedule in Appendix XV in association with temporary military training activities where the assessment criteria set out in Rule 7.1 (below) are met.

2. Controlled Activities

The following are controlled activities where they meet the standards set out in Rule 5.1 (second and third bullet points):

- a) On sites containing existing service stations, the storage and retail sale of petrol (up to 100,000 litres storage in underground tanks) and diesel (up to 50,000 litres in underground tanks), provided that the 'Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems' (Department of Labour, 1992) is adhered to.
- b) The storage and sale of LPG (up to 6 tonnes, single vehicle storage) provided that the 'Australian Standard 1596:1989 'LP Gas Storage and Handling' is complied with.

Where quantities of these substances exceed the quantities (above) on any site containing an existing service station, the activity is a restricted discretionary activity and shall be assessed in accordance with the matters set out in the section 'Assessment Criteria' (below).

3. Restricted Discretionary Activities

The following are restricted discretionary activities where they meet the standards set out in Rule 5 (below):

- a) The use, storage, manufacture or disposal of any hazardous substance listed in the schedule in Appendix XV. The maximum quantities for discretionary activities are set out in Column B of that schedule.

4. Discretionary Activities

The following are discretionary activities where they meet the standards set out in Rule 5 (below):

- a) The establishment of any transfer station for the storage and management of waste.

5. Conditions for Permitted Activities and Standards for Controlled, Restricted Discretionary and Discretionary Activities

5.1 Containment

Those parts of any site where any discrete quantity of a hazardous substance (which is a permitted, controlled, restricted discretionary or discretionary activity in Rules 1, 2, 3 and 4) is kept for any purpose shall be designed constructed and managed so that:

- there is no contamination of any land and/or water by release or spillage of the hazardous substance; and
- there is no discharge of the hazardous substance into any stormwater drain or sewerage system contrary to the network operators rules unless permitted by the operator; and
- any stormwater originating from or collected on the site does not contaminate any land unless permitted by a resource consent.

6. Non-Complying Activities

- 6.1 Any activity, which is not a permitted, controlled, restricted discretionary or discretionary activity is a non-complying activity.

The following are also non-complying activities:

- 6.2 Any activity which involves the operation of transmitting equipment owned or operated by any network utility, in any zone, which causes exposures to radiofrequency radiation in places normally accessible to the public to exceed the limits for the general public prescribed in NZ6609 Part 1 (or any subsequent amendments). Initial assessment of likely exposure levels shall be by calculation, and shall take into account existing transmitters. Should preliminary calculations indicate that exposures in places normally accessible to the public may exceed 25% of the permitted limit then measurements of actual exposures should be undertaken once the facility is operational. These measurements should be in accordance with the procedures described in NZS Part 2 (and any subsequent amendments).

6.3 Any activity which would result in exposures to power frequency electric and magnetic fields produced by electrical utility equipment in areas normally accessible to the public exceeding the current guidelines specified for the general public by the International Commission on non-Ionising Radiation Protection.

7. Resource Consent Conditions – Controlled Activities and Restricted Activities

In granting a resource consent the Council shall restrict the exercise of its control to the following matters:

- Use, storage, manufacture and disposal of hazardous substances.
- Compliance with the “Code of Practice for the Design, Installation and Operation of Underground Petroleum Systems” Department of Labour 1992 (or any other subsequent replacement or amendments of this standard).
- Compliance with the “Australian/ New Zealand Standard 1956:1997 for Storage and Handling of LP Gas” (or any subsequent replacement or amendment of this).

CRITERIA FOR THE ASSESSMENT OF CONTROLLED AND DISCRETIONARY ACTIVITIES

Applications for discretionary activities will be assessed against the following:

- The objectives and policies for any relevant Zone.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).
- The extent of compliance with the relevant code of practice introduced, or approved by, the Environmental Risk Management Authority; and pending these, any relevant codes applicable to hazardous substances.

In addition, the Waste Management Strategy for Banks Peninsula will be used as a guide.

ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are anticipated from the implementation of the objectives and policies relating to waste management and hazardous substances:

- Safe and culturally acceptable disposal of waste.

- Waste management in accordance with the hierarchy of waste management - waste reduced, reused, recycled, safely recovered or safely disposed of.
- Minimised adverse effects from landfills and other waste disposal facilities.
- The avoidance of environmental damage from hazardous substances.
- The safe storage and disposal of hazardous substances.
- Adequate responsiveness to emergencies and to the environmental restoration of contaminated sites to minimise adverse environmental effects.
- An increase in public awareness about the risks associated with using substances which may have an adverse effect on the environment.

OVERVIEW

One of the primary functions of territorial authorities under Section 31(b) of the Act is:

“The control of any actual and potential effects of the use, development or protection of land, including the implementation of rules for the avoidance or mitigation of natural hazards...”

The Act defines “natural hazard” as:

“Any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.”

The Council has some responsibility for protecting people and property, and, to some extent the environment, from the adverse effects of natural hazards occurrences. The amenity values of an area and its ecological systems should be protected as far as practicable, but it is not always feasible to mitigate all potential effects of natural occurrences at all times for all aspects of the environment. Some priority must be placed on human life and property, but preferably this can be achieved in conjunction with achieving other objectives. Management of natural hazards within the District is aimed at preventing loss of life, and reducing the costs of loss or damage to property and the environment. The District is vulnerable to a variety of natural hazards, these may include surface flooding, earthquake, tsunami, erosion, rockfall, wind, drought or fire. However, the principal hazards which this Plan addresses are flooding, slope instability and coastal hazards.

ISSUE 1	Human life, property and—other aspects of the environment are at risk from natural occurrences within the District, in particular, coastal and lakeside flooding, slope instability, earthquake and tsunami.
OBJECTIVE 1	To avoid or mitigate the costs resulting from natural hazards in terms of loss of life and loss or damage to property and the environment.

POLICIES

- 1A** New subdivision and development shall take into account any potential risks from natural hazards. The minimum protection aimed for is that there should be no damage:
- To new dwellings or their contents from flood events with a 1:500 probability of occurrence, or from events arising from slope instability.

- To existing dwellings or their contents from flood events with a 1:200 probability of occurrence, or from events arising from slope instability.
- 1B** On areas around Te Waihora (Lake Ellesmere) and Wairewa (Lake Forsyth), shown on the planning maps as flood prone land, the erection of new dwellings and extensions to existing dwellings, including the setting of floor levels, should not be undertaken where it will create a significant risk to life or property, or risk of injury.
- 1C** Risk reduction measures shall be promoted where existing activities are located in areas of high existing or potential risk.
- 1D** People should be prepared for the occurrence of hazardous events.
- 1E** Council data on natural hazard events will be updated progressively, and consideration given to any need for a review of natural hazards provisions in the Plan.
- 1F** No measure intended to remedy or mitigate a natural hazard should have a significant adverse effect on the environment.
- 1G** In flood-prone areas earthworks should only be undertaken in such a way that they do not cause or worsen flood risk elsewhere.
- 1H** Building and subdivision should not be undertaken in areas of Low-Moderate or Moderate-High slope instability, as shown on the planning maps, unless an engineering/geotechnical report supports the development.
- 1I** In areas where existing development is at risk from the effects of slope instability, and a benefit can be provided to the wider community, the Council will give consideration to providing additional retaining structures or other means. Where the main benefit would be to individual property owners, the Council will encourage those owners to do the same.

EXPLANATION AND REASONS

It is the community which suffers the consequences of natural hazards in one way or another, and it is also the community which pays for mitigation measures, whether they be ratepayer funded or a cost to individuals. The levels set here allow for overall protection to gradually increase by setting a higher standard for future construction than for existing development. The costs of these different standards are similar, it being more costly to upgrade hazard management for existing development than for new. The calculation of costs recognises not just the tangible costs but also the intangible costs such as loss of life and social disruption in a disaster, and environmental effects.

