

Proposed Plan Change 1: MISCELLANEOUS AMENDMENTS

Section 32 report

1. Introduction

Summary

The purpose of proposed Plan Change 1 (proposed PC1) is to amend a number of provisions in the Operative Hurunui District Plan (the Plan) to address separate and miscellaneous issues identified in the rule framework by plan users. In general, the proposed amendments are not substantive, but are considered important to improve the overall workability, consistency and clarity of the Plan. The proposed amendments seek to better align the rule framework with, and achieve, the Plan objectives.

The scope of proposed PC1 is to amend the rule framework to:

1. Improve and refine existing rules;
2. Resolve inconsistencies between chapters;
3. Reinstate rules unintentionally omitted from the Plan; and
4. Rationalise rules.

The proposed amendments are detailed in section 2 and evaluated under section 32 of the Resource Management Act 1991 (the Act) in section 4.

Background

District Plan Review

The first generation Hurunui District Plan became operative on 7 August 2003. Section 79(1) of the Act requires councils to commence a review of provisions where no change has been made in the previous 10 year period. Hurunui District Council chose to undertake a full review of the District Plan. This full review commenced in 2011, culminating in public notification of the proposed Hurunui District Plan on 2 May 2015. One hundred and eight submissions and 49 further submissions were received. Hearing of submissions was held in May and June 2016, and the decisions version of the proposed Hurunui District Plan was publicly notified on 16 October 2016. Six appeals were received, all of which were resolved through the Environment Court mediation process over the course of 2017/2018. The Hurunui District Council made the second generation plan operative on 21 June 2018.

The contents of the Plan represent the outcome of the plan review process.

Plan structure

The Plan was restructured as part of the plan review process. The Inoperative District Plan was split into two parts: the first part set out the issue, objective and policy frameworks; the second part set out the rule framework. Within the rules a district-wide framework was provided, followed by rules relating to environments of special concern: Urban areas; Coastal Environment; Hurunui Lakes area; Hanmer Basin; and Mt Lyford. The district-wide rules applied to all zones, unless superseded by any of the rule frameworks specific to a particular environment of special concern. This structure meant Plan users would need to look in multiple locations to find the relevant information.

In contrast, the Operative District Plan structure provides the issue, objective, policy and rule frameworks together in each chapter. This enables Plan users to find the relevant overall framework in one place. The Rural, Settlement and Subdivision chapters provide the basic framework for the underlying land zonings. The other chapters are overlays structured by topic. The overlay chapters are applicable as indicated by the planning maps (e.g. natural hazard areas) or because of the activity proposed (e.g. biodiversity clearance).

A key change to the structure is how the rule framework applicable to the underlying land zones is packaged. The Operative District Plan packages the rule frameworks for the Rural and Settlement – Residential, Business, Industrial and Open Space – Zones separately. This results in repetition of rules applicable across more than one zone. However, the repetition makes it clear what rules apply to a particular zone, rather than requiring the Plan user to search through two rule frameworks where not all the rules are relevant to the particular zone the user is interested in.

Rationale for the Proposed Plan Change

In using the Plan, Council officers and other Plan users have identified inconsistencies between rules, inadvertent omissions and rules that require improvement or rationalising. The majority of these issues stem from the changes to the structure of the Plan outlined above, and in particular, how the rule framework for the underlying land zones has been repackaged. A number of the amendments relate to the incomplete transfer of rules into the new Plan, which has resulted in gaps in the rule framework where rules previously applied but have unintentionally not been included in the Operative District Plan in all zones to which they previously applied. These, and the other issues identified within the scope of this plan change require correction to ensure consistent operation and administration of the Plan and to ensure provisions are efficient and effective, to better achieve the Plan objectives and implement the policies.

Where possible minor errors have been corrected using Schedule 1, Clause 16 or Clause 20A of the Resource Management Act 1991 (the Act). These can be found [here](#) and [here](#).

Clause 16 provides territorial authorities the ability to amend district plans before a plan becomes operative, where the alteration is of minor effect, to correct any minor errors, or by a direction of the Environment Court under section 293 or a national policy statement under section 55(2) of the Act. Clause 20A provides territorial authorities the ability to correct any minor errors after a plan becomes operative.

The proposed amendments detailed below go beyond the scope of a change able to be corrected using either Clause 16 or Clause 20A of the Act. As such the proposed amendments are required to go through the Schedule 1 plan change process.

2. Proposed Plan Change 1

The proposed amendments are set out in the following table. The table provides an explanation of each amendment and shows the proposed amendment incorporated into the rule.

Proposed additions to the plan are shown with red underline and proposed deletions are indicated by ~~red strikethrough~~.

The proposed amendments can also be viewed in the E-plan: <https://dp.hurunui.govt.nz/eplan/#>

Chapter 3 – Rural

Amendment	Topic & Plan Provision	Explanation of Proposed Amendments	Proposed Amendments
1-1	<p><i>Exemption to rural setback rules for additions to existing non-complying buildings</i></p> <p>Rule: 3.4.3.1.x</p>	<p>The Inoperative District Plan provided an exemption from rural setback rules for additions to existing non-complying buildings. Existing non-complying buildings are no longer exempt from the rural setback rules in the Operative District Plan. This means resource consent is now required for an activity that previously did not. This is not considered efficient where an addition would not increase the existing non-compliance.</p> <p>Rural setback rules seek to preserve visual amenity values and reduce the potential for reverse sensitivity effects. Therefore, it is considered appropriate to require resource consent where a proposed addition to an existing non-complying building will increase the degree of non-compliance. Resource consent would enable assessment of the actual and potential effects of a further breach of the setback rules. However, it is not considered appropriate to require resource consent where the degree of non-compliance is not increased as the effects are considered likely to be the same or similar, so a new assessment through the resource consent process is not necessary. This is considered an efficient and effective approach to achieve the following objective of the Operative District Plan with regards to existing non-complying buildings:</p> <p>Policy 3.5</p> <p><i>To enable a variety of activities to occur within rural areas while managing adverse effects on character and amenity values by seeking that the scale and siting of development:</i></p> <ol style="list-style-type: none"> <i>Maintains a dominance of open space and plantings over buildings, especially when viewed from public places such as roads.</i> <p>Policy 3.8</p> <p><i>To control noise emissions at reasonable levels and where they exceed those levels, mitigate the effects of noise through noise reduction methods including separation distances between those noise-emitting activities and sensitive activities.</i></p> <p>This amendment proposes reinstating an exemption for existing non-complying buildings in so far as the exemption only applies where the proposed addition does not increase the existing degree of non-compliance.</p>	<p>3.4.3 Standards for permitted activities</p> <ol style="list-style-type: none"> <i>Building setback requirements</i> <ol style="list-style-type: none"> <i>Dwellings and principal buildings must be located more than 100 m from dwellings and principal buildings on a separate lot under different ownership;</i> <i>Setbacks for all buildings that contain sensitive activities:</i> <ol style="list-style-type: none"> <i>80 m from a boundary with a strategic arterial road, a district arterial road or a collector road;</i> <i>25 m from a boundary of any other public road that is not sealed;</i> <i>10 m from a boundary of any other public road that is sealed;</i> <i>25 m from all other boundaries where the building has any wall or ridgeline that exceeds 30 m in length; and</i> <i>4 m from a boundary of any rail corridor.</i> <p><i>Note 1: There is no setback from unformed legal roads</i></p> <ol style="list-style-type: none"> <i>Setbacks for all buildings that do not contain sensitive activities:</i> <ol style="list-style-type: none"> <i>25 m from a boundary with a strategic arterial road, a district arterial road or a collector road;</i> <i>from a boundary of any other public road;</i> <i>25 m from all other boundaries where the building has any wall or ridgeline that exceeds 30 m in length; and</i> <i>4 m from a boundary of any rail corridor</i> <p><i>Note 1: There is no setback from unformed legal roads.</i></p> <ol style="list-style-type: none"> <i>[...]</i> <p><u>(d)(A) Additions to existing non-complying buildings are exempt from the setback requirements of Rules 3.4.3.1(a), (b) and (c) provided the addition does not increase the existing degree of non-compliance.</u></p>
1-2	<p><i>Clarification of rule drafting</i></p> <p>Rule: 3.4.3.3(c)(i)</p>	<p>This proposed amendment seeks to make a wording change to ensure consistency between Rule 3.4.3.3(a)(ii), which sets a minimum area requirement of 4 ha per one dwelling, and Rule 3.4.3.3(c)(i), which requires a site to be more than 4 ha in area to support a minor dwelling or visitor accommodation. There is a misalignment in the wording of these two related rules. Therefore, this amendment proposes a minor alteration to the wording of Rule 3.4.3.3(c)(i) to ensure it is clear the requirement to support visitor accommodation or a minor dwelling is a site 4 ha or more in area.</p>	<p>3.4.3 Standards for permitted activities</p> <ol style="list-style-type: none"> <i>Minimum area requirements and dwellings</i> <ol style="list-style-type: none"> <i>The minimum area requirement for dwelling is one dwelling per:</i> <ol style="list-style-type: none"> <i>[...]</i> <i>4ha of total site area in all other Rural Zones.</i> <i>[...]</i> <i>In addition to (a) above, one minor dwelling or visitor accommodation is permitted per site, provided that:</i> <ol style="list-style-type: none"> <i>The site is more than 4 ha <u>or more</u> in area;</i>
1-3	<p><i>Demonstration of compliance with frost</i></p>	<p>Determination 2018/013 made by the Ministry for Business, Innovation and Employment (MBIE) considered whether frost control fans fit within the definition of ‘building’ and whether building consent is therefore required for installation. The outcome was building consent is not required for frost control fans. This outcome has implications for Rule 3.4.3.9(h)(iii). This rule</p>	<p>Rule 3.4.3 Standards for permitted activities</p> <ol style="list-style-type: none"> <i>Noise limits</i>

	<p><i>fan rules</i></p> <p>Rule: 3.4.3.9(h)(iii)</p> <p>requires an acoustic report be supplied at the time of building consent to demonstrate compliance with the New Zealand standards specified in the rule. The determination from MBIE means the point of compliance is no longer applicable as building consent is not required for frost control fan foundations.</p> <p>This means the rule as currently written is no longer efficient or effective at managing the potential noise effects of frost control fans to achieve the objectives and policies of the Operative District Plan:</p> <p>Objective 3.1</p> <p><i>The character and amenity values of rural areas of the district are maintained while providing for a variety of activities including those associated with primary production.</i></p> <p>Objective 3.2</p> <p><i>Rural areas are managed so that primary production activities are able to be carried out efficiently and effectively.</i></p> <p>Policy 3.1</p> <p><i>To ensure that rural areas remain productive by recognising that some primary production activities lead to a range of effects including noise, dust, odour, traffic and visual effects.</i></p> <p>Policy 3.5</p> <p><i>To enable a variety of activities to occur within rural areas while managing adverse effects on character and amenity values by seeking that the scale and siting of development:</i></p> <p><i>4. Achieves an appropriate level of compatibility with existing development within the surrounding area</i></p> <p><i>5. Avoids unduly affecting the amenity of existing sensitive activities being exposed to noise and adverse light emissions at night.</i></p> <p>Policy 3.9</p> <p><i>To provide for frost control fans as part of primary production activities, while avoiding or mitigating the generation of noise exceeding a reasonable level.</i></p> <p>Receipt of an acoustic report is important not only to ensure sound levels will meet the relevant New Zealand standards. The acoustic report also provides the location of new frost control fans, which allows Council to keep maps of existing frost control fans up-to-date. Knowing the location of frost control fans is important for determining whether a proposed dwelling will be located within 1000 m of a frost control fan and therefore what acoustic measures are required, as per Rules 3.4.3.22 and 4.6.18. This provides protection for frost control fan operators from potential reverse sensitivity effects.</p> <p>This amendment proposes deleting reference to building consent being the point at which compliance is demonstrated. The amendment proposes rewording this part of the rule to be consistent with the wording used in Rule 15.4.3.2(a).</p> <p>This amendment also proposes deleting the reference to frost control fan including fans for which building consent and/or resource consent has been obtained and not lapsed. This duplicates the definition. The definition also requires amendment to remove reference to building consents.</p>	<p>[...]</p> <p>(h) <i>Single or multiple frost control fans shall be constructed and operated in accordance with the following standards:</i></p> <p>[...]</p> <p>(iii) <i>Sounds levels will be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurements of Environmental Sounds, and assessed in accordance with the provisions of NZS 6802:2008 Acoustics – Environmental Noise, except that for the purpose of determining the activity status, no adjustment for special audible characteristics shall be applied to measured or calculated noise levels.</i></p> <p><i>For the purpose of this rule:</i></p> <p><i>“Frost control fan” includes a proposed frost control fan for which a building consent and/or resource consent has been obtained and has not lapsed.</i></p> <p><i>Compliance with this rule shall be demonstrated <u>by an acoustic report from an acoustic engineer that has been certified by the Chief Executive of Hurunui District Council as being appropriately qualified and experienced at the time of application for building consent by the production of a report from an appropriately qualified and experienced acoustic engineer.</u></i></p> <p><u>Definitions</u></p> <p><i>Frost control fan: means a land based device designed or adapted to control frost by circulating air over the frost-affected surfaces, and includes any support structure, and includes a proposed frost control fan for which a building consent and/or a resource consent has been obtained and has not lapsed.</i></p>
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Chapter 4 – Settlements

