

DRAFT SECTION 32 REPORT

CHAPTER 6

GENERAL RULES AND PROCEDURES

1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE OF THE GENERAL RULES AND PROCEDURES CHAPTER

The purpose of the General Rules and Procedures Chapter is to provide certainty and clarity around rules and standards that apply across multiple zones of the District Plan and that are not covered by discrete chapters (e.g. Transport or Natural Hazards).

Both the Christchurch City Plan and the Banks Peninsula District Plan currently provide a broad suite of objectives and policies in relation to the General City Rules, Health and Safety, and Amenity chapters. In reviewing those provisions, a number of changes were identified that would assist with Canterbury's recovery. In particular there is a need to:

- a. re-focus the objectives and policies where appropriate so they specifically recognise and respond to recovery issues and identify opportunities to remove unnecessary regulatory controls (i.e. reduce consent and notification requirements);
- b. update the provisions (some being nearly twenty years old) to reflect the direction of relevant statutory documents, in particular the Land Use Recovery Plan (LURP) and Canterbury Regional Policy Statement (CRPS), and relevant regional plans;
- c. align provisions in the Christchurch City Plan, the Banks Peninsula District Plan and the Christchurch Central Recovery Plan; and
- d. reflect the Statement of Expectations in Schedule 4 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014.

The revised General Rules and Procedures Chapter will consolidate provisions from four parts of the operative Christchurch City Plan and Banks Peninsula District Plan (BPDP) including sections of:

- Part 9 - General City Rules
- Part 10 - Heritage and Amenity
- Part 11 - Health and Safety
- Part VI - General Provisions (BPDP)

1.2 STATUTORY CONSIDERATIONS

This document has been prepared pursuant to the Council's requirements under section 32 of the Resource Management Act 1991 (the Act) for the General Rules and Procedures Chapter. Section 32 requires the Council to carry out:

- (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
(3) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Section 32 evaluations aim to transparently communicate the thinking behind proposals to the community and decision-makers. They tell the ‘story’ of what is proposed and the reasoning behind it. Decision-makers then have clearly communicated, sound policy analysis on which to base their decisions about resource management issues.

The s32 evaluation also provides a record for future reference of the process, including the methods, technical studies, and consultation that underpin the plan change / policy process, including the assumptions and risks.

1.3 REPLACEMENT DISTRICT PLAN

1.3.1 *Stages 1, 2 and 3*

Parts of the General Rules and Procedures Chapter have been included in both Stage 1 and Stage 2 of the proposed replacement District Plan. The first stage of the review focused on those chapters which were considered urgent in terms of promoting the recovery of Christchurch. This included the Residential, Commercial, Natural Hazards and Strategic Directions chapters.

Section 6.4 Temporary Earthquake Recovery Activities and its two appendices (Appendix 6.1 and Appendix 6.2) were notified as part of Stage 1 of the review and the extension to Stage 1 directed by the Independent Hearings Panel. This section includes provisions for activities displaced by the earthquakes, storage facilities and workers' temporary accommodation.

Stage 2 of the General Rules and Procedures chapter includes all outstanding subsections including:

- 6.1 Noise
- 6.2 Temporary activities, buildings and events
- 6.3 Outdoor lighting and glare
- 6.5 Scheduled activities
- 6.6 Water body setbacks
- 6.7 Aircraft protection
- 6.8 Signs
- 6.9 Sale of alcohol
- 6.10 Coastal hazard mitigation works

The majority of Appendix 6.6 Landscaping and Tree Planting – Rules and Guidance was notified as part of Stage 1 as an Appendix to the Industrial Chapter (Appendix 16.7.1). Because this guidance applies to a number of zones, it has been moved to the General Rules chapter and some additional guidance related to planting for quarry screening has been added for Stage 2.

Stage 3 includes additional rules for s6.2 Temporary Activities, Buildings and Events, s6.3 Outdoor Lighting and Glare and s6.6 Water Body Setbacks. These rules overlap with matters dealt with in other Stage 3 proposals (i.e. Natural and Cultural Heritage and Natural Hazards) and benefit from reading in context with those proposals.

Text in grey in this report relates to Stage 3 matters provided for context only in the Stage 2 s32 report. The rules to while these sections of the s32 report relate will be open for submission at a later date to be determined.

1.3.2 *Subsections not carried over*

Other subsections in the operative plans are not proposed to be carried over into the proposed General Rules chapter. These include:

- a. Financial contributions (other than for esplanade reserves and strips);
- b. Fortified sites; and
- c. Relocated buildings (other than for Character Areas or other specific zones).

Financial contributions, other than esplanade strips, have been removed because the Council considers that using powers under the Local Government Act to collect development contributions is a more effective and efficient means of sharing the costs of development equitably, including mitigating environmental effects. Requirements for financial contributions for esplanade reserves or strips have moved to the Subdivision, Earthworks and Development chapter.

Fortified sites were introduced into the City Plan in 1997 through Variation 3 following community concern about the effects gang houses were having on the image of the neighbourhood and privacy. It is Council's view that the adverse effects of these fortifications on the environment, in particular in respect of the social, economic, aesthetic and cultural values of the environment, are such that these activities should not be permitted. However, rather than expressly prohibit them, the approach proposed is to rely on the activity and built form standards in the relevant zones to discourage their establishment or manage their effects.

The operative City Plan discourages the relocation of houses in residential zones, largely to prevent "Twizel" houses being relocated in these areas. With the current post-earthquake housing situation and the greater demand for housing relocation, the Council now considers this matter as a housing issue, not an amenity one. There are many homes in earthquake-affected areas that can be relocated and many of these will fit compatibly into other residential suburbs. Developers' covenants will prevent these houses being located in the newest suburbs.

Controls on relocated buildings in Character Areas and other areas sensitive to the potential amenity effects of these buildings will be retained.

1.3.3 *Strategic context*

Provisions in the General Rules and Procedures chapter sit within a wider strategic context and where relevant, take direction from one or more strategic documents. These documents broadly identify the resource management issues for the District and provide the higher level policy direction to resolve these issues. The key ones for the General Rules and Procedures chapter are:

- a. the Canterbury Earthquake Recovery Strategy (CERS);
- b. the Christchurch Central Recovery Plan (CCRP);
- c. the Land Use Recovery Plan (LURP);
- d. the Canterbury Regional Policy Statement (CRPS);
- e. the Natural Resources Regional Plan (NRRP);
- f. the proposed Land and Water Regional Plan (pLWRP);
- g. a range of District and Regional Council strategies, policies and bylaws controlling signage, earthworks, stormwater management, temporary activities, etc. (see subsections for specific reference).

The Strategic Directions chapter in Chapter 3 of the proposed replacement District Plan also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the s 32 report for the Strategic Directions chapter.

In evaluating the provisions particular regard has been had to the Statement of Expectations in Schedule 4 of the Order in Council including the need to:

- a. reduce reliance on resource consent processes;
- b. contain objectives and policies that clearly state the outcomes intended for the District;
- c. provide for a range of temporary and construction activities;
- d. set a clear direction for the use and development of land to avoid or mitigate natural hazards; and
- e. use clear, concise language and be easy to use.

1.4 SCALE AND SIGNIFICANCE EVALUATION

1. The level of detail undertaken for the evaluation of the proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of the proposed District Plan provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:
 - a are of regional or city wide significance;
 - b impede the City's recovery;
 - c adversely affect peoples' health and safety;

- d result in a significant change to the character and amenity of local communities;
- e have effects on resources that are considered to be a matter of national importance in terms of section 6 of the Act;
- f adversely affect those with particular interests including Māori (consideration needs to be given to whether there is certainty of effects based on the availability of information to assess benefits and costs);
- g limit options for future generations to remedy effects; and
- h whether the effects have been considered implicitly or explicitly by higher order documents; and
- i whether the provisions include regulations or other interventions that will impose significant costs on individuals or communities.

The level of detail of the evaluations is commensurate with the scale and significance of each of the subsections in the chapter.

2.0 NOISE

2.1 STRATEGIC CONTEXT

2.1.1 Purpose and scope of the Noise section

1. The purpose of the noise section of the General Rules and Procedures Chapter is to provide a streamlined, simplified and updated framework and process for the control of noise emission and the mitigation of its effects.
2. Noise is part of the environment and all activities undertaken give rise to some noise. Different levels and types of noise are associated with different activities, and these are accepted as part of the activities that are undertaken. At times, however, either because of its location, duration, frequency, nature or timing, noise can be intrusive or at a level which could be considered excessive. Health research shows that, apart from general annoyance and inconvenience, excessive noise has an adverse effect on health, including heightened stress levels, sleep disturbance and decreased efficiency of the immune system.
3. Three different types of noise can be identified:
 - a. Ambient or background noise, which is the general noise that is always present. In some areas this noise comes from birds or animals; in other cases from background traffic noise or from activities associated with urban living. Where ambient noise levels are high, as in some industrial areas, it may be inappropriate to establish noise-sensitive activities, such as residential uses. Increasing ambient noise levels can become a concern over time, and a threat to acceptable well-being and amenity standards.
 - b. Noise attributable to identifiable activities which can be measured and managed through the District Plan.
 - c. Potential nuisance noise, which in some instances could arise despite there being compliance with District Plan rules. In other cases potential nuisance noise is of a nature which is not readily measured, but still obtrusive or excessive, such as that associated with live amplified music or mechanical banging and thumping.
4. Through the District Plan processes, it is difficult to manage ambient noise, and frequently action can only be taken by the community itself. The Council can assist with guidelines or information on ways to minimise noise, and over time technology may result in equipment which is quieter than before. Similarly, potential noise nuisances require value judgements to determine what is excessive. As a consequence, this type of noise is best managed outside of the District Plan process using the Health Act 1956 and through responding to complaints. The nuisance provisions of the Resource Management Act (the 'Act') 1991 can be used in extreme cases.
5. Both the Christchurch City Plan and the Banks Peninsula District Plan currently provide objectives and policies in relation to noise and several of these sit within different chapters of the Plans. However, a number of gaps, listed below, have been identified.
 - a. The relevant acoustic standards NZS 6801 and NZS 6802 have been updated since the operative plan was written, and so the current provisions need to be updated and aligned with these NZ standards.
 - b. Current rules pick out sections of NZS 6803:1999 "Acoustics – Construction Noise" but do not refer to it directly.

- c. Construction requirements for noise attenuation appear in several parts of the Plan and are not consistently applied.
- d. Noise-sensitive activities along road and rail corridors are dealt with differently in various parts of the city.
- e. Noise rules for outdoor amplified music concerts and events are out of date and difficult to achieve and/or enforce.

2.1.2 PROPOSED REPLACEMENT DISTRICT PLAN: OVERVIEW AND SYNOPSIS

1. The Act provides for both regional and local authorities to control the emission of noise and the mitigation of the effects of noise.
2. Insofar as Environment Canterbury (ECan) is concerned, its responsibility lies in providing a framework for the emission of noise within the Coastal Marine Area (refer to Policy 8.3.3 of the Canterbury Regional Policy Statement) and that provisions should avoid, remedy or mitigate the adverse effects on that environment and take into account national port noise standards (Policy 8.3.6).
3. The Noise section of the General Rules and Procedures Chapter of the proposed Replacement District Plan gives effect to these strategic directions and other strategic documents listed in **Appendix 2.1**. Linkages between the objectives and policies in the Strategic Directions Chapter and the Noise part of the General Rules and Procedures Chapter are summarised in **Appendix 2.2**.

2.1.3 RESEARCH

1. The Council has commissioned technical advice and assistance from various internal and external experts and utilised this to assist with setting the Plan framework for the proposed noise provisions. This advice includes the following:

	Title	Author	Description of Document
a	Memorandum dated 14 May 2014 re General Noise Rules – Initial Review Comments	Marshall Day Acoustics	Provides initial comments on the General Noise Rules Chapter of the District Plan.
b	Memorandum dated 30 June 2014 re Sensitive Activities Definition	Marshall Day Acoustics	Provides a proposed simplified definition of sensitive activity.
c	Memorandum dated 2 July 2014 re Temporary Military Activities - Noise	Marshall Day Acoustics	A review of the Plan provisions for Temporary Military Activities and the submission received from the New Zealand Defence Force (NZDF).
d	Memorandum dated 7 July 2014 re Draft Objectives and Policies	Marshall Day Acoustics	A review of the draft objectives and policies for the Stage 1 chapters.
e	Memorandum dated 8 July re Special Purpose Hospital Zones	Marshall Day Acoustics	Provides initial comments on noise rules appropriate for Special Purpose Hospital Zones.
f	Memorandum dated 17 &	Marshall Day	Provides comments on changes

	Title	Author	Description of Document
	28 July 2014 re Christchurch Stadium Noise Rules	Acoustics	being requested by the Christchurch Stadium Trust.
g	Memorandum dated 12 August 2014 re Traffic and Rail Noise – Reverse sensitivity	Marshall Day Acoustics	Examines possible reverse sensitivity rules to address traffic and rail noise in the Greater Christchurch area.
h	Memorandum dated 15 September 2014 re Low Frequency Noise	Marshall Day Acoustics	
i	Memorandum dated 18 September 2014 re Acoustic Terminology	Marshall Day Acoustics	Provides comments on the need to revise acoustic terminology in the Plan.
j	Memorandum dated 30 September 2014 re Detailed Proposal for Replacement Noise Rules	Marshall Day Acoustics	Provides detailed proposals for updated/replacement noise rules in the District Plan. This document follows on from the initial review of the general rules noise chapter contained in Memorandum dated 14 May 2014.
k	Evaluating the Effectiveness and Efficiency of the Christchurch City Plan, Project Report 2011	Response Planning	Reports on the efficiency and effectiveness of the provisions of both the operative Christchurch City Plan and Banks Peninsula District Plan.
l	Evaluating the Effectiveness and Efficiency of the Banks Peninsula District Plan, Addendum Report 2011		

2.1.4 Consultation

1. The Act requires the Council to consult with the Minister for the Environment, other Ministers of the Crown who may be affected by the plan, local authorities who may be affected, the tangata whenua of the area affected, and any customary marine title group in the area. The Council may also consult with anyone else during the preparation of the plan.
2. The Council has undertaken two public consultation exercises for the first stage of the review, one early in the drafting of the proposed plan in August and September 2013 (see **Appendix 2.3** for a summary of this consultation) and another on a draft of the proposed plan during February and March 2014 (see **Appendix 2.4**).
3. Discussions have been held with staff from the Canterbury Earthquake Recovery Authority, Environment Canterbury and Mahaanui Kurataiao Limited, in preparation of the draft chapter to outline the direction of the chapter and invite their feedback, particularly in relation to noise. A Collaborative Agency Group comprising representatives of the Canterbury Regional Council, Selwyn District Council, Waimakariri District Council, Canterbury Earthquake Recovery Authority, New Zealand Transport Agency, Ngai Tahu and the Ministry for Environment (in an advisory role) has provided feedback through late 2014.

4. No significant matters for the noise section of the General Rules and Procedures Chapter were raised in the context of any of these discussions.

2.2 RESOURCE MANAGEMENT ISSUES

2.2.1 ISSUES IDENTIFICATION

1. The resource management issues set out in this section have been identified mainly from the following sources:
 - a. primary and secondary research;
 - b. public feedback and comment received from various sources including the media, general public, and annual residents' surveys;
 - c. monitoring and review of current District Plan; and
 - d. matters raised in various forums by statutory partners.

2.2.2 STRATEGIC PLANNING DOCUMENTS

1. Many issues are of a strategic nature and consideration has already been given to the strategic policy direction in higher order documents that are carried through into the Strategic Directions Chapter of the District Plan review.
2. Those strategic matters and provisions that have been specifically given effect or had regard to in this noise part of the General Rules and Procedures Chapter are summarised in **Appendix 2.1**. These documents already broadly identify the resource management issues for the district and provide the higher level policy direction for resolving these issues.
3. The Strategic Directions Chapter also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the Section 32 Strategic Directions Report. Those objectives and policies within the Strategic Directions Chapter that are relied on in this chapter are discussed in section 4 and 5 below.

2.2.3 Order in Council

1. The process for the Replacement District Plan is prescribed by the Order in Council made by Government on 7 July 2014. The Order in Council modifies the Act to provide a streamlined process for the review of the Christchurch City and Banks Peninsula District Plans and preparation of a Replacement District Plan. The Order in Council states that the Council must have particular regard to the Statement of Expectations (Schedule 4 of the Order in Council). The relevant expectations for the Specific Purposes Chapter include:
 - (a) *clearly articulates how decisions about resource use and values will be made, which must be in a manner consistent with an intention to reduce significantly (compared with the existing district plans) —*
 - (i) *reliance on resource consent processes; and*
 - (ii) *the number, extent, and prescriptiveness of development controls and design standards in the rules, in order to encourage innovation and choice; and*
 - (iii) *the requirements for notification and written approval:*
 - (b) *contains objectives and policies that clearly state the outcomes that are intended for the Christchurch district:*

...

 - (f) *provides for a range of temporary and construction activities as permitted activities, recognising the temporary and localised nature of the effects of those activities:*

...

(i) uses clear, concise language and is easy to use.

2. Overall the provisions proposed in the Noise section of the General Rules and Procedures Chapter respond to the above expectations as follows:
 - a. The proposed noise provisions contain minimal development controls based mainly around acceptable noise limits. Unnecessary controls have been removed where they go beyond these. The exception is where it is considered necessary to protect infrastructure from noise-sensitive activities, and to protect future residents and other activities from unreasonable noise levels, where located close to the infrastructure. In such cases additional development controls are included to require certification, from a suitably qualified acoustics engineer, demonstrating compliance with indoor design sound levels.
 - b. The proposed noise provisions are enabling for temporary and construction activities, and relevant supporting activities.

2.2.4 RESOURCE MANAGEMENT ISSUES

RESOURCE MANAGEMENT ISSUE 2.2.4.1 – Adverse effects of noise-generating activities on the health and well-being of communities

1. Noise can have an adverse effect on amenity values, adversely affecting people's health, interfering with communication and disturbing sleep and concentration.
2. The World Health Organisation (WHO) has issued guidelines for appropriate noise levels at residential properties. The WHO guidelines consider that the main sources of community noise include road, rail and air traffic noise, industries, construction, public work and general community noise.

RESOURCE MANAGEMENT ISSUE 2.2.4.2 – Reverse sensitivity

1. Infrastructure, such as transport hubs and the Christchurch International Airport, is important for the social and economic well-being of Canterbury. Such facilities provide for the effective movement of people and goods within, into and out of Canterbury, creating important connections between people, places and markets.
2. Noise-sensitive activities are to be avoided if they may result in the use and development of such facilities to be constrained. Often sensitivity arises because the development is incompatible with the noise generated within, or by the facility, including associated activities such as freight storage and movement, especially night-time operations.
3. For the Christchurch International Airport, sensitive activities within close proximity to the airfield would be impacted by overflying planes, glare from airport and approach path lighting, which may lead to issues surrounding the safe and efficient functioning of airport operations.
4. For the transport network, improvements in both rural areas and existing urban areas can have impacts on the local communities that live there. Increased noise is one of the major impacts from increased traffic or new roading infrastructure.
5. However, infrastructure should also minimise its adverse effects on the surrounding environment to the extent practicable. This includes managing interfaces to surrounding development to reduce impacts on amenity values and implementing measures to control noise.

2.3 SCALE AND SIGNIFICANCE EVALUATION

1. The level of detail undertaken for the evaluation of the proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of the proposed District Plan provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to whether the provision:
 - a is of regional or city-wide significance and whether the provisions are predetermined by a higher order document;
 - b is important to resolve an issue or problem particularly to protect life and property;
 - c has effects on resources that are considered to be a matter of national importance in terms of section 6 of the Act;
 - d adversely affects those with particular interests including Maori (consideration needs to be given as to whether there is certainty of effects based on the availability of information to assess benefits and costs);
 - e limits options for future generations to remedy effects;
 - f includes regulations or other interventions that will impose significant costs on individuals or communities; and
 - g will directly assist in the city's recovery.
2. The issues covered in this chapter are generally significant, both in terms of scale and consequences. This is both in respect of potential adverse effects of noise on people and the potential implications on infrastructure, and the wider economic implications, arising from incompatible activities.
3. The level of evaluation able to be undertaken through this Section 32 evaluation has been significantly influenced by the truncated process and timeframe for the District Plan review. The Section 32 evaluation will continue to be updated through the consultation process and in particular in response to recommendation from the Minister for the Canterbury Earthquake Recovery and submissions from the community and stakeholders.

2.3.1 Objectives

1. The objective contained within this chapter gives effect to the matter of the control of noise as provided for in section 31(1)(d) of the Act and emanates from the proposed Strategic Directions Chapter Objective 3.6.6. Those Strategic Directions provisions which have particular relevance to the Noise part of the General Rules and Procedures Chapter are listed in **Appendix 2.2**. The scale and significance of the Strategic Directions objectives and policies has already been assessed under the Section 32 Report for the Strategic Directions Chapter.
2. Objective 3.3.12 Infrastructure of the Strategic Directions Chapter has significant relevance to the noise provisions whereby it promotes the efficient provision and use of infrastructure, particularly strategic infrastructure. This objective is evaluated in more detail in the Section 32 Report for the Strategic Directions Chapter. This objective addresses issue 2.2.3.2 above.

2.3.2 Policies and Rules

1. The evaluation of the policies and rules has focused on those provisions that will result in a substantial change to the noise standards.
2. The policies and rules have been evaluated as a package as they together address noise issues.

3. The policies propose actions to achieve the objective by enabling noise-generating activities to operate while ensuring the health and well-being of people.

2.4 EVALUATION OF PROPOSED OBJECTIVES

a. Section 32(1)(a) of the Act requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose (section 5) of the Act.	
OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE ACT	
Objective	Summary of Evaluation
<p><i>6.1.1.1 Objective: Adverse noise effects</i></p> <p>a. <i>Adverse noise effects on the amenity or health of people and communities are minimised, consistent with the anticipated outcomes of the receiving environment.</i></p>	<p>a. This objective recognises the effects of noise on the surrounding environment in relation to the activities in that environment. It recognises the potential for conflict between noise-generating activities and other sensitive land uses, e.g., residential activities, and seeks to manage adverse noise effects caused by noise-generating activities, while recognising that noise cannot be eliminated completely. It is consistent with s7(c) which states that particular regard must be given to the maintenance and enhancement of amenity values. This objective is considered to be the most appropriate means in achieving the sustainable management purpose of the Act, in particular, avoiding, remedying, or mitigating any adverse effects of activities on the environment.</p>
CONCLUSION	
<p>This objective gives effect to the purpose of the Act.</p> <p>Consideration was given as to whether alternative objectives would more appropriately achieve the purpose of the Act, taking into account circumstances of the district.</p> <p>No alternative objective could be identified that would satisfy Council's statutory obligations under the Act.</p> <p>This objective addresses issue 2.2.3.1 above.</p> <p>The Council therefore considers that the adopted objective is the most appropriate way to achieve the purpose of the Act and addresses the control of noise emission and mitigation of its effects.</p>	

2.5 EVALUATION OF PROPOSED POLICIES, RULES AND METHODS

1. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.
2. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

2.5.1 PROVISIONS (POLICY, RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVE

Objective 6.1.1.1 – Adverse noise effects

- a. Adverse noise effects on the amenity or health of people and communities are minimised, consistent with the anticipated outcomes of the receiving environment.

Objective 3.3.12 Infrastructure

- a. The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled; and
- b. Strategic infrastructure, including its role and function, is protected by avoiding adverse effects from incompatible activities, including reverse sensitivity effects, by, amongst other things:
 - i. Avoiding noise sensitive activities within the Lyttelton Port Influences Overlay area; and
 - ii. Managing activities to avoid adverse effects of the National Grid, including by identifying a buffer corridor within which sensitive activities will generally not be provided for; and
 - iii. Avoiding noise sensitive activities within the 50 dBA Ldn noise contour for Christchurch International Airport, except:
 - i. Within an existing residentially zoned urban area; or
 - ii. Within a Residential Greenfield Priority Area identified in the Canterbury Regional Policy Statement Chapter 6, Map A; or
 - iii. For permitted activities within the Open Space 3D (Clearwater) Zone of the Christchurch City Plan, or activities authorised by a resource consent granted on or before 6 December 2013; and
 - iv. Managing the risk of bird strike to aircraft using Christchurch International Airport; and
- c. The adverse effects of infrastructure on the surrounding environment are managed, having regard to the economic benefits and technical and operational needs of infrastructure.

Policy	Effectiveness and Efficiency
6.1.1.1.1 Policy: Managing noise effects <ol style="list-style-type: none"> a. Minimise adverse noise effects by: <ol style="list-style-type: none"> i. imposing limitations on the level, location and duration of noisy activity; ii. sound insulation for receivers of noise; and 	Benefits <ol style="list-style-type: none"> a. These proposed policies will: <ol style="list-style-type: none"> i. ensure that noise levels will be appropriately managed to protect the amenity values of the environment affected by noise.

<p>iii. limiting the location of sensitive activities relative to activities with elevated noise levels.</p> <p>b. To require insulation within the 55 dB L_{dn} airport noise contour line and the 55 dB L_{dn} engine testing noise contour line for new sensitive activities.</p> <p>c. Exclude new sensitive activities within the air noise boundary and within the 65 dB L_{dn} engine testing noise contour lines.</p> <p>6.1.1.1.2 Policy: Noise during night hours</p> <p>d. Lower noise levels shall be achieved during night hours where noise has the potential to interfere with sleep.</p> <p>6.1.1.1.3 Policy: Activities in key locations</p> <p>e. To enable activities and events that contribute to Christchurch's economic, social, and cultural wellbeing to occur at existing key facilities, whilst ensuring the adverse noise effects of activities on the surrounding community and environment are minimised.</p>	<p>ii. recognise the potential conflict between noise-generating activities and other activities within the same zone or in an adjoining zone.</p> <p>iii. set a framework for the management of noise according to the anticipated outcomes of zones.</p> <p>iv. ensure that noise is within a reasonable expectation for the zoning and noise levels meet accepted minimum standards for the environment affected by noise.</p> <p>v. recognise that some areas of the city contain a diverse range of activities, and that there is increased potential for conflict over noise, particularly when noise-sensitive activities locate near existing noise-generating activities.</p> <p>vi. recognise that in some areas of the city near infrastructure there is potential for adverse noise effects.</p> <p>vii. have social and cultural benefits as they provide for more liveable residential areas and more integrated non-residential areas that take into account noise standards. This contributes to the social well-being of the residential areas.</p> <p>viii. require all noise-generating activities to consider the environment in which they are (to be) located and not to create reverse sensitivity impacts on infrastructure which need to generate higher levels of noise than some other parts of the city.</p> <p>Costs</p> <p>a. These proposed policies will:</p> <p>i. have economic costs associated with</p>
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	<p>implementing and monitoring noise standards for all development adjoining noise-sensitive areas.</p> <p>ii. have financial costs to noise-generating activities in order to meet the standards for environments affected by noise specified in the Plan.</p> <p>iii. have financial implications as they provide less flexibility for new activities in locations close to infrastructure.</p> <p>iv. restrict the location of certain activities in certain areas, which may lead to under-utilisation of land adjoining residential/sensitive areas.</p> <p>Efficiency and Effectiveness</p> <p>a. Overall the proposed policies will be both efficient and effective in terms of setting a framework for the management of noise effects.</p> <p>b. The benefits of the policies are considered to outweigh the costs and will be most appropriate to achieve Objective 6.1.1.1.</p>						
<p>6.1.4 Noise standards</p> <p>A. 6.1.4.1 Zone noise standards</p> <p>6.1.4.1.1 Activity status</p> <p>1. Rule 6.1.4.1.1.1 Permitted Activities</p> <p>The activities listed below are permitted activities, subject to compliance with the Activity Specific Standards set out in this table.</p> <table><tr><th colspan="2">Activity</th><th>Activity Specific Standards</th></tr><tr><td>P1</td><td>Any activity not specified elsewhere</td><td>a. Table 1: Zone Noise Standards outside the Central City</td></tr></table>	Activity		Activity Specific Standards	P1	Any activity not specified elsewhere	a. Table 1: Zone Noise Standards outside the Central City	<p>Benefits</p> <p>a. There are economic benefits from noise standards that are clear and concise, and able to be applied simply and transparently.</p> <p>b. The zone noise standards in Table 1 establish clear noise thresholds. There are benefits to the Council and the community in knowing that noise-generating activities will be managed to minimise effects from noise on amenity and public health, which is also a social benefit.</p>
Activity		Activity Specific Standards					
P1	Any activity not specified elsewhere	a. Table 1: Zone Noise Standards outside the Central City					

P2	People in outdoor areas of premises licensed for the sale, supply, and/or consumption of alcohol, in all Commercial Zones	a. Noise Standard = nil b. Duration = From 0700 hours to 2200 hours only c. Maximum size of outdoor area = 50m ² d. Minimum setback from the boundary of any site in a residential zone = 10m	c. Provides scope for the Council to control the operation of activities which generate excessive noise. d. Provides certainty to the public as to what is anticipated to be undertaken. e. The zone groupings in the Operative Plan will be replaced by a simple list of zones against each set of noise rules. This will provide clarity in protecting the amenity values of the different zones. f. The Plan specifies that any activity that exceeds the permitted noise standards in Rule 6.1.4.1.1.1 by 10 dB or less is a restricted discretionary activity. Similarly, an activity that exceeds the permitted noise standards in Rule 6.1.4.1.1.1 by more than 10 dB is a non-complying activity. The Plan provides a non-complying activity status, acknowledging that there are different noise effects at various levels of noise. An activity which produces noise only marginally above the permitted activity standard will result in lesser noise effects than one which produces noise that is significantly above that same standard. Non-complying status for the latter provides a more rigorous threshold, commensurate with the likely adverse effects. g. Assessment criteria include general criteria on the effects of not complying with a standard, and the extent to which the proposal is consistent with objectives and policies of the Plan, reverse sensitivity concerns, nuisance
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Table 1: Zone Noise Standards outside the Central City

Zone	Time (hrs)	Permitted	
		L _{Aeq}	L _{Amax}
a. All Residential Zones	0700-2200	50	75
b. Rural Zone, except Rural Quarry Zone, measured at any notional boundary	2200-0700	40	65
c. Rural Quarry zone, measured at any notional boundary outside the Rural Quarry zone			
d. All Commercial Zones	0700-2200	55	80
e. All Open Space Zones	2200-0700	45	70
f. Rural Zone, except Rural Quarry Zone, measured at the zone boundary			
g. Future Urban Development Zone			
h. Visitor Accommodation and Community Facilities Zone			
i. Industrial Park Zone (excluding IP - Awatea)			
j. Industrial Office Zone			
k. Specific Purpose (Cemetery, Schools, Tertiary, Resort, Defence Wigram and Hospital) Zone			
l. Industrial General Zone	0700-2200	60	80
m. Industrial Park Zone - Awatea	2200-0700	50	70
n. Industrial Heavy Zone	0700-2200	65	85
o. Rural Quarry Zone measured at the zone boundary	2200-0700	55	75
p. Specific Purpose (Landfill and Transfer Station)			

2. Rule 6.1.4.1.1.2 Restricted Discretionary Activities

Activity		The Council's Discretion shall be limited to the following matters:	<p>and health.</p> <p>h. Assessment criteria are a useful way to flag to an applicant and a processing planner the matters which will be considered for restricted discretionary activities, and provide a guide for discretionary and non-complying activities.</p>
RD1	Any activity that exceeds the Permitted Standards in Rule 6.1.4.1.1.1 by 10 dB or less	a. 6.1.4.4(a-h)	

The activities listed below are a restricted discretionary activity, where not listed as a permitted activity in Rule 6.1.4.1.1.1. Discretion to grant or decline consent and impose conditions is restricted to the matters set out in 6.1.4.4 for each standard, as set out in the following table.

3. Rule 6.1.4.1.1.3 Discretionary Activities

a. There are no discretionary activities.

4. Rule 6.1.4.1.1.4 Non-complying activities

The activities listed below are Non Complying.

5. Rule 6.1.4.1.1.5 Prohibited activities

a. There are no prohibited activities.

	Activity
NC1	Any activity not provided as a Permitted, Restricted Discretionary, Discretionary, or Prohibited Activity
NC2	Any activity that exceeds the Permitted Standards in Rule 6.1.4.1.1.1 by more than 10 dB

Costs

a. Financial costs of engaging an acoustics expert for advice.

b. Financial costs for activities to ensure that noise effects do not have an adverse amenity effect.

c. Financial costs on Council associated with enforcing these rules.

d. The zone-based approach serves to separate residential living from commercial/industrial environments, with the noise rule in support of that broader approach. There are social, amenity and health costs if living environments are subject to excessive noise that has a significant detrimental effect on amenity.

e. The standards in Table 1 recognise varying levels of sensitivity of receiving zones, meaning there is a high level of contextual evaluation that serve to limit the costs.

Efficiency and Effectiveness

a. Noise is a common complaint arising from the undertaking of activities; especially where the level of noise arises from an unexpected source, the activity is out of character with the zone, or is a one-off event such as a concert.