Consent Stability maps included with the planning maps, indicate the risk of mass movement. The term 'mass movement' covers the category of gravity-driven soil

instability processes. The high and moderate hazard potential maps have been selected in accordance with the above policies and are intended to achieve the levels of protection indicated in the Environmental Results Anticipated. It should be noted that run-out zones peripheral to the areas of potential slope failure have been included in the areas shown. The categories 'Very Low' to Low Risk', 'Low-Moderate' and 'Moderate-High' indicate three distinct measures of risk. These indicate investigation zones which signal the level of specific engineering geological or geotechnical investigation considered necessary at the building consent or subdivision stage. The most stable zone would not require specialised involvement; the Low-Moderate assumes generally reasonable stability; and the Moderate-High assumes the area is generally unstable, these last two categories would require a specialist engineering geologist or geotechnical engineer to investigate.

The Rural and Settlement maps indicate the risk of lakeside flooding. The 2.74 metre flood control contour line around Te Waihora (Lake Ellesmere) marks the extent to which flooding has occurred in the recent past. To provide freeboard above flood levels recorded in recent years and for larger flood events, floor levels have been set at a minimum of 3.0 metres above mean sea level. The lake is only 1.7 metres above sea level which means that flood waters often take a long time to recede. This can create severe problems with the disposal of effluent.

The minimum floor level of 5.68m.a.m.s.l. in and around Little River is set at 300mm above the highest recorded flood level in this area in order to provide a reasonable margin of safety. Recorded flood levels are believed to be principally influenced by high lake levels, but can be compounded by overflows from poorly maintained streams draining the valleys.

Due to the indicative nature of the contour lines, a site survey may be necessary to determine the ground levels of sites both within and in the immediate vicinity of the contour lines. The Building Act sets a maximum on the level of protection from flooding that can be required under its provisions.

Because of the scale of the mapping and incompleteness of the information on flood risk areas, there are areas outside the flood hazard areas identified which may also have a significant flood risk. A site specific assessment of any site considered to be susceptible to flood risk should be carried out to determine whether any flood risk exists.

Earthworks can worsen flooding, but if used in the right way, can raise building sites and direct floodwaters away from buildings, thereby avoiding or reducing damage.

For natural hazards such as earthquake, tsunami, erosion, wind, drought and fire, neither event modification nor measures to alleviate the effects of these events are considered practicable, but preparedness can still minimise damage and loss should they occur. The Council will play its part in passing on warnings it has received and preparing people in a number of other ways to deal with emergencies.

ISSUE 2	Natural hazard protection measures can have adverse effects on the environment, especially on habitat and amenity values, heritage places, mahinga kai and other taonga.
OBJECTIVE 2	To avoid or mitigate significant adverse effects on the environment as a result of methods used to manage natural hazards.

POLICY

- 2A** No measure intended to remedy or mitigate a natural hazard should have a significant adverse effect on the environment.

EXPLANATION AND REASONS

The management of natural hazards can itself result in adverse effects on the environment. By stopping natural disturbances such as flooding, the viability of some indigenous habitats may be reduced. Protection works also have to be designed carefully to prevent transferring a problem, such as flooding, from one area to another.

METHODS TO ACHIEVE OBJECTIVES AND POLICIES

- Areas of Low-Moderate potential risk and Moderate-High potential risk of mass movement have been identified on the Planning maps.
- A flood hazard area is shown on the Planning maps adjacent to the shores of Te Waihora (Lake Ellesmere). This is located on the lake side of the 2.74 metre flood control contour line.
- A flood risk area is shown on the Planning maps as extending from beyond the head of Wairewa (Lake Forsyth) to the settlement of Little River.
- Providing information in disaster preparedness, and setting out how emergency warnings will be communicated.
- The maintenance of an effective Civil Defence operation.
- District Plan rules, such as those on earthworks and indigenous vegetation clearance to control any adverse environmental effects of hazard protection measures.
- Investigation and identification of possible natural hazards within the District (in conjunction with the Canterbury Regional Council where appropriate).

CHAPTER 38 NATURAL HAZARDS

- The Council will collect information regarding waterway floodplains to include in the District's Hazards Register.
- The Council is to review and programme improvements to retaining structures as its resources permit.
- The Council is to promote the erection of improved retaining structures by individual property owners.

REFERENCE TO REQUIREMENT FOR BUILDING CONSENTS

On sites classed as Low-Moderate or Moderate-High slope instability, an engineering/geotechnical investigation which satisfies the Council, is required prior to any building consent application being approved.

RULES

1. Permitted Activities

The following are permitted activities in relation to this chapter, (but they are still subject to the relevant Zone rules and the General Provisions).

- a) No new dwellings or extensions to existing dwellings shall be located inside 2.74 metre flood control contour line around Te Waihora (Lake Ellesmere) on condition that floor levels are at least 3.0 metres above mean sea level.
- b) New dwellings and extensions to existing dwellings on sites identified as being within the flood hazard area around Wairewa (Lake Forsyth) as defined by the 5.68 metre contour line shall have floor levels no less than 5.68 metres above mean sea level.

2. Controlled Activities

Earthworks undertaken in flood-prone areas (as indicated on the planning maps) is a controlled activity when the following quantities are exceeded in any continuous period of five years:

- a) 10m³ (volume) or 50m² (area) per site where a site is 1 hectare or less in area; or
- b) 10m³ (volume) or 50m² (area) for every hectare of site area where a site is greater than 1 hectare in area.

Note: Any additional restrictions set out in the earthworks rule of the underlying Zone still apply.)

2.1 Matters over which control may be exercised

In considering an application for a controlled activity the Council may exercise its discretion in relation to:

- The scale, form and location of earthworks.

3. Discretionary Activities

On sites classed as Low-Moderate or Moderate-High slope instability, subdivision is a discretionary activity.

4. Non-complying Activities

The following are non-complying activities:

- a) Any new dwelling or extension to an existing dwelling below the flood control contour lines specified in Rule 1 (above).
- b) Any new dwelling or extension to an existing dwelling where the floor level is below the floor levels specified in Rule 1 (above).

REFERENCE TO REGIONAL RULES

The rules of the Regional Coastal Environment Plan apply to parts of the coastal areas of Le Bons Bay, Birdlings Flat and Kaitorete Spit.

ASSESSMENT OF APPLICATIONS

5. Discretionary Activities

Applications for discretionary activities will be assessed against the following:

- The relevant objectives and policies of the Natural Hazards Chapter.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).

On sites classed as Low-Moderate or Moderate-High slope instability, an engineering/geotechnical investigation with satisfies the Council is required prior to any subdivision consent application being approved.

ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are anticipated from the implementation of the objective and policies relating to natural hazards:

- The location of new subdivision and development away from areas at high risk from natural hazards to avoid any major damage, injury, or loss of life or property.
- Provision for appropriate development in areas of low-moderate slope instability risk, subject to measures being undertaken to mitigate hazards.
- Minimal damage to new dwellings or their contents, or to new extensions to existing dwellings from flooding or slope instability.
- People in the District are prepared in such a way as to minimise the effects of any natural disaster on them, should it occur.
- Measures to mitigate natural hazards to not impact adversely on the District's environment.

OVERVIEW

Section 75 of the Resource Management Act requires the District Plan to identify the processes for addressing issues which cross territorial boundaries.

A cross-boundary issue is one which either:

- is common to Banks Peninsula District and one or more of the territorial authorities adjoining it; or
- relates to an issue within or derived from Banks Peninsula District that is also of significance to those authorities; or
- relates to an issue within or derived from an adjoining authority that is also of significance to Banks Peninsula District; or
- is a District issue or policy that affects or is affected by a regional issue or policy; or
- is a regional issue or policy that affects or is affected by a District issue or policy.

A cross-boundary issue can therefore relate to either an activity, such as the use or development of natural and physical resources that may have significant adverse effects which cross territorial boundaries, or to a Plan policy that affects the policies of other territorial authorities or is affected by such policies.