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1-4	<p><i>Minimum site area requirements in Residential Zones - misalignment between Land Use (Chapter 4) and Subdivision rules (Chapter 5)</i></p> <p>Rule: 4.6.1, 4.6.19</p>	<p>Under the Inoperative District Plan the minimum area required for subdivision of any lot aligned with the minimum site area required to construct a dwelling. This meant for any subdivision that met the subdivision minimum lot size requirements, subsequent building on the subdivided lot was a permitted activity (provided all other permitted activity land use rules were met).</p> <p>When the Operative District Plan was drafted it appears the minimum area requirements for land use and subdivision were unintentionally changed. This is likely to have occurred as a result of how the zones and related rules were renamed and restructured into the Operative District Plan. The consequence of this is the minimum area requirements in the Operative District Plan for land use and subdivision rules do not align as shown in the table below:</p> <table border="1"> <thead> <tr> <th>Plan Zone</th> <th>Land use</th> <th>Subdivision</th> </tr> </thead> <tbody> <tr> <td>Residential 1</td> <td>700 m²</td> <td>Minimum size – 400 m² Average size – 700 m²</td> </tr> <tr> <td>Residential 1A</td> <td>700 m² 250 m² (for allotments created by subdivision consent between 25/09/1995 and 01/03/2008)</td> <td>Minimum size – 400 m² Average size – 700 m² (Only 20% of lots in any subdivision may be less than 700 m² in area.) (There are some exceptions in specific areas, e.g. where lots adjoin Amberley Beach Road.)</td> </tr> <tr> <td>Residential 1H</td> <td>700 m²</td> <td>500 m²</td> </tr> <tr> <td>Terrace residential</td> <td>None</td> <td>Minimum size – 250 m² Average size – 350 m²</td> </tr> <tr> <td>Residential 1 (Waipara)</td> <td>Rule 4.4.2 applies – 700 m²</td> <td>Minimum size – 400 m² Average size – 700 m²</td> </tr> <tr> <td>Residential (River Edge)</td> <td>Rule 4.4.2 applies – 700 m²</td> <td>Minimum size – 900 m² Average size – 1000 m²</td> </tr> <tr> <td>St James Estate</td> <td>Rule 4.4.2 applies – 700 m²</td> <td> <table border="1"> <thead> <tr> <th></th> <th>Minimum size</th> <th>Average size</th> </tr> </thead> <tbody> <tr> <td>Area A</td> <td>1000 m²</td> <td>-</td> </tr> <tr> <td>Area B</td> <td>400 m²</td> <td>500 m²</td> </tr> <tr> <td>Area C(1)</td> <td>350 m²</td> <td>400 m²</td> </tr> </tbody> </table> </td> </tr> <tr> <td>Woodbank (River Edge)</td> <td>Rule 4.4.2 applies – 700 m²</td> <td> <table border="1"> <thead> <tr> <th></th> <th>Minimum size</th> <th>Average size</th> </tr> </thead> <tbody> <tr> <td>Area A</td> <td>1000 m²</td> <td>1250 m²</td> </tr> <tr> <td>Area B</td> <td>900 m²</td> <td>1000 m²</td> </tr> <tr> <td>Area C</td> <td>700 m²</td> <td>700 m²</td> </tr> <tr> <td>Area D</td> <td>600 m²</td> <td>600 m²</td> </tr> </tbody> </table> </td> </tr> </tbody> </table> <p>This means subdivision can be undertaken as a controlled or restricted discretionary activity, but then require land use resource consent as a non-complying activity to construct a dwelling on the subdivided lot. For example, the subdivision rules for Residential 1 sites allow for subdivision down to a minimum lot size of 400 m², but to build a dwelling on the site would require an additional resource consent application as a non-complying activity because the minimum site area to construct a dwelling is 700 m².</p> <p>There are also implications for existing vacant lots subdivided under the Inoperative District Plan. These vacant lots would have complied with the land use minimum site area requirements under the Inoperative District Plan, but now under the Operative District Plan require resource consent as undersized lots. The minimum site area has been reduced without the provision of</p>	Plan Zone	Land use	Subdivision	Residential 1	700 m ²	Minimum size – 400 m ² Average size – 700 m ²	Residential 1A	700 m ² 250 m ² (for allotments created by subdivision consent between 25/09/1995 and 01/03/2008)	Minimum size – 400 m ² Average size – 700 m ² (Only 20% of lots in any subdivision may be less than 700 m ² in area.) (There are some exceptions in specific areas, e.g. where lots adjoin Amberley Beach Road.)	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Hanmer Springs</p> <p>Within the Residential Zones of Hanmer Springs Rules 4.5 and 4.6.1 to 4.6.18 apply, unless superseded by a rule listed in 4.6.19</p> <p>(i) St James Estate residential area:</p> <p>(i) <u>The minimum site area required for a dwelling shall be:</u></p> <p>(a) <u>Area A: One dwelling per 1000 m²</u></p> <p>(b) <u>Area B: One dwelling per 400 m², or 500 m² average for two or more dwellings</u></p> <p>(c) <u>Area C(1): One dwelling per 350 m², or 400 m² average for two or more dwellings</u></p> <p>(d) <u>Area C(2): Development of dwellings shall achieve a minimum average density of 350 m² per dwelling, calculated over the entire Area C(2).</u></p> <p>(ii) <u>In Area C the following requirements apply: on the St James Estate Outline Development Plan at Appendix 5.1.1:</u></p> <p>[...]</p> <p>(m) <u>Woodbank (River Edge) residential area:</u></p>	Zone	Minimum site area	Residential 1 and 1H	700 m ² <u>or</u> 350 m ² for any lot created by a subdivision consent granted under Rule 5.5.12.1(k). <u>This rule does not apply if the allotment was created by a subdivision consent granted by Hurunui District Council between 25/09/1995 and 16/12/2011.</u>	Residential 1H	400 m ² <u>or</u> 500 m ² average for two or more dwellings on one site.	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	<p>a grandparent clause to continue to allow development of these lots without need for resource consent.</p> <p>The two situations outlined above were not intended in the drafting of the Operative District Plan. This has resulted in a high degree of inefficiency and additional time and cost to development. The Council has processed approximately 19 non-complying resource consent applications relating to breaches of minimum site area. This indicates the rules as currently written are not effective at achieving the Operative District Plan’s objectives and policies:</p> <p>Objective 4</p> <p><i>Adaptive, vibrant and healthy settlements that meet the economic, social and cultural needs of the district and North Canterbury; while retaining their own character, environmental quality and sense of community.</i></p> <p>Policy 4.8</p> <p><i>To maintain each settlements’ traditional, residential character in Residential 1 zones with a predominance of detached dwellings on individual lots while allowing flexibility in lot sizes within each subdivision, provided multiple lot subdivision is undertaken in accordance with an approved concept plan.</i></p> <p>The minimum site area rules for the Residential 1 and Residential 1A zones were set after robust discussion through Plan Change 23 (PC23) and Plan Change 13 (PC13) respectively. PC23 became operative on December 2011 and PC13 became operative on January 2010. The minimum site area rules for Residential 1 (Waipara), St James Estate and Woodbank (River Edge) were set through private plan change processes, plan changes PC16 (operative June 2010) and PC24 (operative May 2011) respectively. All of these plan changes became operative not long before the District Plan review process commenced. No further information or evidence was relied on during the District Plan review process that suggested the Inoperative District Plan minimum site areas did not achieve the intended aims of the objectives and policies. Therefore the changes made to the minimum site area rules are not considered to be intentional.</p> <p>One new site area rule was discussed and intentionally added to the Operative District Plan. This rule provides for a one-off subdivision of a Residential 1 lot down to 350 m² subject to specific standards. However, no corresponding land use rule was added, which means the subdivision and land use rules do not align. Therefore, to build on a lot subdivided under this rule becomes a non-complying activity. The Council is yet to receive a resource consent application to subdivide under this rule.</p> <p>This amendment proposes a number of changes to Rule 4.6.1 to align the minimum site area requirements across the Settlement and Subdivision chapters. The changes:</p> <ul style="list-style-type: none"> • Reflect the requirements that were in the Inoperative District Plan for each Residential 1 zone. • Re-instate a grandparent clause for vacant Residential 1 lots subdivided under previous rules. • Provide a minimum site area requirement for lots subdivided under subdivision rule 5.5.12.1(k). • Reinstate a minimum site area requirement for the Terrace Residential Area to reflect the requirements of the Inoperative District Plan. <p>The proposed changes will ensure the subdivision and land use provisions in the Operative District Plan are aligned and reflect the standards that have previously been determined as appropriate to the character of each zone.</p>	<p>(i) In the Woodbank (River Edge) Zone, no No dwelling unit shall be erected in the setbacks from the zone boundary shown in Appendix 5.1.2. Outline Development Plan for Woodbank (River Edge) Zone.</p> <p>(ii) The minimum site area required for a dwelling shall be:</p> <p>(a) Area A: One dwelling per 1000 m².</p> <p>(b) Area B: One dwelling per 900 m².</p> <p>(c) Area C: One dwelling per 700 m².</p> <p>(d) Area D: One dwelling per 600 m².</p> <p>(o) Residential (River Edge) residential area: The minimum area requirement for a dwelling shall be:</p> <p>(i) One dwelling per 900 m², or 1000 m² average for two or more dwellings on one site.</p>
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1-5	<p><i>Exemptions to the Settlement height rules</i></p> <p>Rule: 4.6.4, 4.12.2, 4.17.2, 4.21.1</p>	<p>The Inoperative District Plan included exemptions from the height rules for structures presenting discrete breaches unlikely to impact on the environmental quality of adjoining properties. These exemptions have not been transferred into the Operative District Plan. This means where a dwelling is to be constructed with a chimney more than 8 m in height, resource consent is required. It is noted this could be processed as a deemed permitted activity as introduced as part of the Resource Management Amendment Act 2017. However, this is not considered efficient. The need to obtain either resource consent or permission as a deemed permitted activity adds time and cost to the process that is not proportionate to the breach and the effects.</p> <p>Exemptions for structures such as chimneys are provided for by the access to sunlight rules. This implies that the effects of such structures on the receiving environment are anticipated. Therefore, providing equivalent exemptions to the height rules is considered appropriate to provide consistency. In addition, exemptions to height rules are provided in the Rural Zone for chimneys and ventilation shafts of up to 1.5m, frost control fans and wind turbines up to 12 m in height and farm silos.</p> <p>This amendment proposes re-instating exemptions to the height rules to all Settlement Zones to match the exemptions to the access to sunlight rules in the Operative District Plan.</p>	<p><u>Residential Zone</u></p> <p>4.6 Standards for permitted activities</p> <p>4. Height</p> <p>(a) <i>The maximum height of any building or structure shall be 8 m. from the natural ground level.</i></p> <p>(b) <i>The following structures are exempt from Rule 4.6.4(a):</i></p> <p>(i) <i>Flagpoles;</i></p> <p>(ii) <i>Wires;</i></p> <p>(iii) <i>Television and radio antennas;</i></p> <p>(iv) <i>Chimneys; and</i></p> <p>(v) <i>Lightning rods.</i></p> <p><u>Business Zone</u></p> <p>4.12 Standards for permitted activities</p> <p>2. Height</p> <p>(a) <i>The maximum height of any building or structure is 9 m.</i></p> <p>(b) <i>The following structures are exempt from Rule 4.12.2(a):</i></p> <p>(i) <i>Flagpoles;</i></p> <p>(ii) <i>Wires;</i></p> <p>(iii) <i>Television and radio antennas;</i></p>

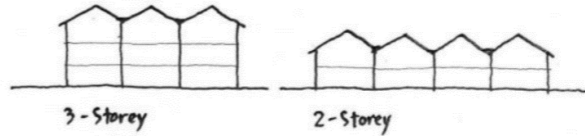
		<p>This amendment also proposes deleting reference to ‘from natural ground level’ from Rule 4.6.4(a). This reference is inconsistent with the height definition in Chapter 20. The definition refers to ‘existing ground level’.</p>	<p><u>(iv) Chimneys; and</u> <u>(v) Lightning rods.</u></p> <p><u>Industrial Zone</u></p> <p>4.17 Standards for permitted activities</p> <p>2. Height</p> <p><u>(a) The maximum height of any building or structure is 9m.</u> <u>(b) The following structures are exempt from Rule 4.17.2(a):</u></p> <p><u>(i) Flagpoles;</u> <u>(ii) Wires;</u> <u>(iii) Television and radio antennas;</u> <u>(iv) Chimneys; and</u> <u>(v) Lightning rods.</u></p> <p><u>Open Space Zone</u></p> <p>4.21 Standards for permitted activities</p> <p>1. Height</p> <p><u>(a) The maximum height of any building or structure is 8m.</u> <u>(b) The following structures are exempt from Rule 4.21.2(a):</u></p> <p><u>(i) Flagpoles;</u> <u>(ii) Wires;</u> <u>(iii) Television and radio antennas;</u> <u>(iv) Chimneys; and</u> <u>(v) Lightning rods.</u></p>
1-6	<p>Earthworks Missing rules</p>	<p>Under the Inoperative District Plan, the earthwork rules for all zones were contained in the overarching Environmental Amenity chapter. The Operative District Plan is structured differently, and earthworks rules are included in the Rural, Residential and Industrial Zones. Earthworks rules are missing from the Business and Open Space Zone rules. This likely occurred as a result of how the zones and related rules were renamed and restructured in the Operative District Plan.</p> <p>Unlike the Inoperative District Plan, in the Operative District Plan different earthwork rules are applicable to different zones. The earthwork rules across the different zones include rules with regards to bulk earthworks, earthworks in proximity to water bodies, earthworks in the vicinity of the National Grid and earthworks associated with the removal or replacement of underground fuel storage systems.</p> <p>In the Operative District Plan, the way the permitted activity rules are written for the Business 1, 1A and 1H Zone mean earthworks can be carried out as a permitted activity (provided all the permitted activity standards are complied with). Earthworks can be carried out in the Business 2 Zone and Open Space Zone as a permitted activity where the earthworks are ancillary to a listed permitted activity.</p> <p>This amendment proposes re-instating rules for earthworks in proximity to water bodies into the Business Zone and Open Space Zone rules. The inclusion of this rule is considered appropriate as the effects of earthworks in proximity to water bodies would be the same regardless of which zone the earthworks are occurring in. It is not considered efficient to control the effects in some zones and not others when the same waterways flow through multiple different land zonings. Not having rules in all zones is also considered ineffective for achieving objective 4 in terms of environmental quality:</p> <p>Objective 4</p>	<p><u>Business Zone</u></p> <p>4.12 Standards for permitted activities</p> <p><u>9A. Earthworks</u></p> <p><u>(a) Earthworks may not be carried out within 20 m of the bank of any river, 50 m of any wetland, or 100 m of any lake with the following exemptions:</u></p> <p><u>(i) Earthworks carried out for reasons of public or personal safety;</u> <u>(ii) Maintenance of existing fence-lines, vehicle tracks, roads, firebreaks, drains, ponds, dams, crossings or utilities;</u> <u>(iii) Tracks providing foot access;</u> <u>(iv) Domestic gardens and amenity planting.</u></p> <p><u>Open Space Zone</u></p> <p>4.21 Standards for permitted activities</p> <p><u>11. Earthworks</u></p> <p><u>(a) Earthworks may not be carried out within 20 m of the bank of any river, 50 m of any wetland, or 100 m of any lake with the following exemptions:</u></p> <p><u>(i) Earthworks carried out for reasons of public or personal safety;</u> <u>(ii) Maintenance of existing fence-lines, vehicle tracks, roads, firebreaks, drains, ponds, dams, crossings or utilities;</u> <u>(iii) Tracks providing foot access;</u> <u>(iv) Domestic gardens and amenity planting.</u></p> <p><u>Remove Rule 4.6.9(a)(v) from Residential Zone rules</u></p>

		<p><i>Adaptive, vibrant and healthy settlements that meet the economic, social and cultural needs of the district and North Canterbury; while retaining their own character, environmental quality and sense of community.</i></p> <p>In terms of the other earthworks rules applicable in other plan zones, these rules are not considered necessary additions in either the Business Zone or the Open Space Zone rules. Rules for bulk earthworks are not considered necessary as activities requiring such earthworks are not anticipated within the Settlement Zones. Rules for earthworks within the vicinity of the National Grid are not required, as no National Grid lines have been identified crossing through either zone. Rules for earthworks associated with the removal or replacement of underground fuel storage systems are not considered necessary. There are no restrictions within the Business 1, 1A or 1H Zones, whereas in the Open Space Zone this type of activity is not anticipated and it is not considered appropriate to provide for this as a permitted activity.</p> <p>Therefore the status quo, with the proposed amendments, is considered to provide appropriate management of earthworks in the Business and Open Space Zones consistent with the types of activities anticipated.</p> <p>This amendment also proposes minor amendments to provide clarity and consistency of earthworks rules between zones:</p> <ul style="list-style-type: none"> Removal of 4.6.9(a)(v) – this is to promote consistency with existing earthworks rules 3.4.3.16(c) and 4.17.9. This rule is actually a definition, and the definition is included in the definitions chapter. Therefore having the definition as a rule is superfluous. <p>Add reference to the Settlement Zone earthworks rules within the River definition in Chapter 20. This would be consistent with the treatment of Rule 3.4.3.16(c).</p>	<p>4.6 Standards for permitted activities</p> <p>9. Earthworks</p> <p>(a) Earthworks may not be carried out within 20 m of the bank of any river, 50 m of any wetland, or 100 m of any lake with the following exemptions:</p> <p>(i) Earthworks carried out for reasons of public or personal safety;</p> <p>(ii) Maintenance of existing fence-lines, vehicle tracks, roads, firebreaks, drains, ponds, dams, crossings or utilities;</p> <p>(iii) Tracks providing foot access;</p> <p>(iv) Domestic gardens and amenity planting.</p> <p>(v) River for the purpose of this rule means any river or stream with a normal channel width flow of greater than 1.5 m averaged over the reach of the river between a point of 40 m upstream and a point of 40 m downstream from that point of the river adjacent to where the proposed earthworks are to be located.</p> <p><u>Insert reference to rules 4.6.9(a), 4.12.9A(a), 4.17.9(a) and 4.21.11(a) into definition of River</u></p> <p><i>River means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal) for the supply of water for electricity power generation, and farm drainage canal. For the purpose of Rules 3.4.3.16(c), 4.6.9(a), 4.12.9A(a), 4.17.9(a), 4.21.11(a) river means any river with a channel width flow, under median flow conditions of greater than 1.5 m averaged over the reach of the river between a point 40 m upstream and a point 40 m downstream from that point of the river adjacent to where the proposed activity is to be undertaken.</i></p>
1-7	<p><i>Temporary activity rules and construction noise rules</i></p> <p>Rule: 4.6.8, 4.12.9, 4.17.8, 4.21.5 and 3.4.3.15</p>	<p>The permitted activity standards provide for activities ancillary or incidental to building and construction work of a limited duration as a temporary activity. Temporary activities are exempt from the other permitted activity standards unless specified.</p> <p>The Residential and Industrial Zone rules exempt temporary activities from the requirement to comply with other permitted activity standards except rules for earthworks and national grid setbacks. The equivalent rule in the Rural Zone, Rule 3.4.3.15, exempts temporary activities from the requirement to comply with other permitted activity standards except rules for earthworks, national grid setbacks and mineral extraction.</p> <p>The permitted activity standards for the Rural and Settlement Zones include a specific rule for construction noise. However, because of the exemption provision for temporary activities, this rule cannot be applied to temporary construction activities. The absence of this rule means no noise limits can be imposed on temporary ancillary or incidental building works. This does not achieve policy 4.6 in relation to noise:</p> <p>Policy 4.6</p> <p><i>To control site-specific environmental effects, such as noise emissions, light spill and traffic generation, to levels appropriate to the zone.</i></p> <p>The absence of this provision is not an intentional omission. The Inoperative District Plan specifically required temporary building and construction activities to comply with the construction noise rule.</p> <p>This amendment proposes specifying construction noise as a permitted activity standard that temporary activities must comply with.</p> <p>In addition, the equivalent exemption is missing from the Business and Open Space Zone temporary activity rules. This has likely occurred as a result of how the zones and related rules</p>	<p><u>Residential Zone</u></p> <p>4.6 Permitted activities</p> <p>8. Temporary activities</p> <p><i>Other than rules 4.6.7(d), 4.6.9 and 4.6.13 and the following performance standards, no other performance standards within Chapter 4 apply to temporary activities.</i></p> <p><u>Business Zone</u></p> <p>4.12 Standards for permitted activities</p> <p>9. Temporary activities</p> <p><i>Other than rules 4.12.8(c), 4.12.9A(a), 4.12.15 and the following performance standards, no other performance standards within Chapter 4 apply to temporary activities.</i></p> <p><u>Industrial Zone</u></p> <p>4.17 Standards for permitted activities</p> <p>8. Temporary activities</p> <p><i>Other than rules 4.17.7(f), 4.17.9, 4.17.11 and the following performance standards, no other performance standards within Chapter 4 apply to temporary activities. within the Industrial Zone.</i></p> <p><u>Open Space Zone</u></p> <p>4.21 Standards for permitted activities</p> <p>5. Temporary activities</p>