	<p>b. Noise also forms part of the amenity values anticipated within each zone. The industrial zones in general are anticipated to be noisier than the residential zones.</p> <p>c. The Town Centre Zone in the Operative Plan has two completely different noise rules: a very lenient one in Lyttelton; and a residential rule for the remaining areas in Governors Bay, Diamond Harbour, Little River and Akaroa. The nature of established activity in these areas shows that the proposed Commercial Zone noise rules (55 dB daytime and 45 dB night-time) are appropriate for all these areas.</p> <p>In Lyttelton, this will result in the commercial rules being significantly more stringent at night than the current rules. However, it is considered appropriate for two reasons. First, there has always been some residential activity in this area, and it is expected to continue. The existing night-time rule is not compatible with residential development. Second, the lenient rules send a message to bars, for example, that they can make lots of noise, whereas in practice, the zone is so small that they are always limited by the noise rules at the nearby residential zone.</p> <p>In the other town centres, the proposed rules are slightly less stringent than at present, and are appropriate for the mix of light commercial and residential currently found in these areas.</p> <p>d. In the rural areas, to ensure that noisy activities do not inadvertently blight undeveloped rural land, a two-</p>
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	<p>stage rule is proposed in rural areas – a moderate noise rule at the zone boundary and a more stringent rule at the notional boundary. This provides some flexibility to noise-generating activities where there are no nearby noise-sensitive neighbours.</p> <p>e. Therefore it is considered efficient and effective to provide for permitted noise levels that are in character with the specific zones.</p> <p>Rule 6.1.4.1 is a method for achieving Objective 6.1.1.1, which is about the amenity or health of people and communities, with noise management being a contributing factor to achieving this.</p> <p>The rule is efficient and effective as it provides a comprehensive regime of noise thresholds that responds to the levels appropriate for the character of the specific zones.</p>						
<p>B. 6.1.4.2 Noise standards for specific activities</p> <p>6.1.4.2.1 Activity status</p> <p>1. Rule 6.1.4.2.1.1 Permitted Activities</p> <p>The activities listed below are permitted activities, subject to compliance with the Activity Specific Standards set out in this table.</p> <table><tr><th colspan="2">Activity</th><th>Activity Specific Standards</th></tr><tr><td>P1</td><td>Any activity listed in Rules 6.1.4.2.2 to 6.1.4.2.7</td><td>a. Specific standards in Rules 6.1.4.2.2 to 6.1.4.2.7 for that activity</td></tr></table> <p>2. Rule 6.1.4.2.1.2 Restricted Discretionary Activities</p> <p>The activities listed below are a restricted discretionary activity, where not listed as a permitted activity in Rule 6.1.4.2.1.1. Discretion to grant or decline consent and impose conditions is restricted to the matters set out in 6.1.4.4 for</p>	Activity		Activity Specific Standards	P1	Any activity listed in Rules 6.1.4.2.2 to 6.1.4.2.7	a. Specific standards in Rules 6.1.4.2.2 to 6.1.4.2.7 for that activity	<p>Benefits</p> <p>a. Table 2 establishes specific standards for activities that do not comfortably fall within general noise controls due to specific characteristics about the activity and/or the noise generated by the activity.</p> <p>b. There are benefits to the Council and the community in knowing that noise-generating activities will be managed to minimise effects from noise on amenity and public health, which is also a social benefit.</p> <p>c. Provides scope for the Council to control the operation of activities which generate excessive noise.</p> <p>d. Provides certainty to the public as to what is anticipated to be</p>
Activity		Activity Specific Standards					
P1	Any activity listed in Rules 6.1.4.2.2 to 6.1.4.2.7	a. Specific standards in Rules 6.1.4.2.2 to 6.1.4.2.7 for that activity					

each standard, as set out in the following table.

Activity		The Council's Discretion shall be limited to the following matters:
RD1	Any activity listed in Rules 6.1.4.2.2 to 6.1.4.2.6 that exceeds the specific standards in Rules 6.1.4.2.2 to 6.1.4.2.6 for that activity by 10 dB or less	a. 6.1.4.4(a-h)

3. Rule 6.1.4.2.1.3 Discretionary Activities

The activities listed below are Discretionary Activities.

	Activity	The Council will consider any matters under s104 of the Act including:
D1	Any non-compliance with the standards in Rule 6.1.4.2.7	a. 6.1.4.4(a-h)
D2	Helicopter landing areas used for activities other than air ambulance	a. 6.1.4.4(a-h)

4. Rule 6.1.4.2.1.4 Non-complying activities

The activities listed below are Non Complying.

	Activity
NC1	Any activity not provided as a Permitted, Restricted Discretionary, Discretionary, or Prohibited Activity
NC2	Any activity that exceeds the specific standards in Rules 6.1.4.2.2 to 6.1.4.2.6 by more than 10 dB

5. Rule 6.1.4.2.1.5 Prohibited activities

- a. There are no prohibited activities.

6. 6.1.4.2.2 Emergency activities

- a. Generators - Noise
- i. The use of generators, for emergency purposes only, shall comply at any time with the permitted noise standards in Rule 6.1.4.1.1.1 specified for between 0700 hours and 2200 hours. For avoidance of

undertaken.

- e. Manages effects on amenity values of the different zones.
- f. Specific provisions due to the nature of the noise
- g. Supports emergency activities and lifeline utilities, and balancing the needs of the community in preparation of and during an emergency event.
- h. Manages community expectations
- i. Provides for residential amenity.
- j. Provides for temporary events such as concerts

Costs

- a. Financial costs of applying for consent to exceed permitted noise standards.
- b. Financial costs of engaging an acoustics expert for advice.
- c. Financial costs for activities to ensure that noise effects do not have an adverse amenity effect.
- d. Financial costs on Council associated with enforcing these rules.
- e. Imposing numeric limits on temporary activities such as concerts often result in cost to Council in having to undertake noise monitoring. Such monitoring is generally of little value, given that once a concert has begun, it is almost impossible to significantly reduce the level of noise being produced.
- f. There are economic costs associated with the noise rule as it imposes maximum noise thresholds for activities. These costs apply to landowners and

doubt, non-emergency use of generators, including peak-logging, shall comply with the noise standards for the times specified in Rule 6.1.4.1.1.1. Routine testing is permitted only between the hours of 0900 and 1700 weekdays, and is subject to the noise standards in Rule 6.1.4.1.1.1.

b. Military or emergency management training activities – Noise

- i. Military or emergency management activities shall not exceed the following noise standards:

Table 2: Military or emergency management noise standards

	Activity	Permitted Hours	Noise Standard
1	Activities involving the use of firearms or explosives	0700 – 1900	65 dB L _{Amax}
		1900 – 0700	50 dB L _{Amax}
2	Any other noise-generating activities	Rule 6.1.4.1 applies, except that on up to 10 days per year on any site, activities may exceed Rule 6.1.4.1 by 10 dB or less.	

7. 6.1.4.2.3 Construction activities

- a. Construction activities shall not exceed the following noise standards;

Table 3: Construction noise standards

	Permitted Days	Permitted Hours	Noise Standard	
1	Monday to Saturday	0730 – 1800	70 dB L _{Aeq}	85 dB L _{Amax}
2	All other days and hours		45 dB L _{Aeq}	

- b. Noise from construction and demolition activities shall be measured and assessed in accordance with the provisions of NZS 6803:1999 “Acoustics – Construction Noise”.

8. 6.1.4.2.4 Temporary activities

- a. Temporary activities specified in Rule 6.2 shall comply with the following standards;

Table 4: Location-specific noise standards

operators of noise-generating activities. The extent of costs has been mitigated to an extent by the regime incorporating specific activity noise limits that recognise particular characteristics of activities that would otherwise likely fail the zone noise standards in Table 1.

Efficiency and Effectiveness

a. 6.1.4.2.2 Emergency activities

The trend to locate some lifeline utilities in urbanised areas has resulted in noise and acoustic issues for residential neighbours. External air handlers and the use of generators for peak logging operate all the time under normal circumstances and, as such, are required to comply with the night-time noise rules.

It is efficient and effective for noise from generators to comply with daytime noise rules of the zone they are located in, provided that they are used solely for emergency purposes.

Military activities are anticipated to be infrequent events across the district but the noise they create can be distinctive. Therefore, it is efficient and effective to provide specific noise standards for these types of events.

b. 6.1.4.2.3 Construction activities

The standard for this permitted activity is essentially a simplified version of the long duration limits set in NZS 6803, and provides a clear objective standard for this permitted activity. Construction noise which fails to comply with this

Refer to Appendix 6.3 for maps of the locations specified in this table.						
	Location	Permitted Days	Permitted Hours	Noise Standard		Qualifications
1	Lancaster Park	3 days per year	0900-2230	65 dB L _{Aeq}	85 dB L _{AFmax}	a. Measured at the boundary with any site in a Residential Zone.
2	Queen Elizabeth II Park					
3	Specific Purpose (Defence Wigram) Zone	30 days per year but no more than 3 days per month	0900-2230	65 dB L _{Aeq} (15 min)	85 dB L _{AFmax}	a. Applies only to temporary recreation activities or exhibitions permitted by P2 of Rule 21.1.2.1.
4	Christchurch Stadium			Refer to the provisions for Christchurch Stadium, including noise, of Chapter 18 Rule 18.3.5.		

standard is proposed to be a restricted discretionary activity and should be assessed under the New Zealand construction noise standard (NZS 6803:1999 Acoustics – Construction Noise)

It is rare to encounter noise problems during construction (or demolition), but long term projects may cause issues. It is appropriate to require a construction noise management plan for any construction activity greater than 3 months duration.

These rules will be efficient and effective in achieving the objectives by providing a clear framework that identifies the appropriate standards to assess and measure noise in general, and specifically for construction noise, helicopter landing areas, temporary military training activities, and temporary events.

The construction requirements will be efficient and effective in achieving the objectives by providing more information to show how buildings can comply with the standard for noise-sensitive activities to be located in certain zones.

c. 6.1.4.2.4 Temporary activities

Temporary activities such as concerts cannot be expected to achieve the same noise standards as a residential activity. Such events, if infrequent, are tolerated by most of the community. Therefore a specific noise standard, along with controls on the number and duration of events is applied, to ensure that events can occur and residents are not unduly affected.

It is efficient and effective to set noise levels and other

5	Carrs Road Raceway	120 days per year, excluding Christmas Day and Boxing Day	0900-1700	65 dB L _{Aeq}	85dB L _{AFmax}	These noise limits shall apply between 0900 hrs and 1800 hrs for official kart racing events that comply as a KartSport NZ race meeting with a status of Group A to Group G event, and are fixed in the published annual calendar of the Christchurch Kart Club.	<p>standards that are to apply to a limited number of key locations in the city so that they can provide for events and other activities, but still provide some protection for neighbouring areas.</p> <p>d. 6.1.4.2.5 Rural activities</p> <p>Frost fans are often controversial due to visual impact and noise. This especially applies when fans are clustered together. It is therefore necessary to apply specific noise limits and standards.</p> <p>The use of audible devices such as bird-scaring devices and guns can draw complaints from residents both in the rural area and the adjoining low density residential areas.</p> <p>Specific standards are applied as the noise is different from general rural activities, often being a distinct sound every few minutes at certain times of the year. It is therefore appropriate to control the number of devices per area and number of noise events over a specified time period.</p> <p>The “... 3 landings per year ...” rule in the Operative District Plan is not too dissimilar to the “... 12 in any calendar year ...” of the rule in the Banks Peninsula District Plan. The Banks Peninsula District Plan rule is preferred because it requires strict separation distance from dwellings, and it is more appropriate in addressing adverse noise effects.</p>
		1 day between Monday and Friday each week, excluding public holidays, that is fixed in the published annual calendar of Christchurch Kart Club	1300-1700				
6	Ruapuna Motorsport Park – Specific Purpose (Motorsport) Zone			Refer to the noise provisions of the Specific Purpose (Motorsport) Zone in Chapter 21.			<p>e. 6.1.4.2.7 Aircraft noise</p> <p>Noise from airport operations can have significant adverse effects. Whilst it is appropriate for new noise sensitive activities to be kept out of</p>

b. Any other temporary activity on a site not listed in Table 4 shall:

- i. be no closer than 30m to any residential unit;
- ii. have a total duration not exceeding 4 hours, including all sound checks; and
- iii. occur between 0900 hours and 2000 hours;

And either have:

- iv. For sound amplified activities, a total amplified power not exceeding 500 Watts RMS; or
- v. A sound level not exceeding 65 dB L_{Aeq} at any residential unit, to be evidenced by a report from a suitably qualified acoustic consultant.

<p>9. 6.1.4.2.5 Rural activities</p> <ul style="list-style-type: none"> a. Bird-scaring devices shall comply with the following standards; <ul style="list-style-type: none"> i. Any bird-scaring devices shall: <ul style="list-style-type: none"> A. not operate between sunset and sunrise; B. not be used within 200m of a residential zone; ii. Noise from such devices, including clusters of up to three shots from gas operated devices, or three multiple shots from a firearm in rapid succession, shall not exceed 65 dB L_{AE} when assessed at any point within the notional boundary of any residential unit on any other site. b. Frost fan noise shall comply with the following standards; <ul style="list-style-type: none"> i. Any frost fan noise shall not exceed 55 dB L_{Aeq} when assessed at the notional boundary of any residential unit on a separate site under different ownership. <ul style="list-style-type: none"> 1. This noise limit applies to the total noise from all frost control fans in the vicinity operating simultaneously. 2. The noise limit includes a correction for the special audible characteristics of frost control fans and no further penalty shall be applied to measured or calculated noise levels. c. Any other rural activity – Rule 6.1.4.1 applies 	<p>areas that are likely to experience high levels of noise from aircraft operations and engine testing, it is equally appropriate that airport operations do not create high levels of noise in areas where noise sensitive activities are not excluded. This combination of provisions provides an efficient and effective method of managing aircraft operation noise and its potential adverse effects.</p> <p>Rule 6.1.4.2 is a method for achieving Objective 6.1.1.1, which is about the amenity or health of people and communities, with noise management being a contributing factor to achieving this.</p> <p>Rule 6.1.4.2 is efficient and effective as it provides a comprehensive regime of noise thresholds that are considered practicable, reasonable or enforceable in relation to the levels appropriate for the specific activity.</p>
<p>10. 6.1.4.2.6 Ventilation systems</p> <ul style="list-style-type: none"> a. Ventilation system shall comply with the following standards: <ul style="list-style-type: none"> i. Any air conditioning or ventilation system installed to comply with ventilation requirements of the New Zealand Building Code shall: <ul style="list-style-type: none"> A. Generate sound levels not exceeding: <ul style="list-style-type: none"> I. 40 dB L_{Aeq(30s)} in the largest habitable space (excluding bedrooms); and II. 35 dB L_{Aeq(30s)} in all other habitable spaces when measured 1m away from any grille or diffuser; B. Create an internal air pressure no more than 10 Pa above ambient pressure; and C. Be controllable by the occupants, and for ventilation include an air flow control with at least three equal stages up to the highest setting. 	

11. 6.1.4.2.7 Aircraft noise from operations at Christchurch International Airport

- a. Christchurch International Airport Ltd (CIAL) shall manage the Christchurch International Airport so that noise from:
 - i. aircraft operations do not exceed 65 dB L_{dn} outside the 65 dB L_{dn} airport noise contour shown in Figure 1; and
 - ii. engine testing does not exceed 65 dB L_{dn} outside the 65 dB L_{dn} engine testing noise contour shown in the Planning Maps.
- b. Aircraft noise monitoring - CIAL shall annually provide the Council's Unit Manager Inspections and Enforcement with the result of calculations based upon monitored aircraft movements for the preceding year and the known noise characteristics of those aircraft. These calculations will be performed by a person with appropriate qualifications and experience in airport noise modelling and acoustics assessments. The results provided shall be verified by noise measurements and shall be in the form of a 65dB L_{dn} contour representing the noise created by aircraft operations over that year. The measurement of aircraft sound exposure and the resultant derivation of a 65 dB L_{dn} shall be in accordance with NZS 6805:1992.
- c. Engine testing noise monitoring - CIAL shall annually provide the Council's Unit Manager Inspections and Enforcement with the results of calculations based on measured engine testing noise, including representative aircraft and test types, and actual logs of engine tests during the preceding year. The results shall be in the form of a 65 dB L_{dn} contour based on a rolling 7-day period, and shall be compared to the 65 dB L_{dn} engine testing noise contour shown in the Planning Maps.
- d. Noise from aircraft operations shall be based on noise data from the Integrated Noise Model (INM) and records of actual aircraft operations at CIAL.
- e. For aircraft noise, the noise level shall be calculated over the busiest 3-month period of the year.
- f. Exceedance by up to 1 dB of the aircraft noise limit is permitted provided CIAL demonstrates at the request of, and to the satisfaction of, the Council that any such exceedance is due to atypical weather patterns.
- g. For engine testing, the noise level shall be calculated over the busiest rolling 7-day period of the year.

<p>12. 6.1.4.2.8 Helicopter landing areas</p> <p>a. Helicopter landing areas shall comply with the following standards;</p> <ul style="list-style-type: none"> i. The number of landings on a site shall not exceed 12 in any calendar year, or five in any month, or three in any week. ii. Helicopter landings and departures shall only occur between 0800 hours and 1800 hours. iii. No landing shall take place within 25m of any residential unit, unless that residential unit is on the site on which the landing occurs. <p>Or</p> <ul style="list-style-type: none"> iv. The number of landings on a site shall not exceed 50 in any calendar year, or 20 in any month, or 15 in any week. v. Helicopter landings and departures shall only occur between 0800 hours and 1800 hours. vi. No landing shall take place within 200m of any residential unit, unless that residential unit is on the site on which the landing occurs. 	

<p>6.1.4.4 Matters of Discretion</p> <p>1. In considering any application relating to exceeding specified noise levels or duration of noisy events, the Council shall, in deciding whether or not to grant consent or impose conditions, have regard to the following Matters of Discretion.</p> <ul style="list-style-type: none"> a. The proximity and nature of nearby activities, and the degree to which there may be adverse effects on amenity. b. The level, duration, and character of the noise and the effects this may cause on permitted activities in the area, particularly at night. c. Whether the noise generated would be of such a level as to create a threat to the health or well-being of persons living or working in the vicinity. d. The proposals made by the applicant to reduce noise generation, including: <ul style="list-style-type: none"> i. reduction of noise at source; ii. alternative techniques or machinery which may be available; iii. insulation or enclosure of machinery; iv. mounding or screen fencing/walls; v. hours of operation. 	<ul style="list-style-type: none"> a. Assessment matters will be efficient and effective in achieving the objectives by identifying a list of matters which cross-reference back to the objectives and policies, reverse sensitivity, nuisance and health effects, as matters that will be considered when processing resource consent applications for restricted discretionary activities that do not meet with noise standards.
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- e. The adequacy of measures to address the adverse effects of noise on the natural character of the coastal environment.
- f. The value and nature of entertainment activities and their benefit to the wider community, having regard to the frequency of noise intrusion and the practicality of mitigating noise, or utilising alternative sites.
- g. The extent to which achieving the standard is appropriate where the existing noise environment is subject to significant noise intrusion from road traffic.
- h. Any relevant standards, codes of practice or assessment methods based on sound acoustic principles, including those which address the reasonableness of the noise in terms of community health and amenity and/or sleep protection.

C. Rule 6.1.5 Activities near Infrastructure

6.1.5.1 Activity Status

1. Rule 6.1.5.1.1 Permitted Activities

The activities listed below are permitted activities, subject to compliance with the Activity Specific Standards set out in this table.

Activity		Activity Specific Standards
P 1	Any activity listed in Rules 6.1.5.2 and 6.1.5.3	a. Specific standards in Rules 6.1.5.2 and 6.1.5.3 for that activity

2. Rule 6.1.5.1.2 Restricted Discretionary Activities

The activities listed below are a **restricted discretionary activity**, where not listed as a permitted activity in Rule 6.1.5.2.1.1. Discretion to grant or decline consent and impose conditions is restricted to the matters set out in 6.1.4.4 for each standard, as set out in the following table.

Activity		The Council's Discretion shall be limited to the following matters:
RD 1	Any activity that fails to comply with Rule 6.1.5.1.1	a. 6.1.5.4(a-d)

Benefits

- a. There are benefits to the Council and the community in ensuring that noise sensitive activities do not occur in locations or in circumstances that are likely to result in adverse on amenity and public health, which is also a social benefit.
- b. Provides certainty to the public as to what is anticipated to be undertaken.
- c. Standards in this rule will be effective in managing potential reverse sensitivity effects from noise-sensitive activities by imposing indoor design sound levels for those buildings.
- a. Avoidance of reverse sensitivity has significant economic benefits for the wider community by enabling infrastructure to operate efficiently.
- b. There are some social benefits to applying standards to indoor design sound levels to maintain residential amenity (and that of other sensitive land uses) where located in environments with higher ambient noise levels.

Costs

- a. Financial costs of engaging an acoustics expert for advice.
- b. Financial costs on Council associated with enforcing these rules.
- c. There are some economic costs associated

3. Rule 6.1.5.1.3 Discretionary Activities

- a. There are no discretionary activities.

4. Rule 6.1.5.1.4 Non-complying activities

- a. The activities listed below are non-complying activities.

ACTIVITY	
NC1	Any new buildings and additions to existing buildings located within the 55dB L _{dn} airport noise contour line shown in the Planning Maps not complying with any of the standards in Rule 6.1.5.3.1 or Rule 6.1.5.3.2.
NC2	Any new buildings and additions to existing buildings located within the 55 dB L _{dn} engine testing noise contour line shown in the Planning Maps not complying with any of the standards in Rule 6.1.5.3.1 or Rule 6.1.5.3.2.

5. Rule 6.1.5.1.5 Prohibited activities

- a. The activities listed below are prohibited activities.

ACTIVITY	
PA1	Any new sensitive activities within the air noise boundary shown in the Planning Maps, other than as provided for in Rule 6.1.5.3.2.
PA2	Any new sensitive activities within the 65 dB L _{dn} engine testing noise contour shown in the Planning Maps, other than as provided for in Rule 6.1.5.3.2.

6. Rule 6.1.5.2 Sensitive activities near roads and railways

- a. Any new sensitive activity, or any addition to a building for an existing sensitive activity beyond 10% of the existing gross floor area, within 80m of the boundary of any state highway or railway designation, or within 20m of the edge of the nearest marked traffic lane of a collector road, or within 40m of the edge of the nearest marked traffic lane of a minor arterial road or major arterial road, shall either:
- achieve a minimum external to internal noise reduction of 30 dB $D_{tr,2m,nT,w} + C_{tr}$ in accordance with the acceptable solutions listed in Appendix 6.4 Noise Attenuation Construction Requirements; or
 - be designed and constructed to comply with the following indoor design sound levels:
 - Rail noise inside bedrooms – 35 dB L_{Aeq(1h)}
 - Rail noise inside habitable spaces excluding bedrooms – 40 dB L_{Aeq(1h)}
 - Road traffic noise inside all habitable spaces –

with the noise rules as it imposes indoor design sound levels for buildings accommodating noise-sensitive activities.

- d. There are economic and wider community costs if the noise standards are ineffective in avoiding reverse sensitivity effects.

Efficiency and Effectiveness

- a. Rule 6.1.5 is a method for achieving Objective 3.6.2 of the Strategic Directions Chapter, which seeks to limit the potential for noise-sensitive activities to limit the development and operation of infrastructure.

The rule is efficient and effective as it provides a comprehensive regime of standards reflecting the sensitivity of the activity relative to its location in respect of infrastructure and the nature of that infrastructure.

40 dB $L_{Aeq(24h)}$

- D. Rail and road traffic noise within any other sensitive activity – maximum value recommended in AS/NZS2107:2000

Except where either:

- E. the sound incident on the most exposed part of the outside of the building is less than 55 dB $L_{Aeq(1h)}$ for rail noise or 57 dB $L_{Aeq(24h)}$ for road traffic noise; or
- F. the nearest façade of the building is at least 50m from all state highways and railways and there is a solid building, fence, wall or landform that blocks the line-of-sight from all parts of all windows and doors to all parts of any state highway road surface or railway track.

For the purposes of Rule 6.1.5.2:

1. Rail noise shall be deemed to be 70 $L_{Aeq(1h)}$ at a distance of 12m from the edge of the track, and shall be deemed to reduce at a rate of 3 dB per doubling of distance up to 40m and 6 dB per doubling of distance beyond 40m;
2. Compliance with (a)(ii) and E above shall be confirmed by providing the Council's Resource Consents Unit Manager with a design report prepared by a qualified acoustic engineer demonstrating compliance, prior to any sensitive activity or alteration occurring. The design shall take into account future permitted use of the collector and arterial roads, and railway and state highway designations outside the Central City, either by the addition of 2 dB to predicted sound levels or based on forecast traffic in 20 years' time.
3. The indoor design sound levels in (a) above shall be achieved at the same time as the ventilation requirements of the New Zealand Building Code. If windows are required to be closed to achieve the indoor design sound levels then either:
 - a. Air conditioning, in compliance with Rule 6.1.4.2.6(a), shall be provided to all habitable spaces, or
 - b. A ventilation system, in compliance with Rule 6.1.4.2.6(a), shall be installed that provides at least 15 air changes per hour in the largest habitable space (excluding bedrooms) and at least 5 air changes per

hour in all other habitable spaces.

7. 6.1.5.3 Activities near Christchurch Airport

6.1.5.3.1 Any new buildings and additions to existing buildings located within the 55dB L_{dn} airport noise contour line shown in the Planning Maps:

- a. Shall be insulated from aircraft noise and designed to comply with the following indoor design sound levels:
 - i. Residential units
 - A. Sleeping areas – 65 dB L_{AE} /40 dB L_{dn}
 - B. Other habitable areas – 75 dB L_{AE} /50 dB L_{dn}
 - ii. Guest accommodation, resort hotels, hospitals and healthcare facilities
 - A. Relaxing or sleeping - 65 dB L_{AE} /40 dB L_{dn}
 - B. Conference meeting rooms - 65 dB L_{AE} / 40 dB L_{dn}
 - C. Service activities – 75 dB L_{AE} /60 dB L_{dn}
 - iii. Education activities
 - A. Libraries, study areas – 65 dB L_{AE} /40 dB L_{dn}
 - B. Teaching areas, assembly areas – 65 dB L_{AE} /40 dB L_{dn}
 - C. Workshops, gymnasias – 85 dB L_{AE} /60 dB L_{dn}
 - iv. Retail activities, commercial services and offices
 - A. Conference rooms – 65 dB L_{AE} /40 dB L_{dn}
 - B. Private offices – 70 dB L_{AE} /45 dB L_{dn}
 - C. Drafting, open offices, exhibition spaces - 75 dB L_{AE} /50 dB L_{dn}
 - D. Typing, data processing – 80 dB L_{AE} /55 dB L_{dn}
 - E. Shops, supermarkets, showrooms - 85 dB L_{AE} /60 dB L_{dn}
- b. Noise insulation calculations and verification shall be as follows:
 - i. Building consent applications must be

accompanied with a report detailing the calculations showing how the required sound insulation and construction methods have been determined.

- ii. For the purpose of sound insulation calculations, the external noise levels for a site shall be determined by application of the airport noise contour lines L_{dn} and L_{AE} . Where a site falls within the contours the calculations shall be determined by linear interpolation between the contours.
- iii. If required by the Council, in conjunction with the final building inspection the sound transmission of the façade shall be tested in accordance with ISO 140-5 or ASTM to demonstrate that the required façade sound insulation performance has been achieved, and a test report is to be submitted to the Council's Resource Consents Unit Manager. Should the façade fail to achieve the required standard then it shall be improved to the required standard and re-tested prior to occupation.

6.1.5.3.2

In respect of the properties at 597 Pound Road (Lot 6, DP 23538) and 57 West Coast Road (Lot 3, DP 58380) one residential unit may be erected on each site provided that:

- i. the site remains above the minimum size specified in P5 set out in Rule 17.3.2.1, and
- ii. the residential unit is insulated from aircraft noise so as to comply with the provisions of Rule 6.1.5.3.1, and
- iii. that the owner has entered into a covenant with the Council, which has been registered against the title, that the residential unit shall only remain on the property for so long as no complaint relating to the noise of aircraft using Christchurch International Airport (or any operation arising thereto) is made; and that upon registration the covenant it shall be binding on the owner and the owner's successors in title.

Options less or not as appropriate to achieve the Objectives and policies:	
<p>13. Option 1: Status Quo - retain existing Christchurch City and Banks Peninsula District Plan provisions</p> <p>Rely on current provisions of the Christchurch City and Banks Peninsula District Plans.</p>	<p>Benefits</p> <ul style="list-style-type: none"> a. Retains the established approach which is already familiar to parties. b. Low cost for the Council. <p>Costs</p> <ul style="list-style-type: none"> a. Does not address the recent changes in the relevant acoustic standards: NZS 6801 and NZS 6802 that have been updated since the Operative Plan was written. b. Higher risk of appeals, related costs and time delays. c. Fails to capture improvements in best practice, including Ministry guidelines for plan development since the plan was made operative. d. Risks the provisions becoming further out of date and inconsistent with national standards. e. Risks to people, property and the environment arising from a sub-optimal planning framework. <p>Efficiency and Effectiveness</p> <ul style="list-style-type: none"> a. Less effective and efficient due to potential for higher costs to applicants, ratepayers the community and future generations.
Risk of Acting or Not Acting	
<ul style="list-style-type: none"> a. The Council considers there is sufficient information and certainty regarding the subject matter of this rule. The matter of noise is technical in nature and has therefore been formulated based on the relevant technical standards, and expert input. The standards were consolidated within a single General Rule Chapter for this reason, rather than being duplicated within all of the zone chapters. b. The risk of not acting is that noise is an environmental effect that will remain unregulated and have adverse effects on the wellbeing of the community. Best practice is the setting of limits for noise, and articulating how this matter is to be measured and assessed. Any approach that either does not set thresholds for the extent of noise, or that does not specify the method for measurement and assessment, is not best practice and will lead to interpretation difficulties in the application of standards. The result will be a less effective framework for managing this potential adverse environmental effect. c. The risk of acting is considered low. Formulation of a rules framework that established robust and understandable thresholds for this matter will assist greatly in the management of potential noise effects. The rule provides for variations in specific zones and receiving environments, and is well targeted to avoid adverse noise effects without applying a blanket approach that over-regulates situations where it is unnecessary. The rules are based on the relevant technical standards which ensure that industry best practice is being applied. d. Therefore, the risk of not acting is considered unacceptably high and would represent a failure on the part of the Council to meet the objectives and policies within the Strategic Directions Chapter and the General Rules and Procedures Chapter on Noise, and to more broadly achieve the purpose of the Act. e. Taking into account the above, the Council considers that the policies, rules and methods in the General Rules and Procedures Chapter on Noise are most appropriate to achieve the objectives, and achieve the purpose of the Act. 	

APPENDIX 2.1: KEY STRATEGIC DOCUMENTS

The following documents have largely directed the preparation of this Plan Review and influenced its content:

1. Resource Management Act 1991

The Council has as one of its functions under section 31(1)(a) of the Act the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

2. The Canterbury Earthquake Recovery Strategy 2012

The Recovery Strategy lists six components of recovery each with associated goals. Those goals that are given specific effect to in this chapter are:

- a. delivering smarter council and government planning and services;
- b. strengthening community resilience, safety and wellbeing, and enhancing quality of life for residents and visitors; and

The proposed District Plan must not be inconsistent with the Canterbury Earthquake Recovery Strategy.

3. The Land Use Recovery Plan (LURP) 2013

Directs the review of the District Plan and provides policies requiring best practice for investigation, management and remediation.

4. Canterbury Regional Policy Statement (CPRS) 2013

Recovery in Greater Christchurch is supported by provisions in Chapter 5 – Land use and infrastructure. Objective 5.2.1 seeks development that is located and designed so that it achieves consolidated, well designed and sustainable growth in and around existing urban areas, and enables people and communities, including future generations to provide for their social, economic and cultural well-being and health and safety.

5. Other District Plan noise rules

Marshall Day Acoustics has compiled a detailed summary of current noise rules in most other districts throughout New Zealand. Whilst there are some exceptions, most rules fit within a narrow range, and the Christchurch rules are consistent with this,

6. World Health Organisation Guidelines

This document presents the results of a large body of international research into the adverse effects of noise. We are satisfied that the Christchurch rules, both operative and proposed, are well within the recommended guideline values given,

7. New Zealand Standard NZS6802:2008 *Acoustics—Environmental Noise*.

This standard provides guidance on setting noise limits to protect residential amenity. The Christchurch rules are well within the guideline values given. In addition, the standard recommends appropriate daytime and night-time hours, and the Christchurch rules are consistent with this recommendation.

APPENDIX 2.2: LINKAGES BETWEEN PROVISIONS

Linkages and grouping of provisions

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
<i>Strategic Directions Chapter</i>		3.3.2 Clarity of language and efficiency 3.3.7 Urban growth, form and design 3.3.12 Infrastructure			
<i>General Rules and Procedures - Noise</i> Resource Management Issue 2.2.3.1 Adverse effects of noise-generating activities on the health and well-being of communities		6.1.1.1 Adverse noise effects	6.1.1.1.1 Managing noise effects 6.1.1.1.2 Noise during night hours 6.1.1.1.3 Activities in key locations	6.1.3 General Rules 6.1.4.1 Zone noise standards 6.1.4.2 Noise standards for specific activities	6.1.4.4 Matters of Discretion
Resource Management Issue 2.2.3.2 Reverse sensitivity		Objective 3.3.12 Infrastructure		6.1.5 Activities near Infrastructure	6.1.5.4 Matters of Discretion

3.0 TEMPORARY ACTIVITIES, BUILDINGS AND EVENTS

3.1.0 CONTEXT

3.1.1 Purpose and Scope of the Temporary Activities, Buildings and Events Section

1. The purpose of the Temporary Activities, Buildings and Events section is to support the recovery of the District by enabling temporary activities, buildings and events where their effects can be managed appropriately.
2. These purposes are not dissimilar to those of the operative City Plan. However, in reviewing those provisions, several changes have been identified. In particular there is a need to:
 - a. update the provisions into an activities-based format that recognises and sets standards for a broader range of temporary activities including filming, temporary military training exercises, emergency response training and motorised sporting events;
 - b. update and rationalise provisions for the remainder of the District to align with the provisions for the Central City inserted into the operative Plan by the Minister for Earthquake Recovery;
 - c. recognise and support the role that events, temporary artworks and transitional projects play in the recovery; and
 - d. clarify the definition of temporary activities and the status of other Plan rules and consent conditions with respect to temporary activities, particularly where they use permanent facilities.