Banks Peninsula District adjoins Selwyn District and Christchurch City. There is potential for activities occurring within Banks Peninsula to have effects on adjoining authorities and vice versa. For example, activities proposed within the Port Hills need to be carefully assessed and monitored for their impact within and beyond the District's boundaries.

Furthermore, the development and implementation of District Plan policies may also have some impact or influence between authorities or between the District and regions.

1. Cross-Boundary Issues

A number of cross-boundary issues have been identified within the Banks Peninsula District which have relevance to adjoining authorities. These issues include:

- a) The use of and investment in infrastructure and resources which provide opportunities not only for people and communities within Banks Peninsula District but also in other local government areas. Policies which affect the scope and range of such opportunities therefore have an impact outside the District. Furthermore, the policies of other authorities may impact on Banks Peninsula District.
- b) The District's coastal environment, landscape and other natural features and resources have importance to the region and to adjoining authorities.

- c) District boundaries shared with Selwyn District and Christchurch City do not coincide with cadastral boundaries. The subdivision controls which apply to the parts of the two authorities adjacent to the common boundary are different from those which apply on Banks Peninsula.
- d) Activities for which plan changes or applications may be sought along or near common boundaries may impact across such boundaries.
- e) Noise from ships in the Coastal Marine Area.
- f) Activities on those parts of wharves which are outside the District boundary, e.g. Akaroa.
- g) The provision and maintenance of a safe and efficient road and rail transport corridor between the Port of Lyttelton and Christchurch.
- h) The integrated management of the margins, lake bed, and activities on the surface of Lake Ellesmere/Te Waihora.
- i) The integrated management of outstanding landscapes of the Port Hills.
- j) The integrated management of the coastal marine area.

2. Processes

Processes to deal with any issue, which crosses boundaries, shall include the following:

2.1 Resource Consent Applications/Requests for Plan Changes

- Any resource consent application or request for a District Plan Change received by the Council shall be assessed to establish whether it has a potential cross-boundary effect. There will be appropriate consultation if such effects are identified.
- A resource consent application or request for a District Plan Change shall include an explanation of any consultation undertaken with any relevant adjoining authority and/or potentially affected persons within an adjoining district or city.
- Where consultation has not been undertaken by the applicant, the Council shall notify any relevant adjoining authority that there is a potential for a cross-boundary effect arising from the proposal.
- Consultation with the relevant local authority will be undertaken when considering an application for subdivision of any site which extends beyond the boundaries of the District.

2.2 Plan Reviews

- In any review of the District Plan, the Council will consult with adjoining territorial authorities and the Canterbury Regional Council to identify issues of common interest or which cross boundaries.
- The Council will seek to identify common issues and policy responses in respect of any consultation undertaken by other authorities as part of their Plan reviews.
- The Council seek to have the Canterbury Regional Coastal Plan amended to make appropriate provision to control noise generated on ships and wharves outside the District boundary.

2.3 Other Processes

- The Council will regularly meet with other territorial authorities within the region to identify and discuss common issues and possible responses to such issues.
- The Council will respond to requests by other authorities when issues of common importance arise.

Matter to Monitor	Information to be Gathered	Information Source	Review Period
Trends in the use, development (including subdivision) and protection of land and soil resources	Rural subdivision consents - average lot size in each ward - number of new lots in each ward	Council resource consent records	Annual
	Rural land use consents - type - compliance with conditions	Council resource consent records & field work	Annual
	Change in type of land use activities	Valuation New Zealand records	Annual or 3 yearly
	Changes in contaminated sites - additional - remedied	Canterbury Regional Council Canterbury District Health Board	Annual or as initiated
	Changes in land and soil degradation	Canterbury Regional Council	Annual or as initiated
	Resource consents - type of consent sought - 'out of zone' activities - compliance with conditions	Council resource consent records & field work	Annual
Use of resources - subdivision effects	Subdivision consents - small lot unserviced compared with small lot serviced	Council resource consent records	Annual
Trends in the development of urban areas	Urban boundary changes Density within the urban boundary	Council records (GIS)	Annual
Extent of urban development	New development	Council records (GIS)	Annual
Consultation on environmental quality	State of the urban environment	Community groups	Annual or as initiated
		Community Boards	Annual or as initiated
		Canterbury Regional Council Canterbury District Health Board Other individuals and interested groups	Annual or as initiated
Changes in Conservation Reserves	Additions and deletions	Council records and Department of Conservation	Annual
	Conservation Reserves surveys	Department of Conservation	As completed
	Covenanted areas	Department of Conservation/ QEII Trust	Annual
		Council rate records	Annual
Change in the Landscape	Update of landscape review	Field study	5 yearly

Matter to Monitor	Information to be Gathered	Information Source	Review Period
	Vegetation change	Canterbury Regional Council	5 yearly
	Resource consents	Council resource consent records & field work	Annual
Council reserves, community facilities and other amenity areas	Additions and deletions	Council records - Community Services and Valuation New Zealand data	Annual
Effects of noise on the environment, including use of helicopters in the District.	Measurement of ambient noise levels. Frequency of helicopter use	Field surveys Council records – noise complaints Council monitoring and enforcement of noise level limits	3 yearly
Tree register	Additions and deletions	Council records	3 yearly
Coastline change	Coastline profile Vegetation change Effects from natural hazards Extraction of resources	Canterbury Regional Council	5 yearly
Consultation on coastal matters	State of the coastal environment	Canterbury Regional Council	Annual or as initiated
		Tangata whenua	Annual or as initiated
		Department of Conservation	Annual or as initiated
		Landowners and others	Annual or as initiated
Water quality	Public water supply quality	Council records - Engineering Services	As required by N.Z. Standards
	- Groundwater contamination - Surface water quality - Surface water flow	Canterbury Regional Council	Annual
	Alternative methods	Various	As initiated
	Feedback	Tangata whenua	As initiated
	Feedback	Other parties	As initiated
	Resources of value to Tangata whenua	Consultation	As initiated
Register of places of significance to Tangata whenua	Any additions and deletions	Council records. Tangata whenua	Annual
Council acquisition of heritage properties	Additions and deletions	Council records - Community Services	Annual
Consultation on heritage matters	Issues in common	New Zealand Historic Places Trust	As initiated
Community attitudes on heritage issues	Inventory of features		5 yearly

Matter to Monitor	Information to be Gathered	Information Source	Review Period
Public access	Additions and deletions of reserves, esplanades, access strips and voluntary formation	Council records- Community Services and resource consent records	Annual
Consultation on public access requests	Access requirements or issues	Department of Conservation	As advised
		Community groups	As advised
Council's infrastructure development	Type System failures Management plans developed	Council records - Engineering Services	Annual
Contaminated sites	Additions and deletions Remediated sites	Canterbury Regional Council Canterbury District Health Board	Annual
Natural hazard areas	Changes to natural hazard areas - additions and deletions - enlargement/reductions	Council and Canterbury Regional Council records	Annual
Resource consent procedure	Resource consents seeking to vary standards - type and effect on amenity values - compliance with conditions	Council resource consent records & field work	Annual
Effectiveness of conditions of consents and methods used in controlling adverse effects	Complaints and enforcement proceedings	Council complaints register	Annual
	Compliance with conditions	Council resource consent records & field work	Annual
	Success of methods used for the management of hazards, including rules	Various	Annual
Non-compliance with objectives, policies and rules	Complaints and enforcement proceedings	Council complaints register	Annual
Consultation on cross-boundary matters	Cross-boundary issues	Adjoining local authorities	Annual or as initiated
		Canterbury Regional Council	Annual or as initiated
Environmental quality of covenanted areas	Feedback – whether any covenanted areas are not providing the level of protection set out in the covenant agreement	Covenanted bodies: DoC, QEII, Nga Whenua Rahui	As initiated
Schedule of Protected Buildings, Objects and Sites	Update of changes in registrations by the Historic Places Trust	Historic Places Trust	Annual
Schedule of Protected Buildings, Objects and Sites	Additions and delegations	Council Records	3 Yearly

ISSUE 1 Following the Canterbury earthquakes of 2010 and 2011, demolition work, partial demolition work, alteration of buildings and associated earthworks need to be carried out promptly to enable recovery in a timely manner.