		<p>were renamed and restructured into the Operative District Plan. Therefore this amendment also proposes re-instating the exemption provision to the temporary activity rules for the Business Zone and the Open Space Zone.</p>	<p><u>Other than Rule 4.21.4(e) and the following performance standards, no other performance standards within Chapter 4 apply to temporary activities.</u></p> <p><u>Rural Zone</u></p> <p>3.4.3 Standards for permitted activities</p> <p>15. Temporary activities</p> <p><u>Other than rules 3.4.3.9(a), 3.4.3.11, 3.4.3.16, 3.4.3.19 and the following performance standards, no other performance standards within Chapter 3 apply to temporary activities.</u></p>
1-8	Real estate signage	<p>Under both the Inoperative and Operative District Plan real estate signs are captured by the definition for temporary signs:</p> <p><u>Any sign not fixed to the ground or building or any sign used for short-term advertising purposes, and includes real estate signs, signs on trailers and cars, and sandwich board signs.</u></p> <p>The temporary sign rule permits temporary signs up to 2.4 m² in display area for up to two months provided the sign:</p> <ul style="list-style-type: none"> - Is in conjunction with a temporary or one-off activity - Is removed within 48 hours of the activity to which the sign related ceasing - Complies with the minimum visibility, minimum separation distance, and lettering/design standards listed in Rule 3.4.3.14. <p>Under the Inoperative District Plan real estate signs were also captured by a specific real estate sign rule. This rule has been transferred to the Rural Zone, but none of the Settlement Zones of the Operative District Plan. The rule provides for real estate signs provided the sign is erected in the property it relates to and complies with the minimum visibility, minimum separation distance, and lettering/design standards in Rule 3.4.3.14.</p> <p>Having two different rules to manage the same activity sends conflicting messages about what is permitted with regards to real estate signs. This indicates the Plan does not administer signs in an efficient or effective manner.</p> <p>Neither the temporary sign rule or Rule 3.4.3.14(d) provide appropriate conditions for the erection of real estate signs. A property may take longer to sell than two months and the information a real estate sign needs to display does not normally comply with lettering/design standards of Rule 3.4.3.14(g). This means in many cases real estate signs technically require resource consent. To date these rules have not been strongly enforced. This situation is not considered efficient nor effective. Real estate signs are temporary in nature and they are erected in relation to a discrete activity, and as such are included in the temporary sign definition. This indicates the effects of real estate signs are anticipated and accepted within the receiving environment.</p> <p>This amendment proposes inserting an additional temporary sign rule specifically for real estate signs. The proposed amendment is similar to the existing temporary sign rule except it exempts real estate signs from being restricted to display for only two months, as well as the requirement to comply with the minimum visibility, minimum separation distance, and lettering/design standards. As part of this amendment a longer removal period is proposed as 48 hours is not considered reasonable. Therefore, a longer removal period of one week is proposed.</p>	<p><u>Rural Zone</u></p> <p>3.4.3 Standards for permitted activities</p> <p>14. Signs</p> <p><u>(d) Real estate signs relating to the advertising and sale of the property on which they are erected, and which meet the minimum visibility, minimum separation distance, and lettering/design standards in Rule 3.4.3.14(g), Rule 3.4.3.14 (h) and Rule 3.4.3.14 (i) In addition to Rule 3.4.3.14(b) temporary real estate signs up to 2.4 m² in display area are permitted provided the sign:</u></p> <ul style="list-style-type: none"> <u>(i) is located within the site to which the sign relates;</u> <u>(ii) is removed within one week of the property being sold; and</u> <u>(iii) is exempt from the requirement to comply with minimum visibility, minimum separation distance, and lettering/design standards in Rule 3.4.3.14.</u> <p><u>Residential Zone</u></p> <p>4.6 Standards for permitted activities</p> <p>12. Signs</p> <p><u>(c)(A) In addition to Rule 4.6.12(b) temporary real estate signs up to 2.4 m² in display area are permitted provided the sign:</u></p> <ul style="list-style-type: none"> <u>(i) is located within the site to which the sign relates;</u> <u>(ii) is removed within one week of the property being sold; and</u> <u>(iii) is exempt from the requirement to comply with minimum visibility, minimum separation distance, and lettering/design standards in Rule 3.4.3.14.</u> <p><u>Business Zone</u></p> <p>4.12 Standards for permitted activities</p> <p>11. Signs</p> <p><u>(c)(A) In addition to Rule 4.12.11(b) temporary real estate signs up to 2.4 m² in display area are permitted provided the sign:</u></p> <ul style="list-style-type: none"> <u>(i) is located within the site to which the sign relates;</u> <u>(ii) is removed within one week of the property being sold; and</u> <u>(iii) is exempt from the requirement to comply with minimum visibility, minimum separation distance, and lettering/design standards in Rule 3.4.3.14.</u> <p><u>Industrial Zone</u></p> <p>4.17 Standards for permitted activities</p> <p>10. Signs</p>

			<p><u>(c)(A) In addition to Rule 4.17.10(b) temporary real estate signs up to 2.4 m² in display area are permitted provided the sign:</u></p> <p><u>(i) is located within the site to which the sign relates;</u> <u>(ii) is removed within one week of the property being sold; and</u> <u>(iii) is exempt from the requirement to comply with minimum visibility, minimum separation distance, and lettering/design standards in Rule 3.4.3.14.</u></p>
1-9	<p><i>Setback from Business Zone sites adjacent to Residential</i></p> <p>Rule: 4.12.1 and 4.17.1</p>	<p>The Inoperative District Plan included a permitted activity standard requiring a 1.0 m setback on Business and Industrial Zoned sites from any boundary adjoining a residential property. In the Operative District Plan this rule has been transferred over to the Industrial Zone rules only. There is no equivalent rule included in the Business Zone rules. This likely occurred as a result of how the zones and related rules were renamed and restructured into the Operative District Plan.</p> <p>The re-inclusion of this rule to the Business Zone rules is considered necessary to achieve the Plan objectives and policies in terms of providing and maintaining amenity values for residential properties that adjoin business zoned land.</p> <p>Objective 4</p> <p><i>Adaptive, vibrant and healthy settlements that meet the economic, social and cultural needs of the district and North Canterbury; while retaining their own character, environmental quality and sense of community.</i></p> <p>Policy 4.3</p> <p><i>To recognise that in the district, specific zones cannot be completely discrete in what they contain. Potentially conflicting activities are managed to ensure environmental standards, character and amenity values are maintained while not diminishing the value or detracting from the primary purpose of the zone.</i></p> <p>Policy 4.17</p> <p><i>To ensure any business development adjoining residential areas is designed and sited to protect the privacy, amenity values and outlook of residential areas.</i></p> <p>This amendment proposes reinstating a yard rule into the Business Zone rules requiring a 1.0 m setback to any boundary adjoining the Residential Zone.</p> <p>This amendment also proposes minor wording changes to the equivalent Industrial Zone rules, to improve clarity and provide consistency with the wording of the yard rules within the Business and Residential Zone sections of Chapter 4.</p>	<p><u>Business Zone</u></p> <p>4.12 Standards for permitted activities</p> <p>1. Yards</p> <p><u>(a) Yards adjoining the Residential Zone – 1.0 m.</u> <u>(b) Yards adjoining the rail corridor – 4.0 m.</u></p> <p><u>Industrial Zone</u></p> <p>4.17 Standards for permitted activities</p> <p>1. Yards</p> <p>(a) For any site that shares a boundary with a Residential Zone, a minimum 1 m yard is required from the shared boundary. (b) For any site that adjoins the rail corridor, a minimum 4.0m yard setback is required from the shared boundary.</p> <p>(a) <u>Yards adjoining the Residential Zone – 1.0 m.</u> (b) <u>Yards adjoining the rail corridor – 4.0 m.</u></p>
1-10	<p><i>Yard setbacks for containers in the Business Zone and Open Space Zone</i></p> <p>Rule: 4.12.1 and 4.21.x</p>	<p>The siting of containers under the Inoperative District Plan was a restricted discretionary activity where a container could be viewed from an adjoining property in separate ownership; or any road providing access to the property on which the container is sited; or within 500 m of a Strategic arterial or district arterial road where the container would be visible from the road. The rule captured all zones except for the Industrial Zone that was explicitly exempt.</p> <p>As part of the District Plan Review explicit permitted activity rules were included for the siting of containers in the Residential zone:</p> <p>3. Yards</p> <p><i>(b) In Residential 1A, 1H, 2 and 3 Zones, any accessory building or container shall not be sited closer to the road frontage than the dwelling. [...]</i></p>	<p><u>Business Zone</u></p> <p>4.12 Standards for permitted activities</p> <p>1. Yards</p> <p><u>(a) Yards adjoining the Residential Zone – 1.0 m.</u> <u>(b) Yards adjoining the rail corridor – 4.0 m.</u> <u>(c) Within 20 m of a Residential Zone:</u></p> <p>(a)(i) The maximum gross floor area of any principal building shall not exceed 400 m²; (b)(ii) The gross floor area of any principal building and accessory buildings shall not exceed 450 m²; (c)(iii) The maximum length of any building or roof ridgeline shall be 20 m; and (d)(iv) The maximum height of any fencing shall be 2 m.</p>

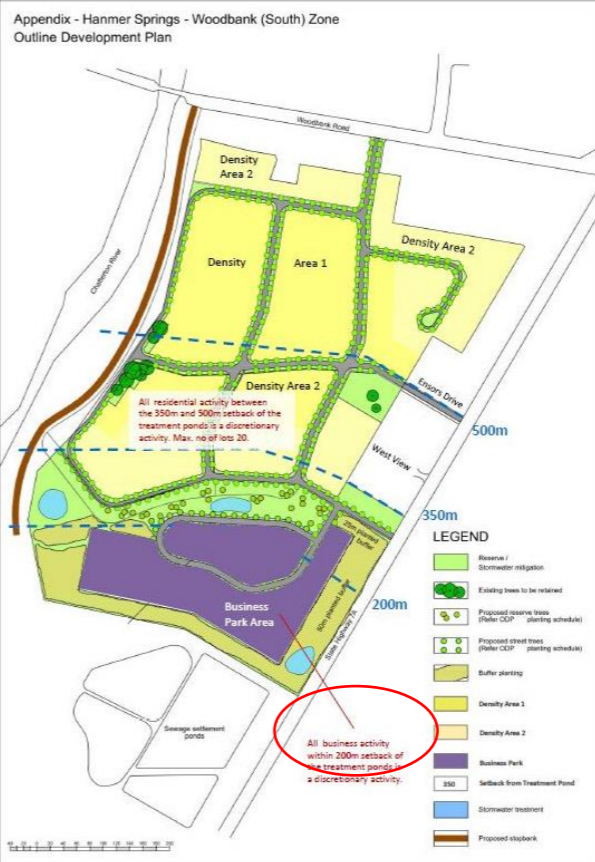
		<p><i>(c) In Residential 1, 1A, 1H, 2 and 3 Zones, any container shall not be visible from any public road; [...]</i></p> <p>No explicit rules for containers are included in the Business or Open Space Zone rules. Within Business 1, 1A, 1H and Queen Mary Hospital Heritage Zones any activity not listed as any other activity class is permitted, provided it complies with the standards for permitted activities. Because there are no rules for containers, there are no controls on where a container can be sited. In the Business 2 and Open Space Zones, the siting of a container would only be a permitted activity where it is ancillary to a permitted activity. Again there are no controls on where a container can be sited.</p> <p>A high degree of visual amenity is anticipated in the Residential Zone and control on the siting of containers is intended to maintain this. Conversely, a lower degree of visual amenity is anticipated in the Industrial Zone due to the nature of land use in this zone, and so no control on the siting of containers is included.</p> <p>In terms of the Business Zone, many townships in the District rely on passing traffic along State Highway 1 or 7. Here an assumption is made that a business area with a high degree of visual amenity is more likely to entice people to stop, look around and spend money, contributing to the vitality and vibrancy of these small town centres as sought by Policy 4.13. On this basis it is considered the maintenance of visual amenity in the Business Zones is important, and it is therefore considered appropriate to re-insert rules for the siting of containers in the Business Zone to achieve Objective 4 of the Plan.</p> <p>Objective 4</p> <p><i>Adaptive, vibrant and healthy settlements that meet the economic, social and cultural needs of the district and North Canterbury; while retaining their own character, environmental quality and sense of community.</i></p> <p>In terms of the Open Space Zone, these sites are characterised by low levels of development and generally provide for reserve space or community or recreational activities and facilities. Like the Residential and Business Zones, a high degree of visual amenity is anticipated. The reinsertion of control on the siting of containers, with regards to visibility from the road, is considered appropriate to achieve Policy 4.20 in terms of maintaining and enhancing amenity values of these sites.</p> <p>Policy 4.20</p> <p><i>To provide for open space zones to meet recreational requirements within settlements, which maintain and enhance amenity values and provide connectivity and public access.</i></p> <p>This amendment proposes to re-instate permitted activity rules for the siting of containers within the Business Zone and Open Space Zone.</p>	<p>(e)(v) <i>In the Queen Mary Hospital Heritage zone, there shall be no minimum area requirement for dwelling units contained within buildings existing on the site at 4 May 2013.</i></p> <p>(d) <i>Containers shall not be sited closer to the road frontage than the principal building; and</i></p> <p>(e) <i>Containers shall not be visible from any public road.</i></p> <p>Open Space Zone</p> <p>4.21 Standards for permitted activities</p> <p>12. <u>Containers</u></p> <p>(a) <i>Containers shall not be visible from any public road.</i></p>
1-11	<p><i>Business Zone dwellings and frost fans</i></p> <p>Missing rule</p>	<p>Rule 4.12.14 provides for the construction of dwellings within the Business 1 Zone as a permitted activity, subject to meeting a minimum area requirement.</p> <p>In using the Operative District Plan, Officers have identified a gap in the rules where business zoned land is located within a 1000 m radius of an existing frost fan. There is no rule requiring acoustic insulation.</p> <p>Rules apply in both the Rural Zone (Rule 3.4.3.22) and Residential Zone (Rule 4.6.18) which require such acoustic insulation, but there is no equivalent rule for the Business Zone. Under the Inoperative District Plan a rule in the Environmental Amenity chapter required acoustic insulation for all dwellings built within a 1000 m radius of a frost fan, regardless of zoning.</p>	<p>4.12 Standards for permitted activities</p> <p>14. <i>Dwellings</i></p> <p>(a) <i>The dwelling is not erected in the Business 1A, 1H or 2 Zones; and</i></p> <p>(b) <i>The minimum area requirement for dwelling units in the Business 1 Zone shall be one dwelling per 250 m²; and</i></p> <p><i>Note: This rule does not apply to any alteration, extension to or replacement of an existing dwelling in the Business Zone, provided the number of dwellings on the site does not increase.</i></p> <p>(c) <i>Any new dwelling located on a separate lot under different ownership within 1000 m of any frost control fan must comply with the requirements of Rule 4.6.18(a).</i></p>