3.1.2 Proposed District Plan: Overview and Synopsis

1. The Temporary Activities, Buildings and Events rules play an important role in the recovery of the district by:
 - a. enabling construction-related temporary buildings and signage;
 - b. enabling temporary and transitional public artworks and community activities that activate public and vacant spaces and encourage tourism;
 - c. building social connections and community resilience; and
 - d. providing opportunities for creative expression.
2. The operative Plan rules provide for temporary buildings ancillary to a construction project for up to 12 months and “carnivals, bazaars and public meetings” for up to one month notwithstanding anything to the contrary in the Plan. “Temporary activity” is not otherwise defined in the operative City Plan so activities like events were treated as “public meetings”.
3. The operative Banks Peninsula District Plan does not have specific provisions for temporary activities.
4. In July 2012, the Christchurch Central Recovery Plan inserted additional rules that apply to the Central City only. These include:
 - a. temporary construction buildings can remain on the site for the duration of the project instead of requiring consent after one year;

- b. a new, broader definition for “events” including “gatherings, parades, festivals, film shoots, concerts, celebrations, multi-venue sports events of significant scale including fun runs, marathons, duathlons, triathlons.”
 - c. temporary “events” are permitted for one month plus an additional four weeks for pack-in/pack-out;
 - d. any temporary activity or event on a vacant Central City Business or Mixed-Use site is permitted until 18 April 2016; and
 - e. any temporary signage providing information about rebuild or recovery work is permitted until 18 April 2016.
5. The proposed provisions are consistent with the direction of the Christchurch Central Recovery Plan and the Statement of Expectations in that they provide for a broad range of temporary activities as permitted activities, remove the end dates required for a number of temporary activities, clarify the status of other Plan rules to provide greater certainty for applicants and recognise at the objective and policy level the contribution that these activities make to the recovery of the District.

3.1.3 Strategic Planning Documents

1. Those strategic matters and provisions specifically given effect or had regard to in this section are summarised in the table below and set out in full in Appendix 3.1. These documents broadly identify the resource management issues for the district and provide the higher level policy direction to resolve these issues.
2. The Strategic Directions Chapter also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the s32 report for the Strategic Directions chapter. Those objectives and policies within the Strategic Directions Chapter that are relied on in this chapter are discussed in Section 3.3 (Evaluation of Objectives) below.

Table 1: Strategic Planning Documents

	Document	Relevant provisions	Relevant directions given effect/taken account of in the Temporary Activities, Buildings and Events section
a	New Zealand Coastal Policy Statement (NZCPS)	Objective 4; Objective 6; Policy 6	The NZCPS provides for appropriate use of the coastal environment where public access, natural values and historic heritage are not compromised.
b	Christchurch Central Recovery Plan (CCRP)	Temporary buildings and activities provisions 9.2.2	The CCRP recognises the role that temporary activities, buildings and events play in the recovery and inserted provisions allowing temporary construction buildings to remain on sites for a longer period of time, allowing events and other temporary activities in the Central City for longer periods of time and permitting temporary signage related to the rebuild.
c	Canterbury Earthquake (Christchurch	Schedule 4(a); 4(b)	The Statement of Expectations requires the replacement district plan to: a. contain objectives and policies that

	Replacement District Plan) Order 2014 – Statement of Expectations		<p>clearly state the outcomes intended for the district; and</p> <p>b. to reduce reliance on resource consent processes, the number, extent and prescriptiveness of development controls and requirements for notification and written approval.</p>
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See Appendix 3.2 for a summary of other legislation and bylaws relevant to temporary activities, buildings and events.

3.1.4 INDEPENDENT HEARING PANEL DECISIONS ON STAGE 1 OF THE REVIEW

1. Decisions were released on 26 February 2015 on several Stage 1 proposals including the Strategic Directions proposal and the Temporary Earthquake Recovery Activities proposal.
2. The decision on the Strategic Directions proposal revised a number of objectives and introduced Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district and Objective 3.3.2 Clarity of language and efficiency. All other plan objectives and policies are required to be expressed and achieved in a manner consistent with Objectives 3.3.1 and 3.3.2.
3. The proposed provisions achieve Objective 3.3.1 and 3.3.2 by recognising the contribution that temporary activities, buildings and events play in the recovery in the objectives and policies, generally removing end dates for most temporary and transitional activities, providing for larger temporary construction buildings and including assessment matters relating to the positive contributions of temporary activities to the economic, social and cultural recovery of the District.

3.1.5 SCALE AND SIGNIFICANCE

1. Section 32(1)(c) of the Act requires that this evaluation report contains 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. For this section, an assessment of the scale and significance is made at the end of the description of each resource management issue.

3.2.0 RESOURCE MANAGEMENT ISSUES

1. Several resource management issues have emerged from a range of sources including issues that have arisen from:
 - a. discretionary discussions with stakeholders including the Council's Events Team;
 - b. the administration of the operative District Plan; and
 - c. comparison of provisions with other recently reviewed District Plans.

3.2.1 Resource Management Issue 1: Managing adverse effects of temporary activities

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 1
<p>1. SUMMARY OF ISSUE</p> <ul style="list-style-type: none"> a. Temporary activities have an important role to play in the economic, social and cultural recovery of the District. However, they also have the potential, depending on their nature, scale, location and duration, to create adverse effects for the local community. In many cases, these effects can be tolerated to a greater extent than what would be acceptable for a permanent activity, but in some cases they still require management. b. The adverse effects of most concern are noise, traffic generation and parking effects, amenity impacts of temporary buildings, loss of public access to public open spaces, light spill and glare, waste generation and potential adverse effects on sensitive environments including the coastal environment, sites of ecological significance, heritage areas and silent file areas. c. It is unclear, however, from the drafting of the rules in the operative Plan, the extent to which other Plan rules such as noise, glare, alteration of a heritage site or modification of significant trees are intended to apply to temporary activities. For example, the CCRP Noise and Entertainment Provisions include noise standards for events in Hagley Park, the City Mall and other locations, but the temporary activities rules in the CCRP state “notwithstanding anything to the contrary in this Plan” temporary events are permitted. <p>2. GENERAL DIRECTIONS</p> <ul style="list-style-type: none"> a. The general policy direction from the Christchurch Central Recovery Plan has been to: <ul style="list-style-type: none"> i. provide for temporary activities and events in the Central City Business and Mixed Use zones, particularly on vacant sites, with no restrictions until 2016; ii. extend the permitted time period for temporary construction buildings in the Central City; and iii. allow temporary signage related to the rebuild as a permitted activity. <p>3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE</p> <ul style="list-style-type: none"> a. Having regard to the direction to provide for and enable temporary activities and to reduce reliance on consenting processes, the recommended policy approach is to clarify which Plan rules continue to apply to temporary activities but to set achievable Permitted Standards for the majority of activities where adverse effects can be tolerated because of the short term nature of the activity. <p>4. SCALE AND SIGNIFICANCE</p> <ul style="list-style-type: none"> a. The change to an activities-based plan format and the need to clarify the status of other Plan rules have resulted in the drafting of a number of new standards for temporary activities. The new standards, however, are considered to be permissive and enabling and, as a result, the scale and significance of the changes are considered to be minor.

3.2.2 Resource Management Issue 2: Providing for construction-related temporary activities

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 2
<p>1. SUMMARY OF ISSUE</p> <ul style="list-style-type: none">a. The rebuild of Christchurch will require construction activity on a very large scale to continue for a number of years. Projections from MBIE and CERA see significant construction activity continuing well into 2019. The number of sites affected will create enormous demand for labour and materials and present logistic and scheduling challenges for construction companies that are unique to the rebuild.b. Temporary buildings and signage for construction projects are essential to the efficient and safe operation of building sites.c. The primary issues with temporary construction buildings and signage are their amenity impacts on neighbouring sites. <p>2. GENERAL DIRECTIONS</p> <ul style="list-style-type: none">a. The general policy direction from the Christchurch Central Recovery Plan has been to allow temporary construction buildings to remain on a site for the duration of the project rather than requiring a consent for buildings remaining longer than twelve months and to allow temporary signage related to the rebuild to remain on sites until 18 April 2016. <p>3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE</p> <ul style="list-style-type: none">a. Having regard to the direction in the Statement of Expectations to provide for temporary activities, the recommended policy direction is to adopt the more permissive Central City approach to construction-related temporary buildings across the District. The intention is to allow temporary construction buildings to remain on site for the duration of the project. The amenity outcomes should be monitored and the policy can be revisited after the peak rebuild period.b. Likewise, the Central City approach to temporary signage is proposed to be adopted across the district and the end date replaced by a requirement to remove the signage once the information on it is no longer relevant. <p>4. SCALE AND SIGNIFICANCE</p> <ul style="list-style-type: none">a. The changes proposed are minor and not significant.

3.2.3 Resource Management Issue 3: Providing for events

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 3
<p>1. SUMMARY OF ISSUE</p> <ul style="list-style-type: none">a. Temporary events such as concerts, festivals, races and exhibitions contribute significantly to the economic, social and cultural wellbeing of the District. Pre-earthquake event-related expenditure in Christchurch exceeded \$40 million a year. This contribution is particularly important in the context of the rebuild.b. The loss of a number of permanent entertainment venues has placed additional pressure on remaining facilities and has required a more creative and flexible approach to organising events. This raises the question of whether events should be enabled everywhere or should be directed towards centres and,

particularly, towards the Central City.

- c. There is a need to continue to manage the effects of events, particularly noise, traffic generation and parking, and waste management. While some temporary activities are short and cause minimal effects, other activities, particularly larger scale events, have the potential to disrupt sensitive environments such as Sites of Ecological Significance, the Coastal Environment or Silent File Areas, to a degree that needs to be managed even in the short term.
- d. Events in Council-owned public spaces, including road and parks, are generally controlled through a licensing system under the Trading and Events in Public Places Policy 2010, the Parks and Reserves Bylaw 2008 and the Public Places Bylaw 2008.
- e. The function of the District Plan rules with respect to events is to provide guidance for licensing and permitting decisions and to address the effects of events proposed on sites that are not Council-managed and therefore not subject to the permitting process.
- f. While the operative Plan rules permit events for up to a month, they require consents for periodic events lasting longer than a month. So a festival for 14 consecutive days would be permitted but a concert series once a week for six weeks would require a consent.
- g. Consideration also needs to be given to clarifying the status of the temporary activities rules with respect to events using permanent facilities. As the temporary activities rules are generally more permissive than what would be allowed under the zone rules for permanent activities, there is a risk of sites arguing that, for example, sports events or concerts in stadiums are “events” and should therefore use the temporary activities rules rather than the zone rules for stadiums.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Christchurch Central Recovery Plan has been to provide for events in the Central City for up to one month with an additional four weeks for pack-in/pack-out and to permit any event on a vacant site in the Central City until 18 April 2016.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The proposed direction for events is to increase the length of time permitted for periodic events as long as public access to the site is not impeded, extend the pack-in/pack-out time allowance for the Central City to the rest of the District, and revise the definition of temporary activities to exclude activities that are part of the permanent use on a site or that are frequent, recurring and not-anticipated-to-end activities like weekly community markets (now provided for under the zone rules).

4. SCALE AND SIGNIFICANCE

- a. The proposed changes are considered to be of low significance because they are generally clarifying existing provisions and allowing slightly longer but less frequent temporary activities.

3.2.4 Resource Management Issue 4: Providing for filming

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 4

1. SUMMARY OF ISSUE

- a. Providing for the film industry will contribute to the economic, social and cultural recovery of the District. The adverse effects of larger scale film shoots on sensitive ecological environments and the effects of longer film shoots on neighbourhood amenity and the transport network need to be managed.
- b. At the moment, the effects of filming on the transport network are managed through the permitting process for temporary road closures but this does not address the noise, lighting, or other potential environmental effects of film shoots including the parking and traffic generation effects of film shoots that do not require road closures.
- c. The operative plan does not include provisions for filming as temporary activities outside of the Central City. These have been introduced to most New Zealand District Plans that have been recently reviewed and were introduced for the Central City by the CCRP under the definition of “events”.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Christchurch Central Recovery Plan has been to broaden the definition of temporary activities to include filming.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The proposed changes include permitting filming across the district but setting standards in accordance with Local Government New Zealand’s filming protocol and requiring a consent to assess the effects of larger-scale film shoots on sensitive ecological areas.

4. SCALE AND SIGNIFICANCE

- a. The proposed changes are considered to be of low significance because they are enabling an infrequent temporary activity that is already permitted in the Central City and setting standards that will not require a consent for the majority of filming activities.

3.2.5 Resource Management Issue 5: Providing for temporary artworks and community activities

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 5

1. SUMMARY OF ISSUE

- a. Since the earthquakes there have been a number of initiatives to activate vacant sites including temporary artworks, gardens and activities such as pop-up mini-golf courses, dance areas and stages. These have contributed to the recovery by drawing people back into centres, providing relaxation and an outlet for creativity and bringing a sense of place to what would otherwise be low amenity sites.
- b. These types of transitional activities often struggle to establish because of uncertainties around site availability, funding and regulatory requirements. They have generally not caused enforcement issues or complaints in their current locations.
- c. There is some risk in allowing these activities in any zone, as they could potentially cause amenity issues, transport network issues, or competition with

centres. One of the primary benefits of these activities is drawing people into centres where they can create spill-over trade to support local permanent businesses.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Christchurch Central Recovery Plan has been to enable temporary activities, public artworks and recreational facilities in the Central City Business and Mixed Use zones. Rules were inserted by the CCRP making these activities permitted until 18 April 2016 notwithstanding anything to the contrary in the Plan.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The proposed direction is to allow public and not-for-profit recreation, education, cultural or entertainment activities and public artworks in centres, public open spaces, schools and the Transport zone with no end dates or controls (other than general controls on activities like earthworks, noise or modification of significant trees).

4. SCALE AND SIGNIFICANCE

- a. The proposed changes are considered to be of low significance because they are providing for the continuation of activities that have not caused adverse effects in their current locations and the expansion of those activities into centres outside the Central City.

3.2.6 Resource Management Issue 6: Providing for temporary markets

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 6

1. SUMMARY OF ISSUE

- a. The operative plan allows “bazaars” for up to one month outside the Central City. In the Central City a “temporary event or public meeting” is permitted for one month. “Event” is defined as “any temporary and organised activity” and includes temporary markets.
- b. There is some ambiguity around whether or not weekly community markets qualify as a temporary activity. Many plans include recurring events under the temporary activities rules but in a situation like Riccarton Bush where markets run for a significant period of time every Saturday and Sunday the line between temporary activities and periodic permanent activities becomes unclear.
- c. If weekly markets fall under the temporary activities rules they would potentially require a resource consent under the operative Plan because they are operating for more than one month. Alternately, permitting weekly markets would not be appropriate in all areas and would begin to blur the lines with other commercial activities (such as a market using a permanent building with stalls but not open every day of the week).
- d. There are no controls on the location of temporary markets in the operative Plan but there is the potential for these markets to cause adverse effects on the transport network, compete with commercial centres, and decrease residential amenity if they are allowed to occur frequently in residential areas.
- e. Like events, temporary markets have the potential to attract large crowds that may not be appropriate in sensitive natural environments or areas of cultural significance.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Christchurch Central Recovery Plan is to provide for temporary markets for up to one month.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The proposed changes include clarifying in the definition of temporary activities that the rules apply to activities that are intended to end, providing for regular community markets in the relevant zone rules and providing for one-off or infrequent markets in the temporary activities rules.
- b. The proposed rules also direct temporary markets towards commercial centres or other areas where their impacts on residential amenity and the transport network can be managed.

4. SCALE AND SIGNIFICANCE

- a. The proposed changes are considered to be of low significance because they continue to enable temporary markets while directing them towards appropriate locations.

3.2.7 Resource Management Issue 7: Providing for training exercises

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 7

1. SUMMARY OF ISSUE

- a. Temporary military training exercises are undertaken from time to time both on land owned by New Zealand Defence Force and in other parts of the District. They play an important role in national defence readiness.
- b. The potential adverse effects of temporary military training exercises include noise from weapons, explosives or aircraft, impacts on the transport network, damage to vegetation, the potential effects of any earthworks on sensitive ecological areas and the cultural appropriateness of these activities in some areas.
- c. The operative Plan only references temporary military training exercises to exclude them from the noise provisions. Most recently reviewed District Plans include provisions for temporary military training exercises.
- d. New noise standards are also proposed for temporary military training exercises through the Stage 2 noise provisions.
- e. Providing for emergency response training exercises, such as civil defence training exercise, will also assist in the recovery and provide certainty for those activities.

2. GENERAL DIRECTIONS

- a. There is no general policy direction with respect to temporary military training exercises or emergency response training exercises.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The proposed direction is to provide for temporary military training exercises that meet noise standards and are not located in sensitive ecological or cultural

areas. Emergency response training exercises are permitted as long as they meet standards for noise, earthworks and storage of hazardous substances.

4. SCALE AND SIGNIFICANCE

- a. The proposed changes are considered to be of low significance because these exercises are infrequent and temporary military training exercises are generally conducted on NZDF-owned land where their effects can be managed.

3.3.0 EVALUATION OF OBJECTIVES AND POLICIES

Section 32(1)(a) of the Act requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose (section 5) of the Act.

3.3.1 EVALUATION OF PROPOSED OBJECTIVE 1

OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE RMA	
Objective 1	Summary of Evaluation
<p>Objective 1 Option 1 – Specific objective for temporary activities</p> <p><i>6.2.1.1 Objective 1 - Temporary activities and events</i></p> <p><i>a. Enable a diverse range of temporary activities and events which:</i></p> <p><i>i. provide opportunities for artistic, social and cultural expression;</i></p> <p><i>ii. contribute to the economic recovery and resilience of the District; and/or</i></p> <p><i>iii. reinforce or promote a positive sense of place and community,</i></p> <p><i>while having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i></p>	<ol style="list-style-type: none"> 1. The intent of Objective 1 is to recognise the specific role that temporary activities and events play in the economic, social and cultural recovery and wellbeing of the District. 2. This is a more appropriate way to achieve the purpose of the Act because it recognises the balance that needs to be achieved between enabling temporary activities and managing their potential adverse effects on the environment.
<p>Objective 1 Option 2 – Status Quo</p> <p><i>Operative Plan Objective 4.2 Amenity</i></p> <p><i>A pleasant and attractive City.</i></p> <p><i>Policy 4.2.5 – Art in public places</i></p> <p><i>To promote appropriate cultural development and the expression of art in buildings and areas accessible to the public.</i></p> <p><i>Objective 9.3 Community and cultural development</i></p>	<ol style="list-style-type: none"> 1. Option 2 is considered to be a less appropriate way to achieve the purpose of the Act because it does not set out specific objectives or policies relating to a broad range of temporary activities. The existing objective does not recognise the role that temporary activities play in the economic wellbeing of the district or consider the need to manage the effects of temporary activities.

<p><i>Opportunities for community and cultural development.</i></p> <p><i>Objective 14.2 Efficient and effective use</i></p> <p><i>(a) The efficient and effective use of open space and recreational facilities in meeting the recreational needs of the community.</i></p>	
<p>Objective 1 Option 3 – No specific District Plan objectives for temporary activities. Rely on Strategic Directions and zone objectives and policies.</p> <p><i>Stage 1 Strategic Directions</i></p> <p><i>Objective 3.3.1 – Enabling recovery and facilitating the future enhancement of the district</i></p> <p><i>The expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city, in a manner that:</i></p> <p><i>(a) meets the community’s immediate and longer term needs for housing, economic development, community facilities, infrastructure, transport, and social and cultural wellbeing; and</i></p> <p><i>(b) fosters investment certainty; and</i></p> <p><i>(c) sustains the important qualities and values of the natural environment.</i></p> <p><i>Objective 3.3.5 – Business and economic prosperity</i></p> <p><i>The critical importance of business and economic prosperity to Christchurch’s recovery and to community wellbeing and resilience is recognised and a range of opportunities provided</i></p>	<ol style="list-style-type: none"> 1. Option 3 is considered to be a less appropriate way to achieve the purpose of the Act. Although the Strategic Directions objectives address the economic, environmental and community goals of temporary activities and the policies are specific to the recovery of Christchurch, the provisions do not provide a clear direction for temporary activities and events less directly related to the recovery. 2. While the Residential and Commercial objectives provide direction for the appropriate location of temporary activities and events, they do not give as specific consideration to the role of temporary activities or their potential effects as Option 1.

for business activities to establish and prosper.

Objective 3.3.7 – Urban growth, form and design

A well-integrated pattern of development and infrastructure, a consolidated urban form, and a high quality urban environment that:

(a) is attractive to residents, business and visitors; and

(e) Maintains and enhances the Central City, Key Activity Centres and Neighbourhood Centres as community focal points

Objective 3.3.13 Emergency services and public safety

Recovery of, and provision for, comprehensive emergency services throughout the city.

Objective 3.3.14 – Incompatible activities

(a) the location of activities is controlled, primarily by zoning, to minimise conflicts between incompatible activities; and

(b) conflicts between incompatible activities are avoided where there may be significant adverse effects on the health, safety and amenity of people and communities.

Objective 3.3.15 – Temporary recovery activities

Temporary construction and related activities... are enabled by:

(a) permitting a range of temporary construction activities... recognising the temporary and localised nature of such activities, and the need to manage any significant adverse effects

Stage 1 Residential

Objective 14.1.7 – Non-Residential

<p><i>activities</i></p> <p><i>a. Residential activities remain the dominant activity in the residential zones and any non-residential activities meet only local community needs, and are compatible with, and can be accommodated within, residential areas.</i></p> <p><i>Stage 1 Commercial</i></p> <p><i>Objective 15.1.1 – Focus of commercial activity</i></p> <p><i>a. Commercial activity is primarily focussed within a network of centres... in a way and at a rate that:</i></p> <p><i>i. supports the function of District and Neighbourhood Centres as community focal points, while giving primacy to the central city</i></p> <p><i>iv. supports the recovery of centres in the short to medium term, and enhances the vitality and the amenity of centres</i></p>	
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3.4.0 EVALUATION OF PROPOSED RULES AND METHODS

- a. Section 32 (1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

3.4.1 Definition of temporary activities

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p><i>6.2.1.1 Objective 1 - Temporary activities and events</i></p> <p><i>a. A diverse range of temporary activities and events provide opportunities for artistic, social and cultural expression; contribute to the economic recovery and resilience of the District; and reinforce or promote a positive sense of place and community, having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1</p> <p><i>Temporary activities and buildings</i> <i>means activities and their ancillary buildings that are intended to have a limited duration and incidence (one-off, infrequent, transitional, or with a defined end date as opposed to regular and ongoing) and:</i></p> <p><i>a. where utilising a permanent facility, are not part of the permanent activity that occurs therein;</i></p> <p><i>b. create no, or only negligible, lasting alteration or disturbance to any site, building or vegetation.</i></p> <p><i>Temporary activities and buildings includes:</i></p> <p><i>c. temporary activities and buildings and activities following, and to assist in recovery from, a natural disaster, such as the temporary relocation of activities and buildings, storage yards, workers' temporary accommodation, the temporary raising of</i></p>	<p>1. Effectiveness</p> <p>a. The definition proposed as Option 1 would be a more appropriate way to achieve the objectives because it more clearly articulates the characteristics of temporary activities rather than listing examples.</p> <p>b. Option 1 also clarifies that frequently recurring activities with no anticipated end date (such as weekly community markets) are not considered temporary activities for the purposes of the District Plan. This allows their effects to be assessed through the zone rules as infrequent permanent activities rather than one-off or infrequent events.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <p>i. Clarifies that temporary activities</p>

<p><i>buildings for foundation repairs, public artworks, and recreation and entertainment activities, the temporary raising of buildings for foundation repairs, the temporary relocation of buildings and activities and workers' temporary accommodation.</i></p> <p><i>d. provision of car parking ancillary to a temporary activity, whether sealed or unsealed, provided in accordance with an approved Traffic Management Plan except as otherwise specified in section 6.1 or section 13.13.1.</i></p> <p><i>Note: Temporary buildings are required to comply with the provisions of the Building Act 2004.</i></p>	<p>cannot permanently disturb or alter sites or vegetation.</p> <p>ii. Clarifies that activities associated with permanent facilities cannot use the temporary activities rules to avoid zone standards or consent conditions (e.g. for noise or traffic generation) reducing the potential adverse amenity effects for neighbors to these sites</p> <p><i>Economic</i></p> <p>iii. Greater certainty for applicants around when the temporary activities rules can be used</p> <p><i>Social/Cultural</i></p> <p>iv. NIL</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. NIL</p> <p><i>Economic</i></p> <p>ii. Some activities previously permitted under the temporary activities rules now need to be considered against the zone standards for that activity. These standards are generally also quite permissive and it is unlikely that an activity previously permitted as a temporary activity would now require a consent but there is a small chance.</p> <p><i>Social/Cultural</i></p> <p>iii. NIL</p>
<p>Options less or not as appropriate to achieve the Objectives and Policies:</p>	
<p>2. Option 2 – Status quo</p> <p>No definition of temporary activity in the Operative Plan except for a definition of temporary military training activity:</p> <p>Temporary military training activity <i>means a temporary activity undertaken for defence purposes.</i></p> <p>The CCRP inserted a definition of “event” that applies to the Central City:</p>	<p>Appropriateness</p> <p>1. This option is a less appropriate way to achieve the objectives and policies because it does not clarify the status of temporary activities using permanent facilities and does not allow for the effective management of the different potential effects of concerts, filming and races to be assessed.</p> <p>2. The definition of temporary military training activity is proposed to be deleted because the activity references the definition in the Defence Act.</p>

<p>Event <i>in relation to the Temporary Buildings and Activities rules, means any temporary and organised activity including but not limited to organised gatherings, parades, festivals, film shoots, concerts, celebrations, multi-venue sports events of significant scale including fun runs, marathons, duathlons, triathlons.</i></p>	
<p>3. Option 3 – Stage 1 proposed definition for temporary buildings and activities</p> <p>Temporary buildings and activities <i>outside of the Central City means buildings and activities that are intended not to be permanent. Temporary buildings and activities include:</i></p> <ol style="list-style-type: none"> <i>1. temporary buildings ancillary to an approved building or construction project;</i> <i>2. one-off, occasional or recurring community or special events of short duration, such as carnivals, bazaars, festivals, markets, public meetings and exhibitions including associated vehicle parking and ancillary buildings, tents and marquees;</i> <i>3. temporary buildings and activities following, and to assist in recovery from, a natural disaster, such as storage yards, public artworks, recreation and entertainment activities, the temporary raising of buildings for foundation repairs, and the temporary relocation of buildings and activities.</i> <p>Note: <i>Temporary buildings may still be required to comply with the provisions of the Building Act 2004.</i></p>	<p>Appropriateness</p> <ol style="list-style-type: none"> Option 3 is to retain the definition for temporary buildings and events notified as part of Stage 1 of the review. This option is a less appropriate way to achieve the objectives and policies because it requires a separate definition for temporary activities in the Central City. This definition also allows frequently recurring activities with no anticipated end date to establish using the temporary activities rules. The definition does not clearly provide for the workers' temporary accommodation provisions notified in Stage 1A of the review.
<p>Risk of Acting or Not Acting</p>	
<ol style="list-style-type: none"> There is sufficient information to assess the risk of acting or not acting. 	

3.4.2 Construction-related temporary activities

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p><i>6.2.1.1 Objective 1 - Temporary activities and events</i> <i>A diverse range of temporary activities and events provide opportunities for artistic, social and cultural expression; contribute to the economic recovery and resilience of the District; and reinforce or promote a positive sense of place and community, having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1</p> <p><i>6.2.1.1.2 Policy 2 – Temporary construction buildings</i></p> <p><i>a. Enable temporary buildings and other structures associated with construction projects provided that the amenity impacts on the surrounding environment can be effectively managed, while recognising that, within the context of the rebuild, a higher threshold of tolerance should be provided for temporary adverse amenity effects that do not compromise health or safety.</i></p> <p>Methods:</p> <ul style="list-style-type: none"> a. Rules permitting temporary construction buildings up to 50m² to remain on sites until the completion of the project b. Remove size limits on temporary construction buildings in the Central City Business zone and Industrial and industrial-type zones including the Rural Quarry, Port and Airport zones. c. Rules permitting temporary signage related to the rebuild to remain on sites as long as they are relevant 	<p>1. Effectiveness</p> <ul style="list-style-type: none"> a. Removing the one year time limit on temporary construction buildings will provide more flexibility to projects and is consistent with the direction taken by the CCRP for the Central City and with the requirements of the Statement of Expectations. b. Increasing the permitted floor area from 40m² to 50m² is consistent with the permitted standard in other District Plans that have recently been reviewed. Removing the size limits on temporary construction buildings in Industrial and industrial-type zones and in the Central City Business zone allows construction projects in these zones more flexibility to meet their logistic needs while having minimal impact on neighbouring amenity. c. The “pack-out” time for temporary construction buildings has been increased to 1 month after the completion of the project rather than the “duration of the project” as this is clearer and easier to enforce. <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. NIL <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Construction sites are able to operate more efficiently by using on-site temporary buildings for storage

	<p>and offices.</p> <p>iii. Fewer consents required as larger buildings are permitted to remain for a longer period of time.</p> <p><i>Social/Cultural</i></p> <p>iv. Signage related to the rebuild improves project communication with the community and site safety.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. Some risk of loss of visual amenity, privacy and shading both from larger temporary buildings and from their longer duration.</p> <p>iv. An increased risk of temporary buildings being left on abandoned construction sites for extended periods of time. This is considered to be unlikely in the context of the rebuild however, as temporary construction buildings represent a significant capital investment and are in demand.</p> <p>v. Potential for minor loss of amenity from temporary signage.</p> <p><i>Economic</i></p> <p>vi. NIL</p> <p><i>Social/Cultural</i></p> <p>vii. NIL</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Methods:</p> <p>ii. Rules permitting temporary construction buildings up to 40m² to remain on sites until the completion of the project in the Central City but requiring consent after twelve months in the remainder of the District</p> <p>iii. Rules permitting temporary signage related to the rebuild to remain on sites until 18 April 2016</p>	<p>Appropriateness</p> <p>1. This option is a less appropriate way to achieve the objectives and policies because it would require a resource consent for temporary buildings remaining on sites for more than one year, increasing costs and logistic difficulties for construction companies. While this approach allows greater consideration of the amenity impacts of temporary buildings, within the context of the rebuild and given the temporary nature of the activity, it is not considered efficient to require consents for temporary construction buildings remaining on sites for more than twelve months. In particular, this is because it is</p>

	<p>likely that some construction projects, especially in the Central City, will take longer than 12 months to complete.</p> <p>2. It is likewise not efficient to require consents for temporary rebuild-related signage remaining on sites after 2016. Having a standard that the information on the signage must be relevant gives sufficient grounds for enforcement to remove unnecessary signage causing adverse amenity impacts.</p>
<p>3. Option 3 – No size limits on construction buildings</p> <p>Remove limits on maximum floor area for all temporary construction buildings</p>	<p>Appropriateness</p> <p>1. This option is a less appropriate way to achieve the objectives and policies because it would not allow for any assessment of the adverse effects of temporary construction buildings. This presents a risk of substantial complexes of temporary construction buildings built directly on the boundary with sensitive residential areas without any consideration for the amenity effects on the neighbouring property.</p>
<p>4. Option 4 – Maximum number of temporary construction buildings allowed on a site and/or size limits on construction buildings scaled to site size</p> <p>Limit the total number or maximum area of temporary construction buildings allowed on a site</p>	<p>Appropriateness</p> <p>1. This option is a less appropriate way to achieve the objectives and policies because it would be likely to increase the number of consents required for temporary construction buildings while providing only a minimal improvement to amenity outcomes.</p>
Risk of Acting or Not Acting	
<p>1. There is currently insufficient information about the length of the peak rebuild period and the likelihood of temporary construction buildings being abandoned on sites. However, there is considered to be sufficient information to recommend the current direction subject to monitoring and review.</p>	

3.4.3 Events

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
Relevant objectives and policies: 6.2.1.1 <i>Objective 1 - Temporary activities and events</i> a. <i>A diverse range of temporary activities and events provide opportunities for artistic, social and cultural expression; contribute to the economic recovery and resilience of the District; and reinforce or promote a positive sense of place and community, having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i>	
Provision(s) most appropriate	Effectiveness and Efficiency
1. Option 1 6.2.1.1.1 <i>Policy 1 – Temporary activities and events</i> a. <i>Enable temporary activities, buildings and events provided:</i> i <i>the frequency, scale and effects of these activities are not incompatible with the level of amenity anticipated by the surrounding environment; or are within a range that can be tolerated given the temporary nature of the activity;</i> ii <i>parking and traffic generation are managed so that:</i> A. <i>road safety and network efficiency are not compromised; and</i> B. <i>accessibility within and to local commercial centres and businesses is not adversely effected;</i> iii <i>public access to public open space is maintained as far as practicable, given the nature of the activity or event in question;</i> iv <i>natural, historic or cultural values of sites are not permanently modified, damaged or destroyed; and</i> v <i>waste and litter are effectively managed and minimised;</i> Methods: a. Rules permitting events for one month or six weekends or twelve days a year b. Rules requiring events to meet noise standards for amplified sound and to restrict hours for fireworks	1. Effectiveness a. The rules proposed are the most appropriate way to achieve the objectives because they clarify which other Plan rules continue to apply to events, better provide for periodic events and manage the effects of temporary activities on sensitive environments to a greater extent than the operative Plan. b. The operative Plan rules do not differentiate between motorised and non-motorised sporting events which can have significantly different environmental effects, particularly in terms of noise and impacts on the transport network. Motorised sporting events are proposed to be a restricted discretionary activity to better assess and manage these effects. c. Consents are also now required for larger scale events (attracting over 500 people) in Sites of Ecological Significance, the Coastal Environment and Silent File Areas. This requirement will better allow for an assessment of potential site disturbance including impacts of noise, vegetation or dune disturbance, littering and cultural values associated with a site (e.g. by assessing the effects of a concert proposed on a burial site). d. New Brighton Beach is exempted from the requirement for a consent to hold events over 500 people in the coastal environment because the coastal environment at New