OBJECTIVE 1 Enable works related to earthquake recovery to be carried out without undue delay.

POLICIES

- 1 Demolition or alteration of buildings and associated earthworks carried out under the control of the Canterbury Earthquake Recovery Authority (CERA), pursuant to the Canterbury Earthquake Recovery Act 2011 are not subject to the usual requirements to obtain resource consent.

RULES

- 1 Notwithstanding any other rule in this plan, works carried out or commissioned by or on behalf of the chief executive of the Canterbury Earthquake Recovery Authority pursuant to section 38 of the Canterbury Earthquake Recovery Act 2011 are a permitted activity.

ISSUE 2 Workers' Temporary Accommodation for the greater Christchurch rebuild. Note: The objective and policies in this section of the Plan are intended to provide a complete code for workers' temporary accommodation to which this section applies

OBJECTIVE 2 Suitable accommodation is available to meet the needs of workers supporting the rebuild of greater Christchurch following the 2010/11 earthquakes without creating significant effects over its duration or long term impacts beyond the rebuild period.

POLICIES

- 1 **Providing for workers' accommodation for the greater Christchurch rebuild**
 - (A) To recognise the importance of the availability of workers' accommodation during the peak rebuild period of greater Christchurch by providing for workers' accommodation through:
 - (i) Permanent accommodation that is consistent with the long term outcomes anticipated for the locality; or
 - (ii) Temporary use of permanent accommodation buildings where the temporary use will be discontinued by 31 December 2022 and the temporary use may not be consistent with the long term outcomes

anticipated for the locality but will not result in significant adverse effects for that duration; or

- (iii) Temporary buildings that will be removed in the period up to 31 December 2022 where the erection and use of buildings may not be consistent with the long term outcomes anticipated for the locality but will not result in significant adverse effects for that duration.

Explanation

An area of housing pressure in greater Christchurch is accommodating large numbers of people coming into greater Christchurch to work on the rebuild. The priority of this type of accommodation is recognised in the Recovery Strategy for greater Christchurch Mahere Haumanutanga o Waitaha. A range of accommodation types, sizes and locations will be required. There is likely to be substantial and short-term demand for a large number of temporary units during the peak rebuild period over a 5-10 year period up to the end of 2022.

2 Temporary use of permanent buildings for workers' temporary accommodation

- (B) To enable temporary use up to 31 December 2022 of accommodation and non-accommodation buildings where use of that building for workers' temporary accommodation will not result in significant adverse effects for that duration.

Explanation

The temporary use of buildings such as motels, student accommodation, or commercial buildings provides a solution for workers' accommodation during the peak rebuild period.

3 Temporary buildings for workers' temporary accommodation

- (C) To manage the potential adverse effects of workers' temporary accommodation for the rebuild of greater Christchurch in accordance with the "Guideline for Temporary Accommodation for Workers" managing:
 - (i) Decommissioning; and
 - (ii) Location and size of the development; and
 - (iii) Site layout and building design; and
 - (iv) On-site management.
- (D) To maintain the zone and neighbourhood characteristics anticipated in the longer term by requiring that before 31 December 2022, all temporary accommodation buildings be removed; all use for workers' temporary accommodation cease; and the site restored in accordance with a project decommissioning strategy and the "Guideline for Temporary Accommodation for Workers".
- (E) To ensure location choice and project design achieves quality living for occupants while avoiding, remedying or mitigating significant adverse effects on the characteristics of local neighbourhoods in accordance with the "Guideline for Temporary Accommodation for Workers".

- (F) To recognise that effective operation of workers' temporary accommodation contributes significantly to its quality and effects by requiring workers' temporary accommodation to be owned and managed as one development including on-site management in accordance with the "Guideline for Temporary Accommodation for Workers".

Explanation

These policies seek to ensure that key matters are considered and addressed to achieve quality accommodation while managing the potential adverse effects on the location. Removal of the temporary buildings is critical to ensure a development does not have permanent effects on the environment. The "Guideline for Temporary Accommodation for Workers" outlines key considerations and possible responses for location choice, site layout, building design, effective decommissioning, and on-site management.

RULES**This section of the District Plan a complete code**

1. The rules in this section of the District Plan provide a complete code for workers' temporary accommodation activities to which the rules in this section apply. The erection and/or use of a building for workers' temporary accommodation that is a permitted activity, controlled activity, restricted discretionary activity, non-complying activity or prohibited activity by virtue of these rules for workers' temporary accommodation, retains that status despite anything to the contrary in the district plan. No other provisions of the district plan (including objectives, policies, rules and other methods) apply to erecting and/or using workers' accommodation unless specifically referenced in this section.

Temporary use of permanent buildings for workers' temporary accommodation

Permitted Activity - temporary use of permanent accommodation buildings for workers' temporary accommodation

2. The erection and/or use of any permanent accommodation building for temporary use for workers' accommodation is a permitted activity if the following standards and terms are met:

Standards and terms

- (i) At the time the temporary use commences, the permanent accommodation building complies with all relevant District Plan requirements or resource consent for that permanent use; and
- (ii) The temporary use for workers' temporary accommodation is only for the period, or part of the period, up to 31 December 2022; and
- (iii) The temporary use for workers' temporary accommodation does not result in an existing activity on the site failing to comply or increasing the degree of non-compliance with a rule in the District Plan or resource consent; and
- (iv) On-site management is provided for the workers' temporary accommodation.

Conversion from temporary use to a previous use

3. Within 12 months of the cessation of any temporary workers accommodation use of a site, the previous use of that site may be reinstated, provided that such reinstatement is in accordance with either:
- i. an existing use certificate issued under section 139A of the RMA; or
 - ii. a resource consent issued under section 114 of the RMA; and
- in relation to (i) and (ii) above, the certificate or resource consent was issued prior to conversion to workers accommodation and was still valid at the time of the conversion.

This reinstatement is permitted whether or not the certificate or resource consent would have otherwise lapsed or ceased to have effect.

Restricted Discretionary Activity - temporary use of permanent non-accommodation buildings for workers' temporary accommodation

4. The erection and/or use of any permanent non-accommodation building for temporary use for workers' accommodation is a restricted discretionary activity if the following standards and terms are met:

Standards and terms

- (i) At the time the temporary use commences, the permanent non-accommodation building complies with all relevant district plan requirements or resource consent for that permanent use; and
- (ii) The temporary use for workers' temporary accommodation is only for the period, or part of the period, up to 31 December 2022; and
- (iii) The site is not located within
 - a Rural or Rural-Residential Zone; or
 - a Conservation Zone or Open Space 3A or 3D Zone in the Christchurch City Plan; and
- (iv) On-site parking is provided for use by the workers' temporary accommodation at a minimum of one space per four beds; and
- (v) The temporary use for workers' temporary accommodation does not result in an existing activity on the site failing to comply or increasing the degree of non-compliance with a rule in the District Plan or resource consent. This standard does not apply to a density rule for the existing activity; and
- (vi) On-site management is provided for the workers' temporary accommodation; and
- (vii) A change of use strategy is provided as part of the temporary use which sets out the steps that will be followed to change the use from workers' temporary accommodation to the permanent use provided for by the District Plan or resource consent.

Matters of discretion

In considering any application for resource consent under Rule 4, the Council shall, in deciding whether to grant or refuse consent and in deciding whether to impose conditions, exercise its discretion over the following matters:

- (a) Location suitability; and

- (b) Period for which the building is used for workers' temporary accommodation; and
- (c) Nature of the permanent use and the effects of the site or building not being available for that permanent use until after the peak rebuild period; and
- (d) Nature of on-site management; and
- (e) Change of use strategy and its implementation; and
- (f) Parking; and
- (g) Financial contributions (if applicable under the District Plan); and
- (h) Monitoring.