		<p>This omission predominately affects an area of business-zoned land within the Waipara Settlement Area. At present dwellings can be constructed on these sites without resource consent and with no requirement for acoustic insulation. This risks reverse sensitivity effects arising in terms of noise effects from the frost fans and does not achieve the following objectives and policies of the Operative District Plan:</p> <p>Objective 3.2</p> <p><i>Rural areas are managed so that primary production activities are able to be carried out efficiently and effectively.</i></p> <p>Policy 3.6</p> <p><i>To manage potential conflict between incompatible activities in the rural environment so that:</i></p> <p><i>2. The continued use and development of existing primary production activities, rural based industrial activities and other activities that have functional or locational need to locate in the Rural Zone are not unreasonably inhibited by the establishment of new sensitive activities.</i></p> <p>Objective 4</p> <p><i>Adaptive, vibrant and healthy settlements that meet the economic, social and cultural needs of the district and North Canterbury; while retaining their own character, environmental quality and sense of community.</i></p> <p>Policy 4.3</p> <p><i>To recognise that in the district, specific zones cannot be completely discrete in what they contain. Potentially conflicting activities are managed to ensure environmental standards, character and amenity values are maintained while not diminishing the value or detracting from the primary purpose of the zone.</i></p> <p>Policy 4.6</p> <p><i>To control site-specific environmental effects, such as noise emissions, light spill and traffic generation, to levels appropriate to the zone.</i></p> <p>This amendment proposes to reintroduce a requirement for acoustic insulation where a dwelling is constructed in the Business 1 Zone within 1000 m radius of any frost fan.</p>	
1-12	<p><i>Land use rules for multiple unit dwellings</i></p> <p>Missing rules</p>	<p>Plan Change 28 (PC28) introduced specific rules for multiple unit dwellings into the Inoperative District Plan. These rules became operative on 10 May 2012, providing new land use and subdivision rules to provide for the development of multiple unit dwellings within the Business Zone at Hanmer Springs as a discretionary activity, subject to specific standards and terms.</p> <p>Officers have identified that the subdivision rules were carried over to the Operative District Plan, but other than assessment criteria, the land use rules have not. This omission means the construction of multiple unit dwellings reverts to a non-complying activity status, rather than a discretionary activity with clear standards and terms as intended by PC28. This was not an intentional omission. The absence of land use rules means the construction of multiple use dwellings is not managed in an efficient or effective manner to achieve Objectives 4, 4.1 and Policy 4.11:</p> <p>Policy 4.11</p> <p><i>To provide for high-density residential developments in close proximity to the town centres or Hanmer Springs and Amberley, provided such developments are designed to maintain a sense of spaciousness and greenery, and are undertaken in accordance with an approved concept plan.</i></p>	<p>4.14 Discretionary activities</p> <p>5. <u>Multiple unit dwellings in the Business 1H Zone:</u></p> <p><u>Standards and terms</u></p> <p>(a) <u>The maximum residential floor area ratio for residential activity on the site on which the multiple unit dwellings are proposed shall be 0.8.</u></p> <p>(b) <u>The maximum number of adjoining dwelling units shall be:</u></p> <p>(i) <u>3 units if the building is 3 stories high</u></p> <p>(ii) <u>4 units if the building is 2 stories high</u></p>  <p>Figure 4.1 – Diagram of adjoining dwelling units.</p> <p>(c) <u>The maximum length of any external wall shall be as follows:</u></p> <p>(i) <u>30 metres if the building is 4 units</u></p> <p>(ii) <u>24 metres if the building is 3 units</u></p>

		<p>Non-complying activity status is not considered an appropriate activity classification for this type of activity. Non-complying activity status is usually reserved for activities not envisaged by the Plan, but the inclusion of a discretionary subdivision rule indicates the intention for continued development of multiple unit dwellings under the Operative District Plan.</p> <p>This amendment proposes to introduce discretionary and non-complying land use activity rules for multiple unit dwellings to the Business Zone rules in the Settlement Chapter as per the rules introduced under PC28.</p>	<p><i>(d) A minimum outdoor living area of 10 m² in a continuous space shall be provided per dwelling unit and must be directly accessible from the internal living area.</i></p> <p><i>(e) Where the development has a street frontage to Amuri Avenue, Conical Hill Road, Jacks Pass Road or Jollies Pass Road, a minimum of 50% of the ground floor area(s) shall be for business use. The business component shall be directly accessible from the street.</i></p> <p>4.15 Non-complying activities</p> <p>2. <i>Any activity listed below is a non-complying activity in the Business 1A and 1H Zones:</i></p> <p><i>(e) Multiple unit dwellings in the Business 1H Zone which do not meet the standards and terms of Rule 4.14.5.</i></p>
1-13	<p><i>Signs attached to historic buildings within the Queen Mary Historic Hospital Zone</i></p> <p>Rule: 4.14.2(c)</p>	<p>Rule 4.12.2 lists discretionary activities within the Queen Mary Hospital Heritage Zone. Most of the buildings within the Queen Mary Heritage Zone are listed in Schedule 14.1 – historic buildings and structures. The note below this set of rules recognises this, alerting plan users that alterations and modifications (other than minor works), including signs attached or affixed to buildings listed in Schedule 14.1 will require a resource consent under Rule 14.4.4.</p> <p>The note references Rule 14.4.4 which is a controlled activity rule for <i>alterations and additions, and partial demolition, where the works are for the primary purpose of implementing seismic, fire or access building code upgrades, to a building or structure listed in Schedule 14.1.</i> Reference to this rule is too specific and does not recognise the activity standards for other types of works to heritage buildings and structures. This amendment proposes removing specific reference to Rule 14.4.4 and providing a general reference to the provisions in Chapter 14. This amendment also proposes changing the reference ‘minor works’ to ‘repairs and maintenance’ to be consistent with permitted activity rule 14.4.3.1 which limits alterations and additions to heritage buildings to repairs and maintenance.</p> <p>To avoid confusion, this amendment proposes removing the reference to Rule 14.4.3.1 in Rule 4.12.2(c). It is considered the reference unnecessarily duplicates the note. The note is considered effective to communicate to plan users that resource consent may be required under the provisions of Chapter 14.</p>	<p>4.14 Discretionary activities</p> <p>1. [...]</p> <p>2. <i>Any activity listed below is a discretionary activity in the Queen Mary Hospital Heritage Zone:</i></p> <p><i>(a) [...]</i></p> <p><i>(b) The relocation of any building, or the erection of any new building within the zone, or any alterations or modifications (other than minor works) to buildings within the Zone that are not listed in Schedule 14.1 – Historic buildings and structures.</i></p> <p><i>(c) Any sign attached or affixed to a building within the zone that is not listed in Schedule 14.1 – Historic buildings and structures. (For signs attached or affixed to scheduled heritage resources within the zone, Rule 14.4.3.1 applies).</i></p> <p><small>Note: Alterations or modifications (other than minor works, repairs and maintenance), including signs attached or affixed to buildings listed in Schedule 14.1 – Historic buildings and structures will require a resource consent under Rule 14.4.4, under provisions in Chapter 14.</small></p>
1-14	<p><i>Maximum site coverage in Hanmer Settlement Area</i></p> <p>Rule: 4.6.19(c)</p>	<p>The Operative District Plan includes design standards for the Hanmer Basin. The purpose of the design standards is to enhance and maintain the alpine character of the Basin. In the Residential Zone, the permitted activity standards apply in the Hanmer Settlement Area unless superseded by a Hanmer Springs specific rule listed in 4.6.19.</p> <p>Rule 4.6.2 sets the site coverage provisions for the Residential Zone and includes a site coverage requirement for Residential 1 Hanmer Springs sites of 35%. Therefore, having site coverage provisions in the Hanmer Design Standards is duplicative.</p> <p>In addition, there is Residential 3 zoned land within the Hanmer Springs Residential Zone. Rule 4.6.2 provides a site coverage requirement of 20% for Residential 3 land. Residential 3 is a rural lifestyle zoning, where larger lots of lower density of development are expected – as indicated by the minimum site area and site coverage rules.</p> <p>Rule 4.6.19(c) applies to the Hanmer Basin and trumps the general site coverage rules in 4.6.2. It provides for a higher site coverage, which would also apply to the Residential 3 zone, of 35%. This has consequences for the density of future development within the Hanmer Springs Residential 3 zoned land, and may result in development of this land at a density that does not appear to have been intentionally increased. This is not considered consistent with the policy direction of Policy 4.12:</p>	<p>4.6 Standards for permitted activities</p> <p>19. <i>Hanmer Springs Design Standards</i></p> <p><i>(c) Maximum site coverage — 35% of the site. Except in the St James Estate residential area, where the maximum coverage by buildings shall be: [...]</i></p>

		<p>Policy 4.12</p> <p><i>To provide for a low density residential environment at the outer edges of larger settlements, with single, detached dwellings on large allotments.</i></p> <p>This amendment proposes to remove the reference to 35% site coverage in Rule 4.6.19(c). This amendment will remove the duplication and ensure the Residential 3 zoned land within the Hanmer Springs Settlement Area is developed to the appropriate density intended for a rural-residential zone. The amendment will retain the site-specific coverage requirements for the St James Estate residential area.</p>	
1-15	<p><i>Roof pitch in Hanmer Springs</i></p> <p>Rule: 4.6.19(f), 4.6.19(j) and 4.12.16(c)(i)</p>	<p>The Hanmer Springs Design Standards provide additional design requirements for buildings within the Hanmer Basin. The purpose of the design standards are to achieve the following objectives and policies of the District Plan in relation to Hanmer Springs:</p> <p>Objective 4.1</p> <p><i>The protection and enhancement of the special qualities of the Hanmer Basin.</i></p> <p>Policy 4.21</p> <p><i>To ensure all residential and business developments are designed to maintain or enhance the amenity values and alpine character of the Hamer Springs Township.</i></p> <p>Policy 4.22</p> <p><i>To recognise and promote the alpine village character of the township and the heritage values of the older part of the village.</i></p> <p>One of the design standards specifies a minimum roof pitch for principal buildings. This rule has been transferred directly from the Inoperative District Plan into the Operative District Plan. Under both plans the rule is intended to apply to residential dwellings, and this is how the resource consent planners apply this rule. However the definition of principal building in both plans specifically excludes residential dwellings:</p> <p>The definition of principal building means <i>the building in which the main activity on the site occurs. It includes industrial or trade premises, but excludes residential dwellings, and accessory buildings (such as sheds, garages, and farm barns), and utility buildings of less than 50m2 in gross floor area.</i></p> <p>This indicates an unintended gap in the rules. If the roof pitch rule is not applied to residential dwellings this would not maintain or enhance the alpine village character of the Basin, and so the rule as currently written is not appropriate to achieve the objectives and policies of the Operative District Plan.</p> <p>This amendment proposes adding specific reference to ‘dwelling’ in the roof pitch rules to make clear residential dwellings are captured by this rule.</p>	<p><u>Residential Zone</u></p> <p>4.6 Standards for permitted activity</p> <p>19. <i>Hanmer Springs Design Standards</i></p> <p>(f) <i>Roof pitch (excludes Old Town area)</i></p> <p>(i) <i>80% of the roof area of the <u>dwelling or</u> principal building shall have a pitch of at least 25 degrees.</i></p> <p>(j) <i>In the Old Town area, the following additional or replacement design standards all apply:</i></p> <p>(i) <i>Roof pitch:</i></p> <p>- <i>80% of the roof area of the <u>dwelling or</u> principal building shall have a pitch of at least 20 degrees: and [...]</i></p> <p><u>Business Zone</u></p> <p>4.12 Standards for permitted activity</p> <p>16. <i>Additional Design Standards for Business 1H Zone</i></p> <p>(c) <i>Roof pitch (excluding Old Town area):</i></p> <p>(i) <i>80% of the roof area of the <u>dwelling or</u> principal building shall have a pitch of at least 25 degrees; and [...]</i></p>
1-16	<p><i>Old Town design standards in the Business Zone</i></p> <p>Missing rule</p>	<p>A number of sites within the Hanmer Springs Business Zone are identified within the Old Town design standards area on Map 1c. The Residential Zone rules contain specific design standards for the Old Town area, however, there are no specific Old Town design standard rules within the Business Zone rules.</p> <p>This has likely occurred as a result of how the zones were restructured into the Operative District Plan. The rules for the Old Town have been transferred to the Residential Zone, but not the Business Zone, despite there being business-zoned sites mapped within the Old Town design standards area. The area mapped within the Old Town design standards for the Operative District Plan has not been altered from that mapped for the Inoperative District Plan.</p>	<p>4.12 Standards for permitted activities</p> <p>16. <i>Additional Design Standards for Business 1H Zone</i></p> <p><u>(k) <i>In the Old Town area, the following additional or replacement design standards shall apply:</i></u></p> <p><u>(i) <i>Roof Pitch</i></u></p> <p>- <u><i>80% of the roof area of the dwelling or principal building shall have a pitch of at least 20 degrees; and</i></u></p> <p>- <u><i>Accessory buildings shall have a roof pitch of at least 20 degrees;</i></u></p> <p><u>(ii) <i>The exterior cladding of the building shall be confined to the following materials:</i></u></p>

		<p>The absence of these design standards is not considered efficient or effective at achieving the objectives and policies of the Operative District Plan:</p> <p>Objective 4.1 <i>The protection and enhancement of the special qualities of the Hanmer Basin.</i></p> <p>Policy 4.22 <i>To recognise and promote the alpine character of the township and the heritage values of the older part of the village.</i></p> <p>Policy 4.23 <i>To ensure that the individual character areas of the Hanmer Springs Township, as defined by the community, are maintained and enhanced through the design standards listed in the District Plan.</i></p> <p>This amendment proposes re-instating the specific Old Town Design standards into the Business Zone rules. This will ensure any future development on these sites continues to maintain and enhance the alpine character of the Old Town area.</p>	<ul style="list-style-type: none"> - <u>At least 70% of the exterior cladding of the building shall comprise natural unpainted timber (including logs), painted timber weatherboard or painted fibre cement weatherboard; and</u> - <u>The exterior cladding on the remainder of the building shall be boulders or large stones, cob (adobe blocks or rammed earth) and/or brick;</u> <p><u>(iii) Colour:</u></p> <p><u>Wall, roof and trim colours shall be limited to the colours specified under Rule (e), but may also use:</u></p> <p><u>Walls:</u></p> <ul style="list-style-type: none"> - <u>08D41, 14C35;</u> <p><u>Roof and trim:</u></p> <ul style="list-style-type: none"> - <u>04D44, 04D45, 04E53, 04E55, 04E56, 04E58, 06A11, 18E58;</u> - <u>Colorsteel*: Maple; Pioneer Red;</u> - <u>ColorCote*: Pioneer Red; Coral Red; Grey Flannel;</u> <p><u>Trim:</u></p> <ul style="list-style-type: none"> - <u>04E53, 08B25, 12B27, 20C40, 22C40;</u> - <u>"Dulux Powder Coatings": Salsa; Slate Blue; and</u> - <u>"Ameron": Navy; Red;</u>
1-17	St James Estate Missing rules	<p>This amendment proposes moving Rule 4.6.19(i)(v) so it is clear this rule applies to all the development areas within St James Estate, not just Area C(1 and 2). The setback is shown on Appendix 5.1.1 and clearly applies to Area A and B too. Moving this rule provides more efficient and effective plan administration by making it clear the rule is applicable to all areas within the St James Estate Outline Development Zone.</p>	<p>4.6 Standards for permitted activities</p> <p>19. Hanmer Springs</p> <p><i>Within the Residential Zones of Hanmer Springs Rules 4.5 and 4.6.1 to 4.6.18 apply, unless superseded by a rule listed in 4.6.19</i></p> <p>(i) <i>St James Estate residential area:</i></p> <p><u>(i) [... see amendment 1-4]</u></p> <p><u>(ii) No building shall be erected in the area marked 'building setback' on Appendix 5.1.1.</u></p> <p><i>In Area C on the St James Estate Outline Development Plan at Appendix 5.1.1:</i></p> <p><u>(i)(a) [...]</u></p> <p><u>(ii)(b) [...]</u></p> <p><u>(iii)(c) [...]</u></p> <p><u>(iv)(d) [...]</u></p> <p><u>(v) In the St James Estate residential area, no building shall be erected in the area marked 'Building Setback' in Appendix 5.1.1 Outline Development Plan 1—St James Estate.</u></p>