<ul style="list-style-type: none"> c. Rules requiring events to meet evening light spill and glare standards d. Rules requiring a RD consent for events with over 500 participants and lasting more than three days in a Site of Ecological Significance e. Rules requiring a RD consent for events with over 500 participants in the Coastal Environment f. Rules requiring a RD consent for events with over 500 participants in a Silent File Area g. RD consent required for motorised sporting events 	<p>Brighton is already significantly modified and has the infrastructure in place to manage the effects of events.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Improved assessment and management of the effects of larger-scale events on Sites of Ecological Significance and the Coastal Environment. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Some events series will no longer require a consent. iii. Greater clarity for applicants around which rules their application will be assessed against. iv. Noise standards are easier to interpret when the standard is expressed in amps allowed rather than requiring events to meet a noise standard. This is easier to enforce and for applicants to understand (see the s32 for the Noise rules for a more detailed discussion). <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> v. Longer series of events are enabled. vi. Improved assessment and management of the effects of larger-scale events on sites of significance to iwi. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Some risk of loss of amenity from temporary buildings associated with events remaining on sites for a longer period of time. ii. Proposed noise rules are more permissive in terms of the standards required for amplified sound and fireworks but set clear restrictions on length of time and hours. <p><i>Economic</i></p>
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	<p>iii. Some applicants may require consent if unable to meet the noise or glare standards or if they are proposing to hold the event in a sensitive area. Based on analysis of past events held in Christchurch (see Appendix 3.3), it is unlikely that many events will not be able to meet the permitted standards.</p> <p><i>Social/Cultural</i></p> <p>iv. Allowing longer timeframes for events means public access to some open spaces may be restricted for a longer period of time but this is managed by the requirement to reinstate public access between openings of the event.</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Methods:</p> <p>a. Rules permitting carnivals, bazaars and public meetings for one month outside the Central City “notwithstanding anything to the contrary in the Plan”</p> <p>b. Rules permitting events for one month plus four weeks of pack-in/pack-out time in the Central City “notwithstanding anything to the contrary in the Plan”</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. The terminology in the operative Plan is somewhat antiquated and does not cover the range of events likely to be proposed. It also increases Plan complexity unnecessarily to have separate rules for the Central City and the remainder of Christchurch. 2. The wording of the current rules makes it unclear what other Plan rules apply. This is confusing when the Plan also sets noise standards for events. 3. The operative Plan rules also do not consider the relative effects of different sizes or scales of events. A 500 person threshold for requiring consents for events in sensitive environments would better allow those effects to be assessed and managed. Limits of this type are consistent with how temporary activities are managed in other District Plans, although they can be present enforcement difficulties.
<p>3. Option 3 – Reliance on bylaws</p> <p>No District Plan rules for events; rely on bylaws</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. Under the Local Government Act 2002, Council may make bylaws for the purposes of protecting the public from nuisance, protecting, promoting and maintaining public health and safety and minimising the potential for offensive behaviour in public places. While some of the potential adverse effects of

	<p>events, such as noise or littering, could be managed through bylaws and the Council permitting system, this process would not address the wider environmental effects of events such as their appropriateness in or impact on sensitive environments.</p> <p>2. Option 3 also is a less appropriate way to achieve the objectives because the current Christchurch City Council bylaws only apply to events on Council-owned or managed property and would not control the adverse effects of events held on private land.</p>
Risk of Acting or Not Acting	
<p>1. There is some uncertainty about the threshold of event sizes for creating adverse effects on sensitive environments. The 500 person threshold is based on a review undertaken for the Queenstown Lakes District Plan which increased their threshold from 200 to 500 persons but monitoring should be undertaken to ascertain the appropriateness of this threshold in the Christchurch context. The risk of not acting is that temporary activities are permitted in areas such as sites of ecological significance or the coastal environment and their effects are not assessed or managed appropriately.</p>	

3.4.4 Filming

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
Relevant objectives and policies: 6.2.1.1 <i>Objective 1 - Temporary activities and events</i> <i>A diverse range of temporary activities and events provide opportunities for artistic, social and cultural expression; contribute to the economic recovery and resilience of the District; and reinforce or promote a positive sense of place and community, having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i>	
Provision(s) most appropriate	Effectiveness and Efficiency
1. Option 1 6.2.1.1.1 <i>Policy 1 – Temporary activities and events</i> a. <i>Enable temporary activities, buildings and events provided:</i> i <i>the frequency, scale and effects of these activities are not incompatible with the level of amenity anticipated by the surrounding environment; or are within a range that can be tolerated given the temporary nature of the activity;</i> ii <i>parking and traffic generation are managed so that:</i> A. <i>road safety and network efficiency are not compromised; and</i> B. <i>accessibility within and to local commercial centres and businesses is not adversely effected;</i> iii <i>public access to public open space is maintained as far as practicable, given the nature of the activity or event in question;</i> iv <i>natural, historic or cultural values of sites are not permanently modified, damaged or destroyed; and</i> v <i>waste and litter are effectively managed and minimised;</i> Methods: a. Rules permitting commercial film or video production for 30 days a year per location and exempting it from noise and glare standards from 10pm to 7am. b. Rules requiring a consent for productions involving more than 200	1. Effectiveness a. Option 1 is a more appropriate way to achieve the objectives because the rules extend the permitted 30 days for film shoots from the Central City to the remainder of the District and clarify that the noise and glare standards with respect to filming only need to be met at night time and where traffic safety could be compromised. Requiring consent for larger film shoots in sensitive ecological areas will allow for the potential adverse effects on those areas to be considered appropriately. b. The proposed one month limit reflects best practice guidance set out by the NZ Local Government Filming Protocol. c. The proposed definition of commercial film or video production clarifies that the rules do not apply to news organisations or to individuals filming for their personal use. d. The Industrial zones are exempted from the standards for temporary filming because filming falls under the definition of industrial activity which is permitted in industrial zones without standards. 2. Efficiency a. Benefits <i>Environmental</i> i. Assessment enabled of the impact of larger scale film productions on

<p>people in a Site of Ecological Significance or Coastal Environment.</p> <p>Definition: Commercial film or video production means activities associated with the creation of a film or video product where undertaken by a professional production company. Commercial film or video production excludes filming by news organisations, students or private individuals.</p>	<p>sensitive ecological areas.</p> <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Production companies have more certainty around what is permitted and what standards need to be met. iii. Smaller-scale commercial film shoots are enabled and should not have difficulties meeting the standards. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iv. Non-profit, student and individual filming is enabled with no restrictions. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Some risk of loss of amenity from daytime noise and glare from film shoots but these would generally only last for a few days. Most significantly noisy sound effects are currently added in post-production so it is not anticipated that film shoots would cause significant adverse noise effects. Monitoring of noise complaints associated with filming in Queenstown did not identify any noise issues arising from temporary filming. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Risk that requirement to get consent to film in sites of ecological significance or coastal areas will discourage filmmakers from choosing locations in the District. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iii. NIL
<p>Options less or not as appropriate to achieve the Objectives and Policies:</p>	
<p>2. Option 2 – Status quo</p> <p>The operative Plan permits “film shoots” in the Central City for up to one month with an additional four weeks pack-in/pack-out time.</p> <p>Filming is otherwise only controlled through Council permits for road closures or use of reserves.</p>	<p>Appropriateness</p> <ul style="list-style-type: none"> 1. Option 2 is a less appropriate way to achieve the objective because it does not clarify the status of filming outside the Central City or the status of other Plan rules such as noise, glare or alteration of a heritage site. 2. Permits for filming only control activities on Council-owned or managed land and would not control any adverse effects of

	large-scale film shoots on privately owned sites of ecological significance or areas in the coastal environment.
Risk of Acting or Not Acting	
1. There is some uncertainty about the threshold of film shoot sizes for creating adverse effects on sensitive environments. The 200 person threshold is based on a review undertaken for the Queenstown Lakes District Plan but monitoring should be undertaken to ascertain the appropriateness of this threshold in the Christchurch context. The risk of not acting is that film shoots are permitted in areas such as sites of ecological significance or the coastal environment and their effects are not assessed or managed appropriately.	

3.4.5 Temporary artworks and community activities

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
Relevant objectives and policies: 6.2.1.1 <i>Objective 1 - Temporary activities and events</i> a. <i>A diverse range of temporary activities and events provide opportunities for artistic, social and cultural expression; contribute to the economic recovery and resilience of the District; and reinforce or promote a positive sense of place and community, having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i>	
Provision(s) most appropriate	Effectiveness and Efficiency
1. Option 1 6.2.1.1.1 <i>Policy 1 – Temporary activities and events</i> a. <i>Enable temporary activities, buildings and events provided:</i> i <i>the frequency, scale and effects of these activities are not incompatible with the level of amenity anticipated by the surrounding environment; or are within a range that can be tolerated given the temporary nature of the activity;</i> ii <i>parking and traffic generation are managed so that:</i> A. <i>road safety and network efficiency are not compromised; and</i> B. <i>accessibility within and to local commercial centres and businesses is not adversely effected;</i> iii <i>public access to public open space is maintained as far as practicable, given the nature of the activity or event in question;</i>	1. Effectiveness a. The proposed provisions will achieve the objective by enabling not-for-profit community activities in centres and public artworks and gardens on vacant spaces. b. The provisions direct community activities towards centres to encourage the benefits of co-location both for the activity and for local businesses. c. Removing the end-date for transitional projects and activities will provide them with greater flexibility and certainty around their operation. 2. Efficiency a. Benefits <i>Environmental</i> i. Adverse effects of activities on residential areas are reduced. ii. Vacant and low-amenity sites are activated.

<p>iv <i>natural, historic or cultural values of sites are not permanently modified, damaged or destroyed; and</i></p> <p>v <i>waste and litter are effectively managed and minimised;</i></p> <p>Methods:</p> <p>a. Rules permitting not-for-profit public recreation, education, cultural or entertainment activities in Commercial, Open Space, Industrial, Specific Purpose (Schools), Specific Purpose (Tertiary Education) and the Transport zone with no standards</p> <p>b. Rules permitting public artworks in any zone with no standards</p> <p>c. Rules permitting structures for temporary gardens in any zone with no standards</p>	<p><i>Economic</i></p> <p>iii. Transitional projects bring more visitors into centres creating spill-over trade.</p> <p><i>Social/Cultural</i></p> <p>iv. Creative, engaging projects are encouraged in local centres.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. Small risk of a low-amenity transitional project establishing in an area and Council not being able to enforce its removal but this is unlikely because market forces will generally determine the end point for the project and a project creating significant adverse effects could still be removed under s17. These projects usually establish on vacant sites which are already very low-amenity.</p> <p><i>Economic</i></p> <p>ii. Some temporary retailing established under the operative Plan rules for the Central City may need to apply for a consent after 2016 if it does not meet the plan standards for Central City Business or Mixed-Use zones.</p> <p><i>Social/Cultural</i></p> <p>iii. NIL</p>
<p>Options less or not as appropriate to achieve the Objectives and Policies:</p>	
<p>2. Option 2 – Status quo</p> <p>Retain current rules:</p> <ul style="list-style-type: none"> - in the Central City, on vacant sites in the Central City Business and Central City Mixed Use zones, temporary activities, buildings, public artworks and recreational facilities are permitted until 18 April 2016 with no standards - no specific provisions for transitional projects or public artworks outside the Central City 	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. Option 2 is considered less appropriate because it creates uncertainty for temporary activities after 18 April 2016, potentially requiring activities that are contributing to the recovery and are not causing significant adverse effects to disestablish. 2. Outside the Central City, Option 2 would not provide certainty for transitional projects.

<p>3. Option 3 – Temporary community activities permitted in all zones</p> <p>The proposed provisions direct activities towards centres and would potentially require consents for activities on vacant sites in Residential zones that were not able to meet the zone standards. Alternately, these activities could be permitted on vacant sites in all zones.</p>	<p>Appropriateness</p> <p>1. Option 3 is less appropriate because transitional projects are more likely to cause adverse amenity or transport effects in residential areas and spreading the activities out reduces their potential contribution to the economic recovery of the District.</p>
<p>4. Option 4 – Temporary retailing permitted outside commercial centres</p> <p>The proposed provisions exclude temporary retailing not associated with an event or temporary market. Alternately, temporary retailing could be permitted in some zones outside the commercial centres.</p>	<p>Appropriateness</p> <p>1. Option 4 is less appropriate because temporary retailing should be able to establish in Commercial zones under the Commercial chapter rules. Encouraging temporary retailing in other locations and not ancillary to another temporary activity would not be consistent with Stage 1 Plan objectives to focus commercial activities in centres. There is a risk that this approach could create competition with centres and slow the recovery.</p>
<p>Risk of Acting or Not Acting</p> <p>1. It is considered that sufficient information exists about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)).</p>	

3.4.6 Temporary markets

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p><i>6.2.1.1 Objective 1 - Temporary activities and events</i></p> <p><i>a. A diverse range of temporary activities and events provide opportunities for artistic, social and cultural expression; contribute to the economic recovery and resilience of the District; and reinforce or promote a positive sense of place and community, having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1</p> <p><i>6.2.1.1.1 Policy 1 – Temporary activities and events</i></p> <p><i>a. Enable temporary activities, buildings and events provided:</i></p> <p><i>i the frequency, scale and effects of these activities are not incompatible with the level of amenity anticipated by the surrounding environment; or are within a range that can be</i></p>	<p>1. Effectiveness</p> <p>a. The proposed rules will enable markets in appropriate zones where their impacts on parking and the transport network can be better managed and where they will create spill-over trade for permanent commercial activities.</p> <p>b. Requiring consents for markets seeking to establish in sensitive ecological or cultural areas will allow</p>

<p><i>tolerated given the temporary nature of the activity;</i></p> <p><i>ii parking and traffic generation are managed so that:</i></p> <p><i>A. road safety and network efficiency are not compromised; and</i></p> <p><i>B. accessibility within and to local commercial centres and businesses is not adversely effected;</i></p> <p><i>iii public access to public open space is maintained as far as practicable, given the nature of the activity or event in question;</i></p> <p><i>iv natural, historic or cultural values of sites are not permanently modified, damaged or destroyed; and</i></p> <p><i>v waste and litter are effectively managed and minimised;</i></p> <p>Methods:</p> <p>a. Rules permitting markets and fund-raising events while restricting the number of days per year they can operate in certain zones</p> <p>b. Rules requiring consent for markets attracting more than 500 people in Sites of Ecological Significance, Silent File Areas or any markets in the Coastal Environment</p>	<p>for their effects on those areas to be appropriately assessed.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <p>i. Provides for the assessment of effects of larger temporary markets on Sites of Ecological Significance or the Coastal Environment.</p> <p>ii. Reduced impacts on the transport network and residential amenity from markets in centres rather than distributed in Residential or Rural areas.</p> <p>iii. Considers the cumulative effects of temporary markets on the transport network and residential amenity.</p> <p><i>Economic</i></p> <p>iv. Directs temporary markets to commercial centres supporting their recovery</p> <p><i>Social/Cultural</i></p> <p>v. Allows community groups to organise fund-raisers on school sites or community facilities in Residential or Rural areas for a limited number of days per years.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. NIL</p> <p><i>Economic</i></p> <p>ii. Larger markets seeking to establish in sensitive ecological or cultural areas would be required to apply for a consent.</p> <p>iii. Markets on Residential-zoned land using community facilities, such as spiritual facilities or community centres, would require consent to operate more often than once a month.</p> <p><i>Social/Cultural</i></p> <p>iv. NIL</p>
<p>Options less or not as appropriate to achieve the Objectives and Policies:</p>	

<p>2. Option 2 – Status quo</p> <p>“Bazaars” permitted for one month outside the Central City.</p> <p>“Temporary Events” permitted for one month inside the Central City.</p>	<p>Appropriateness</p> <p>1. Option 2 is less appropriate because it uses antiquated language, not intuitively applicably to temporary markets and does not consider the cumulative effects of markets on residential amenity, sensitive sites or the transport network.</p>
<p>Risk of Acting or Not Acting</p>	
<p>There is currently insufficient information about the number of temporary markets or fundraisers using Residential or Rural-zoned sites that would potentially need to seek consent or find an alternative venue. This should be monitored and the policy revisited if a significant number of temporary markets or fundraisers are requiring consent.</p>	

3.4.7 Training

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p><i>6.2.1.1 Objective 1 - Temporary activities and events</i> <i>A diverse range of temporary activities and events provide opportunities for artistic, social and cultural expression; contribute to the economic recovery and resilience of the District; and reinforce or promote a positive sense of place and community, having regard to the natural, historic and cultural values and expected amenity levels of the areas in which they are located.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1</p> <p><i>6.2.1.1.1 Policy 1 – Temporary activities and events</i></p> <p><i>a. Enable temporary activities, buildings and events provided:</i></p> <p><i>i the frequency, scale and effects of these activities are not incompatible with the level of amenity anticipated by the surrounding environment; or are within a range that can be tolerated given the temporary nature of the activity;</i></p> <p><i>ii parking and traffic generation are managed so that:</i></p> <p><i>A. road safety and network efficiency are not compromised; and</i></p> <p><i>B. accessibility within and to local commercial centres and businesses is not adversely effected;</i></p> <p><i>iii public access to public open space is maintained as far as practicable, given the nature of the activity or</i></p>	<p>1. Effectiveness</p> <p>a. The provisions clarify that temporary military exercises are permitted where their noise impacts can be managed and where they will not create adverse ecological or cultural effects.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <p>i. Provides for the assessment of the appropriateness of these activities in sensitive ecological areas.</p> <p><i>Economic</i></p> <p>ii. Provides greater certainty for applicants around which Plan rules apply to these activities.</p> <p><i>Social/Cultural</i></p> <p>iii. Provides for training for national defence purposes</p> <p>iv. Allows the assessment of the</p>

<p><i>event in question;</i></p> <p><i>iv natural, historic or cultural values of sites are not permanently modified, damaged or destroyed; and</i></p> <p><i>v waste and litter are effectively managed and minimised;</i></p> <p>Methods:</p> <p>a. Rules that enable temporary military training exercises that comply with noise standards and are not located in a Site of Ecological Significance, Coastal Environment or Silent File Area</p>	<p>appropriateness of these activities in sensitive cultural environments such as adjacent to urupa.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. NIL</p> <p><i>Economic</i></p> <p>ii. Potentially additional consenting costs for exercises that must be located in the Coastal Environment or near a Site of Ecological Significance.</p> <p><i>Social/Cultural</i></p> <p>iii. NIL</p>
<p>Options less or not as appropriate to achieve the Objectives and Policies:</p>	
<p>2. Option 2 – Status quo</p> <p>No specific provisions for temporary military training exercises</p>	<p>Appropriateness</p> <p>1. Option 2 is less appropriate because the Noise provisions, at the suggestion of NZDF, include standards for these exercises.</p>
<p>Risk of Acting or Not Acting</p>	
<p>It is considered that sufficient information exists about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)).</p>	

3.5.0 SUMMARY OF DISCRETIONARY CONSULTATION

1. Table 2: Stakeholder meetings informing the draft Chapter

DATE	GROUP	TOPIC	COMMENTS	RESPONSE
22/1/2015	CAG	Review of draft provisions	Supportive of approach; suggest not limiting construction buildings in the Central City and Industrial-type zones	Exempted construction buildings from size limits in the Central City and Industrial-type zones as long as they meet setback standards.
7/11/2014	Gap Filler	Provisions for transitional projects	Requested greater allowance for temporary servicing and associated earthworks; Exclusion of non-commercial temporary activities from standards; More recognition of positive benefits of activities	Updated definition of “temporary activities” to include activities requiring servicing. Changed permitted activity from “non-commercial” to “not-for-profit”. Added Matters of Discretion related to positive economic and amenity benefits of temporary activities.
23/10/2014	CAG	Overview of proposed changes to provisions	Include provisions for temporary car parking activities (e.g. Wilsons)	These provisions are included in the Stage 2 Transport chapter.

3.6.0 BIBLIOGRAPHY

Reports	Author
Evaluating the Effectiveness and Efficiency of the Christchurch City District Plan, 28 January 2011	Response Planning Consultants Limited
NZ local government filming protocol: a guide to location film activities and regulatory best practice for local government, 2002	Local Government New Zealand; Industry New Zealand
Outcomes of the Canterbury earthquake sequence for tourism businesses	Resilient Organisations Research Report 2012/09
Other District Plans	Territorial Authority
Ashburton District Plan	Ashburton District Council
Auckland Unitary Plan	Auckland Council
Hamilton City District Plan	Hamilton City Council
Napier District Plan	Napier City Council
Queenstown Lakes District Plan	Queenstown Lakes District Council

Reports	Author
Selwyn District Plan	Selwyn District Council
Waimakariri District Plan	Waimakariri District Council
Strategic Framework	Author
Canterbury Regional Policy Statement 2013	Environment Canterbury
Land Use Recovery Plan 2013	Environment Canterbury
New Zealand Coastal Policy Statement 2010	

APPENDIX 3.1 Key Strategic Documents

The key messages that inform the direction taken in the chapter include the following:

1. Canterbury Earthquake Recovery Strategy

The Canterbury Earthquake Recovery Strategy sets out a vision for the recovery which includes:

Social recovery

3. Strengthen community resilience, safety and wellbeing, and enhance quality of life for residents and visitors by:

3.1 enabling and empowering local communities to shape and lead their own recovery

Cultural recovery

4. Renew greater Christchurch's unique identity and its vitality expressed through sport, recreation, art, history, heritage and traditions by:

4.2 resuming cultural, community and sports events and activities;

4.3 encouraging participation in a range of entertainment, cultural, recreational and sporting activities

2. Christchurch Central Recovery Plan

The Christchurch Central Recovery Plan recognises the role that temporary buildings, artworks and other projects play in the transitional economy and in bringing life to vacant spaces.

It inserted new provisions for temporary activities in the Central City including:

- a. allowing temporary construction buildings to remain on sites for the duration of the project instead of requiring consent after one year;
- b. permitting temporary "events" for one month plus an additional four weeks for pack-in/pack-out;
- c. permitting any temporary activity or event on a vacant Central City Business or Mixed-Use site until 18 April 2016;
- d. permitting temporary signage providing information about rebuild or recovery work until 18 April 2016.

3. New Zealand Coastal Policy Statement 2010 (NZCPS)

The NZCPS sets out a number of objectives and policies relevant to temporary activities located in the coastal environment. These include:

Objective 4

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by;

- recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;
- maintaining and enhancing public walking access to and along the coastal marine area without charge

Objective 6

To enable people and communities to provide for the social, economic, and cultural wellbeing and their health and safety, through subdivision, use and development, recognising that:

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.

Policy 6

1. In relation to the coastal environment:

- j. where appropriate buffer areas and sites of significant indigenous biological diversity, or historic heritage value.

5. Christchurch Events Strategy 2007-2017

Objectives:

1.4 Provide whole of Council support to establish new or growing festivals into large-scale, high impact events.

3.1 Maximise the impact of events on the following outcomes:

- healthy lifestyles
- understanding and celebrating the city's cultures
- minimising waste
- improving the environment
- building strong communities

3.3 Seek and support events that contribute towards the vitality of the city centre and Christchurch's indoor venues

4.2 Work with key organisations to provide fast and co-ordinate Christchurch response to major events opportunities

6. CCC Artworks in Public Places Policy

Objective 1: A city environment enriched by a variety of works of art in public spaces.

1.1 To identify locations within the city suitable for the display of works of art.

1.3 To encourage the placement of appropriate works of art in public places.

1.4 To provide opportunities for citizens and visitors to interact with works of art in public areas.

APPENDIX 3.2 Summary of legislation, policies and bylaws relating to temporary activities, buildings and events in Christchurch

At the time of drafting the Temporary Activities, Buildings and Events provisions, the following legislation and bylaws applied:

Legislation	Relevant to	Controls
Building Act 2004	Temporary buildings; buildings ancillary to an event, market or other temporary activity	<p>Building consent required for:</p> <ul style="list-style-type: none"> detached buildings over 10m² or multi-story buildings tents, marquees or similar lightweight structures over 100m² or being used for more than 1 month shade sails over 50m² or closer than 1m to a legal boundary <p>Building consent can be refused on land subject to natural hazards</p>
Reserves Act 1977	Temporary activities in and public access to reserves	<p>s53 The administering body of a recreation reserve may:</p> <p>(1)(b) prohibit from time to time the public from entering or encroaching on any part of the reserve</p> <p>(1)(d) prescribe, as to not more than 40 days in any year as it thinks fit, that the public shall not be entitled to have admission to the reserve or to any part or parts thereof set apart for a particular purpose or purposes unless on payment of a charge; provided that with the prior consent of the Minister the number of days that the public shall not be entitled to have admission may be increased</p> <p>(1)(e) grant the exclusive use of the reserve or any part thereof on any 1 or more of the days provided for in paragraph (d), but not for more than 6 days consecutively at any time, to any person, body, voluntary organisation or society for the purpose of particular games, sports, or other activities or for public recreation or enjoyment; provided that the Minister may fix charges or consent to an increase in the number of consecutive days</p> <p>(1)(f) enter into an agreement with any person, body, society or voluntary organisation for the use of the reserve on a specified number of days in each year during the term of the agreement</p> <p>(1)(g) erect on some portion of the reserve stands, pavilions, gymnasiums or other buildings and structures associated with and necessary for the use of the reserve for outdoor recreation and may fix reasonable charges and provided that the Minister considered it to be in the public</p>

Legislation	Relevant to	Controls
		interest, the administering body may, with the consent of the Minister, erect buildings and structures for public recreation and enjoyment not directly associated with outdoor recreation (1)(n) subject to any lease or licence granted pursuant to section 54(1)(d), prohibit or regulate the carrying on of any trade, business or occupation within the reserve
Sale and Supply of Alcohol Act 2012	Sale of alcohol	s22 permits District Licensing Boards to issue special licences for the sale and supply of alcohol at events
Food Hygiene Regulations 1974	Sale of food	Requires a certificate of registration for premises selling food including stalls.
CCC Parks and Reserves Bylaw 2008	Public access to reserves; temporary buildings and structures	<p>s5(1) Reserves will be open to the public except during hours determined by the Council or when the Council has determined that the public are not entitled to enter the reserve without payment of a fee</p> <p>s11(1) No person may put up or erect any stall, booth, tent or structure of any kind in a reserve unless that person has obtained the prior written permission of an Authorised Officer and paid any applicable fees set by the Council</p> <p>s17(1) A permission given under this Bylaw may relate to:</p> <p>(a) an activity or event or a series of activities or events</p> <p>s17(2) Any permission given under this Bylaw may be subject to such terms and conditions as the Authorised Officer giving the permission thinks fit;</p> <p>s17(3) The permission must set out:</p> <p>(a) the activity or event which is permitted; and</p> <p>(b) the duration of the permission</p> <p>s17(4) The Council may review any permission given under this Bylaw.</p>
CCC Public Places Bylaw 2008	Retailing	<p>s6(1) No person may undertake commercial activities in a public place without the written permission of the Council.</p> <p>s7(1) No person may erect or place any thing in, on or over a public place where it causes danger or inconvenience to those using the public place, without the written permission of the Council</p>
CCC Traffic and Parking Bylaw 2008	Events with the potential to obstruct traffic or which require a temporary road	s17(1) Every person intending to hold or organise an event that may obstruct pedestrian or vehicle movements or has the potential to cause a safety issue for pedestrians or traffic, must provide Council with a Traffic Management Plan prepared by a qualified Site Traffic Management

Legislation	Relevant to	Controls
	closure	Supervisor. s17(2) If the event requires a “temporary road closure” then at least 60 days’ notice is required.
CCC Urban Fire Safety Bylaw 2014	Fires; Fireworks	s6(1) Unless a prohibition is in place, fires may be lit where they are not at risk or spreading, are not within 3m of a building, tree or fence, not before sunrise and not after sunset, and are adequately supervised. s8(1) Fireworks may be used as long as they do not constitute a fire hazard, are not within 3m of a building, tree, hedge or fence, are supervised and there is access to a water supply.
Trading and Events in Public Places Policy 2010	Permits for retailing or events in public places (Council-managed roads and parks)	s3 Policy covers public places managed by the Council it does not cover private roads, state highways or other road controlled by NZTA s4 No person may trade or organise events in a public place without the consent of the Council. In determining trading and event locations, Council will select sites at which: <ul style="list-style-type: none"> • appropriate standards of health, safety, pedestrian priority and visual amenity are maintained; • the permitted activity is appropriate and sympathetic to the surrounding areas; • the trading or event supports or enhances the existing function of the areas • the potential impact on established businesses s8 Permits/licences include designated hours of operation. s12.1 General conditions for trading in public places <ul style="list-style-type: none"> • unless specifically allowed to remain, any stall or market must be removed from the site at the end of each day s12.2 Provisions for open air markets and food stalls including permanent mobile food stall areas and designated open air markets s12.4 Provisions for street hawking s12.5 Permits required for mobile or travelling shops s12.6 Permits required for temporary retail stalls s13.1 All events must have a Council permit to operate in a public place except events which have booked a dedicated space in a park or reserve <ul style="list-style-type: none"> • events must comply with the noise levels in the District Plan • pedestrian access must be maintained at all times; a traffic management plan must be

Legislation	Relevant to	Controls
		<p>submitted if access is likely to be impeded</p> <ul style="list-style-type: none"> • normal parking conditions apply unless written authorisation has been granted by the Council • areas designated as event, festival or theme day areas include: Victoria Square, Cathedral Square, and City Mall. <p>s13.3 Limits duration of street performance to 60 minutes per site and does not allow amplification unless as part of an event permit.</p>

APPENDIX 3.3 Council-organised events and venues for 2013-2014

EVENT In HAGLEY PARK in 2013	Park/Reserve with event activity	Attendees	Amplified sound	Frequency (one off/Annual)	Duration?	Hours	Noise levels advised
World Buskers Festival 2013	Hagley Park North (Special Events, Entertainment Triangle, Carlton Corner), Botanic Gardens	50,000	Y	Annual	10 days	10am - 11pm	Conditions in Noise Management Plan
Anthony Harper Summer Theatre	Botanic Gardens	1,000	Y- PA	Annual	(daily except Mondays)	7pm weekdays, 2pm & 7pm weekends	General
Sunday Bandstand	Botanic Gardens	300	NA	Annual – Sundays	9 Sundays	12pm - 1.30pm	General
Lazy Sundays	Botanic Gardens	300	NA	Annual – Sundays	10 Sundays	3pm - 4.30pm	General
Classical Sparks	Hagley Park North	40,000	Y	Annual	1 day	7.30pm - 10pm	Event = 1a, Rehearsal = 1b, Fireworks exempt
The Great Kiwi Beer Festival	Hagley Park North, Carlton Corner	12,000	Y	Annual	1 day	10.30am - 7pm	Section 2
Chinese Lantern Festival	Hagley Park North - Carlton Cnr	50,000+	Y	Annual	2 days		General

Ellerslie Int'l Flower Show	Hagley Park North	40,000	N	Annual	5 days	10am - 5pm	General
Footloose Fun Walk - Multiple Sclerosis & Parkinson's Society Fun Walk 2013	Hagley Park Perimeter and Events Triangle	101-300	N				General
Arts Fest - Brass Band	Hagley Park North	101-300	N	One off	1 day	2-4pm	General
Hook into Golf Lunch	Hagley Park- North Junior Rugby Fields 6 & 10	101-300	?				General
Cancer Society Ball	Hagley Park - Rugby Old Boys Rooms	101-300	Y	One off	1 day		General
Athletics Canterbury 5K / 10K Series	Hagley Park - North	101-300	Y				General
Autism NZ Canterbury Branch	Hagley Park - North Hagley Park Perimeter	301-1000	N				General
South Island Wine and Food Festival	Hagley Park - Entertainment Triangle	4001-9999	Y	Annual	1 day	11am - 7pm	General
Coca-Cola Christmas in the Park	Hagley Park			Annual	1 day (plus rehearsal)	7pm - 10pm	Event = 1a, Rehearsal = 1b, Fireworks exempt
Santa Run	Hagley Park	101-300	N	Annual	1 day		General
New Year's Eve	Hagley Park North	5,000	Y	Annual	1 day	6.30pm - 12.30am	Event = 1a, Fireworks exempt

EVENT in HAGLEY PARK in 2014	Park/Reserve with event activity	Attendees	Amplified sound	Frequency (one off/Annual)	Duration?	Hours	Noise levels advised (refer guide tab)
World Buskers Festival	Hagley Park North (Special Events, Entertainment Triangle, Carlton Corner), Botanic Gardens	50,000	Y	Annual	10 days	10am - 11pm	Section 2 + conditions outline in Noise Management Plan
Anthony Harper Summer Theatre	Botanic Gardens	1,000	Y- PA	Annual	(daily except Mondays)	7pm weekdays, 2pm & 7pm weekends	General
Lazy Sundays	Botanic Gardens	500	Y	Annual	Weekly - Sundays	3pm - 4.30pm	General
Sunday Bandstand	Botanic Gardens	300	NA	Annual - Sundays	9 Sundays	12pm - 1.30pm	General
Streets Children's Day	South Hagley Park	10,000	Y - live performances	Annual	1 day	9am - 4pm	General
ASB Classical Sparks	Hagley Park	30,000	Y	Annual	1 day	7.30pm - 10.15pm	Event = 1a, Rehearsal = 1b, Fireworks exempt
Chinese Lantern Festival	Hagley Park North, Carlton Corner	50,000	Y	Annual	2 days	6	General
Ellerslie Int'l Flower Show	Hagley Park	40,000	N	Annual	5 days	10am - 5pm	General