Notification

In respect of Rule 4, any applications are not to be publicly notified and are not to be limited notified.

Other temporary use of permanent accommodation buildings or permanent non-accommodation buildings

- 5. Notwithstanding anything to the contrary in Rule 1, for the erection and/or use of any permanent accommodation building or non-accommodation building for temporary use for workers' accommodation which does not comply with Rule 2 or Rule 4, the relevant district plan provisions will apply.

Temporary buildings for workers' temporary accommodation**Permitted Activity - Workers' temporary accommodation in Christchurch Central City**

- 6. The erection or establishment of a workers' temporary accommodation unit or workers temporary accommodation complex is a permitted activity if the following standards and terms are met:

Standards and terms

- (i) The workers' temporary accommodation is located on a site in the Central City Mixed Use Zone of Christchurch City; and
- (ii) No more than 200 people are accommodated in the workers' temporary accommodation; and
- (iii) Where the site shares a boundary with a Living Zone, in relation to that boundary, all buildings shall comply with the permitted activity development standards in the District Plan in respect of sunlight and outlook for neighbours; and separation from neighbours; and
- (iv) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (v) The workers' temporary accommodation is only for the period, or part of the period, up to 31 December 2022; and
- (vi) On-site management is provided for the workers' temporary accommodation.

Controlled Activity - Workers' temporary accommodation for up to 20 people in specified zones

7. The erection or establishment of a workers' temporary accommodation unit or workers' temporary accommodation complex is a controlled activity if the following standards and terms are met:

Standards and terms

- (i) The workers' temporary accommodation unit or workers' temporary accommodation complex is located on a site in:
 - Christchurch City within the Living 2, 3, 4A, 4B, 4C Zone or Business 1 or 2 Zone of the City Plan or within the Lyttelton Town Centre Zone of the Banks Peninsula District Plan; or
 - Selwyn District within any Living Zone within the greater Christchurch Urban Development Strategy area as shown on Map A below, or within the Business 1 Zone; or
 - Waimakariri District within the Residential 1, 2, 3, 6, 6A, 7 Zone or Business 2 Zone; and
- (ii) No more than twenty people are accommodated in the workers' temporary accommodation on any one site; and
- (iii) The workers' temporary accommodation unit or workers' temporary accommodation complex does not result in an existing activity on the site failing to comply or increasing the degree of non-compliance with a rule in the district plan or resource consent. This standard does not apply to a density rule; and
- (iv) In relation to a boundary adjoining a neighbouring site (not a road boundary), all buildings shall comply with the permitted activity standards in the District Plan in respect of sunlight and outlook for neighbours, recession planes, setbacks and separation from neighbours; and
- (v) On-site parking is provided for use by the workers' accommodation at a minimum of one space per four beds.
- (vi) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (vii) A decommissioning strategy is provided as part of the proposed activity to remove the unit no later than 31 December 2022 or after it is unoccupied as workers' temporary accommodation for a period of more than 6 months, whichever is the sooner; and
- (viii) On-site management is provided for the workers' temporary accommodation; and
- (ix) A site design statement is provided.

Matters of control

In considering any application for resource consent under Rule 7, the Council shall, in deciding whether to impose conditions, exercise its control over the following matters:

- (a) Site layout and building design; and
- (b) The decommissioning strategy and its implementation; and
- (c) Nature of on-site management; and
- (d) Car parking; and
- (e) Financial contributions (if applicable under the District Plan); and

(f) Monitoring.

Notification

In respect of Rule 7, any applications are not to be publicly notified and are not to be limited notified.



Map A - Rule 7(i), Rule 8(i) and Rule 9(i)

Restricted Discretionary Activity - Workers' temporary accommodation unit

8. Except as provided in Rule 6 or 7, the erection or establishment of one workers' temporary accommodation unit accommodating up to 4 people is a restricted discretionary activity if the following standards and terms are met:

Standards and terms

- (i) The workers' temporary accommodation unit is located on a site within the greater Christchurch Urban Development Strategy area as shown on Map A above; and
- (ii) The workers' temporary accommodation unit does not result in an existing activity on the site failing to comply or increasing the degree of non-

compliance with a rule in the District Plan or resource consent. This standard does not apply to a density rule; and

- (iii) In relation to a boundary adjoining a neighbouring site (not a road boundary), all buildings shall comply with the permitted activity standards in the District Plan in respect of sunlight and outlook for neighbours, recession planes, setbacks and separation from neighbours; and
- (iv) On-site parking is provided for use by the workers' accommodation at a minimum of one space per four beds.
- (v) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (vi) A decommissioning strategy is provided as part of the proposed activity to remove the unit no later than 31 December 2022 or after it is unoccupied as workers' temporary accommodation for a period of more than 6 months, whichever is the sooner; and
- (vi) On-site management is provided for the workers' temporary accommodation; and
- (viii) A site design statement is provided.

Matters of discretion

In considering any application for resource consent under Rule 8, the Council shall, in deciding whether to grant or refuse consent and in deciding whether to impose conditions, exercise its discretion over the following matters:

- (a) Location suitability; and
- (b) Site layout and building design; and
- (c) The decommissioning strategy and its implementation; and
- (d) Nature of on-site management; and
- (e) Car parking; and
- (f) Financial contributions (if applicable under the District Plan); and
- (g) Monitoring.

Notification

In respect of Rule 8, any applications are not to be publicly notified and are not to be limited notified.

Restricted Discretionary Activity - Workers' temporary accommodation

9. The erection or establishment of a workers' temporary accommodation unit or workers' temporary accommodation complex which does not comply with Rule 6 or 7 is a restricted discretionary activity if it complies with the following standards and terms:

Standards and terms

- (i) The workers' temporary accommodation unit or workers' temporary accommodation complex is located on a site within the greater Christchurch Urban Development Strategy area as shown on Map A above but is not located on a site within
 - a Rural or Rural-Residential Zone; or
 - a Conservation Zone or Open Space 3A or 3D Zone in the Christchurch City Plan; and

- (ii) There is no alteration or destruction of any building or tree scheduled in the District Plan; and
- (iii) A decommissioning strategy is provided to remove the workers' temporary accommodation no later than 31 December 2022 or after it is unoccupied as workers' temporary accommodation for a period of more than 6 months, whichever is the sooner; and
- (iv) On-site management is provided for the workers' temporary accommodation; and
- (v) A site design statement is provided.

Matters of discretion

In considering any application for resource consent under Rule 9, the Council shall, in deciding whether to grant or refuse consent and in deciding whether to impose conditions, exercise its discretion over the following matters:

- (a) Location suitability; and
- (b) Number of units; and
- (c) Site layout; and
- (d) Building design; and
- (e) The decommissioning strategy and its implementation; and
- (f) Nature of on-site management; and
- (g) Financial contributions (if applicable under the District Plan); and
- (h) Monitoring.

Notification

In respect of Rule 9, any applications are not to be publicly notified. In respect of Rule 9, any applications for workers' temporary accommodation for up to 200 people are not to be limited notified.

Non-Complying Activity - Workers' temporary accommodation

10. The erection or establishment of a workers' temporary accommodation unit or workers' temporary accommodation complex which does not comply with Rule 8 or 9 is a non-complying activity.

Notification

In respect of Rule 10, any applications are not to be publicly notified.

Prohibited Activity - Workers' temporary accommodation after 31 December 2022

11. Any workers' temporary accommodation unit or a workers' temporary accommodation complex, and the use of any building for workers' temporary accommodation from 1 January 2023, shall be a prohibited activity for which no resource consent shall be granted.