<p>1-18</p>	<p><i>Woodbank (South) Business Park Area</i></p> <p>Rule: 4.12.17(c) and Appendix 5.1.12</p>	<p>The Woodbank (South) land is located at the southern end of the Hanmer Springs Settlement Area. The Hanmer Springs Waste Water Treatment Ponds ('the Ponds') adjoins the southern boundary of the Woodbank (South) land. Both the Inoperative and Operative District Plans include a rule that requires a 500 m setback between new sensitive activities and existing sewage treatment facilities. Areas within the development will not be able to meet this setback from the Ponds.</p> <p>Rule 4.12.17(c) provides for any building within the Business Park Area located more than 250 m from the Hanmer Springs Waste Water Treatment Ponds ('the Ponds') as a permitted activity. Any development within this distance is a discretionary activity under Rule 4.14.3. However, the annotation on the Outline Development Plan for the Woodbank (South) Development in Appendix 5.1.12 conflicts this, stating <i>all business activity within 200m setback of the treatment ponds is a discretionary activity</i>.</p> <p>The original plan change application included an odour assessment completed by Golder Associates. This report was peer reviewed by Specialist Environmental Services. The conclusions of both reports recommend business activities located less than 200 m from the Ponds should be considered on a case by case basis through the resource consent process. This is consistent with the annotation on Appendix 5.1.12.</p> <p>However, when the proposal to incorporate the private plan change for the Woodbank (South) development into the District Plan review process was initially presented to the Council, the Councillors voted not to adopt it into the District Plan review process, due to concerns about reverse sensitivity effects because of the proximity of the development to the Ponds. Subsequently the developer, Macquarrie Holdings, came back and presented two alternative schemes:</p> <ol style="list-style-type: none"> 1) A scheme with increased setbacks from the Ponds. This included providing for all business activity within 250 m of the boundary of Ponds as a discretionary activity. 2) A requirement for all development to be setback 500 m from the Ponds as per the rule for separation distances between sewerage activities and sensitive activities. <p>The Council agreed in principal with the first alternative scheme and voted to incorporate the private plan change into the District Plan review process. The Woodbank (South) provisions were not changed as a result of submissions during the review process. Therefore, it appears the outline development plan ultimately incorporated into the Operative District Plan as Appendix 5.1.12 was not updated to reflect the rules incorporated into the Settlements Chapter as a result of this decision.</p> <p>This amendment proposes amending the annotation on Appendix 5.1.12 so the settlement rules, Rule 4.12.17(c) and 4.14.3 and Appendix 5.1.12 are consistent. This amendment will ensure effective and efficient plan administration in terms of development within the Woodbank (South) Business Park Area.</p>	<p>Appendix 5.1.12 Outline Development Plan for Woodbank (South) Zone</p>  <p>Amend red circled annotation as follows: <i>All business activity within 200m 250 m setback of the treatment ponds is a discretionary activity.</i></p>
<p>1-19</p>	<p><i>Woodbank (South) Business Area</i></p> <p>Rule: 4.12.17(a) and 4.15.5</p>	<p>The Woodbank (South) Outline Development Zone (ODZ) was initiated as a private plan change request to rezone a 32.6ha block of rural land to a mix of Residential, Business and Open Space zoning. The private plan change was incorporated into the District Plan review process and ultimately approved. Rules for the Woodbank (South) ODZ were inserted into the both the subdivision and settlements chapter. One land use rule for the Woodbank (South) Business Park Area is a minimum floor area requirement. However, due to a drafting error the Operative District Plan includes both a permitted activity rule and a non-complying activity rule for a minimum floor area requirement:</p> <p>4.12 Standards for permitted activities</p>	<p>4.12 Standards for permitted activities</p> <p>17. <i>Additional design standards for Woodbank (South) Business Park Area:</i></p> <p><i>In addition to all other Business Zone rules (including 4.12.16) any building in the Woodbank (South) Business Park Area shall comply with:</i></p> <ol style="list-style-type: none"> (a) <i>In the Hanmer Springs Woodbank (South) Business Zone Park Area any retail tenancy shall have with a floor area less than 450 m² or larger.</i> (b) <i>Within the Business-Zone Woodbank (South) Business Park Area all buildings and off-street car parking must be located in the area identified as business activity</i>

		<p>(a) <i>In the Hanmer Springs Woodbank (South) Business Zone any retail tenancy with a floor area less than 450m².</i></p> <p>4.15 Non-complying activities</p> <p>5. <i>Any retail activity located within the Woodbank (South) Business Area with all floor area less than 450m².</i></p> <p>This is confusing for all plan users as to what the intention is and how these activities should be managed. This was not intentional and the current rules do not provide effective or efficient plan administration by specifying the same activity twice.</p> <p>The Operative District Plan includes the following assessment criteria in Rule 4.24.17(d) specific to the Woodbank (South) Business Park Area:</p> <p><i>In addition to the general assessment matters in Rule 4.24 the following shall be considered in the assessment of any resource consent for retail activities with a floor area less than 450m².</i></p> <ul style="list-style-type: none"> (i) <i>The impact on the viability, amenity and character of the Hanmer Springs township business area.</i> (ii) <i>The extent to which the activity is likely to have an adverse effect on the road network.</i> (iii) <i>The extent to which the activity is likely to be incompatible with existing or permitted activities.</i> (iv) <i>That produces effects produces effects permitted by the zone and the potential for reverse sensitivity effects.</i> (v) <i>Whether the owners of the site have registered a ‘no complaints’ covenant relating to odour on the Computer Free Hold Register (certificate of title) that is satisfactory to the Chief Executive of the Hurunui District Council.</i> <p>The assessment criteria confirm the intention to locate large format retail and light industrial business within the Woodbank (South) Business Park Area. The intent of specifying a minimum floor area is to discourage small retail businesses from establishing within the Business Park Area, as these could threaten the vitality and viability of the established business area within the Hanmer Springs town centre. Discouraging smaller retail activities from out-of-centre locations is also a common approach to that taken in other district plans. Therefore, a non-complying activity rule is appropriate as this activity status is generally reserved for activities the Plan does not envisage will occur.</p> <p>This amendment proposes amending the permitted activity rule, 4.12.17(a) to provide for retail activities with a floor area of 450 m² or larger, retaining the non-complying activity rule for retail activities with a floor area of less than 450 m².</p> <p>This amendment also proposes ancillary minor wording amendments to ensure the Woodbank (South) Business Park Area and Hanmer Springs Waste Water Treatment Ponds are referred to in a consistent manner throughout the Operative District Plan provisions. Ancillary minor wording amendments are also proposed to ensure the rule is clear about where the setback in rules 4.12.17(c) and 4.14.3 is taken from: the boundary of the Ponds. This will ensure consistency between the Residential and Business Zone rules relating to the Woodbank (South) ODZ.</p>	<p>and building setback on the Outline Development Plan <u>for</u> Woodbank (South) = Appendix 5.1.12.</p> <p>(c) <i>Any building within the Woodbank (South) Business Park Area shall be located a minimum of 250 m from the <u>boundary of the</u> Hanmer <u>Springs</u> Waste <u>Water</u> Treatment Plant <u>Retention</u>-Ponds.</i></p> <p>4.14 Discretionary activities</p> <p>3. <i>All business activities in the Woodbank (South) Business Park Area that are <u>located</u> within 250 m of the <u>boundary of the</u> Hanmer Springs Waste Water Treatment Plant <u>Ponds</u>.</i></p> <p>4.15 Non-complying activities</p> <p>5. <i>Any retail activity located within the Woodbank (South) Business <u>Park</u> Area with all floor area less than 450 m².</i></p> <p>4.24 Assessment criteria – applicable to all zones</p> <p>17. Hanmer Basin (d) Woodbank (South) Business <u>Park</u> Area [...]</p>
1-20	Demolished Buildings Missing rule	<p>The Inoperative District Plan included a permitted activity standard that required the removal of all material from demolished and partly demolished buildings from a site within two months of the demolition works being completed. This rule applied to all sites regardless of zoning.</p> <p>In the Operative District Plan this rule has been included for all zones except the Industrial and Open Space Zones. Background documents from the review indicate it was intentional to not</p>	<p>4.21 Standards for permitted activities</p> <p>13. <u>Demolished buildings</u> (a) <u>All material from demolished or partly demolished buildings, from the demolition of a building on the site or material brought onto the site, shall be</u></p>

		<p>include a rule for the Industrial Zone. However, there is no background to suggest it was a deliberate decision to not include this rule in the Open Space Zone. It is considered this likely occurred as a result of how the zones were restructured in the Operative District Plan. This appears to be a case where a rule previously applicable to all zones has not been inserted into the rules for all the new zones.</p> <p>The absence of this rule means there is no control within the Open Space Zone on how long demolished material can stay on a site. This is not considered effective to achieve the objectives of the plan, particularly with regards to environmental amenity given the high levels of visual amenity expected within the Open Space Zone.</p> <p>This amendment proposes re-instating a rule for demolished buildings into the Open Space Zone rule provisions.</p>	<p><u>removed from a site within 2 months of the demolition being completed or the material being brought onto the site.</u></p>
1-21	<p><i>Hanmer Design standards in Open Space Zone</i></p> <p>Missing rule</p>	<p>The Inoperative District Plan included design standards for non-residential principal buildings that were applicable within the Hanmer Basin Management Area (excluding the Queen Mary Hospital Heritage zone). The rule required non-residential principal buildings to comply with the rules for window orientation, maximum site coverage, roof pitch, external cladding and colour.</p> <p>Map Ic of the Operative District Plan includes the open space zones within the ‘general’ Hanmer Springs design standard area. However, the Operative District Plan does not include any design standards within the Open Space Zone rules for buildings within the Hanmer Springs Settlement Area. This means that no design requirements can be imposed on new buildings within the Open Space Zone in Hanmer Springs. The absence of design standards for the Open Space Zone is considered inconsistent with the application of the Hanmer Springs Design Standards within the other zones. All buildings in the other zones within the Hanmer Basin Management Area are required to comply with the Design Standards, including the Industrial Zone where a lower degree of visual amenity is anticipated.</p> <p>Due to the nature of the use of land within the Open Space Zone, very little built development is anticipated. However, this means any buildings constructed would likely be prominent within the receiving environment. The absence of design standards in the Open Space Zone is therefore not considered effective to achieve the objectives and policies of the Operative District Plan:</p> <p>Objective 4.1</p> <p><i>The protection and enhancement of the special qualities of the Hanmer Basin.</i></p> <p>Policy 4.20</p> <p><i>To provide for open space zones to meet recreational requirements within settlements, which maintain and enhance amenity values and provide connectivity and public access.</i></p> <p>Policy 4.22</p> <p><i>To recognise and promote the alpine village character of the township and the heritage values of the older part of the village.</i></p> <p>This amendment proposes the insertion of a new rule to the Open Space Zone rules for design standards for buildings constructed in the Open Space Zone within the Hanmer Springs Settlement Zone. This amendment will largely re-instate the relevant requirements of the Inoperative District Plan and provide consistent application of the Design Standard rules in all zones within the Hanmer Basin Management Area.</p>	<p>4.21 Standards for permitted activities</p> <p>14. Additional Design Standards for Hanmer Springs</p> <p><u>In addition to all other Open Space rules, any building in the Hanmer Springs Settlement Area shall comply with:</u></p> <p>(a) <u>Window orientation: at least 60% of the total area of windows on each building elevation shall comprise window panes each of which has minimum vertical to horizontal dimensions of 2 to 1, or window frames with minimum vertical to horizontal dimensions of 2 to 1.</u></p> <p>(b) <u>Roof pitch:</u></p> <p>(i) <u>80% of the roof area of the principal building shall have a pitch of at least 25 degrees;</u></p> <p>(ii) <u>Accessory buildings shall have a roof pitch of at least 20 degrees.</u></p> <p>(c) <u>Cladding material (excluding Old Town area):</u></p> <p><u>At least 70% of the exterior cladding of the building shall comprise one or more of the following materials:</u></p> <p>(i) <u>Natural unpainted timber.</u></p> <p>(ii) <u>Painted timber or fibre cement weatherboard.</u></p> <p>(iii) <u>Boulders or large stones</u></p> <p>(iv) <u>Cob (adobe blocks or rammed earth)</u></p> <p>(v) <u>Timber battens fixed over plywood or cement board sheets, provided that:</u></p> <p>- <u>The battens are laid vertically; and</u></p> <p>- <u>The batten size is 75 mm wide by 25 mm deep;</u></p> <p>- <u>The battens are placed at 200 mm centres; and</u></p> <p>- <u>The battens and plywood or cement board sheets are painted or stained in accordance with Rule 4.6.19(h); and</u></p> <p>(vi) <u>Shiplap of the minimum dimensions of 150 mm x 25 mm and the maximum dimensions of 200 mm x 25 mm;</u></p> <p>(vii) <u>Rusticated cement weatherboard, “Triclad” weatherboard or boards of equivalent profile, provided that the maximum exposure of each weatherboard is 175 mm or less;</u></p> <p>(viii) <u>“Frontier” weatherboard, or a board of equivalent profile, with a maximum visible exposure of 200 mm;</u></p>