The Great Kiwi Beer Festival	Hagley Park North, Carlton Corner	12,000	Y	Annual	1 day	11am - 7pm	Section 2
Tiddlerts Multisport May 2014	Hagley Park						General
Pink Star Walk 2014	Hagley Park						General
CBS Stampede Christchurch	Hagley Park						General
NZMSA Conference AMAZING Race 2014	Hagley Park						General
Jennian Homes Mother's Day Fun Run/Walk 2014	Hagley Park						General
Coca Cola Christmas in the Park	Hagley Park North, Carlton Corner	30,000	Y	Annual	1 day (plus rehearsal)	7pm - 10pm	Event = 1a, Rehearsal = 1b, Fireworks exempt
South Island Wine and Food Festival	Hagley Park North, Entertainment Triangle, Special Events	7,000	Y	Annual	1 day	10am - 7pm	Section 2
New Years' Eve	Hagley Park North, Entertainment Triangle	10,000	y	Annual	1 day	6.30pm - 12.30am	Section 1a

EVENT NAME 2013 IN OTHER PARKS than Hagley Park	Park/Reserve with event activity	Attendees	Amplified sound	Frequency (one off/Annual)	Duration?	Hours	Noise levels advised
Akaroa French Fest	Akaroa Rec Ground	10000 - 19999	PA, bouncy castle, fireworks	Annual			
Barrington Big Fun	Barrington Park	1001 - 4000	y - music, bouncy castles				
FESTA	CBD	20001 - 100000	yes	Annual			
Christchurch Arts Festival	CBD	100000 >		Bi-Annual			
Festival of India	CBS arena	10000 - 19999		Annual			
Elite National Road Championships	Centennial Park	10000 - 19999	Y - PA	Annual	3 days	from 10am	General
Star City To Surf	Centennial Park	10000 - 19999	Yes, bouncy castle	Annual			
More FM Summer Vineyard Tour	Groynes	10000 - 19999	Y	One-off	1 day	3pm - 9pm	Conditions per NMP
Coca-Cola Christmas in the Park	Hagley Park	20001 - 100000		Annual			
Christchurch South Island Wine & Food Festival	Hagley Park - triangle	4001-9999		Annual			

Jellie Park Skate Jam	Jellie Park	301 - 1000	Y - PA	Quarterly	1 day	12pm - 3pm	General
YMCA Carols by Candlelight	Latimer Square	4001-9999	y	Annual	1 day	9pm - 10pm	
Earthquake Memorial	Latimer Square	4001-9999	Y - PA for announcements	Annual			
LYFE	Linwood Park	10000 - 19999	Y - live performances	Annual	1 day	12pm - 4pm	General
LYFE 2014	Linwood Park	4001-9999	Y - live bands, bouncy castle	Annual			
2013 Summer Shakespeare Festival	Mona Vale	301 - 1000	PA	Annual			
NZ Sandcastle Competition	New Brighton Beach	10000 - 19999	Y	Annual	1 day	9am - 5pm	General
Streets Kite Day	New Brighton Beach	4001-9999	NA	Annual	1 day	3pm - 6pm	General
Guy Fawkes	New Brighton Pier	10000 - 19999	Fireworks	Annual			
Culture Galore	Ray Blank	4001-9999	Y music	Annual			
Art Beat	ReSTART		Y	Annual	Whole of Summer		

NZ Cup & Show - Street Party	Re-Start / City Mall	10000 - 19999	CCC Cup & Show event	Annual			
Good Night Film Festival	Victoria Sq	4001-9999	Y	One-off	3 days	8.30pm	General

APPENDIX 3.4

Linkages between provisions - Temporary activities, buildings and events

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
<p><i>General Rules and Procedures - Temporary activities, buildings and events</i></p> <p>Resource Management Issue 3.2.1 Managing adverse effects of temporary activities</p> <p>Resource Management Issue 3.2.2 Providing for construction-related temporary activities</p> <p>Resource Management Issue 3.2.3 Providing for events</p> <p>Resource Management Issue 3.2.4 Providing for filming</p> <p>Resource Management Issue 3.2.5 Providing for temporary artworks and</p>	<p><i>Strategic Directions Chapter</i></p> <p>3.3.1 Enabling recovery and facilitating the future enhancement of the district</p> <p>3.3.5 Business and economic prosperity</p> <p>3.3.13 Emergency services and public safety</p> <p>3.3.14 Incompatible activities</p> <p>3.3.15 Temporary recovery activities</p>	<p>6.2.1.1 Temporary activities and events</p>	<p>6.2.1.1.1 Temporary activities and events</p> <p>6.2.1.1.2 Temporary construction buildings</p>	<p>6.2.2 Temporary activities, buildings and events rules</p>	<p>6.2.3 Matters of discretion for temporary activities, buildings and events</p>

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
community activities Resource Management Issue 3.2.6 Providing for temporary markets Resource Management Issue 3.2.7 Providing for training exercises					

4.0 OUTDOOR LIGHTING AND GLARE

4.1.0 CONTEXT

4.1.1 Purpose and Scope of the Outdoor Lighting and Glare Section

1. The purpose of the Outdoor Lighting and Glare section is to provide for outdoor artificial lighting while managing the potential adverse effects of light spill and glare.
2. These purposes are not dissimilar to those of the operative City Plan and Banks Peninsula District Plan. However, in reviewing those provisions, several changes have been identified. In particular there is a need to:
 - a. clarify and specify the adverse effects of concern;
 - b. have regard to the Statement of Expectations;
 - c. recognise the benefits of energy efficient lighting design; and
 - d. rationalise standards from the City Plan and Banks Peninsula District Plan.

4.1.2 Proposed District Plan: Overview and Synopsis

1. The current approach and standards are generally maintained but some minor changes reflect the amalgamation of the two plans and the combination or creation of zones in other chapters.
2. The proposed Outdoor Lighting and Glare section gives effect to the Statement of Expectations by reducing the activity status of proposals not meeting the permitted standards from Discretionary to Restricted Discretionary and clarifying in the Matters of Discretion which effects are of concern to the Council.
3. Additional objective and policy level support is given to encouraging energy efficient design and to reducing light spill into the night sky.

4.1.3 Strategic Planning Documents

1. Those strategic matters and provisions specifically given effect or had regard to in this section are summarised in the table below and set out in full in Appendix 4.1. These documents broadly identify the resource management issues for the district and provide the higher level policy direction to resolve these issues.
2. The Strategic Directions Chapter also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the s32 report for the Strategic Directions chapter. Those objectives

and policies within the Strategic Directions Chapter that are relied on in this chapter are discussed in Section 4.3 (Evaluation of Objectives) below.

Table 1: Strategic Planning Documents

	Document	Relevant provisions	Relevant directions given effect/taken account of in the Outdoor Lighting and Glare section
a	The Canterbury Earthquake Recovery Strategy (CERS)	s4 Vision and Goals for the Recovery	The vision from the Recovery Strategy stresses the need to create a business-friendly environment and promote the resumption of cultural, community and sports events and activities.
b	The Canterbury Regional Policy Statement (CRPS)	Policy 5.3.9; Objective 6.2.3	The CRPS directs the Council to set out objectives and policies to avoid land uses that adversely affect the safe operation of regionally significant infrastructure including the transport network, port and airport. The Council is directed to enable the recovery but to give consideration to creating sustainable, healthy and high quality living environments.
c	Christchurch Central Recovery Plan (CCRP)	-	The CCRP does not direct any changes to the Outdoor Lighting and Glare section except to add standards for the Central City Mixed Use and Business zones.
d	Mahaanui Iwi Management Plan (IMP)	Policy R2.1	The Iwi Management Plan supports controls on light spill into the night sky to protect celestial darkness values and reduce impacts on freshwater eels (tuna).
e	Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 – Statement of Expectations	Schedule 4(a)-4(b)	The Statement of Expectation requires the replacement District Plan to contain objectives and policies that clearly state the outcomes intended for the district and to reduce reliance on resource consent processes, the number, extent and prescriptiveness of development controls and requirements for notification and written approval.

4.1.4 Independent Hearings Panel Decisions on Stage 1 Proposals

1. Decisions were released on 26 February 2015 on several Stage 1 proposals including the Strategic Directions proposal.

2. The decision on the Strategic Directions proposal revised a number of objectives and introduced Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district and Objective 3.3.2 Clarity of language and efficiency. All other plan objectives and policies are required to be expressed and achieved in a manner consistent with Objectives 3.3.1 and 3.3.2.
3. The proposed provisions achieve Objective 3.3.1 and 3.3.2 by recognising the contribution that outdoor artificial lighting makes to the economy, and hence to the recovery of the District, in the objective and policy and reducing the activity status for activities that do not meet the light spill standard from Discretionary to Restricted Discretionary.

4.1.5 Scale and Significance

1. Section 32(1)(c) of the Act requires that this evaluation report contains 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. For this section, an assessment of the scale and significance is made at the end of the description of the resource management issues.

4.2.0 RESOURCE MANAGEMENT ISSUES

- a. Several related resource management issues have emerged from a range of sources including:
 - i. the administration of the operative District Plan;
 - ii. a comparison of the provisions with other New Zealand District Plans.

4.2.1 Resource Management Issue 1: Providing for artificial lighting while managing its effects

OUTDOOR LIGHTING AND GLARE RESOURCE MANAGEMENT ISSUE 1
<ol style="list-style-type: none"> 1. SUMMARY OF ISSUE <ol style="list-style-type: none"> a. Outdoor artificial lighting plays an important economic and social role in the District by enabling night time work, construction, entertainment and recreation. Adequate lighting also promotes a sense of public safety and security. b. There is a need to balance those benefits, however, with the potential adverse effects of light spill and glare. c. Light spill and glare can create a nuisance in residential, rural and open space areas resulting in sleep disturbance or distraction from work or recreational activities. Inappropriately designed outdoor lighting can also detract from the amenity values of sensitive ecological, landscape,

heritage or cultural sites.

- d. Excessive light spill into the night sky can reduce opportunities for star-gazing and can have an adverse effect on nocturnal species.
- e. Glare can also compromise the safe and efficient operation of the transport networks where it distracts drivers or pilots.
- f. There is also an opportunity to encourage the use of energy efficient lighting designs (such as solar-powered lighting) to reduce depletion of non-renewable energy sources.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Canterbury Regional Policy Statement, Land Use Recovery Plan and other replacement District Plan chapters (Strategic Directions) has been to enable the recovery of businesses, entertainment and recreation facilities and to protect the operation of infrastructure while continuing to provide for the amenity and health and safety of residents.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. Having regard to the strategic policy direction, the recommended policy approach is to continue enabling use of outdoor artificial lighting but to control its direction, location and intensity to protect amenity values and the safe and efficient operation of the transport network. It is also proposed to add consideration of the energy efficiency of outdoor lighting designs to the policy framework and Matters of Discretion.

4. SCALE AND SIGNIFICANCE

- a. Proposed changes to the existing provisions are considered to be minor and to have a minor effect on applicants.

4.3.0 EVALUATION OF OBJECTIVES AND POLICIES

Section 32(1)(a) of the RMA requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose (section 5) of the Act.

4.3.1 EVALUATION OF PROPOSED OBJECTIVE 1

OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE RMA	
Objective 1	Summary of Evaluation
<p>Objective 1 Option 1 – Comprehensive</p> <p>An approach that comprehensively sets out expectations for artificial lighting.</p> <p>Objective 6.3.1.1: Artificial Lighting</p> <p><i>Appropriate artificial lighting enables night-time work, recreation, sport, entertainment, transportation and public health and safety while:</i></p> <ul style="list-style-type: none"> <i>i protecting residential, commercial, open space and rural amenity; and areas of natural, historic or cultural significance;</i> <i>ii avoiding interference with the safe operation of transport and infrastructure;</i> <i>iii making efficient use of energy;</i> <i>iv preserving or enhancing night sky viewing opportunities.</i> 	<ol style="list-style-type: none"> 1. The intent of Objective 1 is both to recognise the social, economic and cultural benefits of artificial lighting and to clarify the areas of specific concern in terms of adverse effects. This is more consistent with the requirements of the Statement of Expectations 4(b) and Strategic Directions Objective 3.3.2, to clearly state the outcomes intended for the District, than Option 2, retaining the operative plan objectives and policies. 2. The proposed objective is a more appropriate way to achieve the purpose of the RMA because it recognises additional s7 matters including s7(ba) the efficiency of the end use of energy; s7(c) the maintenance and enhancement of amenity values; s7(f) maintenance and enhancement of the quality of the environment; and s7(j) the benefits to be derived from the use and development of renewable energy.
<p>Objective 1 Option 2 – Status Quo</p> <p><i>Operative Plan Objective 4.2 Amenity</i></p> <p><i>A pleasant and attractive City.</i></p>	<ol style="list-style-type: none"> 1. The operative District Plan includes only very general objectives with respect to Outdoor Lighting and Glare. The policy to avoid the adverse effects of glare sits under a very broad objective to create a pleasant and attractive city. 2. Option 2 is considered to be a less appropriate

	<p>way to achieve the purpose of the RMA because it is not specific about the kinds of amenities it is seeking to protect or the effects it is seeking to manage with respect to lighting and glare.</p>
<p>Objective 1 Option 3 – No specific District Plan objectives for outdoor lighting and glare</p>	<ol style="list-style-type: none"> 1. The effects from outdoor lighting and glare could potentially be addressed through zone objectives and policies around, for example, maintaining residential amenity or reliance on the Strategic Direction objective 3.3.14(b) to avoid incompatible activities where there may be significant adverse effects on the health, safety and amenity of people and communities. 2. Zone-based objectives and policies around maintaining amenity are considered to be a less appropriate way to achieve the purpose of the RMA because they would either: <ol style="list-style-type: none"> a. result in significant repetition and would increase the complexity of the plan if plan users were required to find objectives and policies for lighting in both the zone and transport chapters, for example; or b. result in more general expression of the objectives and policies for lighting. This would potentially not be specific enough to signal the need for full consideration of the issues and would not be consistent with Strategic Directions objective 3.3.2(b) to set objectives and policies that clearly state the outcomes intended.

4.4.0 EVALUATION OF PROPOSED RULES AND METHODS

- a. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonable practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

4.4.1 Policy 1 - Enabling night-time activity while managing effects of artificial lighting

PROVISIONS (RULE, METHOD) <u>MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES</u>	
<p>Relevant objectives and policies:</p> <p><i>Strategic Directions Objective 3.3.12: Infrastructure</i> <i>(a) The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled.</i></p> <p><i>Strategic Directions Objective 3.3.14: Incompatible activities</i> <i>(a) The location of activities is controlled, primarily by zoning, to minimise conflicts between incompatible activities; and</i> <i>(b) Conflicts between incompatible activities are avoided where there may be significant adverse effects on the health, safety and amenity of people and communities.</i></p> <p><i>Objective 6.3.1.1: Artificial Lighting</i> <i>Appropriate artificial lighting enables night-time work, recreation, sport, entertainment, transportation and public health and safety while:</i></p> <ul style="list-style-type: none"> <i>i protecting residential, commercial, open space and rural amenity; and areas of natural, historic or cultural significance;</i> <i>ii avoiding interference with the safe operation of transport and infrastructure;</i> <i>iii making efficient use of energy;</i> <i>iv preserving or enhancing night sky viewing opportunities.</i> 	
Provision(s) most appropriate	Effectiveness and Efficiency
Policy 1 - Option 1	1. Effectiveness

<p>a. Recognise and provide for artificial outdoor lighting for night-time activities and safety while managing the scale, timing, duration, design and direction of artificial lighting in a way that:</p> <ul style="list-style-type: none"> i. minimises disturbance to the rest or relaxation of residents; or any areas of natural, historic or cultural significance; ii. does not interfere with the safe operation of the transport network or aircraft; iii. is energy efficient; iv. minimises unnecessary light spill into the night sky. <p>Methods</p> <p>a. Rules requiring:</p> <ul style="list-style-type: none"> i. compliance with zone standards for lighting scaled to reflect the sensitivity of the receiving environment; ii. lighting to be directed away from roads and adjacent properties; iii. management of light spilling above the horizontal in areas near airport runways; iv. assessment of energy efficiency and light spill impacts on the night sky for proposals that exceed the standards. 	<p>a. The proposed policy and rules are appropriate in achieving the objective because they enable outdoor artificial lighting to a level that balances the requirements of zones generating light with the amenity needs of more sensitive zones.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Controls light spill into adjacent properties and the night sky improving amenity values and protecting the rest and relaxation of residents; ii. Provides for consideration of the impact of lighting on areas of natural significance; iii. Encourages energy-efficient and renewable-energy-based lighting designs for larger scale developments where they trigger consents. <p><i>Economic</i></p> <ul style="list-style-type: none"> iv. Provisions are largely carried over providing for efficiency in Plan administration. v. Reducing the activity status for proposals not meeting the standard from Discretionary to Restricted Discretionary and specifying the Matters of Discretion will provide additional certainty to applicants and reduce consenting costs. vi. Recognises benefits of outdoor artificial lighting for night time work, entertainment, recreation and construction activities. vii. Protects the safe operation of the transport network and key infrastructure including the port and airport.
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	<p>viii. Protects property values for landowners where glare and light spill effects from activities like stadium lighting or port activities are appropriately managed.</p> <p><i>Social/Cultural</i></p> <p>ix. Recognises benefits of outdoor artificial lighting for night time entertainment and recreation activities.</p> <p>x. Provides for consideration of the impact of lighting on areas of historic or cultural significance and on night sky viewing.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>1. Very minor adjustment to the measurement method could result in slightly more light spill allowed at residential boundaries but would make the Plan easier to interpret and less costly to administer.</p> <p><i>Economic</i></p> <p>2. Some potential additional consenting costs for applicants unable to meet stricter standards for Banks Peninsula residential zones, some light industrial zones and some scheduled activities.</p> <p>3. Additional administrative costs to consider Matters of Discretion relating to energy efficiency and cumulative effects.</p> <p><i>Social/Cultural</i></p> <p>4. NIL</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>Option 2 – Status quo</p> <p>Operative Plan Policy 4.2.14 Glare</p> <p>To address the adverse effects of glare</p>	<p>Appropriateness</p> <p>1. The operative plan policy is in an effects-based format that does not adequately recognise the benefits of artificial lighting and is not specific</p>

<p>caused by lighting, or where practicable reflection, on the amenities of the surrounding environment.</p>	<p>about the kinds of adverse effects it is seeking to control.</p> <ol style="list-style-type: none"> Option 2 conflates the issues of light spill and glare and does not adequately support the use of maximum lux standards to control light spill. Option 2 is also not consistent with the exemption for reflected glare from structures or vehicles.
<p>Option 3 – Adjustments to the lighting standards in the operative Plan</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> Issues have not been raised with the current standards in either the s35 monitoring reports prepared in 2011 or in discussions with plan administrators or compliance officers. The consensus has been that the current standards are appropriate and are achieving the objectives. They generate very few complaints (averaging 7 a year) and have triggered only 22 consents in the last 10 years, the majority of which also required consent under other plan rules. More permissive standards are considered to be less appropriate because the current standards are generally more permissive than other District Plans in New Zealand and very few consent applications are triggered under the current regime. More permissive standards would result in more light spill into the night sky and would not be as effective in achieving the objective. Less permissive standards are considered to be less appropriate because they would increase consenting requirements and would not be consistent with the Statement of Expectations. The exceptions are: <ol style="list-style-type: none"> the standards for Banks Peninsula residential zones which have been reduced to be consistent with City residential

	<p>and rural zone standards;</p> <p>b. the standards for the former B3, B4P, and B8 zones which have been reduced as a result of zone amalgamation in the Industrial chapter;</p> <p>c. the standards for some scheduled activities (excepting clubs, taverns, fire stations and service stations) have been reduced to better recognise the residential and rural environments in which they sit and the lighting needs of the specific activities.</p>
Option 4 – Standards only need to be met at boundary with sensitive zones	<p>Appropriateness</p> <p>1. Only requiring lighting standards to be met at the boundaries with residential, open space or other sensitive zones would reduce costs for applicants in some instances but would result in a greater net light spill for the District. As very few activities are unable to meet the current standards, it is not considered appropriate to relax them further. This approach would not achieve the objective of encouraging the efficient use of energy or reducing light spill into the night sky.</p>
Option 5 – A maximum standard for lux spill	<p>Appropriateness</p> <p>1. The proposed standards for light spill control the permitted increase over background levels at the boundary of adjacent properties but is not as effective at controlling light spill effects within larger sites (such as within a multi-unit residential complex) where light spill from one activity can affect other buildings on the same site. Some plans address this issue by having a maximum standard for illuminance measured at the ground or at the window of any building on the site.</p> <p>2. This is considered to be a less appropriate approach than Option 1</p>

	<p>because issues with light spill or glare within a single site can be addressed by the property owner. Controlling lux spill at the window of existing buildings does not provide certainty for developers because buildings within the site could be added or demolished, changing the standards they would be required to meet.</p>
<p>Option 6 – Restricting lighting types and designs that result in light spill above the horizontal</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. Provisions that require all fixed outdoor lighting to be directed below the horizontal would be an effective way to reduce light spill into the night sky. Several other district plans also restrict searchlights and laser light shows. 2. Provisions of this type would significantly restrict design options for pathway lighting and monument lighting and increase costs for applicants, however. While they are appropriate in areas like the Mackenzie District to protect the Dark Sky Reserve, they are potentially not sufficiently efficient in the Christchurch area to justify the additional costs. 3. Additional work could be done in this area, however, to find an appropriate level of control. Council is considering the development of a Lighting Strategy which could provide additional guidance on this issue and other potential approaches.
<p>Option 7 – Controls on reflective glare</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. Controls on reflective glare from buildings could help to reduce the nuisance effects of glare on residences and the safety effects on transport, however, managing reflective glare is complex and expensive for applicants and difficult to enforce. Apart from retaining the operative plan controls on reflective surfaces near airport runways, it is not considered appropriate within

	the context of the recovery to introduce additional plan controls on reflective glare.
Risk of Acting or Not Acting	
<p>1. There is currently insufficient information about the net impacts of light spill on night sky viewing in the District and on certain sensitive natural environments but it is considered that the provisions as currently drafted will allow for a reasonably robust assessment of site specific conditions with respect to those issues at the time a consent application is made.</p> <p>2. The risk of acting in the absence of this information is minor.</p>	

4.5.0 SUMMARY OF DISCRETIONARY CONSULTATION

DATE	GROUP	TOPIC	COMMENTS	RESPONSE
31/10/2014	Representatives from CCC's Assets and Network Unit	Review of draft provisions	Generally supportive of the direction of the review. Current provisions working well.	No changes proposed.
23/10/2014	Collaborative Advisory Group	Summary of key changes	None	No changes proposed.
21/7/2014	Rūnanga Focus Working Group	Whether specific areas sensitive to light spill or glare could be identified	MKT does not have capacity at the present time to identify specific ecological areas needing additional protection with respect to light spill or glare.	Consideration remains a matter of discretion but areas are not identified in the Plan.
19/5/2014	CCC Inspections and Enforcement Team	Issue identification	Current provisions are generally working well. Few complaints or consents triggered.	Current provisions generally retained.

4.6.0 BIBLIOGRAPHY

Strategic Documents	Author
Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014	-
Canterbury Earthquake Recovery Strategy	Canterbury Earthquake Recovery Authority
Christchurch Central Recovery Plan: A Liveable City	Christchurch Central Development Unit
Christchurch Central Recovery Plan: Noise and Entertainment Provisions	Christchurch Central Development Unit
Christchurch Central Recovery Plan: South Frame Addendum	Christchurch Central Development Unit
Land Use Recovery Plan	Environment Canterbury
Mahaanui Iwi Management Plan 2013	Mahaanui Kurataiao Ltd
National Policy Statement on Renewable Electricity Generation 2011	Ministry for the Environment
Reports	Author
Australian Standard AS 4282-1997 Control of the obtrusive effects of outdoor lighting	Standards Australia
Christchurch City Council Infrastructure Design Standards – Lighting	Christchurch City Council
Evaluating the Effectiveness and Efficiency of the Christchurch City District Plan, 28 January 2011	Response Planning Consultants Limited
Evaluating the Effectiveness and Efficiency of the Banks Peninsula District Plan, 28 January 2011	Response Planning Consultants Limited
Southern Light: A lighting strategy for the Queenstown Lakes District, 2006	Queenstown Lakes District Council
Other District Plans	Territorial Authority
Ashburton District Plan	Ashburton District Council
Auckland Unitary Plan	Auckland Council
Dunedin City Plan	Dunedin City Council
Hamilton City Plan	Hamilton City Council
Mackenzie District Plan	Mackenzie District Council
Queenstown Lakes District Plan	Queenstown Lakes District Council
Wellington City Plan	Wellington City Council

APPENDIX 4.1 KEY STRATEGIC DOCUMENTS

The key messages that inform the direction taken in the chapter include the following:

1. Canterbury Regional Policy Statement 2013

Policy 5.3.9 Regionally significant infrastructure

In relation to regionally significant infrastructure (including transport hubs):
(1) avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety

Objective 6.2.3 Sustainability

Recovery and rebuilding is undertaken in Greater Christchurch that:
(1) provides for quality living environments incorporating good urban design;
(5) is healthy, environmentally sustainable, functionally efficient, and prosperous.

2. Mahaanui Iwi Management Plan 2013

Policy R2.1 To support the use of light suppression or limitation measures to protect celestial darkness values in some areas.

APPENDIX 4.2 COMPARISON OF DISTRICT PLAN STANDARDS FOR OUTDOOR LIGHTING AND GLARE

Comparison of maximum lux spill standards and other approaches to managing outdoor lighting and glare from a selection of New Zealand District Plans

	Proposed CCC Plan	Operative City Plan	Operative Banks Peninsula	Auckland Unitary Plan	Wellington City Council	Hamilton City Council	Queenstown Lakes District Council	Dunedin City Council	Ashburton District Council
Central City Commercial	10.0-20.0	10.0-20.0	Na	100 above background (daytime) 10 above background (after 10pm) 50 above background (into road)	8.0 (where adjoining residential); 10.0 (pedestrian routes and carparks)	10.0	na	16 lux (day); 8 lux (night) into any residential zone	na
Central City Residential	4.0	4.0	Na	“	Nil	3.0	na	“	na
Other Commercial	10.0	10.0-20.0	10.0 (where adjoining residential or open space)	“	10.0 (where adjoining residential)	10.0	3.0 (boundary with other zone); 10.0 (boundary with property in same zone)	“	3.0 (boundary with residential); 10.0 (all other zones)
Other Residential	4.0	4.0	10.0	“	Nil	3.0	3.0	“	3.0
Industrial	10.0-20.0	20.0	10.0 (where adjoining commercial or residential conservation)	“	10.0 (where adjoining residential)	10.0	3.0 (boundary with other zone); 10.0 (boundary with property in same zone)	Controlled by objectives and policies	3.0 (boundary with residential); 10.0 (all other zones)
Port/Airport	10.0-20.0	20.0	10.0	“	8.0 (boundary with residential)	10.0	3.0 (boundary with residential); 10.0 other	16 lux	na
Rural	4.0	4.0	Nil	“	Nil	10.0	3.0	16 lux (day); 8 lux (night) into any residential zone	3.0 (boundary with residential)

	Proposed CCC Plan	Operative City Plan	Operative Banks Peninsula	Auckland Unitary Plan	Wellington City Council	Hamilton City Council	Queenstown Lakes District Council	Dunedin City Council	Ashburton District Council
Open Space	4.0-10.0	4.0-10.0	Nil	“	8.0-10.0 (boundary with residential)	3.0-10.0	na	“	2.5 (boundary with residential)
Conservation	4.0	4.0	Nil	“	Nil	3.0	na	“	na
Education	4.0	4.0	Nil	“	8.0 (boundary with residential)	3.0-10.0	na	“	na
Other Provisions (see key below)	1-6	1-6	None	1-2; 7-8	None	5, 8	1-2; 9	4	1-2; 10

Key to Other Provisions:

- 1- Must be directed away from residences
- 2- Must be directed away from roads
- 3- Exemption for reflected glare
- 4- Exemption for glare from vehicles
- 5- Exemption for traffic signals and navigational aids
- 6- Avoiding light spill near airport runways
- 7- Maximum illuminance of 150 lux at any point on the ground or the exterior of any building within or adjacent to the site
- 8- Compliance with AS/NZS standards
- 9- Roofs of buildings in airport zone should be treated to avoid glare
- 10- Must not be directed above the horizontal

APPENDIX 4.3 Linkages between provisions - Outdoor lighting and glare

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
<p><i>General Rules and Procedures – Outdoor Lighting and Glare</i></p> <p>4.2.1 Resource Management Issue 1: Providing for artificial lighting while managing its effects</p>	<p><i>Strategic Directions Chapter</i></p> <p>3.3.1 Enabling recovery and facilitating the future enhancement of the district</p> <p>3.3.5 Business and economic prosperity</p> <p>3.3.12 Infrastructure</p> <p>3.3.14 Incompatible activities</p>	<p>6.3.1.1 Outdoor Lighting and Glare</p>	<p>6.3.1.1.1 Enabling night-time activity which managing effects of artificial lighting</p>	<p>6.3.2 Outdoor lighting and glare rules</p>	<p>6.3.3 Matters of discretion for outdoor lighting and glare</p>

5.0 TEMPORARY EARTHQUAKE RECOVERY ACTIVITIES

The s32 report for Temporary Earthquake Recovery Activities was notified as part of Stage 1 and Stage 1A of the review.

6.0 SCHEDULED ACTIVITIES

6.1.0 CONTEXT

6.1.1 Purpose and Scope of the Scheduled Activities Section

1. The purpose of the Scheduled Activities section is to:
 - a. recognise and provide for the appropriate and limited expansion of historic activities that are generally well integrated into their current environment but that would require consents based on their location in predominantly residential or rural areas;
 - b. provide an efficient and clear regulatory framework through reduced consenting requirements for these activities;
 - c. protect the environmental, amenity and heritage values of environments with scheduled activities;
 - d. ensure new development is sympathetic to the existing environment; and
 - e. provide an appropriate zoning for scheduled activities so that if the scheduled activity disestablishes, use of the site reverts to an activity more compatible with the environment.
2. These purposes are not dissimilar to those of the operative City Plan. However, in reviewing those provisions, several changes have been identified. In particular there is a need to:
 - a. update the schedule to remove activities that:
 - i. have had a change of use;
 - ii. are no longer appropriate to that location (e.g. a hotel in a slope instability area);
 - iii. would be more appropriately managed through zone rules (e.g. service stations that are now in small local centres); or
 - iv. have had the benefits of scheduling made redundant by changes to the zone rules;
 - b. update the standards to reflect changes proposed to the zone rules;
 - c. add Ferrymead Heritage Park to the schedule as a result of the Special Purpose (Ferrymead) deferred zoning being resolved.

6.1.2 Proposed District Plan: Overview and Synopsis

1. The operative City Plan schedules approximately 120 individual sites for activities that existed prior to the notification of the Plan in 1995 and that would have required a discretionary or non-complying consent to expand under the new City Plan rules.
2. The City Plan also provides blanket scheduling to all pre-1995 spiritual facilities in residential or rural zones, which applies to approximately 250 sites.
3. Scheduling provides these sites with some additional development potential, beyond existing use rights but sets standards to ensure that that development remains compatible with a predominantly residential or rural environment.
4. Scheduling is a preferred approach to spot-zoning these sites for commercial or other uses because it avoids situations where activities on those sites change to something less compatible with the environment (e.g. service stations that become bottle stores in residential areas).

5. There is a risk, however, that scheduling a large number of activities could undermine Plan and zone objectives such as maintaining residential coherence or directing commercial and community activities into centres.
6. In the context of the rebuild, however, removing scheduling from existing sites could potentially slow recovery on those sites by requiring consents.
7. The proposed approach is therefore to retain scheduling of existing activities unless there is a compelling reason to remove it but not to schedule additional new activities unless they:
 - a. were established before 1995;
 - b. have not created enforcement issues or generated complaints in their current location;
 - c. serve a community function, and require distribution (e.g. fire stations) or are of a nature that would not be feasible to direct towards centres (e.g. Ferrymead Heritage Park).

6.1.3 Strategic Planning Documents

1. Those strategic matters and provisions specifically given effect or had regard to in this section are summarised in the table below and set out in full in Appendix 6.1. These documents broadly identify the resource management issues for the district and provide the higher level policy direction to resolve these issues.
2. The Strategic Directions Chapter also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the s32 report on the Strategic Directions chapter. Those objectives and policies within the Strategic Directions Chapter that are relied on in this chapter are discussed in Section 6.3 (Evaluation of Objectives) below.