Prohibited Activity - Subdivision

12. Any subdivision activity creating an allotment on a site occupied by workers' temporary accommodation is a prohibited activity for which no resource consent shall be granted.

DEFINITIONS**Accommodation building**

means residential unit, traveller or visitor accommodation, family flat, student or educational accommodation, elderly persons housing, retirement complex, or care home, or similar such activities, and any related accessory buildings, as provided for in the district plan.

Change of use strategy

means a statement of how the use of a building will change from workers' temporary accommodation to its permanent use including:

- Timing including any phasing; and
- Alterations required to site, buildings or services for the permanent use.

Decommissioning strategy

means a statement of how all temporary accommodation buildings will be removed and the site reinstated ready for its anticipated permanent use including:

- Building design to facilitate removal;
- Timing and phasing;
- Remediation works including any clearance of services, landscaping or hard surfacing;
- The use for any buildings or services to remain on site in accordance with the district plan; and
- Responsibility for the successful completion of the decommissioning strategy.

Non-accommodation building

means industrial, commercial, office, retail or other building that is not an accommodation building, and any related accessory buildings.

On-site management

means functions performed to maintain the quality of the workers' temporary accommodation, to minimise potential adverse effects on the surrounding neighbourhood, and to provide services to the occupants and must include:

- A live-in manager on-site or a nominated occupant as appropriate for the size and nature of the workers' temporary accommodation;
- Security services;
- Cleaning, maintenance and servicing;
- Communication procedures; and
- On-site rules and policies.

Peak rebuild period

means the period up to 31 December 2022.

Permanent

means for a period that extends beyond 31 December 2022.

Rural or Rural-Residential Zone

means the following Zones as shown on the relevant District Plan maps:

- In Christchurch City the Rural 1, 2, 3, 4, 5, 6, 7, Rural H, Rural Q and Templeton Special Rural Zones in the City Plan; and the Rural or Rural Residential Zones in the Banks Peninsula District Plan; or
- In Selwyn District the Inner Plains, Outer Plains, Malvern Hills, High Country, Port Hills Zones and any Existing Development Area listed in Table C10.1 of the Rural Rules; or
- In Waimakariri District the Rural Zone, Mapleham Rural 4B, and the Residential 4A and 4B Zones.

Site

means an area of land:

- Held in a single Computer Freehold Register; or
- Comprised of two or more adjoining Computer Freehold Register held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or
- For which a separate Computer Freehold Register could be issued without further consent of the Council.

Site design statement

means an outline of how the project is designed and operated in accordance with the relevant guidelines for site and building design in the Guideline for Temporary Accommodation for Workers.

Temporary

means for a defined period, or part of the period, up to 31 December 2022.

Workers' temporary accommodation unit

means a temporary building and related infrastructure used for workers' temporary accommodation for no more than 4 people operating as a household unit with shared facilities.

Workers' temporary accommodation complex

means temporary building(s), facilities and related infrastructure used for workers' temporary accommodation for 5 or more people either in a single unit or in two or more units on the same site. The complex may include provision of communal facilities such as dining and recreation.

ATTACHMENT TO RULES: GUIDELINE FOR TEMPORARY ACCOMMODATION FOR WORKERS**Introduction****Why has this guideline been developed?**

This guideline has been developed because special provision must be made to accommodate the additional workers and their families who will be in greater Christchurch for the rebuild. Housing demand analysis suggests additional accommodation will be needed for this substantial number of workers, many of whom will be coming from outside the region. Some will be accommodated in permanent housing (either existing or new), some in other types of accommodation such as motels, and others will be accommodated in temporary housing buildings or complexes developed specifically to accommodate construction workers.

An important part of meeting this housing demand will be to offer options for temporary accommodation. For example, bulk unit complexes may be desirable for the large construction gangs who are expected to temporarily migrate to greater Christchurch. The demand for this type of development, particularly at the numbers anticipated, is unique in New Zealand. Current District Plans, design guidelines and standards did not anticipate this type of temporary accommodation so have few rules, standards or guidance that apply to such a situation.

This imperative for workers' accommodation is for the short term only. At the same time, this accommodation still needs to be of high quality and suitably located, have minimal if any impacts on surrounding neighbourhoods, be effectively operated, and be guaranteed as temporary only. This guideline therefore responds to the gap in current guidance on this unique type of accommodation.

Purpose of the guideline and how to use it

This guideline is intended to assist in delivering high-quality temporary accommodation to support the rebuild, with resulting benefits for the occupants, existing communities that host the accommodation, and greater Christchurch.

The purpose of this guideline is to:

- outline considerations for planning and designing workers' temporary accommodation in a way that encourages innovative and high-quality development
- provide guidance to applicants and councils on the key considerations in determining resource consent applications
- provide information to existing residents and communities on critical considerations for workers' temporary accommodation.

The guideline complements District Plan provisions for workers' temporary accommodation. It sets out considerations and good practice examples. However, as each case will be different, the various considerations and examples may be more relevant in some situations than in others.

Other consents and approvals

This guideline is specifically about temporary accommodation for workers and is specifically about design and planning considerations. It is to assist in assessments by Christchurch City Council, Selwyn District Council and Waimakariri District Council under the Resource Management Act. It is not intended to apply to building consents or other regulatory assessments by the greater Christchurch councils.

In addition to resource consent, a workers' accommodation project may require consent or approval under the Building Act, Health Regulations, or under the Resource Management Act from Environment Canterbury. A separate information sheet is available on broader regulatory requirements.

Who has prepared the guideline?

As part of the new District Plan provisions for workers' temporary accommodation, this guideline has been prepared jointly by the Canterbury Earthquake Recovery Authority, Christchurch City Council, Selwyn District Council, Waimakariri District Council, Environment Canterbury, New Zealand Transport Agency and Te Runanga o Ngai Tahu. Staff from the Stronger Christchurch Infrastructure Rebuild Team, Hawkins Construction and Fletchers EQR have also provided input.

Principles

This guideline has four overarching principles guiding the development of workers' temporary accommodation.

1. Workers' temporary accommodation is designed to respond to the characteristics of the locality and avoid, remedy or mitigate significant adverse effects on the characteristics of local neighbourhoods.
2. Workers' temporary accommodation provides high-quality accommodation with good on-site amenity.
3. On-site management and operation of workers' temporary accommodation effectively contribute to high-quality accommodation for occupants and minimise impacts on surrounding neighbourhoods.
4. Workers' temporary accommodation is genuinely temporary in place no longer than 31 December 2022.

Guidelines for location suitability

It is acknowledged that workers' temporary accommodation is only there for the short term and may be of a modular, repeated or re-locatable style that would not normally be expected in a residential or commercial environment. It is not expected that temporary accommodation can fully integrate into an existing community, nor is it expected that temporary accommodation will have only minor effects. However, site selection, site design and building design can help to avoid significant adverse effects on existing neighbourhoods and to provide suitable accommodation for occupants.