Chapter 5 - Subdivision

Amendment	Topic & plan provision	Explanation of amendment	Proposed amendments												
1-22	<p><i>Minimum lot area Residential 1 and 1A Zones</i></p> <p>Rule: 5.5.9.1</p>	<p>As discussed in amendment 4-1 minimum area requirements in the land use and subdivision chapters of the Operative District Plan do not align. Amendment 4-1 outlined the changes required to the Settlement chapter rules. This amendment proposes associated changes to the subdivision rules.</p> <p>This amendment proposes to amend Rule 5.5.9.1 to separate Residential 1 and Residential 1A into separate rows of the table and remove the minimum average lot area provision for Residential 1. This amendment also proposes alterations to the Residential 1H lot areas to reflect those from the Inoperative District Plan. These alterations align Residential 1, Residential 1A and Residential 1H subdivision minimum lot areas with the Settlement rules as per amendment 1-4.</p>	<p>5.5 Part B – Rules for Subdivision in all Other Zones</p> <p>5.5.9 Standards for controlled activities</p> <p>1. Lot sizes</p> <p><i>The minimum allotment area requirements for the subdivision of land are to be calculated on the net allotment area (exclusive of any access) as follows:</i></p> <table border="1"> <thead> <tr> <th>Zone or management area</th> <th>Minimum lot area</th> <th>Minimum average lot area</th> </tr> </thead> <tbody> <tr> <td>Residential 1 and Residential 1A including any proposed lots adjoining the area shown in Appendix 5.1.11 as “Exception Area”</td> <td>400 m² 700 m²</td> <td>700 m²</td> </tr> <tr> <td>Residential 1A including any proposed lots adjoining the area shown in Appendix 5.1.11 as “Exception Area”</td> <td>400 m²</td> <td>700 m²</td> </tr> <tr> <td>Residential 1H</td> <td>500 m² 400 m²</td> <td>500 m²</td> </tr> </tbody> </table>	Zone or management area	Minimum lot area	Minimum average lot area	Residential 1 and Residential 1A including any proposed lots adjoining the area shown in Appendix 5.1.11 as “Exception Area”	400 m² 700 m ²	700 m²	Residential 1A including any proposed lots adjoining the area shown in Appendix 5.1.11 as “Exception Area”	400 m ²	700 m ²	Residential 1H	500 m² 400 m ²	500 m ²
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Residential 1H	500 m² 400 m ²	500 m ²													
1-23	<p><i>Shape factor requirement for subdivision down to 5000m²</i></p> <p>Rule: 5.4.5.1</p>	<p>Rule 5.4.5.1 provides for subdivision down to 5000 m² in the Rural Zone as a discretionary activity provided the proposal complies with the controlled activity standards, except for minimum allotment area requirements. The intention of this rule is to provide flexibility to rural landowners and to help ensure new lots do not reduce available productive land while maintaining a predominance of farmland over buildings.</p> <p>Controlled activity standard 5.4.2.1(a) sets a minimum shape factor requirement for allotments to be able to contain a square measuring 75 m x 75 m. This automatically means any allotment less than 5,625 m² proposed as part of a subdivision under Rule 5.4.5.1 does not comply and the subdivision becomes a non-complying activity under Rule 5.4.6.1.</p> <p>This was not the intention of the rule, which is clearly intended to provide for subdivision of undersized lots down to 5000 m² as a discretionary activity. Therefore, the rule as currently written does not manage development of these sites in an efficient or effective way, and renders Rule 5.4.5.1 redundant.</p> <p>This amendment proposes to create an exemption under Rule 5.4.5.1(c). This exemption will enable proposed lots of 1ha or less to be exempt from Rule 5.4.2.1(a) and instead comply with a shape factor requirement of 70 m x 70 m.</p> <p>It is accepted that selecting an appropriate shape factor requirement is somewhat subjective. The figures proposed have been chosen to keep the rule simple by using whole, rounded numbers. In addition the visual amenity effects of a 70 m x 70 m square are considered to be similar to those of a 75 m x 75 m square.</p>	<p>5.4.5 Discretionary activities</p> <p>1. The following activities are discretionary activities, provided they meet the relevant standards.</p> <p>[...]</p> <p>(d) The subdivision of land in the Rural Zone (excluding Hanmer Basin Subdivision Management Area, the coastal environment and the Hurunui Lakes area) or within an Outstanding Natural Landscape creating allotments of between 5000 m² and 4 ha.</p> <p>Standards:</p> <p>(i) <u>Unless otherwise specified</u> the subdivision must comply with all the standards specified for controlled activities in Rule 5.4.2 except Rule 5.4.2.4.</p> <p>(a) <u>Any lot created with an area 1 ha or less is exempt from Rule 5.4.2.1 and instead must be able to contain a square measuring 70 m x 70 m clear of any easement or water body.</u></p>												
1-24	<p><i>Concept plan requirement for undersized lots</i></p> <p>Rule: 5.4.5.1(iv)</p>	<p>Rule 5.4.5.1(d) provides for subdivision of allotments in the Rural Zone or within an Outstanding Natural Landscape, of between 5000m² and 4ha, as a discretionary activity, subject to meeting the specific standards. One of these standards, Rule 5.4.5.1(iv), requires submission of a concept plan with the subdivision application. This requirement was introduced as a new provision when the District Plan was reviewed in recognition the reduced</p>	<p>5.4.5 Discretionary activities</p> <p>1. The following activities are discretionary activities, provided they meet the relevant standards.</p> <p>[...]</p>												

		<p>density provided by Rule 5.4.5.1(d) needs to be designed to minimise effects on amenity and to maintain rural character.</p> <p>The requirement for a concept plan was intended to help achieve Objective 5 and Policy 5.4 through the provision of a concept plan to enable comprehensive assessment of the actual and potential effects on the existing rural amenity of the area.</p> <p>Objective 5</p> <p><i>Subdivision and its subsequent development is designed to ensure that the adverse effects on the environment are minimised, and the character of an area is maintained.</i></p> <p>Policy 5.4</p> <p><i>To ensure that subdivision and subsequent development results in a pattern and density of land use which protects, and where appropriate enhances, the character, values and natural and physical resource of the environment which may include:</i></p> <ul style="list-style-type: none"> • [...] • <i>A sense of openness and a predominance of productive activities in rural areas</i> • <i>Landscape values</i> • [...] • <i>Amenity values and sense of place.</i> <p>For applications proposing the creation of only one allotment less than 4ha, this requirement is considered unnecessary. Rule 5.4.5.1(d)(ii) requires a minimum average lot area of 4ha created through balance areas of land. The visual effects on rural amenity of creating one smaller allotment are considered similar to those created by a standard subdivision of 4ha allotments.</p> <p>Therefore, the requirement for a concept plan for such applications is considered an inefficient way to manage this activity.</p> <p>This amendment proposes to amend Rule 5.4.5.1(iv) by restricting the requirement for a concept plan to subdivision applications creating two or more allotments of less than 4ha.</p>	<p>(d) <i>The subdivision of land in the Rural Zone (excluding Hanmer Basin Subdivision Management Area, the coastal environment and the Hurunui Lakes area) or within an Outstanding Natural Landscape creating allotments of between 5000 m² and 4 ha.</i></p> <p>Standards:</p> <p>(iv) <i>A concept plan must be submitted with a subdivision application- <u>creating two or more allotments less than 4 ha.</u></i></p>
1-25	<p><i>Subdivision in Natural Hazard Areas</i></p> <p>Rules: 5.4.6.2 and 5.5.13.2(g)</p>	<p>Rule 5.4.5.1(b) provides for subdivision of Rural Zone land within a Natural Hazard Area that complies with the standards for controlled activities of Rule 5.4.2, as a discretionary activity. Rule 5.5.12.1(a) provides the same within the Settlement Zones.</p> <p>Rule 5.4.6.2 provides for subdivision in the Rural Zone within a Natural Hazard Area as a non-complying activity. Rule 5.5.13.2(g) provides the same within the Settlement Zones.</p> <p>As currently drafted, the non-complying rules apply to all subdivision in a Natural Hazard Area, not just where the subdivision does not comply with the standards for controlled activities. The effect of this is that subdivision within a Natural Hazard Area will default to a non-complying activity in all cases.</p> <p>Objective 15.1</p> <p><i>Subdivision, use and development of land is enable while avoiding or mitigating the adverse effects of natural hazards.</i></p> <p>The policies supporting Objective 15.1 explain that hazard mapping is based on our best knowledge and is not always comprehensive or certain, as indicated by buffer zones. The policies indicate that with appropriate mitigation measures to manage potential negative effects so risks from the natural hazard are acceptable, subdivision and subsequent development within these areas can be considered.</p>	<p>5.4.6 Non-complying activities</p> <p><i>The following subdivision is a non-complying activity:</i></p> <p>[...]</p> <p>2. Subdivision of land within a Natural Hazard Area.</p> <p>3.2. Subdivision of land within the Coastal Environment [...]</p> <p>4.3. Subdivision of land within an area of Outstanding Natural Character [...]</p> <p>5.5.13 Non-complying activities</p> <p>2. <i>Subdivision which does not meet any one or more of the following:</i></p> <p>[...]</p> <p>(f) <i>Subdivision which results in any new allotment and/or balance allotment that does not have access to a legal road which is formed and maintained; <u>or</u></i></p> <p>(g) Subdivision of land within a Natural Hazard Area; and</p> <p>(h)(g) Any subdivision in the Claverley Comprehensive Development Zone.</p>

		<p>It is considered a discretionary activity status is the appropriate activity status for considering whether subdivision should take place on land within a Natural Hazard Area. The objectives and policies indicate that such activities could occur on these sites. Non-complying activity status is generally reserved for activities the Plan does not envisage will occur on the site.</p> <p>This amendment proposes deleting non-complying activity rules 5.4.6.2 and 5.5.13.2(g).</p> <p>Subdivision within Natural Hazard Areas that does not meet the controlled activity standards will still revert to a non-complying activity status, as it will be captured by the non-complying catchall rules 5.4.6.1 and 5.5.13.1.</p>	
1-26	<p><i>St. James Outline Development Zone</i></p> <p>Rule: 5.6.2.3.1</p>	<p>Under the Inoperative District Plan the specific rules for St. James Estate were scattered throughout the subdivision chapter. In the Operative District Plan these rules have been consolidated in one location due to rearrangement of the subdivision chapter as part of the District Plan review. The Operative District Plan separates the rules for Rural, Settlement and Outline Development Zones (ODZs) into three separate sections.</p> <p>Rule 5.6.1 and 5.6.2 set out how ODZs work. Where subdivision is proposed within an ODZ the Plan user first looks at the relevant general subdivision rules in section B, before referring to the rules in 5.6 to see what additional provisions are relevant to the particular ODZ. These may complement the general rules or place a more restrictive activity status on the activity.</p> <p>Separating the provisions for St. James into one consolidated location is effective from a Plan administration point of view, as Plan users do not need to check the whole chapter for provisions relating to the St. James Estate. This move however, has lost some of the context the provisions had when they were imbedded within the Zone rules. For example, the restricted discretionary rule 5.6.2.3 is actually a matter of discretion, but there is no context as to what rule it is a matter of discretion to. The amendments propose minor changes to add this context back in to provide clarity of where the rules sit within the Settlement Zone provisions.</p>	<p>5.6.2.1 Controlled activities</p> <p>1. Unless otherwise specified, the following activities are controlled activities: In addition to the standards for controlled activities in Rule 5.5.9 above, any subdivision within St. James Estate at Hanmer Springs shall comply with all of the following standards;</p> <p>(a) Rule 5.5.9.2 does not apply in Area (C1) of the St James Estate residential area, where allotment widths shall be no less than 12 m and no greater than 18 m, and the allotment depth shall be no less than 20 m.</p> <p>(b) Whether provision is made for roading, open space, and stormwater management in general accordance with the St James Estate Outline Development Plan in Appendix 5.1.1.</p> <p>(b) No allotment shall have legal access to Hanmer Springs Road (SH7A);</p> <p>(c) A maximum of two legal road connections shall be made to Hanmer Springs Road (SH7A). These road connections shall be generally in the locations identified on the Outline Development Plan at Appendix 5.1.1 and must provide a connection to Argelins Road. No more than 100 allotments shall be created before the connection to Argelins Road is operational;</p> <p>(d) A central open space reserve with a minimum area of 7,000 m² shall be provided generally in that location identified on the Outline Development Plan at Appendix 5.1.1;</p> <p>(e) An open space buffer with a minimum width of 20 m shall be provided along the Hanmer Springs Road (SH7A) frontage of the site;</p> <p>(f) An open space reserve with a minimum area of 3 ha shall be provided at the junction of Hanmer Springs Road (SH7A) and Argelins Road;</p> <p>(g) A road connection shall be provided to the property directly to the north of the site and this connection shall link to the central reserve required under clause (d) above and shall be provided generally in that location identified on the Outline Development Plan at Appendix 5.1.1 and</p> <p>(h) A stormwater detention pond providing for a minimum of 13,000 m³ of storage shall be provided generally in that location identified on the Outline Development Plan at Appendix 5.1.1.</p> <p>5.6.2.2 Matters Standards for controlled activities</p> <p>In addition to the controlled activities specified above in Rule 5.6.2.1, any subdivision shall comply with the following standards and terms:</p> <p>(a) No allotment shall have legal access to Hanmer Springs Road (SH7A);</p> <p>(b) A maximum of two legal road connections shall be made to Hanmer Springs Road (SH7A). These road connections shall be generally in the locations</p>

			<p>identified on the Outline Development Plan at Appendix 5.1.1 and must provide a connection to Argelins Road. No more than 100 allotments shall be created before the connection to Argelins Road is operational;</p> <p>(c) A central open space reserve with a minimum area of 7,000 m² shall be provided generally in that location identified on the Outline Development Plan at Appendix 5.1.1;</p> <p>(d) An open space buffer with a minimum width of 20 m shall be provided along the Hanmer Springs Road (SH7A) frontage of the site;</p> <p>(e) An open space reserve with a minimum area of 3 ha shall be provided at the junction of Hanmer Springs Road (SH7A) and Argelins Road;</p> <p>(f) A road connection shall be provided to the property directly to the north of the site and this connection shall link to the central reserve required under clause (c)(d) above and shall be provided generally in that location identified on the Outline Development Plan at Appendix 5.1.1 and</p> <p>(g) A stormwater detention pond providing for a minimum of 13,000 m³ of storage shall be provided generally in that location identified on the Outline Development Plan at Appendix 5.1.1.</p> <p>1. Matters over which Council reserves control for the purpose of assessment in relation to an application for subdivision consent as a controlled activity are:</p> <p>(a) Whether provision is made for roading, open space, and stormwater management in general accordance with the St James Estate Outline Development Plan in Appendix 5.1.1.</p> <p>5.6.2.3 Restricted discretionary activities</p> <p>1. Where an activity is specified as a restricted discretionary activity under Rule 5.5.11.1(a) the following additional standard applies:</p> <p>(i) The subdivision must comply with all the standards specified for controlled activities in Rule 5.6.2.</p> <p>The following additional matter of discretion applies:</p> <p>(i) In addition to the matters 5.6.2.2.1(a) to (g) in the St James Estate residential area at Hanmer Springs wWhether the provision of a range of residential densities, open space reserves, recreational opportunities, landscape buffers, pedestrian/cycle linkages and stormwater management is in general accordance with the Outline Development Plan at in Appendix 5.1.1.</p>
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Chapter 8 – Transportation

Amendment	Topic & Plan Provision	Explanation of Proposed Amendments	Proposed Amendments									
1-27	<p><i>Road classification</i></p> <p>Appendix 8.1</p>	<p>The purpose of Appendix 8.1 is to provide clear information to Plan users about the classification of roads in the district.</p> <p>Amberley Balcairn Road becomes Upper Sefton Road as the road passes through Balcairn, for approximately 1 km before the district boundary with Waimakariri District. This piece of road forms part of the Inland Scenic Route 72. Amberley Balcairn Road is listed in Appendix 8.1 as a district arterial road, while Upper Sefton Road is not explicitly classified. As such Plan users would be led to believe Upper Sefton Road is classified as a local road which is incorrect.</p> <p>This is not considered efficient or effective plan administration for the handful of properties along the part of Upper Sefton Road within the Hurunui District. Correct road classification is important as it has implications for other rules, such as building setbacks along rural roads. For example, setbacks for rural properties are based on the classification of the road and there is a significant difference between the setback required from a local road as opposed to a district arterial road.</p> <p>This amendment proposes classifying Upper Sefton Road as a district arterial road in Appendix 8.1.</p>	<p>Appendix 8.1</p> <table border="1" data-bbox="1733 443 2769 701"> <thead> <tr> <th data-bbox="1733 443 2249 506"><i>District Arterial</i></th> <th data-bbox="2258 443 2769 506"></th> </tr> <tr> <th data-bbox="1733 512 2249 575"><i>Road Name</i></th> <th data-bbox="2258 512 2769 575"><i>Part of Road</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="1733 581 2249 644"><i>Balcairn Amberley Road/Upper Sefton Road</i></td> <td data-bbox="2258 581 2769 644"><i>All</i></td> </tr> <tr> <td data-bbox="1733 651 2249 701"><i>[...]</i></td> <td data-bbox="2258 651 2769 701"><i>[...]</i></td> </tr> </tbody> </table>		<i>District Arterial</i>		<i>Road Name</i>	<i>Part of Road</i>	<i>Balcairn Amberley Road/Upper Sefton Road</i>	<i>All</i>	<i>[...]</i>	<i>[...]</i>
<i>District Arterial</i>												
<i>Road Name</i>	<i>Part of Road</i>											
<i>Balcairn Amberley Road/Upper Sefton Road</i>	<i>All</i>											
<i>[...]</i>	<i>[...]</i>											