Table 1: Strategic Planning Documents

	Document	Relevant provisions	Relevant directions given effect/taken account of in the Scheduled Activities section
a	The Canterbury Regional Policy Statement (CRPS)	Objective 5.2.1; Policy 5.3.8; Objective 6.5.1; Objective 6.5.5; Policy 6.3.1; Policy 6.3.6	The Scheduled Activities section must give effect to the CRPS which includes objectives and policies to promote consolidation of commercial, community and service activities in the Central City, Key Activity Centres and neighbourhood centres and to encourage active transport use through the integration of land use and transport planning.
b	The Canterbury Earthquake Recovery Strategy (CERS)	s4; Part 2	The Scheduled Activities section must not be inconsistent with the CERS which sets a vision for recovery of the region including a business friendly environment that encourages investment and supports the recovery of the Central City and suburban centres.

c	The Land Use Recovery Plan (LURP)	Action 11; Action 36; Action 45	The Scheduled Activities section must not be inconsistent with the LURP which directs Christchurch City Council as part of the District Plan review to enable community facilities in centres, support active transport and reduce consenting and notification requirements.
d	Christchurch Central Recovery Plan (CCRP)	Objective 11.9; Policy 11.9.2	The Scheduled Activities section must not be inconsistent with the CCRP which sets an objective and policy for the Central City Living Zone of a predominantly residential environment with some small-scale, compatible, non-residential activities that do not compromise broader objectives for retail consolidation in the Central City Business and Central City Mixed Use zones.
e	Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 – Statement of Expectations	Schedule 4(a); 4(i)	The Statement of Expectations requires the replacement District Plan to have particular regard to: <ul style="list-style-type: none"> a. reducing reliance on resource consent processes, the number, extent and prescriptiveness of development controls and requirements for notification and written approval; and b. using clear, concise language and be easy to use.

6.1.4 Independent Hearings Panel Decisions on Stage 1 Proposals

1. Decisions were released on 26 February 2015 on several Stage 1 proposals including the Strategic Directions proposal.
2. The decision on the Strategic Directions proposal revised a number of objectives and introduced Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district and Objective 3.3.2 Clarity of language and efficiency. All other plan objectives and policies are required to be expressed and achieved in a manner consistent with Objectives 3.3.1 and 3.3.2.
3. The proposed provisions achieve Objective 3.3.1 and 3.3.2 by retaining the additional development envelope provided by scheduling for the majority of activities scheduling in the operative Plan and providing for emergency services by scheduling fire stations.

6.1.5 SCALE AND SIGNIFICANCE

1. Section 32(1)(c) of the Act requires that this evaluation report contains 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. For this section, an assessment of the scale and significance is made at the end of the description of the resource management issues.

6.2.0 RESOURCE MANAGEMENT ISSUES

- a. Several resource management issues have emerged from a range of sources including issues that have arisen from:
 - i. the s35 monitoring report evaluating the effectiveness and efficiency of the operative Plan;
 - ii. discretionary meetings with some affected property owners (e.g. New Zealand Fire Service, manager of Ferrymead Heritage Park);
 - iii. the administration and enforcement of the operative District Plan.

6.2.1 Resource Management Issue 1: Enabling limited expansion of specific historic activities without undermining overall Plan objectives

SCHEDULED ACTIVITIES RESOURCE MANAGEMENT ISSUE 1
<ol style="list-style-type: none"> 1. SUMMARY OF ISSUE <ol style="list-style-type: none"> a. Scheduled activities were introduced into the operative plan to provide an additional level of certainty, beyond existing use rights, for historic activities permitted under earlier District Schemes that would otherwise have required discretionary or non-complying resource consents to expand because they were located in zones that anticipate different effects (e.g. service stations in residential areas). b. Scheduled activities represent significant capital investment and in some cases (e.g. fire stations) provide essential social infrastructure that requires distribution across residential and rural areas. c. The benefit of scheduling is that it allows these activities to expand on their existing sites within a defined envelope of standards without requiring a resource consent. d. Scheduling was particularly useful under the effects-based approach of the previous City Plan because it provided certainty for identified activities that would not otherwise be able to meet standards for effects such as noise, traffic generation or signage in the zones in which they were historically located. e. The replacement District Plan is activities-based and specifically considers and sets standards for many of the activities that are currently scheduled. In most cases, under the new zone rules, those activities would require a resource consent and in many cases the activity status would be discretionary or non-complying. f. While retaining scheduling for these activities would avoid future resource consents, it increases plan complexity by potentially introducing two sets of standards for activities in the same zone based on when the activity was established rather than on any difference in the effects of those activities. For example, a scheduled service station around which a local commercial centre has grown could be permitted, as a result of scheduling, to expand beyond what a new service station in an equivalent centre would be permitted. g. Scheduling acknowledges, however, that the effects of limited expansion of

historic activities are unlikely to be as significant as the effects of a new activity seeking to establish in the same location.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Regional Policy Statement, Land Use Recovery Plan and other replacement District Plan chapters (Strategic Directions, Commercial, Residential) has been to consolidate commercial and community activities in the Central City, Key Activity Centres and neighbourhood centres. This is reflected in the relatively stringent activity statuses for new service stations, spiritual facilities and guest accommodation seeking to establish in residential and rural zones rather than in centres.
- b. There is some potential for other plan objectives concerning retail distribution and residential coherence to be undermined by scheduled activity provisions that enable significant expansion of activities not otherwise encouraged in those zones, particularly where those activities have a primarily commercial rather than community focus.
- c. However, the Earthquake Recovery Strategy advocates a business friendly environment that encourages investment and supports the recovery of the Central City and suburban centres.
- d. The Statement of Expectations directs Council to have particular regard to reducing reliance on resource consent processes and the number, extent and prescriptiveness of development controls.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. Having regard to the strategic policy direction, which is to primarily direct commercial and community activities to commercial centres but to support the recovery and reduce reliance on consenting processes the recommended policy approach is to retain scheduling of existing activities unless there is a compelling reason to remove it but not to schedule additional new activities unless they:
 - i. were established before 1995;
 - ii. have not created enforcement issues or generated complaints in their current location;
 - iii. serve a community function, and require distribution (e.g. fire stations) or are of a nature that would not be feasible to direct towards centres (e.g. Ferrymead Heritage Park).

4. SCALE AND SIGNIFICANCE

- a. The proposed direction is not significantly different to the direction of the operative City Plan.
- b. Approximately 400 sites are scheduled by the operative City Plan rules. Approximately 100-150 of these sites will have scheduling removed as a result of the proposed changes (primarily where there has been a change of use on the site or rural spiritual facilities, which now have limited expansion provided for them in the zone rules).
- c. The proposed direction is considered to be of local scale and significance and not to have a significant negative impact on the health, safety, character or amenity of local communities.

6.2.2 Resource Management Issue 2: Ferrymead Heritage Park

SCHEDULED ACTIVITIES RESOURCE MANAGEMENT ISSUE 1

1. SUMMARY OF ISSUE

- a. Ferrymead Heritage Park is a commercially operated cultural attraction where ongoing work and expansion can be expected in order to keep the attraction viable. The benefit of scheduling is that it allows activities to expand on the existing site within a defined envelope of standards, without requiring resource consent.
- b. Scheduling was particularly useful under the effects-based approach of the previous City Plan because it provided certainty for identified activities that would not otherwise be able to meet zone standards. The Ferrymead Heritage Park was not a scheduled activity in the Operative Plan, but in effect it had a similar regime, with site specific zone rules applying to the site, via Area D of the Special Purpose (Ferrymead) Zone which is not being carried over into the proposed replacement District Plan.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Regional Policy Statement, Land Use Recovery Plan and other replacement District Plan chapters (Strategic Directions, Commercial, Residential) has been to consolidate commercial and community activities in the Central City, Key Activity Centres and Neighbourhood Centres but also to support the recovery and reduce reliance on consenting processes.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. While Ferrymead Heritage Park has some commercial function, it is not considered to be of a nature that would undermine objectives and policies to consolidate activities in centres. It is a historic activity, established in the 1960s, which could not feasibly be relocated because of the significance of its present location to the activity.
- b. Without scheduling, Ferrymead Heritage Park, as a site outside of “core” commercial areas, would be hampered by the underlying open space rules if it were not a scheduled activity.
- c. Therefore scheduling is proposed for the site.

4. SCALE AND SIGNIFICANCE

- a. The issue relates to one site which had similar site-specific provision in the Special Purpose (Ferrymead) Zone. The proposed direction does not represent a significant change to what was provided for under the Operative Plan.
- b. Not scheduling would still allow the Ferrymead Heritage Park to operate under existing use rights and to expand subject to the normal consent process for that activity in that zone. It would be removing a more permissive “as-of-right” development standard for future expansions of this activity.

6.3.0 EVALUATION OF OBJECTIVES AND POLICIES

Section 32(1)(a) of the Act requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose (section 5) of the Act.

6.3.1 EVALUATION OF PROPOSED OBJECTIVE 1

OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE RMA	
Objective 1	Summary of Evaluation
<p>Objective 1 Option 1 – Specific objective for scheduled activities</p> <p><i>6.5.1.1 Objective 1 – Scheduled activities</i></p> <p><i>a. Recognise the community benefits provided by specific established activities that require distribution or location outside of commercial centres and enable them to operate and expand on their historic sites in a way that maintains or enhances the amenity values, character and natural values of the adjoining residential, rural or open space environment.</i></p>	<ol style="list-style-type: none"> Objective 1 is the most appropriate way to achieve the purpose of the Act because it clarifies the intention behind scheduling activities in a way that can be applied to a number of environments and activities. Objective 1 also supports other Plan objectives and policies by emphasising the historic nature, community focus and requirement for distribution for these activities. This will clarify the criteria for future scheduled activities to avoid situations where new proposals use a scheduling option to avoid requirements for consent to meet zone standards.
<p>Objective 1 Option 2 – Status Quo</p> <p><i>Operative Plan Objective 11.3 Non-residential activities</i></p> <p><i>Non-residential activities located within living areas which meet community needs, and are consistent with maintaining a high standard of amenity in living areas.</i></p> <p><i>Policy 11.3.1 Local community facilities and services</i></p> <p><i>To provide for local community</i></p>	<ol style="list-style-type: none"> Option 2 is considered to be a less appropriate way to achieve the purpose of the Act because it only addresses scheduled activities in the context of the residential environment and does not include policies covering all categories of scheduled activities.

<p><i>facilities and services to locate within living areas, subject to compatibility with the existing character of different parts of the living environment, and maintaining residential coherence and amenity.</i></p> <p><i>Policy 11.3.2 Metropolitan facilities and services</i></p> <p><i>To provide for metropolitan activities in limited, defined locations within living areas of the City.</i></p> <p><i>Policy 11.3.5 Service stations and taverns/hotels</i></p> <p><i>To ensure opportunity for the on-site development of existing service stations and taverns/hotels within the living environment subject to avoiding, remedying or mitigating any adverse effects on residential amenity values.</i></p>	
<p>Objective 1 Option 3 –Rely on Strategic Directions and zone objectives and policies.</p> <p><i>Stage 1 Residential</i></p> <p><i>Objective 14.1.7 – Non-Residential activities</i></p> <p><i>a. Residential activities remain the dominant activity in the residential zones and any non-residential activities meet only local community needs, and are compatible with, and can be accommodated within, residential areas.</i></p> <p><i>Policy 14.1.7.3 Existing non-residential activities</i></p> <p><i>a. Enable existing non-residential activities to continue and limit further on-site redevelopment of non-residential activities.</i></p>	<p>1. Option 3 is considered to be a less appropriate way to achieve the purpose of the Act because it requires inferring the outcomes desired for scheduled activities in each zone in which they occur (i.e. Central City, Residential, Rural and Open Space) and creates potential interpretational difficulties with directions such as “limit further on-site redevelopment of non-residential activities” which could be read as either enabling or discouraging expansion of scheduled activities.</p>

<p><i>Stage 1 Commercial</i></p> <p><i>Objective 15.1.1 – Focus of commercial activity</i></p> <p><i>a. Commercial activity is primarily focussed within a network of centres... in a way and at a rate that:</i></p> <p><i>i. supports the function of District and Neighbourhood Centres as community focal points, while giving primacy to the central city</i></p> <p><i>iv. supports the recovery of centres in the short to medium term, and enhances the vitality and the amenity of centres</i></p> <p><i>Christchurch Central Recovery Plan - A Liveable City</i></p> <p><i>Policy 11.12.2</i></p> <p><i>To ensure non-residential activities in the Central City Residential Zone:</i></p> <p><i>a. are of a small scale;</i></p> <p><i>b. are compatible with residential activities;</i></p> <p><i>c. do not compromise the role of the Central City Residential Zone or Central City Business Zone, or the aim of consolidating that area of the Central City or the Central City Mixed Use Zone;</i></p> <p><i>d. meet the needs of the local residential community or would benefit from the high level of amenity inherent in the Central City Residential Zone.</i></p>	
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6.4.0 EVALUATION OF PROPOSED RULES AND METHODS

- a. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonable practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

6.4.1 Approach to managing historic activities

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES
<p>Relevant objectives and policies:</p> <p>Strategic Directions</p> <p>Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district</p> <p>The expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city in a manner that:</p> <ol style="list-style-type: none"> a meets the community's immediate and longer term needs for housing, economic development, community facilities, infrastructure, transport and social and cultural wellbeing; and b fosters investment certainty; and c sustains the important qualities and values of the natural environment. <p>Objective 3.3.7 Urban form, growth and design</p> <p>A well-integrated pattern of development and infrastructure, a consolidated urban form, and a high quality environment that:</p> <p>€ maintains and enhances the Central City, Key Activity Centres and Neighbourhood Centres as community focal points</p> <p>Objective 3.3.13 Emergency services and public safety</p> <p>Recovery of, and provision for, comprehensive emergency services throughout the city.</p> <p>6.5.1.1 Objective 1 – Scheduled activities</p> <ol style="list-style-type: none"> a. Recognise the community benefits provided by specific established activities that require distribution or location outside of commercial centres and enable them to operate and expand on their historic sites in a way that maintains or enhances the amenity values, character and natural values of the adjoining residential, rural or open space environment. <p>6.5.1.1.1 Policy 1 – Manage effects and expansion of scheduled activities</p> <ol style="list-style-type: none"> a. Enable the ongoing operation and limited expansion of established scheduled activities that provide a community benefit where any adverse effects and expansion can be managed so as not to undermine other plan

objectives including residential and rural amenity, residential coherence, and the focusing of commercial and community activities in centres.	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Update but do not expand the schedule</p> <p>Methods</p> <ul style="list-style-type: none"> a. update the schedule to remove activities that: <ul style="list-style-type: none"> i. have had a change of use; ii. are no longer appropriate to that location (e.g. a hotel in a slope instability area); iii. would be more appropriately managed through zone rules (e.g. service stations that are now in small local centres); or iv. have had the benefits of scheduling made redundant by changes to the zone rules; b. update the standards to reflect changes proposed to the zone rules; c. add Ferrymead Heritage Park to the schedule as a result of the Special Purpose (Ferrymead) deferred zoning being resolved; d. add Banks Peninsula fire stations and other recent fire stations where these would require consent under the proposed zone rules (see Appendix 6.6). 	<p>1. Effectiveness</p> <ul style="list-style-type: none"> a. Option 1 would allow most existing non-residential activities to rebuild and/or expand within an envelope beyond what would be provided for by existing use rights but would not undermine Plan objectives around the focus on commercial centres to the extent that Option 5 would. <p>2. Efficiency</p> <ul style="list-style-type: none"> a. Benefits <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Centres remain the primary focus of commercial and community activities with resulting beneficial effects for residential coherence and the transport network. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. No or only minimal loss of development potential for the majority of sites. iii. Recognises the existing capital investment in these sites and the impracticality of relocation for many of them. iv. Additional consents are not required to expand within the envelope defined by scheduling. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> v. The community benefits of local scheduled activities such as fire stations and libraries are retained. b. Costs <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Some potential remains for expansion of scheduled activities beyond what is consistent with local residential or rural amenity. ii. Some potential remains for neighbouring sites to argue for the scheduled activity as a permitted baseline in order to establish

	<p>additional commercial activities nearby. This presents some risk of additional commercial spread into areas identified in the Plan for residential or rural uses.</p> <p><i>Economic</i></p> <p>iii. Some potential remains for expansion of scheduled activities to compete with centres, particularly for hotels, taverns, chartered clubs and service stations. Some taverns have expanded significantly and are now parts of complexes that include bottle stores, gaming lounges, restaurants and guest accommodation. Where lots are large, these complexes begin to function as small centres in locations where the limitations of the transport network or surrounding residential activities make them less desirable.</p> <p><i>Social/Cultural</i></p> <p>iv. Potential for some adverse effects of activities like hotels, taverns and chartered clubs with liquor licenses in residential areas.</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Retain scheduling for current activities</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. This approach is less appropriate than Option 1 because a number of scheduled sites have had a change of use since 1995 and the intention behind scheduling them has always been that those activities would revert to residential or rural zoning when the original activity ceased. 2. Other activities are in areas where the future appropriate permitted uses have not yet been determined, such as the Specific Purpose (Flat Land Recovery) Zone, or where natural hazards overlays indicate that continued operation of the scheduled activity would not be appropriate. 3. Scheduling is proposed to be dropped on service stations that are now in local centres because of the potential for

	<p>inconsistent application of standards to those activities. Those sites have been rezoned Commercial or Industrial as appropriate.</p> <p>4. Option 2 would also not take into account the review of standards for other zones, some of which have removed the benefit of scheduling or allow more permissive built form standards.</p>
<p>3. Option 3 – Remove scheduling from all activities</p> <p>Remove scheduling from all activities</p>	<p>Appropriateness</p> <p>1. Option 3 would be a more effective way to achieve objectives to focus commercial and community activities in centres but would potentially require additional consents for some activities to rebuild into the envelope that was previously provided for them by scheduling.</p> <p>2. In some cases, particularly for the numerous earthquake-damaged spiritual facilities, this could delay or add additional consenting costs and complexity to their rebuild.</p>
<p>4. Option 4 – Designation or spot-zoning</p> <p>Designate or spot-zone scheduled activities</p>	<p>Appropriateness</p> <p>1. Scheduled activities would only be able to be designated if a requiring authority (i.e. a Minister, local authority or network utility operator) requested it. This is applicable to some scheduled activities such as Council-owned libraries, service centres and public utilities but discussions with the relevant Council asset owners did not indicate a preference to designate these sites.</p> <p>2. Spot-zoning would be a less appropriate way to achieve the objective because it would establish potentially permanent commercial uses in predominantly residential or rural areas where they potentially undermine other Plan objectives.</p> <p>3. Spot-zoning new Special Purpose zones would give less certainty to the community about the long-term future of the sites compared with Option 1.</p>
<p>5. Option 5 – Expand schedule</p>	<p>Appropriateness</p> <p>1. Option 5 would be a less effective way to</p>

Retain current scheduled activities and schedule additional activities	<p>achieve Plan objectives and policies because it would potentially enable activities to circumvent Plan rules and standards or would introduce multiple sets of standards applying to similar activities in equivalent environments.</p> <p>2. The exceptions to this approach are Ferrymead Heritage Park, which had special zoning provisions in the operative Plan, and pre-1995 spiritual facilities in residential zones on the Banks Peninsula which will be picked up by the continuation of the blanket scheduling of those facilities in the city.</p>
Risk of Acting or Not Acting	
1. Sufficient information exists about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)).	

6.4.2 Ferrymead Heritage Park

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<u>Stage 2 General Rules and Procedures</u>	
<p>6.5.1.1 Objective 1 – Scheduled activities</p> <p>a. Recognise the community benefits provided by specific established activities that require distribution or location outside of commercial centres and enable them to operate and expand on their historic sites in a way that maintains or enhances the amenity values, character and natural values of the adjoining residential, rural or open space environment.</p> <p>6.5.1.1.1 Policy 1 – Manage effects and expansion of scheduled activities</p> <p>a. Enable the ongoing operation and limited expansion of established scheduled activities that provide a community benefit where any adverse effects and expansion can be managed so as not to undermine other plan objectives including residential and rural amenity, residential coherence, and the focusing of commercial and community activities in centres.</p>	
<u>Stage 2 Open Space</u>	
<p>18.1.1 Objective 1 - Provision of open spaces and recreation facilities</p> <p>a. A network of open spaces and recreation facilities that:</p> <ul style="list-style-type: none"> i. provides a diversity in the type and size of open spaces and recreational facilities to meet the current and future recreational, cultural, health and wellbeing needs of the community; ii. contribute to the earthquake recovery of Christchurch and revitalised communities where people enjoy a high quality urban environment and enhanced opportunities for recreation; iii. is accessible and distributed to meet the demands generated by population growth, urban intensification and areas of identified deficiency; iv. provides users with a pleasant and safe environment; v. enables multifunctional uses; vi. maintains and enhances amenity values, connectivity and public access, where appropriate <p>18.1.4 Policy 1 – The role of open space and recreation facilities</p> <ul style="list-style-type: none"> iii. Provide a network of public and private open spaces and recreation facilities that cater for a range of roles, functions and activities as follows: iv. Open Space – Community Parks Zone – enables formal and informal recreation activities, while complementing and enhancing neighbourhood amenity values, including: <ul style="list-style-type: none"> (...) D. Heritage and urban parks having important scenic, botanical, educational, heritage, and recreational values and providing for entertainment. 	
Provision(s) most appropriate	Effectiveness and Efficiency
1. Option 1 –	<p>1. Effectiveness</p> <p>a. Option 1 is deemed the best option</p>

<p>Include Ferrymead Heritage Park as a scheduled cultural facility</p> <p>The following standards would apply, as compared with those in an Open Space Community Park Zone:</p> <ol style="list-style-type: none"> 1. 50% impermeable site coverage is permitted over the 3% site coverage by building plus 30% impervious surfaces coverage allowed within the Open Space Community Park Zone (via the requirement for 50% of the park to be landscaped / open space) 2. A maximum building height of 10m rather than the 8m allowed within the Open Space Community Park Zone. 3. Special noise rules to allow for the operation of the Park trains and trams, consistent with existing management of the site. <p><i>Cultural activity means an activity that:</i></p> <ol style="list-style-type: none"> a. provides an opportunity for artistic or creative expression; or b. sustains the habits, beliefs or traditions of a community; or c. increases public awareness of the history, natural values or traditions associated with a place. <p><i>It includes public performances, demonstrations or displays/exhibitions of cultural, historic, scientific or artistic significance (including the open-air operation of heritage vehicles, trains and machinery), whether a charge is made for admission or not; and ancillary workshops, offices, storage, retail activity, cafes and staff accommodation.</i></p> <p><i>Cultural facility means land and/or buildings used for cultural activities, including museums, cultural centres and galleries.</i></p>	<p>for the proposed District Plan. The wider area including the Ferrymead Heritage Park is zoned Open Space Community Park and a scheduled activity overlay will apply specifically to the Park itself. Should the cultural facility ever cease operation the site will return to the underlying zone by requiring any other use of the site be assessed in relation to the Open Space rules.</p> <ol style="list-style-type: none"> b. Including Ferrymead Heritage Park as a scheduled activity ensures the ongoing maintenance and high quality development of the Park. This gives effect to the Open Space Objective 18.1.1 to meet the current and future recreational, cultural, health and wellbeing needs of the community. c. Scheduling Ferrymead Heritage Park will allow necessary and reasonable activity to occur that would otherwise need resource consent in order to establish if not scheduled. d. Option 1 would not undermine other Plan objectives because the Park has a long history on the site, was provided with a regime similar to scheduling in the operative Plan, has a historic reason to require its present location and would not, because of its nature, including operation of historic train lines, be able relocate into a centre. e. A cross reference to the parking requirements for “reserves” in the Chapter 7 Transport has been included to ensure that parking and traffic generation effects are only considered in relation to new high-traffic generation activities. This is in recognition that the existing activity has significant traffic generation and parking requirements and it is not necessary to trigger consent requirements for minor changes at the Park. This is considered appropriate for this site as existing car parking has been developed in conjunction with parking for the
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	<p>wider Ferrymead Park, for use by the Park, but is managed by CCC. The relevant rule cross referenced in Chapter 7 has a NIL parking requirement for reserves, if there is not a specific car parking requirement in the table for the activity on the reserve. Unless there is a new high traffic generating activity proposed for the site, there is sufficient car parking in this location to cater for day-to-day activities and major events at the Ferrymead Heritage Park will necessarily exceed the parking reasonably able to be accommodated on the site. Significant adverse effects are unlikely to arise in this situation, given the lack of residential or commercial activities in the affected area.</p> <p>f. Scheduling of Ferrymead Heritage Park is a realistic solution to the presence of a cultural facility. It allows the Park to operate within reasonable requirements which can be set independently from the Open Space Community Park Zone, whilst still maintaining a park-like environment.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <p>i. Future development will be within limits set specifically for the existing environment, which includes a generous requirement for 50% of the park to be landscaped or otherwise free from buildings and impervious surfaces.</p> <p><i>Economic</i></p> <p>ii. Allowing the Ferrymead Heritage Park activity offers economic and social benefits to the City, including economic activity associated with local and overseas visitors to the Park.</p>
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	<p><i>Social/Cultural</i></p> <p>iii. Scheduling the Ferrymead Heritage Park recognises and allows for cultural activity within the city and provides a permitted activity envelope for the park to continue to develop.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. NIL</p> <p><i>Economic</i></p> <p>ii. If a proposed activity does not comply with building and activity standards, compliance costs will arise.</p> <p>iii. When new activities are proposed, some investment may be required to landscape or screen areas of the Park to acceptable levels, for example screening of storage areas on the northern part of the site. Rules relating to the Floor Level and Fill Management Area (FLFMA) will continue to affect costs of building works on this site, as it is within an area subject to flooding risk.</p> <p><i>Social/Cultural</i></p> <p>iv. Cultural activity must fit the definition, so some cultural or heritage activities might not fit within the rules and therefore would require a consent.</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Retain the current Special Purpose (Ferrymead) Zone (from operative Christchurch City Plan)</p>	<p>Appropriateness</p> <p>1. The current Special Purpose (Ferrymead) Zone has specific rules for the site, which allow for existing and new development. However it is deficient when compared to the proposed scheduling in that it creates a more fragmented plan (through the use of spot zones), and does not have a future provision for if the Ferrymead Heritage Park down sizes, whereas under Option 1 the land will revert to the underlying zone of Open Space Community Park.</p>

	2. Furthermore, the existing rules have resulted in a number of consent applications, which are expected to be avoided in the future through specific standards which have been developed for Option 1. The standards for each of Options 1, 2 and 3 are compared below.
Risk of Acting or Not Acting	
1. It is considered there is sufficient information on which to base the policies and rules without the risks being significantly over or understated. 2. There is a minor risk in not acting, as Open Space Zone rules could be applied to the Park that do not adequately cater to the cultural facility activity. By acting, Park development can be carried out within appropriate guidelines.	

3.5.0 BIBLIOGRAPHY

Reports	Author
Evaluating the Effectiveness and Efficiency of the Christchurch City District Plan, 28 January 2011	Response Planning Consultants Limited

APPENDIX 6.1 Key Strategic Documents

The key messages that inform the direction taken in the chapter include the following:

1. Canterbury Regional Policy Statement 2013

1. Objective 5.2.1 – Location, design and function of development
Development is located and designed so that it functions in a way that... enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:
 - (c) encourages sustainable economic development by enabling business activities in appropriate locations;
 - (d) minimises energy use and/or improves energy efficiency;
 - (l) avoids conflicts between incompatible activities.
2. Policy 5.3.8 – Land use and transport integration
Integrate land use and transport planning in a way that promotes the use of transport modes which have low adverse effects and the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport.
3. Objective 6.2.1 – Recovery framework
Recovery rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:
 - (9) integrates strategic and other infrastructure and services with land use development.
 - (11) optimises use of existing infrastructure.
4. Objective 6.2.5 – Key activity and other centres
Support and maintain the existing network of centres below as the focal points for commercial, community and service activities during the recovery period:
 - (1) The Central City
 - (2) Key Activity Centres
 - (3) Neighbourhood centres

The development and distribution of commercial activity will avoid significant adverse effects on the function and viability of these centres.
5. Policy 6.3.1 – Development within the Greater Christchurch area
In relation to recovery and rebuilding for Greater Christchurch avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres.
6. Policy 6.3.6 – Business land
To ensure that provision, recovery and rebuilding of business land in Greater Christchurch maximises business retention, attracts investment, and provides for healthy working environments, business activities are to be provided for in a manner which:
 - (1) Promotes the utilisation and redevelopment of existing business land
 - (3) Reinforces the role of the Central City, as the city's primary commercial centre, and that of the Key Activity Centres;
 - (4) Recognises that new commercial activities are primarily to be directed to the Central City, Key Activity Centres and neighbourhood centres where these activities reflect and support the function and role of those centres; or in circumstances where locating out of centres, will not give rise to significant adverse distributional or urban form effects

- (8) Ensures conflicts between incompatible activities are identified and avoided or mitigated
- (9) Ensures close proximity to labour supply, major transport hubs and passenger transport networks

2. Canterbury Earthquake Recovery Strategy

- 1. s4 Vision and Goals for the Recovery – Economic Recovery
- (2) Revitalise greater Christchurch as the heart of a prosperous region for business, work, education and increased investment for new activities by -
 - 2.1 planning for a well-functioning Christchurch central city and thriving suburban centres
 - 2.5 identifying and facilitating increased opportunities for early and substantial local and international investment;
 - 2.8 enabling a business-friendly environment that retains and attracts business
 - 2.11 facilitating the recovery and development of the Central Business District

3. Land Use Recovery Plan

Action 11: Christchurch City Council district plan review
Christchurch City Council to enable in the next review of its district plans to enable the following measures:

- i. community facilities within key activity centres and neighbourhood centres

Action 36: Christchurch City Council district plan review
Christchurch City Council to enable in the next review of its district plans, to provide for land use and transport network integration, including:

- ii. support for transport choice, including walking, cycling and public transport

Action 45: Christchurch City Council district plan review
Christchurch City Council to enable in the next review of its district plans the following measures, as a matter of urgency:

- Reduce consenting and notification requirements

APPENDIX 6.2 Analysis of standards with and without scheduling

Note: Analysis is based on draft standards for the Stage 2 chapters which are subject to change. See the s32 report for the Central City chapter for analysis of standards for scheduled activities in the Central City.

Activity	# of Sites	Operative Zone	Proposed Zone	Changes to Standards	Recommendation for Scheduling	Reasons
Chartered Clubs (Class 3)	4	L1	RS	Requires a D consent with or without scheduling. Permitted baseline with scheduling allows slightly more height (8m → 9m) and signage (1m → 3m area; 4m → 6m height)	Remove	Impacts on development for these sites would be minimal. Clubs can rely on existing use rights for height and signage.
Chartered Clubs (Class 3)	2	L3	RMD	Requires a D consent with or without scheduling. Permitted baseline with scheduling allows slightly more and taller signage (1m → 3m area; 4m → 6m height)	Remove	Impacts on development for these sites would be negligible. Clubs can rely on existing use rights for signage.
Chartered Clubs (Class 3) – Papanui Club	1	Ru3	Residential New Neighbourhood	Requires a D consent with scheduling. NC if height exceeds 9m. Permitted standard for “places of assembly” in New Neighbourhood zones is 200m ² , 1m ² signage, hours of operation 7-9 M-Sa; closed Sunday; Activity would be non-complying if not meeting these standards. The Built Form Standard for height is 8m for sites not created by the Comprehensive Land Use and Subdivision consent process.	Retain	Impacts on development for this site would be more significant. Any expansion of club would require NC consent.
Fire Stations (Class 1)	5	L1; L2	RS; RSDT	Scheduled fire stations are permitted in these zones subject to standards. Without scheduling they become non-complying activities in	Retain	Fire stations perform an essential community service, require distribution across

Activity	# of Sites	Operative Zone	Proposed Zone	Changes to Standards	Recommendation for Scheduling	Reasons
				residential zones.		the city and under the proposed residential plan rules would require a non-complying consent to expand if scheduling were removed.
Holiday Park (Class 1)	1	L1; Ru3	RS	Scheduling makes Top 10 Holiday Park a permitted activity subject to standards. Without scheduling, this would be a discretionary activity.	Retain	Without scheduling, activity would require a D consent to expand. Alternative is spot-zoning for guest accommodation but this area is predominantly residential and better long-term outcome would be for the site to revert to residential.
Hotel (Class 1)	4	L1	RS	Scheduling hotels makes them permitted in this zone subject to standards. Removing scheduling would reduce development potential (site coverage 40% → 35%; height 9m → 8m); most sites would need a non-complying consent to expand if they are accommodating more than 6 people.	Retain	Would be NC without consent. Retaining scheduling will support the rebuilding of these sites.
Hotel (Class 3)	1	L1	RS	Scheduling of this hotel makes it a discretionary activity if it meets a 9m height limit. Otherwise it is non-complying. Removing scheduling would reduce the permitted height of signs (6m → 4m) and buildings (9m → 8m).	Remove	This activity would already require a discretionary resource consent to expand. Removing scheduling slightly reduces the Built Form

Activity	# of Sites	Operative Zone	Proposed Zone	Changes to Standards	Recommendation for Scheduling	Reasons
						Standards for height and signage but hotel can rely on existing use rights and consents.
Public Utility (Class 1) – Beckenham Water Services Yard	1	L1	RS	Scheduling makes this a permitted activity subject to standards. Without scheduling it would be non-complying.	Retain	The water services yard is necessary public infrastructure. It has not generated complaints in its current location. Without scheduling the activity would require a non-complying consent in this zone.
Public Utility (Class 1) – Mairehau storage depot	1	L1	RS	Scheduling makes this a permitted activity subject to standards. Without scheduling it would be non-complying.	Retain	Without scheduling the activity would require a non-complying consent in this zone.
Rural Activity (Class 1) – Yaldhurst Science and Transport Museum	1	Ru5	Rural Urban Fringe	Scheduling makes this a permitted activity subject to standards. Without scheduling it would be non-complying.	Retain	Activity would require a non-complying consent without scheduling.
Rural Activity (Class 3) – Coutts Island Road	1	Ru4	Rural Waima kariri	Would be a D activity with or without scheduling.	Remove	Activity is anticipated by the proposed Rural zone rules.