Location suitability considerations	Examples of good practice
<p>Consideration 1: Location suitability</p> <p><i>Whether a site is suitable for workers' temporary accommodation will be assessed on a case-by-case basis, taking into account:</i></p> <ul style="list-style-type: none"> • the scale of the development • who will occupy the complex 	<p><i>Key measures</i></p> <ul style="list-style-type: none"> • Location in the Christchurch central city is encouraged. • Location within the existing urban areas, particularly in existing residential or commercial areas, is encouraged. • Locations with incompatible adjoining or nearby uses should be avoided. Large developments should not be undertaken

<p><i>and the nature/location of the occupants' work</i></p> <ul style="list-style-type: none"> • <i>transport options</i> • <i>adjoining uses</i> • <i>the availability and capacity of infrastructure to service the site</i> • <i>physical constraints and hazards such as flood risk.</i> 	<p>next to sensitive activities such as schools, because they may affect the amenity, character or social aspects of the area. Sites should not be chosen if adjoining uses generate significant effects on the workers that are not mitigated (eg noise, discharges or hazardous substance risk).</p> <ul style="list-style-type: none"> • Water, wastewater and stormwater infrastructure should be available to the site and have the capacity required for the number of workers in the accommodation. Locations within the existing urban area have more infrastructure availability. Areas where infrastructure capacity is not currently available or is particularly fragile is shown as the pink area on the map attached to this guideline (Christchurch Wastewater Overview Map). • The land should be physically suitable for this type of accommodation. It will usually be necessary to avoid areas of flood risk, sensitive aquifer zones, sites on the listed land-use register, or other sites with physical constraints, unless the specific site, design or duration of the accommodation provides exceptions for developing there. <p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Location in medium or high density residential zones may be more appropriate than low density residential zones. • Location near to work site(s) and near to public services and facilities such as retail and entertainment areas is encouraged. • The suitability of the location will depend on the scale, nature and term of the development. For example, if migrant workers are living in accommodation on short-term rotation (eg, three-month rotation for a five-year period), a development may be acceptable in an industrial zone or close to the airport, but this location is less likely to be acceptable for workers who are employed for a continuous 10-year period.
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	<ul style="list-style-type: none"> • Sites should not displace permanent uses that are planned within an overlapping timeframe. For example, it would be inappropriate to choose a greenfield residential site that will be needed for permanent residential development before the temporary accommodation units are due for removal. Similarly, it would be inappropriate to use a commercial building if that type of building is in high demand due to displacement. • An acceptable size of development will be smaller in a low-density residential area than in a high-density residential, commercial or mixed-use area • The nature of transport arrangements to be provided for occupants will determine the appropriate distance between the accommodation site and the primary work site(s). For example, a distance within 5km would be desirable if no transport is to be provided between the two sites, but a distance of up to 10km would be acceptable if transport is provided. • Selecting a location where public transport options are available, such as to work sites and retail/entertainment centres, is encouraged. • The traffic and transport effects of a location include how the development will affect amenity, traffic safety and transport efficiency. The nature of the effects depends on the size of the development and the type of road used for access to the project site. Selecting a site which avoids significant traffic or transport effects is encouraged.
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Guidelines for site layout and building design

The standard of the design of buildings and the layout and orientation of buildings and activities on the site are a major influence on both the quality of the accommodation and its effects on the surrounding neighbourhood. Although the development is temporary, it may be the primary residence for an occupant for a number of months or years. A temporary accommodation project may be larger and more intense than anticipated and may have some temporary adverse effects, but site design can help to minimise the effects on the surrounding neighbourhood.

Site layout and building design considerations	Examples of good practice
<p>Consideration 2: Minimising effects on existing neighbourhoods <i>It is desirable that developments are compatible with the streetscape and mitigate potential effects on the amenity of an established environment. This is a particular consideration for residential environments.</i></p>	<p><i>Key measures</i></p> <ul style="list-style-type: none"> • Buildings such as the manager's residence, site office, communal facility, or other buildings which are not individual units should be located on street frontage if they assist in creating a compatible street frontage and a 'street address'. • Facilities or services on the site that are to be available for public or community use should be located on street frontages to limit public access through the site. This will also help to create a 'street address'. • Fencing and landscaping along road boundaries should be provided. Road fencing should not provide extensive lengths of solid screening - any fencing above 1m height should be at least 50 per cent transparent. • Building placement and orientation should internalise effects such as noise or lighting rather than directing effects towards neighbouring sites. Design and layout should achieve the noise standards for the zone in the District Plan. Screening or landscaping around outdoor activities that generate effects also helps to internalise effects. <p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Screen fencing between 1.8m and 2m should be provided along boundaries adjoining residential neighbours. Fencing should be designed to be compatible with the adjoining use; for example, security fencing is not compatible with a residential environment. Landscaping along boundaries is also encouraged. • A separation between residential boundaries and buildings, service areas and recreation areas is encouraged. For example, it might take the form of a 3m setback. • The site can be designed to link with existing neighbourhood services, for example by providing an appropriate location for vehicle and pedestrian access points.

	<ul style="list-style-type: none"> • The working patterns of the occupants and the timing of traffic movements will influence how compatible the development is with surrounding uses. For example, a large site with shift workers travelling late at night may not be suitable in a residential area. • Location and design of carparking and vehicle accessways should minimise internal traffic movement, minimise vehicle movements and avoid locations next to neighbouring sites.
<p>Consideration 3: District Plan guidance on site and building design <i>The District Plan provides relevant guidance on appropriate site and building design to achieve the outcomes anticipated for the zone.</i></p>	<p><i>Key measures</i></p> <ul style="list-style-type: none"> • If buildings and related services comply with the standards in the District Plan for permanent buildings, the project design is more likely to be similar to what the District Plan anticipates for the location. This measure is particularly relevant in the residential environment, and should be given particular attention near site boundaries, for example, in relation to height and setbacks from boundaries.
<p>Consideration 4: Unit and building design <i>The appearance and design of workers' temporary units and buildings is not expected to be to the standard anticipated for permanent accommodation. However, the choice of materials, type of construction, building size, design, and layout can contribute to a development that minimises impact on the neighbourhood while providing quality living space for occupants.</i></p>	<p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Where communal facilities are provided (for example, cooking, dining, showers or recreational facilities), individual units can be small, for example a floor area of 14m² may be appropriate. * Where units are completely self-contained with no communal or on-site facilities, individual units should be larger to provide more living space within each unit. • Buildings that are highly visible from adjoining residential sites can use materials, finishes, designs and techniques to minimise effects. For example, large continuous walls could be broken, or changes in building height and scale could be used to be more compatible with the building bulk anticipated by the District Plan. • The design and appearance of large communal facility buildings are of particular importance as these buildings are often a focus and

	<p>significant visual feature of a site.</p> <ul style="list-style-type: none"> • There may be location-specific considerations relevant to building design. For example, design, construction and operation to reduce noise may be relevant in some locations near the airport or heavy industry for noise insulation. Another example of location-specific considerations would be effects relevant to a special amenity area identified in the district plan. • Providing weather protection at unit and building entrances is encouraged. • Units can be designed, constructed and located to make the most of the sun and to provide a warm and dry living environment. • Building design should facilitate building removal or relocation as proposed in the decommissioning strategy.
<p>Consideration 5: On-site facilities and services</p> <p><i>The need for on-site facilities and services will be identified on a case-by-case basis depending on the nature and size of the development. On-site facilities will help to improve the quality of accommodation, contribute to the successful operation of the site, and reduce any impact beyond the site.</i></p>	<p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Sites should either be connected to council water, stormwater and wastewater networks, or be self-contained. Each site will need to determine the expected demand on services and how that demand will be met. • Communal facilities and services provided on-site will depend on the needs of the occupants. For example, a recreation facility may be warranted on a site of more than 100 workers. Alternatively, on-site facilities may not be necessary where public services and facilities are operating close by. • Where communal recreation or open space is provided, it is not necessary to provide open space with each unit, but this design is encouraged. • There needs to be servicing arrangements and adequate space for this. For example, the site may manage its own solid waste or may rely on the council service. The site may offer laundry service or laundry facilities may be contained in each unit.