Chapter 9 - Utilities

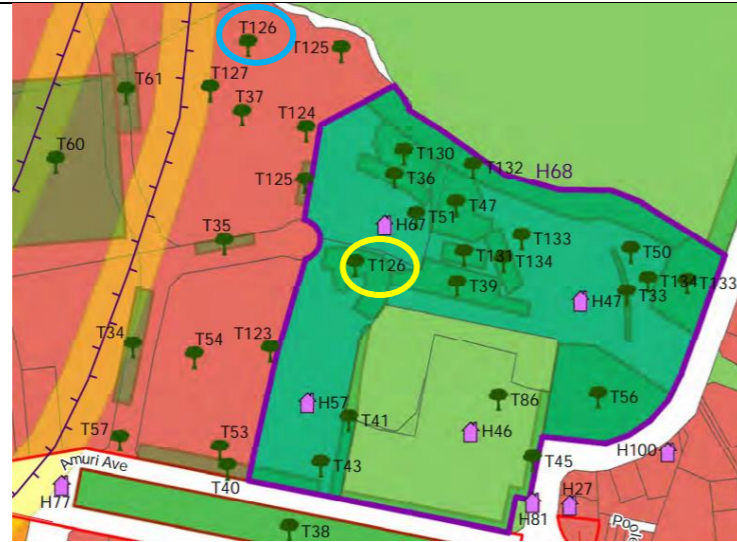
Amendment	Topic & plan provision	Explanation of amendment	Proposed amendments
1-28	<p><i>Rural utility setback requirements from roads</i></p> <p>Rule: 9.4.3.2(a)(i)</p>	<p>Rule 3.4.3.1(c) provides building setback requirements from roads for buildings that do not contain sensitive activities:</p> <ul style="list-style-type: none"> (i) 25 m from a boundary with a strategic arterial road, a district arterial road or a collector road; (ii) 10 m from a boundary with any other public road. <p>Rule 9.4.3.2(a)(i) provides rural utility setback requirements from roads (excluding water tanks, intakes, canals, reservoirs, utilities that do not exceed 2.5 m in height and 10 m² of floor area; and masts that do not exceed 10 m in height and a maximum diameter of 1.2 m, including all antennas):</p> <ul style="list-style-type: none"> (i) 75 m from the boundary of a strategic arterial road, district arterial road or collector road and 10m from the boundary of any other road, or in the case of masts exceeding 10 m in height, 10 m from the boundary of any road. <p>Under the Inoperative District Plan the same setback requirements were applied to all buildings and structures within the Rural Zone. This was the same in the notification version of the Operative District Plan.</p> <p>Based on the submissions received, the Hearing Panel made the decision to split the Rural setback requirements into sensitive and non-sensitive buildings. The Panel considered that a reduction in setback for non-sensitive buildings would not have any reverse sensitivity effects on occupants as the buildings would not be permanently occupied. The Panel considered a reduced setback would still be sufficient to retain amenity values.</p> <p>No equivalent change was made to the setback requirements for utility buildings and structures. The effects of utility buildings and structures and non-sensitive buildings on the rural receiving environment are considered to be similar. Utility buildings and structures are not occupied, therefore, there would be no reverse sensitivity effects associated with locating these structures closer to the road. A reduction in the setback is considered appropriate to achieve Objective 9 of the Operative District Plan in a more efficient manner than the status quo:</p> <p>Objective 9</p> <p><i>Utilities are provided that meet the needs of today's communities and the reasonable foreseeable needs of future generations, while appropriately managing adverse effects on the environment resulting from the utilities location, operation, upgrading and maintenance.</i></p> <p>Aligning the setbacks is considered more efficient and effective from a plan administration perspective. Given the effects from both non-sensitive activities and utility structures are likely to be similar it is considered appropriate for these buildings and structures to comply with the same standards.</p> <p>This amendment proposes reducing the setback required for utility buildings and structures from strategic arterial, district and collector roads from 75 m to 25 m.</p>	<p>9.4.3 Permitted activities</p> <p>2. Above ground utility buildings and structures in the Rural Zone, where the following standards are met:</p> <ul style="list-style-type: none"> (a) Setback requirements (excluding: water tanks; intakes; canals; reservoirs; utilities that do not exceed 2.5 m in height and 10 m² of floor area; and masts that do not exceed 10 m in height and a maximum diameter of 1.2 m, including all antennas): <ul style="list-style-type: none"> (i) 75m-25 m from the boundary of a strategic arterial road, district arterial road or collector road; 10 m from a boundary with any other public road; or in the case of masts exceeding 10 m in height, 10 m from the boundary of any road from a boundary with any public road where a mast exceeds <u>10 m in height.</u>

Planning maps

Amendment	Topic & plan provision	Explanation of amendment	Proposed amendments
1-29	<p><i>Incorrect zoning of 110-170 Hanmer Springs Road and 1-63 Woodbank Road</i></p> <p>Map: I – Hanmer Springs</p>	<p>These sites were zoned Residential under the Inoperative District Plan. Due to an unintentional mapping error during the drafting of the Operative District Plan these properties are now zoned Residential 3, rather than Residential 1H.</p> <p>The Residential 3 Zone provides for larger lots of lower density than the Residential 1/1H zones. A minimum site area of 2000 m² is required to build a dwelling in the Residential 3 zone as a permitted activity. From planning map I it is clear the identified properties (except 122 Hanmer Springs Road) are undersized in the Residential 3 zone and the size of the sites better aligns with a Residential 1H zoning.</p> <p>The current Residential 3 zoning has consequences for future development of these sites. Resource consent will be required for breach of Rule 4.6.1 - minimum site area (and in many cases breach of Rule 4.6.2 - site coverage). This was not intended and is not an efficient or effective way to manage development on these sites.</p> <p>This amendment proposes to rezone 110-170 Hanmer Springs Road and 1-63 Woodbank Road to Residential 1H.</p> <p>This amendment will create a misalignment between Planning Map Ic and Rule 4.6.19(g)(x). Therefore, an associated amendment to Rule 4.6.19(g)(x) is required to ensure this rule can continue to be administered in an efficient and effective manner.</p> <p>Rule 4.6.19(g)(x) specifies bricks are a permitted cladding choice for buildings within a specific area of Residential 3 zoned land within the Hanmer Springs Settlement Area. This area is identified on Map Ic as the 'brick' design standard area and includes the properties 110-170 Hanmer Springs Road and 1-63 Woodbank Road. With these properties rezoned as Residential 1H, the rule no longer indicates bricks are a permitted cladding type for these lots, and this does not align with Planning Map Ic.</p> <p>Therefore, an amendment is also proposed to Rule 4.6.19(g)(x). The amendment will refer the Plan user to Planning Map Ic instead of a straight reference to the Residential 3 Zone. Planning Map Ic allows the Plan user to visually check what design standards apply to a particular property within the Hanmer Springs Settlement Area.</p>	<p><u>Planning map</u></p> <p>Amend Map I by rezoning 110-170 Hanmer Springs Road and 1-63 Woodbank Road to Residential 1H.</p> <p><u>Residential Zone</u></p> <p>4.6 Standards for permitted activities</p> <p>19. <i>Hanmer Springs Design Standards</i></p> <p>(j) <i>Cladding material (excluding Old Town area):</i></p> <p>(x) <i>Unpainted earth brick or cement brick provided that:</i></p> <ul style="list-style-type: none"> - <i>Where it is within the settlement boundary, it is confined to the area marked as 'Bricks' on Map Ic. Residential 3 Zone bounded by the Open Space Zone to the north of Rippingale Road, to the east by Argelins Road and to the south by State Highway 7A;</i>
1-30	<p><i>Land parcel with no underlying zoning</i></p> <p>Maps: D – Cheviot F – Culverden G – Gore Bay N – Motunau Beach R - Waikari</p>	<p>A number of land parcels have been identified which have no zoning in the Operative District Plan. Under the Inoperative District Plan these parcels would have been captured by the General Management rules. However, due to the splitting of General Management rules in the Operative District Plan into Rural and Settlement rules, these parcels of land became 'unzoned' and the rules in the Operative District Plan don't apply. This is not considered to be an efficient or effective method for managing activities on the land in question to achieve the objectives of the District Plan.</p> <p>The land parcels with no underlying zoning are:</p> <ul style="list-style-type: none"> • Lot 3 DP 76879 (LINZ ID: 3531686). This parcel forms part of the Culverden Golf Club. • SO 15517 (LINZ ID: 3522135 and 3412440). These parcels are marginal strips of land running between the back of 36, 38 and 56 Caverhill Road and Woolshed Stream in Cheviot. • Section 1 SO 17964 (LINZ ID: 3393139). This parcel is part of a rural zoned site located at 698P Gore Bay Road, but is located within the Gore Bay Settlement Zone. 	<p>Amend planning maps D, F, G, N, R to rezone the land parcels.</p>

		<ul style="list-style-type: none"> LINZ ID: 3408573, 3328123 and 3408855. These parcels are marginal strips running between Motunau River and Fishermans Lane. <p>To ensure the Operative District Plan rules apply, these parcels need to be zoned. The below new zonings have been given based on the character of the land and which zoning the current use of the land best aligns with.</p> <p>Rezone the land parcels as follows:</p> <ul style="list-style-type: none"> Lot 3 DP 76879 (LINZ ID: 3531686) as Open Space SO 15517 (LINZ ID: 3522135 and 3412440) as Open Space Section 1 SO 17964 (LINZ ID: 3393139) as Residential 1 LINZ ID: 3408573, 3328123 and 3408855 as Open Space 							
1-31	<p><i>Incorrect zoning of 8, 10 and 12 Hanmer Springs Road</i></p> <p>Map: I – Hanmer Springs and Ia – Hanmer Springs Town Centre</p>	<p>These sites were zoned Residential under the Inoperative District Plan. The adjoining site at 64 Hanmer Springs Road was also zoned Residential. The District Plan review amended the zoning of 64 Hanmer Springs Road to ‘St James Outline Development Zone (ODZ)’. The St James ODZ is shown in Appendix 5.1.1 and clearly does not include the properties at 8, 10, 12 Hanmer Springs Road.</p> <p>Therefore, including 8, 10 and 12 Hanmer Springs Road within the St James ODZ is considered unintentional and should be corrected, so that the zoning aligns with the area shown in Appendix 5.1.1.</p> <p>This amendment proposes to rezone 8, 10 and 12 Hanmer Springs Road to Residential 1H.</p>	Amend Map I and Ia by rezoning 8, 10 and 12 Hanmer Springs Road to Residential 1H.						
1-32	<p><i>Notable trees mapped but not listed in Schedule 14.3 – Notable trees</i></p> <p>Maps:</p> <p>G – Gore Bay Ia – Hanmer Springs Town Centre J – Hawarden 16 - Parnassus</p>	<p>The following trees are identified on the planning maps but are not listed in Schedule 14.3:</p> <p>T65 – Golden conifer – Hawarden Memorial Park T37 – Manzanita ‘Little Apple’ – Hanmer Springs Hospital Grounds T104 – Pohutukawa – Gore Bay foreshore T71 – Stringybark gum – Hawkeswood, Parnassus</p> <p>These trees were removed from Schedule 14.3 during the District Plan review, but not from the planning maps. As these mapped trees are not included in the Schedule, the rules in Chapter 14 relating to notable trees do not apply. Therefore, it is inefficient and ineffective to have these trees mapped.</p> <p>This amendment proposes deleting these trees from the relevant planning maps.</p>	<p>Delete T65 from planning map J – Hawarden Delete T37 from planning map Ia – Hanmer Springs Town Centre Delete T104 from planning map G – Gore Bay Delete T71 from planning map 16 – Parnassus.</p>						
1-33	<p><i>Notable tree listed in Schedule 14.3 shown in wrong location on planning maps</i></p> <p>Map: P - Rotherham</p>	<p>Notable tree T74 is included in Schedule 14.3 as follows:</p> <table border="1" data-bbox="655 1423 1703 1530"> <tr> <td>T74</td> <td>P</td> <td>Gum <i>Eucalyptus</i> spp. sp.</td> <td>30 George Street</td> <td>Rotherham</td> <td>Historical – former Masonic Lodge</td> </tr> </table> <p>However, T74 is shown on planning map P as being located at 34 George Street, Rotherham. Aerial photographs confirm Schedule 14.3 is correct and T74 is actually located at 30 George Street. While the rules in Chapter 14 apply, there is risk that someone looking at the planning maps for 30 George Street could not realise the tree on the property is protected and that the planning rules in Chapter 14 are applicable. This is not effective and could result in confusion leading to damage or demolition of the tree.</p> <p>This amendment proposes to correct the position of T74 so it is identified on Map P on the 30 George Street property.</p>	T74	P	Gum <i>Eucalyptus</i> spp. sp.	30 George Street	Rotherham	Historical – former Masonic Lodge	Amend Map P to show T74 in the correct location.
T74	P	Gum <i>Eucalyptus</i> spp. sp.	30 George Street	Rotherham	Historical – former Masonic Lodge				

<p>1-34</p>	<p><i>Notable tree listed in Schedule 14.3 but not shown on planning maps</i></p> <p>Map: la – Hanmer Springs Town Centre</p>	<p>Notable tree T59A is included in Schedule 14.3 as follows:</p> <table border="1" data-bbox="658 247 1673 323"> <tr> <td>T59A</td> <td>I, la</td> <td>Avenue of larches <i>Larix pendula</i></td> <td>Jollies Pass Road</td> <td>Hanmer Springs</td> <td>Lodge Hotel</td> </tr> </table> <p>T59A is not included on planning maps I and la. This is the result of a drafting oversight not noticed during the plan review. While the rules in Chapter 14 apply to these trees, without being mapped, it is currently unclear to which trees the rules apply, and there is a risk that someone looking at the planning maps would not realise there are applicable rules. This is not effective and could result in confusion.</p> <p>This amendment proposes to re-add T59A to planning maps I and la in the same location as shown on the planning map 'H' of the Inoperative District Plan.</p>	T59A	I, la	Avenue of larches <i>Larix pendula</i>	Jollies Pass Road	Hanmer Springs	Lodge Hotel	<p>Amend map I and la.</p>
T59A	I, la	Avenue of larches <i>Larix pendula</i>	Jollies Pass Road	Hanmer Springs	Lodge Hotel				
<p>1-35</p>	<p><i>Location of notable tree T125</i></p> <p>Map: la – Hanmer Springs Town Centre</p>	<p>Notable tree T125 is included in Schedule 14.3 as follows:</p> <table border="1" data-bbox="658 667 1703 781"> <tr> <td>T125</td> <td>I, la</td> <td>Avenue of lindens <i>Tilia x europaea</i></td> <td>Former Queen Mary Hospital grounds</td> <td>Hanmer Springs</td> <td>Complementing T35</td> </tr> </table> <p>T125 has been included in two locations on the planning maps for the Operative District Plan, shown below. The yellow circle shows the correct location of T125. Removing the duplication will avoid any confusion about the trees to which the rules in Chapter 14 apply and is therefore more efficient. Therefore, this amendment proposes to amend planning maps I and la to remove the blue circled location.</p> 	T125	I, la	Avenue of lindens <i>Tilia x europaea</i>	Former Queen Mary Hospital grounds	Hanmer Springs	Complementing T35	<p>Amend Map I and la.</p>
T125	I, la	Avenue of lindens <i>Tilia x europaea</i>	Former Queen Mary Hospital grounds	Hanmer Springs	Complementing T35				
<p>1-36</p>	<p><i>Location of notable tree T126</i></p> <p>Map: la – Hanmer Springs Town Centre</p>	<p>Notable tree T126 is included in Schedule 14.3 as follows:</p> <table border="1" data-bbox="658 1556 1703 1669"> <tr> <td>T126</td> <td>I, la</td> <td>Pin oaks <i>Quercus palustris</i> and conifers</td> <td>Queen Mary Hospital Historic Reserve</td> <td>Hanmer Springs</td> <td>(T134 PC30)</td> </tr> </table> <p>T126 has been included in two locations on the planning maps for the Operative District Plan. One is shown within the Queen Mary Hospital Historic Reserve (yellow) and one is shown within the former Queen Mary Hospital grounds (blue).</p>	T126	I, la	Pin oaks <i>Quercus palustris</i> and conifers	Queen Mary Hospital Historic Reserve	Hanmer Springs	(T134 PC30)	<p>Amend Map I and la.</p>
T126	I, la	Pin oaks <i>Quercus palustris</i> and conifers	Queen Mary Hospital Historic Reserve	Hanmer Springs	(T134 PC30)				



The yellow circle shows the correct location for T126. As the description above states, the trees are located within the Queen Mary Hospital Historic Reserve (i.e. the yellow circled location). Removing the duplication will avoid any confusion about the trees to which the rules in Chapter 14 apply and is therefore more efficient.