Activity	# of Sites	Operative Zone	Proposed Zone	Changes to Standards	Recommendation for Scheduling	Reasons
Service centre (Class 1)	4	L1; L2	RS; RSDT	Scheduling makes this a permitted activity subject to standards. Without scheduling it would require a D consent. Built Form Standards would be more stringent with respect to height (9m → 8m) and site coverage (50% → 35%) but would allow smaller setbacks.	Retain	Removing scheduling would require a D consent and would significantly reduce development potential, particularly for site coverage.
Service station (Class 1)	25	L1; L2	RS; RSDT	Scheduling makes this a permitted activity subject to standards. Without scheduling, it would require a NC consent. Built Form Standards would reduce site height (9m → 8m), site coverage (50% → 35%) and allowed signage (10% of frontage; max 18m ² → 1m ²)	Retain	Historic service stations represent a significant capital investment. Although the Plan objectives and policies are for new service stations to locate in centres, existing service stations would require a NC consent for any expansion in the RS and RSDT zones and would have significantly reduced development potential with respect to site coverage and signage.
Service station (Class 1)	2	L3	RMD	Scheduling makes this a permitted activity subject to standards. Without scheduling, it would require a NC consent. Built Form Standards would slightly reduce site coverage (50% → 45%) and significantly reduce allowed signage (10% of frontage; max 18m ² → 1m ²)	Retain	Service stations provide important physical infrastructure which requires distribution. Although the Plan objectives and policies are for new service stations

Activity	# of Sites	Operative Zone	Proposed Zone	Changes to Standards	Recommendation for Scheduling	Reasons
						to locate in centres, existing service stations would require a NC consent for any expansion in the RMD zones.
Service station (Class 1)	12	L1; L2; Ru2; Ru3	Commercial Local; Commercial Fringe; Commercial Core	With scheduling, these activities would be permitted, subject to standards. Relying on the underlying Commercial zone rules would require a Restricted Discretionary consent for the service station component (retail activity up to 500m ² would be a permitted activity). Building heights allowed are generally higher under the zone rules (9m → 8m (CL); 10-12m (CF); 12-20m (CC)); site coverage (50% → unrestricted except as a matter of discretion); road setback (10m → unrestricted except as a matter of discretion); setback from internal boundary (6m → 3-6m depending on zone; only residential)	Remove	These service stations are now in commercial centres where they are anticipated by zone rules. Although expansion would now potentially require a consent as a restricted discretionary activity, the development standards are significantly more permissive than what was provided for under scheduling. It is also difficult to justify scheduling for these sites where new stations in equivalent centres would require consent and would have to meet stricter standards.
Service station (Class 1)	1	Ru2	Industrial General	Service stations are a permitted activity in the Industrial General Zone.	Remove	Rezoning makes scheduling redundant.

Activity	# of Sites	Operative Zone	Proposed Zone	Changes to Standards	Recommendation for Scheduling	Reasons
Spiritual facility (Class 1) – First Church of Christ Scientist	1	L4B	RMD	With scheduling, this is a permitted activity subject to standards. Without scheduling it is a permitted activity if under 200m ² , 1m ² signage; hours of operation 7-9 M-Sa all day Sunday. Likely to require a discretionary consent for floor area. Built Form Standards are comparable except for a significant reduction in height as of right (30m + 20% for spire → 9-11m)	Remove	Will be picked up by blanket scheduling of pre-1995 spiritual facilities.
Spiritual facility (Class 2)	200+ for All Class 2	L1; L2	RS; RSDT	With scheduling, this is a permitted activity subject to standards. Without scheduling it would be permitted if under 200m ² ; 1m ² signage, hours of operation restricted to 7-9 M-Sa; all day Sunday; Otherwise would require a D consent. Removing scheduling would result in a small reduction in height (9-12m → 8m) and a significant reduction in permitted site coverage (50% → 35%)	Retain	Most facilities would require a D consent to expand as over 200m ² . Relying on zone rules would significantly reduce site coverage as of right.
Spiritual facility (Class 2)	As above	L3	RMD	With scheduling, this is a permitted activity subject to standards. Without scheduling it would be permitted if under 200m ² ; 1m ² signage, hours of operation restricted to 7-9 M-Sa; all day Sunday; Otherwise would require a D consent. Removing scheduling would result in a small reduction in height (13m → 11m) and a small reduction in permitted site coverage (50% → 45%)	Retain	Most facilities would require a D consent to expand as over 200m ² .

Activity	# of Sites	Operative Zone	Proposed Zone	Changes to Standards	Recommendation for Scheduling	Reasons
Spiritual facility (Class 2)	As above	Rural	Rural	With scheduling, this is a permitted activity subject to standards. Additions to existing spiritual facilities of up to 100m ² will be a permitted activity in the new rural zone rules. There would be a slight reduction in height as of right (10-12m → 9m) but an exception could be made for spires.	Remove	New zone rules make scheduling redundant except for small loss of height as of right.
Tavern (Class 1)	4	L1	RS	With scheduling, these are a permitted activity, subject to standards. Without scheduling, as “food and beverage outlets”, they would be non-complying activities. Most Built Form Standards would be slightly more stringent (height 9m → 8m; site coverage 40% → 35%) but some would be significantly relaxed (setback from internal boundary 6m → 1.8m; setback from road 10m → 4.5m)	Retain	Without scheduling would require a NC consent. In context of rebuild and enabling recovery, recommend retaining scheduling.

APPENDIX 6.3 Changes to the operative City Plan schedule

Note: See the s32 report for the Central City chapter for changes to scheduled activities in the Central City.

Zone names have been abbreviated as follows:

RS Residential Suburban

RSdT Residential Suburban Density Transition

RMD Residential Medium Density

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
1	Service station	Shell Barrington Z Energy Barrington	253 Barrington Street	Lot 1 DP 44640	L2 RSdT	46B	
1	Service station	Ardrossan Motors	75 Bassett Street	Lot 2 DP 14378	L1	26B	Rezoning to Commercial Local
1	Service station	Beach Road Energy Centre Beach Road Tyre and Auto Centre	89-91 Beach Road	Lots 1 & 2 DP 25521	L1 RS	27B	
1	Service station	Shell Middleton On the Go Middleton	324 Blenheim Road	Lot 12 DP 13576	L1 RS	38B	
1	Service station	Blighs Road Service Station	64 Blighs Road	Lot 1 DP 28218 Lots 3 & 6 DP 1978	L1 RS	31B	
1	Service station	Bromley Auto Services	427 Breezes Road	Lot 1 DP 16645	L1 RS	41B	
1	Service station	Southshore Motors	60 Bridge Street	Lot 1 DP 19586	L1	41B	Rezoning to Commercial Local
1	Service station	St Martin's Garage	238 Centaurus Road	Lot 1 DP 675	L1	47B	Rezoning to Commercial Local
1	Service station	Cresswell Motors Ltd	90 Cresswell Avenue	Lot 1 DP 18070	L1	33B	In Specific Purpose (Flat Land Recovery) Zone

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
1	Service station	BP Edgeware	79 Edgeware Road	Pt Lot 3 DP 1272 Lot 7 DP 10289	L2	32B	Rezoning to Commercial Core
1	Service station	Shell Ferry Road Z Energy Ferry Road	417-419 Ferry Road	Lots 1-3 DP 9049; Lot 4 DP 198	L2 RSDT	47B	
1	Service station	Radley Motors Mobil Ferry Road	619 Ferry Road	Lot 1 & Pt Lot 2 DP 39 Lot 9 DP 10453 Pt Lot 9 DP 10453, Pt Lot 1 DP 39	L1 RS	47B	
1	Service station	BP Dallington	712 Gloucester Street	Pt Lot 1 DP 3723	L1	40B	Rezoning to Commercial Local
1	Service station	BP Oaklands BP Halswell	244 246 Halswell Road	Lots 7 10 DP 20563 Lot 5 DP 18615, Lots 10,7,8,9 DP 20563	L1 RS	52B	
1	Service station	Nicholas Bros Challenge! Halswell	345 Halswell Road	Lot 2 DP 82813 Lot 2 DP 339018, Lot 2 DP 46884	L1 RS	52B	
1	Service station	Cardwell Motors Z Energy Bishopdale	208-210 Harewood Road	Lots 40-41 DP 17536 Pt Lot 1 DP 12609	L1 RS	24B	
1	Service station	Bishopdale Service Station	318 Harewood Road	Pt Lots 2 3 DP 18823 401/173 & 343/146	L1	24B	Rezoning to Commercial Fringe
1	Service station	Bradford Auto Ltd	409 Harewood Road	Lot 1 DP 46921	L1	24B	Change of use
1	Service station	New Brighton Service Station Z Energy New Brighton	38-40 Hawke Street	Lot 1 DP 25884 Pt Lot 79 DP 140 Lot 1 DP 44932	L2 RSDT	34B	
1	Service station	BP Mairehau	435 Innes Road	Lots 4 & 5 DP 18127	L1 RS	32B	
1	Service station	Caltex Lincoln Road	55 Lincoln Road	Lot 4 DP 34740	L1	45B	Rezoning to Commercial Local
1	Service station	Shell Raceway Z Energy Addington	250 Lincoln Road	Lot 1 & 2 DP 42678 Lots 1,2,3 DP 42678	L3 RMD	46B	

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
1	Service station	Shell Linwood	214 Linwood Avenue	Lot 1 DP 54493	L2	40B	Rezoning to Commercial Fringe
1	Service station	BP Gainsborough BP Linwood	455-457 Linwood Avenue	Lot 1 DP 75853	L1 RS	40B	
1	Service station	Redcliffs Auto Mart BP Redcliffs	170 172 Main Road	Lot 1 & Pt Lot 2 DP 10599	L1 RS	48B	
1	Service station	Caltex Main North Road Caltex Redwood	315 Main North Road	Lot 1 DP 27253 Pt Lot 2 DP 19040, Lot 1 DP 27253	L1 RS	25B	
1	Service station	Shell Belfast Z Energy Belfast	713 Main North Road	Lot 1 DP 15151 Lot 1 DP 71863	L1 RS	18B	
1	Service station	Shell Templeton	720 Main South Road	Lot 7 DP 18445	Ru2	43B	Rezoning to Industrial General
1	Service station	Southway Service Station	809 Main South Road	Lots 8 & 9 DP 17308	L1	43B	Change of use
1	Service station	BP Marshland	432 Marshland Road	Lot 1 DP 22961	Ru3	26B	Rezoning to Commercial Core
1	Service station	BP Fendalton	1 Memorial Avenue	Lot 1 DP 26482, Lot 1 & Pt Lot 2 DP 18466 Pt Lot 2 DP 12792	L1	31B	Rezoning to Commercial Local
1	Service station	Spreydon Auto Centre Challenge Milton Street	111-115 Milton Street	Lots 3-5 DP 6505	L2 RSDT	46B	
1	Service station	Shirley Motors Workshop	71 North Avon Road	Lot 1 DP 5913	L1	33B	Change of use
1	Service station	North Avon Service Station Ltd. JD Motors	3 North Parade 129 North Avon Road	Lots 1 & 2 DP 2702 Pt Lot 1 DP 2702, Lot 2 DP 2702	L2 RS	33B	
1	Service station	Mobil Aranui	336 Pages Road	Pt Lots 1 & 2 DP 60189	L1 RS	34B	
1	Service station	Queenspark Automat	169 Queenspark Drive	Lot 1 DP 35894	L1	26B	Change of use
1	Service station	Shell Riccarton Road Z	33 Riccarton Road	Lot 4 DP 63363	L3 RMD	39B	

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
		Energy Riccarton					
1	Service station	Caltex Russley Service Station	2 4 Russley Road	Lot 1 DP 26010 Pt Lot 1 DP 79303	L1 RS	37B	
1	Service station	BP Sawyers Arms Road	260-262 Sawyers Arms Road	Lot 2 DP 42741	L1 RS	24B	
1	Service station	Springs Road Auto Services Ltd	101 Springs Road	Lot 14 DP 15897	L1 RS	44B	
1	Service station	Cooks Auto Services	78-80 Wainoni Road	Lots 1 7 2 DP 20076	L1	33B	In Specific Purpose (Flat Land Recovery) Zone
1	Service station	Wainoni Energy Centre	175 Wainoni Road	Lot 2 DP 12297 Pt Lot 3 DP 14198	L1	33B	Rezoning to Commercial Fringe
1	Service station	Caltex Wairakei Service Station	248 Wairakei Road	Lots 1 & 2 DP 49982	L1	31B	Change of use
1	Service station	Marine Service Station	24 Wakefield Avenue	Lot 6 DP 10531	L3	56B	In a slope instability area
1	Service station	Warrington Service Station Goodyear Auto Service Centre Shirley	49 Warrington Street	Lot 1 & 2 DP 25764 Lot 1 DP 8257-Lot 2 DP 378413	L2 RSDT	32B	
1	Service station	Caltex Withells Road Service Station	202 Withells Road	Lot 1 DP 23721	L1 RS	30B	
1	Service station	BP Avonhead	148-150 Yaldhurst Road	Lots 2 & 3 DP 22417	L1	37B	Change of use
1	Service station	Shell Racecourse	198-200 Yaldhurst Road	Lots 1 & 2 DP 46717	L1	37B	Change of use
1	Tavern	Blenheim Road Tavern	280 Blenheim Road	Lot 1 DP 77136	L1 RS; RSDT	38B	
1	Hotel	Caledonian Hotel	101 Caledonian Road	Lot 2 DP 44490	L3	32B	Change of use
1	Tavern	Valley Inn Tavern	2 Flavell Street	Lots 32-34 DP 265 Lot 1	L1 RS	55B	

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
1	Hotel Guest Accommodation	Sandridge Hotel	30 Huxley Street/ 264 Colombo Street	DP 398266 Lots 1-2 DP 8025 Pt Lot 3 Block 2 DP 117 Lot 1 DP 9657 Pt Lot 1 DP 39692 Lots 8-10 Pt Lot 6 DP 117 Lots 1-3 DP 5676 Lot 1 DP 60813 Lot 10 DP 117, Pt Lots 6,6 DP 117, Lots 8,9 DP 117, Lot 1 DP 60813	L3-RMD	46B	Change of use at 264 Colombo Street; Retaining scheduling at 30 Huxley Street
1	Tavern	Parklands Tavern	6 Inwoods Road	Lot 1 DP 57422 Lot 1 DP 81181	L1 RS	26B	
1	Hotel Guest Accommodation	Black Horse Hotel	33 Lincoln Road	Lot 2, Pt Lot 1 DP 12476 Lots 2, 12 DP 9477 Lot 2 DP 3771 Pt RS 145 Lots 1,3 DP 80912	L1 RS	45B	
1	Hotel Guest Accommodation	Redwood Inn Hotel	330-340 Main North Road	Lot 10 DP 60941	L1 RS	18B	
1	Hotel Guest Accommodation	Belfast Hotel	895-899 Main North Road	Lots 1-2 DP 44728 Lot 1 DP 331273, Lot 1 DP 334238, Lot 1 DP 76408	L1 RS	10B	
1	Hotel	Cave Rock Hotel	11 Marriner Street	Pt Lot 6c DP 13 Lot 1 DP 35818	L3	56B	Change of use
1	Hotel Guest	Racecourse Hotel	122 116-118	Lot 2 DP 51681 Lot 1	L1 RS	37B	

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
	Accommodation		Racecourse Road	DP 301568, Lot 2 DP 301568			
1	Tavern	Avonhead Tavern	120 Withells Road	Pt Lot 2 DP 29243	L1 RS	30B	
1	Public utilities	Beckenham Water Services Yard and Pumping Station	54 Colombo Street	Lots 6-18 DP 2527, Lot 2 CTs 241/117, 356/94, 7B/589 Pt RS 138 Canterbury Dist, Pt Lots 13,14,15,16,17,18,18 DP 2527	L1 RS	46B	
1	Public utilities	Belfast sewage treatment works	Dickeys Road	Pt Res 3542 SO 11300 Pt Res 4365 SO 11824	Ru4	10B	Change of use
1	Public utilities	Templeton sewage treatment works	Maddisons Road	Pt Lot 5, DP 1755 & Sec 4 SO 18163 Pt Lot 4 DP 1755	Ru2	42B	Change of use
1	Public utilities	Mairehau Depot	280 Westminster Street	Pt Lot 65 DP 13198	L1 RS	32B	
1	Service centres and community services facilities	Fendalton Community Centre/ Library	170 Clyde Road	Lot 1 DP 25574	L1 RS	31B	
1	Service centres and community services facilities	Beckenham Service Centre	66 Colombo Street	Lot 1 DP 24288 Pt Lots 1,2 DP 24288, Pt Lots 10,11,12,13,14,6,7,8,9 DP 2527	L1 RS	46B	
1	Service centres and community services	Halswell Library	381 Halswell Road	Lot 1 DP 1590	Ru2	52B	Change of use

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
1	Service centres and community services facilities	Fendalton Service Centre	6-10 4 Jeffreys Road	Lot 1 DP 23970 Pt RS 188 Lot 1 DP 81683	L1 RS	31B	
1	Service centres and community services facilities	Linwood Service Centre	180 Smith Street	Lot 16 DP 23797	L2 RSDT	40B	
1	Fire station	Suburban Cranford Street Fire Station	276 Cranford Street	Lot 3 DP 38681	L1 RS	32B	
1	Fire station	Woolston Fire Station and Fire Service Training Centre	929 Ferry Road	Lots 1 and 2 DP 30985 Lot 1 DP 72727	L1 RS	47B	
1	Fire station	Suburban Hawke Street Fire Station	82 Hawke Street	Lot 1 DP 23006 Part RS 15837	L2 RSDT	34B	
1	Fire station	Brooklands Suburban Fire Station	1090 Lower Styx Road	Lot 23 DP 6159 Part RS 6540	LRS	1B	In Specific Purpose (Flat Land Recovery) Zone
1	Fire station	Suburban Simeon Street Fire Station	77 Simeon Street	Lot 1 DP 29485 Pt RS 154	L2 RSDT	46B	
1	Fire station	Suburban Wiggins Street Fire Station	4-6 Wiggins Street	Lot 1 DP 48338	L1 RS	56B	
1	Rural activities Cultural Facility	Yaldhurst Transport and Science Museum including: –display of vintage vehicles and historical equipment –operation of vintage	26 School Road	Pt RS 1482 Canterbury Dist	Ru5 Rural Urban Fringe	29B	Description of activity added to definition of cultural facility.

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
		vehicles –ancillary workshops (including heavy engineering) –ancillary storage buildings –staff residences –ancillary shops and tea rooms –car parking for staff and patrons of the museums –accessory buildings –ancillary picnic areas/related facilities					
1	Holiday Park Guest Accommodation	Meadow Park Top 10 Holiday Park	39 Meadow Street	Lot 1 DP 17113 Lot 20 DP 7349 Lot 2 DP 13589 Pt Lot 1 DP 36928 Pt Lot 2 DP 36928 Lot 5 DP 15296 Lot 2 DP 334194; Lot 2 DP 369252; Lot 5 DP 17113; Lot 1 DP 334194	L1/Ru3 RS; Rural Urban Fringe	25B	
3	Tavern	Marine Tavern	26 Nayland Street	Lot 1 DP 5823 CT 4A/498	L3	56B	In Specific Purpose (Flat Land Recovery) Zone and in a slope instability area
3	Tavern	Hargens Tavern	487 New Brighton	Lot 1 DP 9286	L1	34B	In Specific Purpose

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
			Road	Lot 18 DP 16283			(Flat Land Recovery) Zone
3	Hotel	Mackenzies Hotel	51 Pages Road	Lot 1 DP 27545, Lot 2 DP 30467 Lot 1 DP 6735, Lot 1 DP 14853	L1	40B	See Hotel (Class 3) in RS zone – Appendix 3.2 above
3	Chartered clubs	St Albans Shirley Club	29 Crosby Street	Lots 1-2 DP 47111, Lot 2 DP 45217, Lot 1 DP 40441	L1	32B	See Chartered Clubs (Class 3) in RS zone – Appendix 3.2 above
3	Chartered clubs	Woolston Working Men's Club	43, 45 & 63 Hargood Street	Lot 4 and Part Lot 3 DP 11404, Lot 18 DP 9147, Part RS 42	L1	47B	See Chartered Clubs (Class 3) in RS zone – Appendix 3.2 above
3	Chartered clubs	Cashmere Club	88 Hunter Terrace	Lot 1 DP 42886	L1	46B	See Chartered Clubs (Class 3) in RS zone – Appendix 3.2 above
3	Chartered clubs	Richmond Working Men's Club and MSA	75 London Street	Lot 1 DP 42618	L3	40B	See Chartered Clubs (Class 3) in RMD zone – Appendix 3.2 above
3	Chartered clubs	New Brighton Working Men's Club	202 Marine Parade	Lot 1 DP 54210	L3	34B	See Chartered Clubs (Class 3) in RMD zone – Appendix 3.2 above
3	Chartered clubs	Papanui Working Men's Club	310 Sawyers Arms Road	Part RS 490	Ru3 Residential New Neighbourhood	24B	
3	Chartered clubs	Hoon Hay Club	20 Tankerville Road	Part Lot 6 DP 682, Part Lot 2 DP 27391, Lot 2 DP 30213	L1	45B	Change of use

Class	Type	Name	Address	Legal Description	Zone	Map No	Reason for Changes
3	Chartered clubs	Sumner Returned Services Association	34 Wakefield Avenue	Lot 1 DP 42627, Lots 3 & 4 DP 10531, Lot 1 DP 13002	L3	56B	In a slope instability area
3	Chartered clubs	Riccarton Club	66B Wharenuui Road	Lot 1 Part Lot 2 DP 16840, Lot 1 DP 17542, Lots 4 – 5 DP 17612, Lot 25 DP 23756, Part Lot 1 DP 26574, Lots 1 – 2, DP 28171, Lot 1 DP 41628	L1	38B	Change of use
3	Rural activity	Coutts Island Road (a) sawmilling and timber processing (b) processing of aggregates		Lot 1 DP 23016 Lot 4 DP 8592	Ru4	10B 3B	Scheduling superseded by proposed zone rules

APPENDIX 6.4 Ferrymead Heritage Park

6.4.1 Background

The land is owned and operated by the Ferrymead Trust and continues to be developed for educational, recreational and tourism purposes. The Park features an early 1900s Edwardian township where trams take visitors past a range of historic buildings, heritage museums and displays. Many of these buildings are owned and operated by individual societies, with a small number of heritage themed retail stores operating along the Park's "main street".

The Ferrymead Heritage Park operates between 10:00am and 4:30pm seven days a week. Council funding in the form of grants contributes to 55% of the Park's income.

6.4.2 Provisions under the existing City Plan

6.4.2.1 Zoning

Under the operative City Plan the Ferrymead Heritage Park falls within the Special Purpose (Ferrymead) Zone which incorporates the land between Heathcote Village and the Heathcote River. Objectives include the preservation and restoration of the original historic features of the site and further development of the historic village character.

6.4.2.2 The consented Ferrymead Heritage Park environment

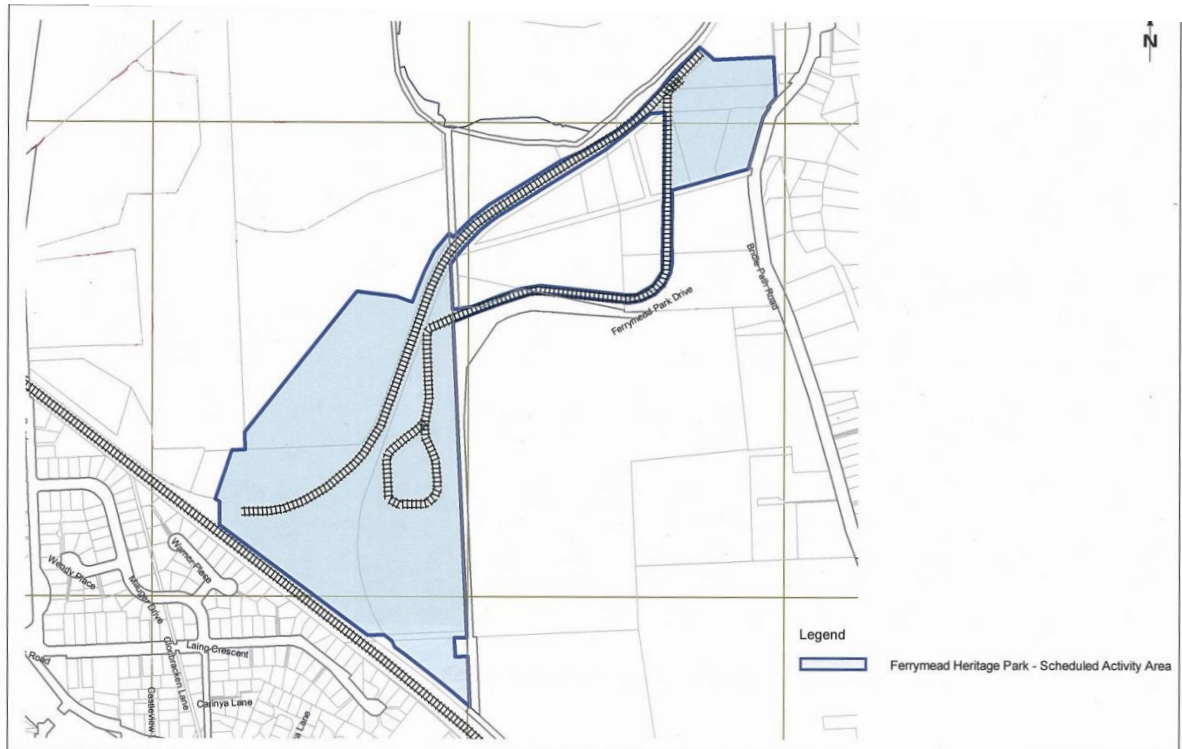
There have been a limited number of consents for the Ferrymead Heritage Park during the period of the Operative City Plan, all of which have been granted. Christchurch City Council's records of land use consents for the site are detailed below in Table 1.

Table 1: Resource consents for Ferrymead Heritage Park

Source: Christchurch City Council (2014)

Date	Description of Activity	Reason for Non Compliance
27/4/2009	Erect a timber footbridge	Separation from neighbours Within 7m setback from environmental asset waterway
1/4/2010	Build National Railway Museum	Transport- access for high traffic generators > 25 parking spaces - number and availability of car parking spaces - parking area location
13/7/2010	Relocated storage shed	Protected building-alteration or removal
6/11/2013	Relocation of dwelling	Relocated building greater than 30m ²

6.4.3 Area proposed for scheduling of Ferrymead Heritage Park



6.4.4 Comparison of proposed rules and methods

PROVISIONS (RULE, METHOD) MOST APPROPRIATE TO ACHIEVE THE OBJECTIVES

Relevant objectives and policies:

18.1.1 Objective 1 - Provision of open spaces and recreation facilities

- a. A network of open spaces and recreation facilities that:
 - i. provides a diversity in the type and size of open spaces and recreational facilities to meet the current and future recreational, cultural, health and wellbeing needs of the community;
 - ii. is accessible and distributed to meet the demands generated by population growth, urban intensification and areas of identified deficiency;
 - iv. provides users with a pleasant and safe environment;
 - v. enables multifunctional uses;
 - vi. maintains and enhances amenity values, connectivity and public access, where appropriate; and
 - vii. recognises and provides for Ngāi Tahu's historic and contemporary relationship with the Christchurch District land and water resources, and reflects their cultural values.

18.1.4 Policy 1 – The role of open space and recreation facilities

- a. Provide a network of public and private open spaces and recreation facilities that cater for a range of roles, functions and activities as follows:
 - i. **Open Space – Community Parks Zone** – enables formal and informal recreation activities, while complementing and enhancing neighbourhood amenity values, including:
 - (...)
 - D. Heritage and urban parks having important scenic, botanical, educational, heritage, and recreational values and providing for entertainment.

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
Minimum setback from road boundaries	10.5.1 Western Side of Truscotts Road: 4.5m for a residential unit, 7.5m for other buildings, 6m for garages Bridle Path Road:10m	5.2.1 Minimum setback of 5m	6.2.4(4) Permitted setback: 5m Restricted Discretionary setback: <5m	18.2.3.1 Permitted setback: 5m Restricted Discretionary setback: <5m	The proposed standard streamlines setback rules setting one rule for the site.
Setback from internal boundary adjoining a residential zone	10.5.2 Minimum setback of 3m	5.2.2 Minimum setback of 10m	6.2.4 (5) Permitted: 3m Restricted Discretionary: <3m	18.2.3.2 Permitted: 10m Restricted Discretionary: <10m	The existing internal setback boundary is sufficient for the site and ensures amenity value is maintained. A 10m setback to adjoining open space is considered unduly restrictive.
Maximum Building Height	10.6.2 The maximum height of any building shall be 10m	5.3.2 10m	6.2.4 (1) 10m	18.2.3.4 Permitted: 8m Restricted Discretionary: >8m	The existing height provisions are appropriate for the site and it is unlikely any relocated historic buildings will be over this height. It is considered a reasonable height limit for additional structures and buildings to limit the impact on views and building dominance from the surrounding hillside properties.

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
Visual amenity: outdoor storage areas	<p>10.5.3</p> <p>(i) No outdoor storage area shall be located within any setbacks specified in Clause 10.5.1 or 10.5.2.</p> <p>(ii) Any outdoor storage area shall be screened by vegetation or a solid fence not less than 1.8m high.</p>	<p>5.2.3 (a)</p> <p>(i) No storage area shall be located within any setback areas specified in Clause 5.2.1 or 5.2.2</p> <p>(ii) Any outdoor storage area shall be screened by vegetation or a solid fence not less than 1.8m high</p>	<p>6.2.4(7)</p> <p>Any outdoor storage area shall be screened by fencing or landscaping so as to not be visible from 1.8m above ground level on any adjoining road or adjoining site;</p>	<p>18.2.3.3</p> <p>a. Any outdoor storage area shall not be located within the minimum setbacks specified in Rules 18.2.3.1 and 18.2.3.2.</p> <p>b. Outdoor storage areas shall be screened from adjoining sites and roads by either planting, wall(s), fence(s), or any combination of these to at least 1.8m in height along the length of the storage area. Where such screening is by way of planting it shall be for a minimum depth of 3m.</p>	<p>Ferrymead Heritage Park storage areas aren't necessarily behind buildings and/or sites have multiple frontages meaning this rule is not effective in this environment. Screening is an appropriate measure to ensure the amenity value of the area</p>
Retail activity	<p>10.6.1</p> <p>All retail activities shall be ancillary to the operations of Ferrymead Historic Park, subject to a limit of 200m² of gross leaseable floor space for</p>	<p>5.3.1</p> <p>(i) All retail activities shall be ancillary to the visitor attractions</p> <p>(ii) All retail shall be limited to a gross leaseable floor space of 200m² for any individual premises</p>	<p>No standard on the scale of retail activities for the Ferrymead Heritage Park, but limitation is provided via the definition for cultural facilities. Retail activity</p>	<p>P10</p> <p>Ancillary retail activities are limited to:</p> <p>a. Sites greater than 10,000m² in area ('large' and 'Heritage & urban' in policy C and D); and</p> <p>b. occupy no more than</p>	<p>The definition for cultural facilities incorporates retail facilities and does not need further limitation. The Ferrymead Trust also carefully manages the retail activity within the park to keep the historical authenticity.</p>

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
	any individual premises		must be ancillary to the cultural facility use.	250m ² or 25% of the gross floor area of all buildings on the same site, whichever is the lesser. c. Shall only operate between the hours of 7am and 7pm on sites adjacent to residential zones.	Therefore retail activity can be effectively managed. Retail activity is limited by wider distribution objectives and policies in the proposed plan and therefore it is important that it is limited in this manner.
Landscaped areas	10.5.3 (i) The minimum percentage of the site to be set aside as open space, free of buildings or impervious surfaces, shall be 50%. (ii) All setback areas described in Clauses 10.5.1 and 10.5.2 shall be maintained in grass and/or trees or shrubs. (iii) One tree shall be planted for every 5 car parking spaces required on the site. Trees shall be planted within or adjacent to the car	5.2.3 (b) (i) Minimum open space free of buildings or impervious surface: 50% (ii) Setbacks shall be maintained by grass, trees or shrubs (iii) one tree shall be planted per 5 car parks (iv) All trees must be capable of reaching 8m at maturity and shall not be less than 1.5m at the time of planting (v) The minimum average width of a landscape strip shall be calculated by excluding any part of the strip that is further back than the minimum required building setback for the site.	6.2.4(8) Minimum percentage of the site set aside as a landscaped area Permitted: 50% Restricted Discretionary: <50% 6.2.4(9) On boundaries adjoining a Residential, Open Space or Specific Purpose (Schools, Hospital, Cemeteries, Tertiary Education) Zone, trees shall be provided and evenly spaced at a ratio of at least 1 tree for every	N/A	50% is a realistic goal for the park as it is currently approximately 80% landscaped. It is not expected the park will come close to reaching 50% coverage in the foreseeable future, however it is important to ensure significant areas of open space to meet the open space objectives and policies. While setbacks are sought, a requirement for tree planting along boundaries is not considered necessary given the overall park environment at the Ferrymead Heritage

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
	<p>parking area.</p> <p>(iv) For the purposes of these rules, any tree plantings required shall be of a species capable of reaching a minimum height of maturity of 8m, and shall not be less than 1.5m high at the time of planting. Any trees planted which are specified in Part 3, Appendix 3, will be deemed to comply with this rule.</p> <p>(v) The minimum average width of a landscape strip shall be calculated by excluding any part of the strip that is further back than the minimum required building setback for the site.</p>		<p>10m of the boundary. All trees required by this rule shall be from a list of trees considered suitable for Christchurch conditions, listed in Appendix 6.6 Part B. In addition to the above, one tree shall be planted within or adjacent to the car parking area for every 5 car parking spaces.</p>		<p>Park. It could conflict with the need to provide authentic heritage settings for buildings within the park.</p>

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
Residential units	10.5.4 Any residential unit shall only be for the purposes of the security or management of the site.		A caretaker unit is allowed for by definition. A standard is used to limit this to one per site only	P12 – Residential activity Any residential activity shall: <ul style="list-style-type: none"> a. Be located in an existing residential unit; or b. Be located within a new residential unit provided that: <ul style="list-style-type: none"> i. It is used for caretaker and site management purposes only; and ii. It is located on a site greater than 10,000m²; and iii. it is not located within the air noise contour (50 dBA Ldn); and iii. there is only one residential unit on any site. 	The definition and standard appropriately controls this activity, while recognising the need for security accommodation.
Maximum Building Footprint, Site Coverage, impervious surfaces (for sites > 10,000m ² in	N/A	N/A	No requirements on site coverage for the Ferrymead Heritage Park	18.2.3.5 Single building - Permitted: <500m ² Restricted Discretionary: >500m ² Site coverage Permitted: <3%	Relying on the 50% landscaped area requirement will result in the same outcome

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
area)				Maximum impervious surfaces: <30%	
Sunlight and outlook for neighbours	<p>2.3.3</p> <p>(a) Buildings and structures shall not project beyond a building envelope constructed by recession planes from points 2.3m above any living zone boundary as shown in Part 2, Appendix 1 (Living zones).</p> <p>(b) The level of internal boundaries shall be measured from filled ground level except where the site on the other side of the internal boundary is at a lower level, then that lower level shall be adopted.</p>	<p>5.2.4</p> <p>Buildings shall not project beyond a building envelope constructed by recession planes as shown in Part 2 Appendix 1, from points 2.3m above any boundary with any adjoining zone. Where the planning maps show a zone boundary drawn down one side of a street, the recession plane shall be constructed from a point 2.3m above the centreline of the street.</p>	<p>6.2.4(6)</p> <p>i) Where a site boundary adjoins a residential zone, no part of any building shall project beyond a building envelope contained by a 45 degree recession plane measured at any point 2.3m above the site boundary, unless specified below.</p> <p>ii) Where a site boundary adjoins a Residential Suburban zone or Residential Suburban Density Transition zone, no part of any building shall project beyond a building envelope contained by a 35 degree recession plane measured at any point 2.3m above any</p>	<p>18.2.3.5</p> <p>i) Where a site boundary adjoins a residential zone, no part of any building shall project beyond a building envelope contained by a 45 degree recession plane measured at any point 2.3m above the site boundary, unless specified below.</p> <p>ii) Where a site boundary adjoins a Residential Suburban zone or Residential Suburban Density Transition zone, no part of any building shall project beyond a building envelope contained by a 35 degree recession plane measured at any point 2.3m above any adjoining south site boundary.</p>	<p>The Open Space Community Park sunlight and outlook for neighbours provisions apply, as they only impact neighbouring residential properties. No such properties exist around Ferrymead Heritage Park, therefore the site is in keeping with the Chapter provisions.</p>

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
			adjoining south site boundary.		
Transmission Lines		<p>5.2.5 Buildings within 32m either side of the centreline of the transmission line is restricted discretionary.</p> <p>5.5.4 Council discretion for resource consents in Heathcote Valley is restricted to the following;</p> <ul style="list-style-type: none"> • The risk to the structure and functioning of the transmission line; • The effects on the ability of the transmission line owner to operate, maintain and upgrade the high-voltage transmission network; • The proximity of buildings to electrical hazards; • The risk of electrical hazards affecting public safety, and risk of property damage; • The risk of electrical faults causing disruption to 	No specific transmission line requirements for Ferrymead Heritage Park, i.e. reliance on general rules.	NIL (relying on provisions in the Utilities Chapter)	The transmission line regulations in the Utilities - Chapter 11 adequately address health effects associated with activities in close proximity to transmission lines without the need for zone specific rules.