<p>Consideration 6: Parking and access</p> <p><i>Providing appropriate parking and access contributes to meeting the needs of occupants while also avoiding or mitigating effects on the streetscape. Parking needs will depend on the characteristics of the occupants and the transport services provided.</i></p>	<p><i>Key measures</i></p> <ul style="list-style-type: none"> • Where communal transport services are provided or public transport will be used between the accommodation site and work site, a minimum of one parking space per four occupants should be provided. Where no transport services are provided, the District Plan parking requirements provide relevant guidance. • Where transport services are provided, a bus or van drop-off/pick-up area should be provided within the site. • Communal transport services to both work sites and other activities should be provided on sites with more than 100 occupants. <p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Where developments accommodating over 200 people have road frontage to the Strategic Road Network (as defined in the Canterbury Regional Land Transport Strategy), access should be provided to another road unless this is not reasonably practicable. • Grouping parking spaces together will reduce vehicle movements within the site. • Avoid parking areas and accessways that adjoin residential neighbours as far as possible. • Providing secure, covered cycle parking is encouraged.
<p>Consideration 7: Incorporating safety and security into design</p> <p>Adopting the principles of crime prevention through environmental design (CPTED) and limiting the potential for hazards and risks will contribute to providing accommodation that is safe for the occupants and local community.</p>	<p><i>Key measures</i></p> <ul style="list-style-type: none"> • <i>Site layout and features should incorporate key crime prevention through environmental design (CPTED) principles. For example, they should provide good internal site lighting, and avoid high fencing or planting at the street frontage. A reference to the national CPTED guidelines is provided at the end of this guideline.</i> <p><i>Other considerations</i></p> <ul style="list-style-type: none"> • <i>A locking system for the doors and windows of each unit will provide security.</i> • <i>There should be suitable access for emergency vehicles and on-site emergency management procedures.</i>

Guidelines for on-site management and operation

The quality of workers' temporary accommodation projects will be improved through comprehensive management. In addition, the potential adverse impacts are likely to be reduced where accommodation is comprehensively managed as a 'complex'. Depending on the size and nature of the accommodation, management as a complex may include providing services such as cleaning, catering, security, transport, health services, social support and communal recreation facilities.

On-site management considerations	Examples of good practice
<p>Consideration 8: On-site management arrangements</p> <p><i>Effective on-site management contributes significantly to the quality and successful operation of accommodation, and minimises potential impacts on the local community.</i></p> <p><i>On-site management linked to employment arrangements can be most effectively maintained and administered on an on-going basis.</i></p>	<p><i>Key measures</i></p> <ul style="list-style-type: none"> • On-site management arrangements should be in place. The type of on-site management involved will depend on the size and nature of the complex. For example, for accommodation for less than 10 people, a nominated occupant could provide the on-site management role. For medium sized complexes, an appointed professional property manager could provide management services. For larger complexes a full time live-in manager would be required. <p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Depending on the size and nature of the project, a written management plan will set out all site management procedures and 'rules' including: <ul style="list-style-type: none"> - roles and responsibilities - procedures for communication with neighbours and community - servicing, cleaning and maintenance arrangements - security and crime prevention measures - drug and alcohol policy - management of transport of workers - health and safety measures - emergency management - animal control - catering arrangements - noise management - on-site behaviour expectations - management of disturbances - parking management - public facility management - management of requests and complaints.

	<ul style="list-style-type: none"> • Linking the on-site ‘rules’ to employment arrangements increases the status of those rules. It is possible to make this more formal link if occupancy is arranged through a specific employer.
<p>Consideration 9: Support services <i>Providing workers with broader support will help to improve the overall quality of accommodation and help to integrate them into the local community.</i></p>	<p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Providing appropriate support services - for example, pastoral care and migrant support – is encouraged.

Guidelines for decommissioning

While the rebuild will continue for many years, its peak is anticipated to occur over a 5- to 10-year period. It is during this peak period that the majority of construction workers and the associated purpose-built accommodation will be required in greater Christchurch. As the standard District Plan expectations are being varied to provide for this special type of accommodation, it is critical that the temporary buildings are removed so that each development is indeed temporary and does not permanently affect the environment. A decommissioning strategy will provide confidence that these buildings are genuinely temporary and will set up the mechanisms for their removal.

Decommissioning considerations	Examples of good practice
<p>Consideration 10: Decommissioning strategy <i>Workers’ temporary accommodation will be assessed on the basis that it does not become permanent accommodation. An enforceable decommissioning strategy is a critical component of any workers’ temporary accommodation project.</i></p>	<p><i>Key measures</i></p> <ul style="list-style-type: none"> • A decommissioning strategy should be in place to confirm the long-term plan for buildings, phasing of decommissioning and removal of buildings and how the site will be reinstated ready for its anticipated permanent use. • All temporary units must be removed by 31 December 2022, or earlier. <p><i>Other considerations</i></p> <ul style="list-style-type: none"> • Building design should be a consideration in the decommissioning strategy to ensure design does not inhibit the implementation of the strategy. • Use of legal instruments to assist make future owners aware of the removal requirement or provide an additional means of assuring removal are encouraged, for example an encumbrance may be registered. • After it has been used for workers’ temporary accommodation, a site may need to be remediated to make it suitable for its anticipated long-term use.

	<ul style="list-style-type: none"> • If landscaping of the site has been completed, it may be possible to retain some or all of the landscaping at the reinstatement stage.
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Guidelines for communicating with neighbours

It is important to keep adjoining neighbours and the wider neighbourhood informed about the project as it develops and also during operation so that a project can respond to perceived or actual concerns about the accommodation. Communication procedures will normally be part of the site management plan but are also a consideration during the design phase. While the new District Plan provisions may not require the approval of affected parties and may not require limited notification for a workers' temporary accommodation project, communicating with neighbours is encouraged.

Communication considerations	Examples of good practice
<p>Consideration 12: <i>Communicating with neighbours throughout the design, development and operation of the accommodation project will help to contribute positively to the local neighbourhood and minimise effects on neighbours.</i></p>	<p>Other considerations</p> <ul style="list-style-type: none"> • A written communication statement or plan can identify: <ul style="list-style-type: none"> - key points of contact for the accommodation project during the design, development and operation of the complex - contact details of immediate neighbours and any local neighbourhood groups - when neighbours will be notified and about what. • Key times to notify neighbours may be during site selection, when the design is complete, when construction is due to start, when occupation commences, key phases of occupancy changes, and when decommissioning commences. More regular communication during operations may be appropriate depending on the size of the accommodation complex. • Information that may be of interest to neighbours includes the site design, occupancy numbers, staffing, site management rules, on-site management arrangements, safety/security arrangements and occupants' employment locations. • Information that may be of interest to occupants includes opportunities to participate in or support community activities, sport and other recreational or cultural activities.

	<ul style="list-style-type: none"> • Larger accommodation projects may hold regular meetings or events with neighbours to discuss operational matters.
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References to further information and guidance

The following information and guidance are either referred to in this guideline or provided as additional references in considerations for the design, assessment and operation of temporary accommodation for workers.

National Guidelines for Crime Prevention through Environmental Design in New Zealand (Ministry of Justice, November 2005)

Part 1: Seven Qualities of Safer Places:

<http://www.justice.govt.nz/publications/global-publications/n/national-guidelines-for-crime-prevention-through-environmental-design-in-new-zealand-part-1-seven-qualities-of-safer-places-part-2-implementation-guide-november-2005/publication>

Part 2: National Guidelines for Crime Prevention through Environmental Design in New Zealand Part 2: Implementation Guide:

<http://www.justice.govt.nz/publications/global-publications/n/national-guidelines-for-crime-prevention-through-environmental-design-in-new-zealand-part-2-implementation-guide>

Council information on planning and resource consent applications

Christchurch City Council:

<http://www.ccc.govt.nz/homeliving/buildingplanning/resourceconsents/index.aspx>

Selwyn District Council:

<http://www.selwyn.govt.nz/services/planning>

Waimakariri District Council:

<http://www.waimakariri.govt.nz/services/planning-resource-consents.aspx>

Non-resident worker accommodation: Guideline for locating and designing high quality accommodation facilities (Queensland Urban Land Development Authority, Guideline No. 3, August 2011):

http://www.ulda.qld.gov.au/01_cms/details.asp?ID=157

Workers' accommodation, Processes and standards (International Finance Corporation and European Bank, November 2009):

http://www1.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_gpn_workersaccommodation

Information about the New Zealand Building Code:

<http://www.dbh.govt.nz/bcr-about-the-building-code>

CHRISTCHURCH WASTEWATER OVERVIEW MAP