This amendment proposes to update planning maps I and Ia to remove the blue circled location of T126.

1-37

Location of notable trees T131, T132 and T133
Map: Ia – Hanmer Springs Town Centre

Notable trees T131, T132 and T133 are included in Schedule 14.3 as follows:

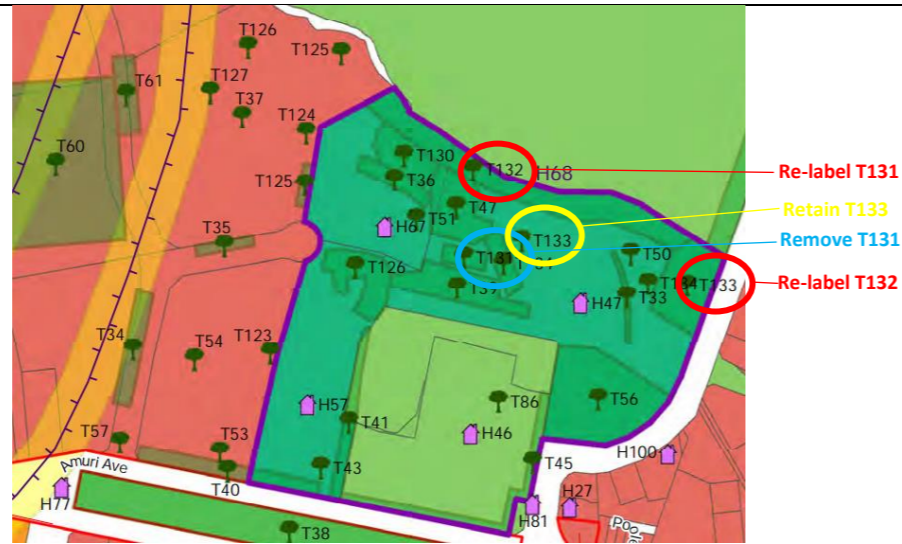
T131	I, Ia	Trees along stream <i>Prunus avium, Betula, Nothofagus, Larix</i> etc.	Queen Mary Hospital Historic Reserve	Hanmer Springs
T132	I, Ia	Mixed woodlot: <i>Pseudotsuga menziesii, Quercus, Betula</i> etc.	Queen Mary Hospital Historic Reserve	Hanmer Springs
T133	I, Ia	Gum <i>Eucalyptus spp.</i>	Queen Mary Hospital Historic Reserve	Hanmer Springs

These notable trees are shown either in multiple locations or in incorrect locations on planning map Ia. These errors happened in the early stages of the District Plan review. During the early stages of drafting Chapter 14 – Heritage, a new notable tree description was temporarily inserted as T131. This meant the current T131 description became T132, and the current T132 description became T133. This is what can be seen on planning map Ia.

This new notable tree description was then removed prior to notification of the Proposed District Plan and the descriptions for these notable trees remained the same as the descriptions in the Inoperative District Plan. Planning maps I and Ia were not updated accordingly.

This amendment proposes to update planning maps I and Ia as shown below to reflect the actual location of the notable trees described. This ensures that it is clear what trees the rules in Chapter 14 apply to, and is therefore more efficient and avoids potential confusion.

Amend Map I and Ia.



1-38

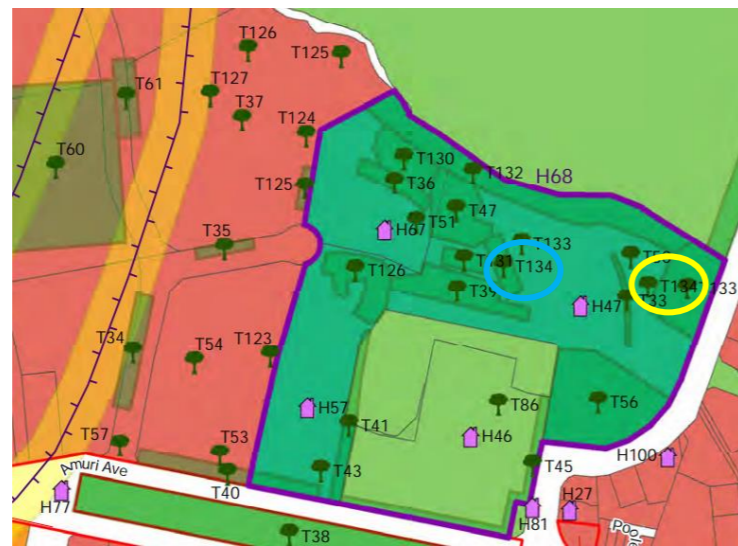
Location of notable tree T134

Map: Ia – Hanmer Springs Town Centre

Notable tree T134 is included in Schedule 14.3 as follows:

T134	I, Ia	Copper beech <i>Fagus sylvatica</i>	Queen Mary Hospital Historic Reserve	Hanmer Springs	(T135 PC30)
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T134 has been included in two locations on the planning maps for the Operative District Plan, shown below:



This is a result of a temporary insertion of a new notable tree description as T134 early in the drafting process: an avenue of silver birches known as ‘lovers lane’. This is identified above by the blue circle. This description was removed prior to notification of the Draft Proposed District Plan and the description for T134 reverted back to the description included in the Inoperative District Plan. Planning maps I and Ia were not updated accordingly.

The yellow circled location is correct. This amendment proposes the removal of the blue circled location from planning maps I and Ia. This ensures it is clear what trees the rules in Chapter 14 apply to, and is therefore more efficient and avoids potential confusion.

Amend Map I and Ia.

Statutory context

Section 74 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its District Plan. Section 75 of the Act sets out the content of District Plans. The relevant matters from both sections are outlined below.

Section 74(1)(a): accordance with Hurunui District Council's functions under the Act

Proposed PC1 is considered to be in accordance with the Council's functions under section 31 of the Act. Specifically proposed PC1 will:

- a. achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district; and
- b. assist the Council to control the actual or potential effects of the use, development, or protection of land.

Section 74(1)(b): accordance with the purpose and principles of the Act

Proposed PC1 amends the rule framework only. No amendments are proposed to the policy or objective framework. It is considered the current objectives of the District Plan, which were considered through the District Plan review process, achieve the purpose and principles of the Act. Proposed PC1 is consistent with the current objectives of the Plan, and is therefore considered consistent with the purpose and principles of the Act.

Section 74(2)(a): having regard to any proposed regional policy statement or plan

The Canterbury Regional Policy Statement was made operative on 15 January 2013. The Canterbury Land and Water Regional Plan was made fully operative on 1 February 2016. Therefore, there is no proposed regional policy statement or proposed regional plan to have regard to.

Section 74(2)(b): having regard to management plans and strategies prepared under other Acts

There are no relevant management plans or strategies prepared under other Acts that are relevant to proposed PC1.

Section 74(2)(c): having regard to the extent to which the Plan needs to be consistent with the Plans of adjacent territorial authorities

Proposed PC1 seeks to make a number of miscellaneous and separate amendments to the rule framework only. It is considered proposed PC1 will not create any cross boundary issues in respect of the Plans of adjacent territorial authorities.

Section 74(2A)(a): accounting for any relevant planning documents recognised by an iwi authority and lodged with the Hurunui District Council

Proposed PC1 is not considered to create any issues in relation to the Te Rūnanga o Kaikōura Environmental Management Plan 2007 nor the Mahaanui Iwi Management Plan 2013.

Section 75(3): ensuring the Plan is not inconsistent with higher order documents

Proposed PC1 amends the rule framework only. It does not amend the policy or objective framework. It is considered the current objectives of the Plan give effect to the relevant national policy statements, the New Zealand Coastal Policy Statement and the Canterbury Regional Policy Statement.

Section 75(4): ensuring the Plan is not inconsistent with a water conservation order or regional plan for any matter specified in section 30(1)

There are no water conservation orders applicable to the Hurunui District.

Proposed PC1 is not inconsistent with the Canterbury Land and Water Regional Plan.

3. Section 32 evaluation

Section 32

The Act requires the preparation of an evaluation report in accordance with section 32 for all plans, policy statements and plan changes prepared under the Act. This evaluation is undertaken prior to public notification of the proposed plan change.

This section details the Council's evaluation of proposed PC1 under section 32 of the Act (the full text from section 32 is provided as Appendix A). It is intended to be read in conjunction with the discussion of the proposed amendments in Section 2.

Purpose of proposed PC1

As per section 32(6), in relation to this evaluation the term 'objectives of the proposal' means 'the purpose of proposed PC1'.

The purpose of proposed PC1 is to make changes to the Plan to improve its overall workability, consistency and clarity by addressing identified issues in order to better align the rule framework with, and achieve, the Plan objectives.

Relevant objectives

S32(1)(a) requires an examination of the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act.

The amendments proposed seek to improve the efficiency and effectiveness of the rule framework to achieve the Plan objectives. No changes are proposed to the Plan's existing objective framework. The existing objective framework was reviewed and developed in accordance with the Act. Therefore, an underlying assumption of this evaluation is the existing and unchanged Plan objectives achieve the purpose of the Act, and continue to be the most appropriate way of doing so.

Proposed PC1 is considered an amending proposal under section 32(3). As such the evaluation of provisions in this section 32 report have been undertaken against the existing Plan objectives and the purpose of proposed PC1.

Overview of practicable options

Section 32(b)(i) requires identification of reasonably practicable options for achieving the objectives. Two reasonably practicable options have been identified:

- **Option A - Status Quo:**
The operative rule framework and planning maps would be retained in the current format. None of the amendments identified in Section 2 would be made to the Plan to address the inconsistencies, omissions or to improve and rationalise the existing rule framework.

- **Option B – Proposed PC1:**
Amendments as identified in Section 2 would be made to the rule framework and planning maps. The amendments would correct the identified inconsistencies, omissions, and improve and rationalise the existing rule framework to promote more efficient and effective operation and administration of the Plan to better achieve the Plan objectives.

Scale and significance

To determine whether the proposed amendments are the most appropriate way to achieve the Plan objectives, section 32(1)(c) requires analysis to be conducted in a manner and level of detail which corresponds to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of the proposed plan change.

As noted above, the proposed amendments evaluated in this report relate to the correction of inconsistencies, omissions, as well as improvement and rationalisation of the existing rule framework. As such, the scale and significance of the amendments recommended in proposed PC1 are considered minor. The level of detail in the analysis below and in Section 2 reflects this.

Assessment of efficiency and effectiveness

Section 32(1)(b)(ii) requires assessment of the efficiency and effectiveness of the provisions in achieving the objectives. The amendments proposed do not relate specifically to any one objective more than another. Where a change relates particularly to one Plan objective, the relevant Plan objective is identified in Section 2. Therefore, this assessment takes into account the effectiveness and efficiency of achieving the purpose of proposed PC1 and the Plan objectives as a whole.

The starting point for the below evaluation is the current environment and rule framework of the Plan. This approach means the efficiency and effectiveness of the new provisions, and any identified costs and benefits of the proposed provisions, are a comparison against the status quo.

	Option A: Status Quo	Option B: Proposed PC1
Efficiency and Effectiveness	<ul style="list-style-type: none"> • This option is not considered an efficient and effective method to achieve the objectives of the Plan, nor the purpose of proposed PC1. • The identified inconsistencies and omissions would not be corrected, hindering the efficient operation and administration of the Plan, hampering the full achievement of the Plan objectives. • Resource consent will continue to be required in some situations solely because of inconsistent plan provisions. For example, in situations where there is a misalignment between the minimum site area requirements for land use and subdivision. • In some cases, the control posed by a rule, or the absence of a rule goes 	<ul style="list-style-type: none"> • This option is considered an efficient and effective method to achieve the objectives of the Plan and the purpose of proposed PC1. • The proposed amendments would improve the overall workability, consistency and clarity of the Plan, achieving the purpose of proposed PC1. The changes proposed will enable more effective and efficient operation and administration of the Plan. • The amendments proposed will ensure the environmental outcomes set through the objective and policy framework of the Plan are better achieved than under the status quo. • In some cases where inconsistencies are corrected, for example the misalignment between the minimum site area

	beyond the intervention required to achieve the Plan objectives resulting in inefficiencies. For example, the absence of an exemption for additions to existing non-complying buildings that do not increase the degree of non-compliance.	requirements for land use and subdivision, resource consent will no longer be required. This will increase the efficiency and effectiveness of the planning process.
Benefits	<ul style="list-style-type: none"> Less regulation of some activities. For example, the status quo does not require the application of the Hanmer Springs Design Standards in the Open Space Zone. 	<ul style="list-style-type: none"> Through clarification of the rule framework and the reinstatement of rules, activities will be properly controlled resulting in more robust environmental outcomes. This option reduces the time and cost to developers, as in some cases the need to apply for resource consent will be removed. For example, some lots subdivided under the Inoperative District Plan no longer meet the minimum site area requirements under the status quo. The proposed amendments fix this, removing the need for a land use consent.
Costs	<ul style="list-style-type: none"> Time and money spent on preparing and applying for resource consent because of an inconsistent, missing, ineffective and/or inefficient rule. Risk of not achieving anticipated environmental outcomes in some cases where rules have been missed, allowing activities to be carried out with no controls. 	<ul style="list-style-type: none"> Where a proposed amendment is to reinstate a rule inadvertently excluded from the Plan this will place controls on activities, and in some cases require an application for resource consent, where currently the status quo provides no controls. For example, the reinstatement of controls on earthworks in proximity to water bodies in the Business and Open Space Zones. However, any new rules proposed are only reinstating rules from the Inoperative District Plan inadvertently omitted from the Plan. Therefore, it is anticipated that no plan user will be any more disadvantaged than they were under the Inoperative District Plan.

With regards to section 32(2)(a)(i) and (ii) the proposed amendments are not anticipated to provide nor reduce economic growth and employment opportunities within the Hurunui District.

Risk of acting or not acting

Section 32(2)(c) requires the Council to assess the risk of acting or not acting if there is uncertain or insufficient information. The amendments proposed correct inconsistencies, omissions, improve and rationalise the existing rule framework. As such, little uncertainty or insufficiency is associated with the proposed amendments and the risks of including the proposed amendments in the Plan are considered to be low.

Summary of advice from iwi authorities

The Council engaged the services of Mahaanui Kurataiao Limited to review and brief Te Ngāi Tūāhuriri Rūnanga and Kaikōura Rūnanga on the content of proposed PC1.

The Kaitiaki Committee for Te Ngāi Tūāhuriri Rūnanga provided the following feedback:

- Acknowledgement the amendments proposed by proposed PC1 are not substantive and seek to improve the overall usability of the District Plan.

On this basis, the Kaitiaki confirmed they are comfortable with the proposed amendments and do not have any concerns to raise.

The Kaitiaki Committee for Kaikōura Rūnanga provided the following feedback:

- No concerns raised as the plan change generally seeks to tidy up the District Plan, and no major changes are proposed.

Therefore the Rūnanga did not wish to have any involvement in the proposed PC1 process.

Conclusion

This evaluation was undertaken in accordance with section 32 of the Act. This evaluation has assessed the proposed changes against the status quo, taking into account the efficiency and effectiveness of each option at achieving the Plan objectives, along with the costs and benefits of each approach. Overall, Option B – Proposed PC1, is identified as the most appropriate option to better align the rule framework with, and to better achieve the relevant Plan objectives.

Appendix A: section 32 text

32. Requirements for preparing and publishing evaluation reports

- (1) *An evaluation report required under this Act must—*
 - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must—*
 - (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) *If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
 - (a) *the provisions and objectives of the amending proposal; and*
 - (b) *the objectives of the existing proposal to the extent that those objectives—*
 - (i) *are relevant to the objectives of the amending proposal; and*
 - (ii) *would remain if the amending proposal were to take effect.*
- (4) *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*
- (4A) *If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*
 - (a) *summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
 - (b) *summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*
- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection—*
 - (a) *as soon as practicable after the proposal is made (in the case of a standard or regulation); or*
 - (b) *at the same time as the proposal is notified.*

(6) *In this section,—*

objectives means,—

(a) for a proposal that contains or states objectives, those objectives:

(b) for all other proposals, the purpose of the proposal

proposal means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act

provisions means,—

(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:

(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.