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
		<p>electrical supply;</p> <ul style="list-style-type: none"> • The extent of earthworks required, and use of mobile machinery near transmission line which may put the line at risk; • The risk of electrical hazards due to the mature height of any associated vegetation, including within landscaped areas; • The siting of building in relation to transmission lines to minimise visual effects from transmission lines; • The risk of generating radio interference or earth potential rise; • Any other matters set in plans for buildings; • Extent of compliance with NZECP34:2001; and <p>If earthworks are considered the Council's discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Any effects on the structure and functioning of the transmission line; 			

	Option 1: City Plan Current Standard	Option 2: 2010 Recommendations for Plan Change	Option 3: Proposed Scheduled Activity Standard	Open Space Community Park Zone	Reasoning/ Effectiveness and efficiency
		<ul style="list-style-type: none"> • Volume, area and location of the works, including temporary activities such as stockpiles; • Duration of the works; • Site remediation; • The use of mobile machinery near transmission line which may put the line at risk; and • Compliance with NZCEP 34: 2001 			
Contamination		5.4.1 Any buildings on the site of the former East Truscotts Landfill shall be designed to exclude landfill gases	No specific contamination requirements for Ferrymead Heritage Park	N/A	The NES prevails over the District Plan when contamination is concerned and the site of the former East Truscotts Landfill is outside the Ferrymead scheduled activity area notation.

APPENDIX 6.5 Linkages between provisions - Scheduled Activities

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
<p><i>General Rules and Procedures – Scheduled Activities</i></p> <p>6.2.1 Resource Management Issue 1: Enabling limited expansion of specific historic activities without undermining overall Plan objectives</p> <p>6.2.2 Resource Management Issue 2: Ferrymead Heritage Park</p>	<p><i>Strategic Directions Chapter</i></p> <p>3.3.1 Enabling recovery and facilitating the future enhancement of the district</p> <p>3.3.5 Business and economic prosperity</p> <p>3.3.7 Urban growth, form and design</p> <p>3.3.10 Commercial and industrial activities</p> <p>3.3.11 Community facilities and education activities</p> <p>3.3.13 Emergency services and public</p>	<p>6.5.1.1 Scheduled activities</p>	<p>6.5.1.1.1 Manage effects and expansion of scheduled activities</p>	<p>6.5.2 Scheduled activities rules</p>	<p>6.5.3 Matters of discretion for scheduled activities</p>

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
	safety 3.3.14 Incompatible activities				

APPENDIX 6.6 Fire Stations Added to the Schedule

Fire stations added to the schedule:

ID	Name	Address	Legal Description	Underlying Zone	Map No
Scheduled Fire Stations					
FS7	Sockburn Fire Station	35 Mustang Avenue	Lot 315 DP 434068	Residential Suburban	37
FS8	Governors Bay Fire Station	1 Ernest Adams Drive	Lot 21 DP 57247	Residential Small Settlement	57
FS9	Diamond Harbour Fire Station	89 Marine Drive	Lot 38 DP 10949	Residential Banks Peninsula	59
FS10	Little River Fire Station	44 Western Valley Road	RS 41527	Open Space Community Park	69
FS11	Akaroa Fire Station	49 Beach Road	Lot 1 DP 46053	Commercial Banks Peninsula	77

Existing fire stations not added or removed from the schedule:

<u>Fire Station</u>	<u>Location</u>	<u>Reason for not scheduling/removing</u>
Brooklands Fire Station	1090 Lower Styx Road	In the Specific Purpose (Flat Land Recovery) zone
Harewood Fire Station	536 Wairakei Road	In the Industrial General zone (already a permitted activity)
Lyttelton Fire Station	57 London Street	In the Industrial General zone (already a permitted activity)

7.0 WATER BODY SETBACKS

7.1.0 CONTEXT

7.1.1 Purpose and Scope of the Water Body Setbacks Section

1. The purpose of the Water Body Setbacks section is to:
 - a. manage land uses adjacent to water bodies in a way that reduces risk from natural hazards; protects and enhances water quality and ecosystem health; preserves the amenity and natural character of the water body; recognises the importance of freshwater resources to tangata whenua and protects customary use; and maintains or enhances access to the water body where appropriate for public recreation and maintenance.
2. These purposes are not dissimilar to those of the operative City Plan and Banks Peninsula District Plan. However, in reviewing those provisions, several changes have been identified that would assist with the District's recovery. In particular there is a need to:
 - a. clarify the criteria and objectives for the different classifications of water body;
 - b. rationalise the setbacks from the City Plan and the Banks Peninsula District Plan;
 - c. provide appropriate setbacks for lakes and ponds;
 - d. review the effectiveness of the current exemptions from the setback rules, in particular the exemptions for proposals with building consent;
 - e. integrate the provisions with updated regional water body setbacks in the Land and Water Regional Plan;
 - f. introduce additional controls on fencing and impervious surfacing in setbacks to improve land drainage, amenity and ecological outcomes; and
 - g. update the maps.

7.1.2 Proposed District Plan: Overview and Synopsis

1. The operative City Plan includes setbacks for buildings and earthworks from water bodies. These include setbacks of:
 - a. 30m for downstream rivers;
 - b. 20m for upstream rivers in rural zones;
 - c. 10m for upstream rivers in other zones and hill waterways;
 - d. 7m for environmental asset waterways;
 - e. 5m for open utility waterways; and
 - f. 3m for utility waterways to be piped.
2. The Banks Peninsula District Plan also includes setbacks for water bodies controlling earthworks, buildings, indigenous vegetation clearance, plantation forestry and stockyards and grazing. These include:
 - a. a 20m building and earthworks setback from surface water bodies in Conservation Reserve and Recreation Reserve Zones; and wetlands or lakes in Rural Zones;
 - b. a 20m setbacks for plantation forestry, dwellings or removal of indigenous vegetation for streams and rivers over 3m wide;
 - c. a 10m buildings and earthworks setback from streams or rivers in Rural Zones; and

- d. setbacks for stock yards and pens, cattle and goat grazing or removal of indigenous vegetation within 100m of Lake Ellesmere/Te Waihora, 50m of Lake Forsyth/Wairewa, 50m of any wetland or 20m of any river.
- 3. These setbacks and distances are generally proposed to be maintained with some changes as a result of rationalising the two plans. In particular, setbacks would apply for the first time on the Banks Peninsula to waterways in settlements and to smaller ephemeral streams and drains.
- 4. A 2011 monitoring report evaluating the effectiveness and efficiency of the Christchurch City Plan recommended that:
 - a. the setback provisions in relation to utility and environment asset waterways be reviewed for the purpose of reducing the number of resource consents approved on a non-notified basis;
 - b. the building consent exemptions to the City Plan rules be reviewed to determine whether the building consent process is achieving a similar outcome to that anticipated in the City Plan; and
 - c. the Plan is reviewed to create more explicit linkages between the policies and rules in order to ensure the implementation of the rules is achieving the anticipated outcomes.
- 5. The research for this monitoring report was undertaken before the earthquakes and the extensive flooding events in 2013-2014. These events have improved understanding of natural hazards risks in the District and have further highlighted the value of the water body setbacks in providing a buffer zone for natural waterway movement and additional flood storage capacity.
- 6. As the setbacks for most lakes and larger rivers are protected by esplanade reserves or parks, there is less pressure for development on those setbacks than there is for environmental asset and utility waterways, which in part explains the larger number of consents being triggered there.
- 7. The purpose of the setbacks is to deter inappropriate development adjacent to water bodies. The current setback distances and controls are consistent with what is provided for in other New Zealand District Plans and internationally (see Appendix 7.1). As such, it is not considered appropriate or necessary to introduce additional exemptions to the setback rules to reduce consents other than to provide some additional capacity for non-ground floor extensions in the setbacks.
- 8. The preferred approach is to clarify the objective and policy framework to provide clearer guidance and matters of discretion for the different categories of waterbodies and the environments through which they pass so that consent processes are simplified. The matters of discretion have also been targeted to the different classifications of water bodies to simplify the assessment process and reduce costs for applicants.
- 9. The proposed objectives and policies stress the need to take a catchment-based approach to protecting the flood storage capacity of water body margins. This is not generally consistent with introducing additional exemptions to reduce consents in the setbacks, even for smaller streams or drains, but is consistent with the Statement of Expectations which includes the need to set a clear direction on the use and development of land for the purpose of avoiding or mitigating natural hazards on an equal level with the need to reduce consents.

7.1.3 Strategic Planning Documents

- 1. Those strategic matters and provisions specifically given effect or had regard to in this section are summarised in the table below. These documents broadly identify

the resource management issues for the district and provide the higher level policy direction to resolve these issues.

2. The Strategic Directions Chapter also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the s 32 report for the Strategic Directions chapter. Those objectives and policies within the Strategic Directions Chapter that are relied on in this chapter are discussed in Section 7.3 (Evaluation of Objectives) below.

Table 1: Strategic Planning Documents

	Document	Relevant provisions	Relevant directions given effect/taken account of in the Water Body Setbacks section
a	Resource Management Act 1991 (RMA)	s6(a); s6(d); s6(e); s7(c); s7(d); s7(f); s7(h)	The RMA requires Council as a matter of national importance to provide for the preservation of the natural character of wetlands, lakes, rivers and their margins and to protect them from inappropriate use and development. Section 6 also requires Council to maintain and enhance public access to and along lakes and rivers and to provide for the relationship of Māori and their culture and traditions with water and other taonga. Council must also have regard to the maintenance and enhancement of amenity values, the intrinsic values of ecosystems and the protection of the habitat of trout and salmon.
b	National Policy Statement for Freshwater Management 2014 (NPSFM)	Objective A1; Objective A2; Objective B4; Objective C1; Objective D1; Policy D1; Appendix 1	The review must give effect to the NPSFM which sets out compulsory national values and bottom lines for freshwater including te hauora o te wai (the health and mauri of water). Additional national values include the protection of the natural form and character of waterways, mahinga kai values, wahi tapu, clean drinking water, and economic opportunities for people, businesses and industries.
c	New Zealand Coastal Policy	Policy 23	The review must give effect to the NZCPS which contains objectives and

	Statement 2010 (NZCPS)		policies relevant to the management of freshwater resources including the need to reduce contaminant and sediment loadings in stormwater at source by controls on land use activities.
d	Canterbury Regional Policy Statement 2013 (CRPS)	Objective 6.2.1(6); Objective 7.2.1; Objective 7.2.3; Objective 7.2.4; Policy 7.2.3; Policy 7.3.3; Policy 7.3.5; Policy 7.3.6; Policy 7.3.7; Policy 9.3.5; Objective 10.2.1; Objective 10.2.2; Objective 10.2.4; Policy 10.3.1; Policy 10.3.2; Policy 10.3.3; Policy 10.3.4; Policy 10.3.5.	The review must give effect to the CRPS. In order to give effect to the CRPS, the District Plan must include objectives and policies, and may include methods, to: <ul style="list-style-type: none"> a. control the effects of inappropriate use or development of land on the values of the riparian zones of rivers and lakes; b. control the use of land for the purpose of avoiding or mitigating flood hazard; c. control the effects of development in riparian zones for protecting indigenous biodiversity and preserving natural character
e	Land Use Recovery Plan (LURP)	Action 42	The review cannot be inconsistent with the Land Use Recovery Plan which includes an action for Christchurch City Council in its District Plan review to provide for protection of people from natural hazards including flooding, liquefaction and sea level rise.
g	Christchurch Central Recovery Plan (CCRP)		The review cannot be inconsistent with the Christchurch Central Recovery Plan. The CCRP does not include any specific provisions relating to water body setbacks. Aspirations include improved surface stormwater treatment particularly for the Avon River Precinct.
g	Natural Resources Regional Plan (NRRP)	Objective WQL1.1; Objective WQL1.2; Policy WQL6; Objective BLR1; Policy BLR1; Policy BLR2; Objective WTL1	The proposed objectives, policies and rules are not inconsistent with the objectives, policies or rules of the NRRP.
h	Proposed Land and Water	Objective 3.1; Objective 3.2;	The review must have regard to the pLWRP, as it covers matters for which

	Regional Plan (pLWRP) - effective 18 January 2014	Objective 3.7; Objective 3.8; Objective 3.14; Objective 3.17; Objective 3.18; Objective 3.19; Objective 3.22; Objective 3.24; Policy 4.81; Policy 4.82; Policy 4.84; Policy 4.85; Policy 4.86; Policy 4.89; Policy 4.91	Environment Canterbury has primary responsibility under the Resource Management Act. Relevant objectives and policies concern earthworks, structures and riparian planting in the beds of rivers and lakes.
i	Canterbury Water Management Strategy (CWMS) and Zone Implementation Programmes (ZIPs)	Banks Peninsula ZIP Recommendations 1.1, 1.2, 1.4, 1.8, 2.6, 2.11, 2.12, 4.13, 6.7, 8.2, 8.3, 8.7 Christchurch ZIP Recommendations RR2 2.1; SW2 2.1; SW4 4.1; SW4 4.3; SW5 5.1; EB1 1.1; EB4 4.1	<p>The Regional Policy Statement directs Council to have regard to the recommendations of the Canterbury Water Management Strategy. The Zone Implementation Programmes developed by the Banks Peninsula and Christchurch-West Melton Zone Committees include zone-specific recommendations for water management.</p> <p>The Banks Peninsula ZIP includes recommendations for:</p> <ul style="list-style-type: none"> a. restoration and maintenance of mauri in all waterways to be of the highest priority; b. catchment-based planning to be integrated into all planning documents; c. District Plan rules be reviewed to ensure support for biodiversity. <p>The Christchurch West Melton ZIP includes recommendations for:</p> <ul style="list-style-type: none"> a. reviewing the effectiveness of the current setback provisions; b. reviewing provisions to safeguard mahinga kai values; c. reducing stormwater impacts on surface water quality; d. ensuring plans manage activities that negatively impact on the ecological health of waterways; e. protecting and rehabilitating all remaining naturally occurring wetlands.

j	Christchurch City Council Surface Water Strategy 2009-2039	Objective 1.3; Objective 1.4; Objective 1.5; Objective 2.1; Objective 2.2; Objective 2.3; Objective 2.4; Objective 3.1; Objective 3.2; Objective 3.3; Objective 3.4; Objective 4.1; Objective 4.2; Objective 4.3; Objective 4.4; Objective 5.1; Objective 5.2; Objective 7.1; Objective 7.2	The review must have regard to the Surface Water Strategy which sets out Council's management goals for water bodies. The Surface Water Strategy includes a list of preferred surface water management mechanisms. In each area, riparian planting and buffer zones rank at or near the top as "most preferred" approaches.
k	Mahaanui Iwi Management Plan 2013	Objective 5.3.3; Objective 5.3.4; Objective 5.3.6; Objective 5.3.7; Objective 5.3.8; Policy WM4.1; Policy WM6.1; Policy WM6.2; Policy WM6.6; Policy WM6.15; Policy WM6.16; Policy WM6.17; Policy WM6.19; Policy WM6.22; Policy WM6.23; Policy WM12.1; Policy WM12.2; Policy WM12.3; Policy WM12.4; Policy WM12.5; Policy WM12.6; Policy WM12.8; Policy WM12.9; Policy WM12.14; Policy WM12.15; Policy WM12.16; Policy WM12.17; Policy WM13.1; Policy WM13.2; Policy WM13.3; Policy WM13.7;	<p>The review must take into account the Mahaanui Iwi Management Plan (IMP). A central concern of the IMP is the management of activities in the margins of lakes and rivers.</p> <p>The IMP focuses on maintaining and enhancing riparian margins, including through the control of land uses and activities, management of planting, and maintenance of access. It also includes objectives concerning the elimination of direct discharges of contaminants into water bodies including from stormwater runoff.</p> <p>In particular, the IMP seeks to have the following activities provided for as permitted activities:</p> <ol style="list-style-type: none"> Ngāi Tahu cultural use as an activity that occurs in riparian zones; protection and restoration of native riparian planting. <p>The IMP also includes policies that the District Plan consider:</p> <ol style="list-style-type: none"> the need to protect sites of cultural significance when considering public access to water bodies;

		Policy WM14.1	b. the need to protect and maintain Ngāi Tahu access to sites associated with wahi tapu, wahi taonga, mahinga kai and other cultural resources.
I	Te Rūnanga o Ngāi Tahu Freshwater Policy 1999	Objective 6.2; Objective 6.3	Te Rūnanga o Ngāi Tahu's Freshwater Policy identifies the need for a catchment management approach and encouragement of the restoration of riparian margins because of their pollutant abatement functions.
m D D	Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 – Statement of Expectations	Schedule 4(a); 4(b); 4(h)	The Statement of Expectations requires the replacement District Plan to: <ul style="list-style-type: none"> a. contain objectives and policies that clearly state the outcomes intended for the district; b. reduce reliance on resource consent processes, the number, extent and prescriptiveness of development controls and requirements for notification and written approval; and c. set a clear direction on the use and development of land for the purpose of avoiding or mitigating natural hazards.

D

Division of Statutory Responsibilities for the Management of Water Bodies

3. Sections 30 and 31 of the RMA establish the resource management functions of regional and local authorities. The control of water quality and quantity and the maintenance and enhancement of ecosystems in water bodies is largely a regional council function. The control of the effects of land-use activities on water bodies and the effects of activities on the surface of water are largely Christchurch City Council functions.
4. There is some overlap of responsibilities, particularly with respect to natural hazards, the maintenance of indigenous biodiversity and land uses that affect water quality.
5. The strategic direction for water management largely sits at the regional council level, as it relates to direct management of water quality and water quantity.

7.1.4 Independent Hearings Panel Decisions on Stage 1 Proposals

1. Decisions were released on 26 February 2015 on several Stage 1 proposals including the Strategic Directions proposal.

2. The decision on the Strategic Directions proposal revised a number of objectives and introduced Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district and Objective 3.3.2 Clarity of language and efficiency. All other plan objectives and policies are required to be expressed and achieved in a manner consistent with Objectives 3.3.1 and 3.3.2.
3. The proposed provisions achieve Objective 3.3.1 and 3.3.2 by sustaining the important qualities and values of the natural environment, by increasing natural hazard resilience and meeting the community's longer term needs for stormwater infrastructure by preserving the natural capacity of water body margins to serve this function rather than requiring expensive future engineered network upgrades.
4. While in the majority of cases, the proposed provision are likely to increase consenting requirements, proposed changes to the objectives and policies clarify the outcomes sought for the different types of water bodies in the District and simplify the consent process by more clearly linking assessment matters to those outcomes (e.g. removing public access and amenity and character assessment matters for utility waterways).
5. This approach is consistent with Strategic Directions objective 3.3.6 to avoid or mitigate the risks of natural hazards to people, property and infrastructure.
6. Objective 3.3.1 also directs that the important qualities and values of the natural environment be sustained. It is considered that more restrictive provisions for water body setbacks are required in order to achieve this.

7.1.5 Scale and Significance

1. Section 32(1)(c) of the Act requires that this evaluation report contains 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. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions and in making this assessment regard has been had to the following, namely whether the provision:
 - a. is of a regional or city-wide significance;
 - b. relate to matters that have been considered implicitly or explicitly by higher order documents;
 - c. is important to resolve an issue or problem particularly to protect life and property;
 - d. has a wide range of policy options or only variations of a theme;
 - e. the policy direction will radically change from current provisions;
 - f. will affect reasonable use of land;
 - g. adversely impact those most directly affected or those with particular interests including Māori;
 - h. limits options for future generations to remedy effects;
 - i. will directly assist in the District's recovery.
3. The level of evaluation able to be undertaken through this Section 32 has been influenced by the truncated process and the timeframe for the District Plan Review.

The Section 32 evaluation will continue to be updated in response to submissions from the community and stakeholders.

4. The District's land drainage network includes 79 kilometres of rivers, 160 kilometres of tributaries and 130 kilometres of utility drainage channels. Significant lengths of this network includes settled areas and, as a result, changes to the provisions for water body margins have the potential to affect a large number of people and properties.
5. The changes proposed are addressing significant issues for the District including flood hazard management and the ecological and cultural health of a large number of surface water bodies. While the primary methods for addressing hazard risk are outlined in the Natural Hazards chapter, the water body setbacks also play an important role in addressing flood and geotechnical risk.
6. Protecting the natural character of water body margins is identified as a matter of national significance in the RMA and is considered a matter of regional significance by Ngai Tahu.
7. The scale of the proposed changes is moderate. Most water bodies in the District already have setbacks controlling buildings and earthworks. New setbacks would apply to Banks Peninsula settlements and to lakes and ponds, although these are primarily in reserves where the setbacks would not be likely to have a significant impact on private property owners.
8. Changes to the sizes of the setbacks are minor and are generally a result of rationalising setback distances in the two legacy Plans. Changes to the activities controlled in the setbacks are moderate, removing several exemptions, making it more difficult to build in setbacks of Sites of Ecological Significance or Silent File areas and introducing new controls on fences and impervious surfacing. Flexibility is retained for achieving these controls, however.
9. Because of existing use rights, once inappropriate development is established in water body margins it is very difficult and expensive to either remove it or to provide engineered interventions that mitigate its effects.

7.2.0 RESOURCE MANAGEMENT ISSUES

- a. A number of resource management issues with respect to water body margins have emerged from a range of sources including issues that have arisen from:
 - i. ongoing internal discussions with the Resource Consents Unit, Greenspace, the Asset Management Waste & Water team, the Storm Water & Land Drainage Rebuild Unit, the Assets and Network Unit, the City Water and Waste Unit, the Stronger Christchurch Infrastructure Rebuild Team (SCIRT) and the Flood Task Force;
 - ii. discussions with key stakeholders including the Rūnanga Focus Working Group and the Collaborative Advisory Group including representatives from the Ministry for the Environment, the Department of Conservation, the Canterbury Earthquake Recovery Authority, Environment Canterbury,

- Waimakariri District Council, Selwyn District Council, the New Zealand Transport Agency and Mahaanui Kurataiao Ltd.;
- iii. the 2011 monitoring reports on the City Plan and Banks Peninsula District Plan;
 - iv. recommendations of the Canterbury Water Management Strategy Zone Implementation Programmes;
 - v. the administration of the operative District Plan.

7.2.1 Resource Management Issue 1: Managing risk from natural hazards in water body margins

WATER BODY MARGINS RESOURCE MANAGEMENT ISSUE 1
<p>1. SUMMARY OF ISSUE</p> <ul style="list-style-type: none"> a. The primary natural hazards risks in water body margins are flooding; liquefaction including lateral spread; and erosion. <p><i>Flooding</i></p> <ul style="list-style-type: none"> b. Much of the District is located on low-lying land with extensive settlement close to water bodies. As a result, many parts of Christchurch are vulnerable to flooding. The earthquakes increased flood risk in some parts of the city by changing the topography and damaging land drainage infrastructure. Predicted sea level rise will also increase this risk and reduce the capacity of the existing stormwater network. The Ministry for the Environment recommends local authorities expect a 0.5m sea level rise and plan for a 0.8m rise by 2100¹. c. Setbacks were introduced in the operative plans to protect the flood storage and carrying capacities of water bodies, reduce obstacles to land drainage, allow maintenance of water bodies (i.e. to remove blockages or trim vegetation) and to reduce the risk to property and life in flood events. d. Developments in the margins of water bodies can have a significant impact on the function and health of those water bodies both individually and cumulatively. When land is developed, the vegetation that intercepts and slows rainfall run-off is often removed. Grading flattens the terrain and fills in natural depressions that would normally provide temporary storage for rainfall and slow run-off. Large areas of filling, such as for building foundations, can have a significant impact on land drainage performance for the site and can transfer flood hazard to adjacent sites. e. The operative Plan rules do not control fences under 2m high in water body setbacks. As a result, many sites have built solid fences up to the edge of the water body. This causes a number of issues including transferring flood risk to other properties, poor amenity outcomes, difficulties and additional costs in maintaining water bodies and reduced visibility into waterway corridors. In ephemeral drains, this can lead to poor crime prevention through environmental design (CPTED) outcomes. f. Fences are also often built across waterways where they collect debris and can cause obstructions. There are also amenity and maintenance access issues caused by fences built across waterways. g. The operative plans control earthworks and buildings in setbacks, including decks, but do not control hardstand areas. As such, it is possible under the

¹ Ministry for the Environment *Coastal Hazards and Climate Change: a guidance manual for local government in New Zealand* (2008)

- current rules to pave the entire setback to provide vehicle access or carparking.
- h. Large areas of impervious surfaces can speed up the flow of stormwater into waterways and the opportunity for ground re-absorption is lost. Runoff from large areas of impervious surfacing, such as carparks, can also carry pollutants from motor vehicles into adjacent waterways.
 - i. Meeting the objectives for greenfield development in Chapter 6 of the Regional Policy Statement could potentially result in a significant increase in impervious areas driving a need for capacity upgrades in the stormwater system. The effect of ongoing property renovation such as additions and alternations, patios and paving, new driveways, etc. could create additional demands on stormwater infrastructure capacity outside of Greenfield developments and urban intensification areas.
 - j. The Council's current approach to stormwater management, set out in the Surface Water Strategy 2009-2039, emphasises multi-value approaches such as swales, detention and retention basins and naturalisation of waterways rather than piping. Water bodies and their margins provide for the treatment, processing, attenuation and removal of some contaminants from stormwater at little direct cost to the community compared with engineered interventions.
 - k. The Waterways and Wetlands Drainage Guide (Christchurch City Council 2003) contains guidance for developers on how stormwater should be managed and follows the principles similar to those of low impact urban design and development (LIUDD). The Guide encourages the use of stormwater mechanisms that support a number of values, such as constructed wetlands, which provide stormwater quality treatment, enhance local biodiversity and landscape values. However, these mechanisms require more land than mechanisms which support only one value.
 - l. There is also a need to enable the construction and maintenance of defences against water by appropriate authorities and to ensure that the effects of those defences are managed.
 - m. Retrofitting fully developed areas to improve stormwater management and land drainage is extremely costly, particularly where this requires land purchase to remove structures built too close to waterbodies. Long-term options to reduce flooding for Dudley Creek alone are estimated at \$50-\$53 million.

Earthquakes

- n. Many of the parts of Christchurch most severely damaged by the earthquakes were adjacent to water bodies. Liquefaction and lateral spread risk, land slumping and settlement are associated with the saturated soils in proximity to waterbodies.

Erosion

- o. Erosion is a natural process that can reduce the stability of water body banks, particularly where vegetation in the margins of water bodies has been cleared and roots no longer bind the soil.
- p. Setbacks also allow access to water bodies for maintenance including repair of channels and removal of debris, tree roots or other obstructions that could exacerbate flooding.

2. GENERAL DIRECTIONS

- a. The Canterbury Regional Policy Statement directs the Council to "set out

objectives and policies and may include methods in district plans to control the subdivision, use, development or protection of land outside of river and lake beds, for the purpose of avoiding or mitigating flood hazards”.

- b. Action 42 in the Land Use Recovery Plan directs Council through the District Plan Review to provide for the protection of people from risks including flood and liquefaction hazards.
- c. The Statement of Expectations requires Council to “set a clear direction on the use and development of land for the purpose of avoiding or mitigating natural hazards”.
- d. The Stage 1 Strategic Direction Chapter includes Objective 3.3.6: “new subdivision, use and development shall be avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and otherwise be undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated”.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The primary objectives, policies and methods for addressing natural hazard risk are contained in the Natural Hazards Chapter but the water body setbacks continue to play an important role in limiting inappropriate use or development in areas at risk of flooding.
- b. The proposed direction is to retain the setbacks but to remove several exemptions, including exemptions for proposals with building consent for foundations, and to introduce new controls on fencing and impervious surfacing in setbacks.

7.2.2 Resource Management Issue 2: Maintaining and enhancing biodiversity and ecosystems in water body margins

WATER BODY MARGINS RESOURCE MANAGEMENT ISSUE 2

1. SUMMARY OF ISSUE

- a. Inappropriate buildings, earthworks and vegetation clearance in water body margins can have a significant adverse effect on water quality and biodiversity.
- b. The surface water resources of Christchurch are internationally important ecological assets, characterised by high numbers of wetland bird species many occurring in nationally and internationally significant numbers. Habitat restoration efforts have resulted in significant gains in native bird species. Indigenous waterfowl such as the Paradise Duck and Scaup have returned to the City in large numbers since riparian plantings of native species have increased.
- c. Insect, fish and bird biodiversity have been under pressure from changing stormwater runoff patterns, excessive sediment inputs, invasive species and riparian management where bank maintenance affects river functioning.
- d. The current water body setbacks help to protect aquatic and riparian habitat by encouraging planting adjacent to water bodies and managing the velocity and adulteration of stormwater runoff. These habitats are important for water quality and for the survival of a number of indigenous plants and animals.
- e. Cumulative development pressures within the setback, particularly increasing amounts of buildings, impervious surfacing, and vegetation clearance can have significant impacts on ecological values in water bodies.
- f. Riparian vegetation is a significant factor in the health and function of stream

ecosystems. Vegetation reduces water temperatures and provides food, shade and nesting or breeding areas for a number of species. Elevated water temperatures from lack of shade and runoff from impervious surfaces are a major stressor for species in urban streams. Native New Zealand species have been found to be particularly sensitive to elevated water temperatures.

- g. Loss of shading riparian vegetation promotes the growth of nuisance aquatic plants, such as algae, that reduce oxygen levels necessary to sustain healthy and diverse aquatic communities.
- h. The setbacks encourage naturalisation of water body margins and the creation of ecological corridors. Stream functions are enhanced significantly by connectivity across the catchment. Many native aquatic species require access to the sea to complete their life cycles and significant modification of urban streams can disrupt fish passage.
- i. Stormwater runoff can affect the clarity of water, cause adverse effects on stream biota, create human health risks for contact recreation and cause proliferation of aquatic plants and algae². In a 2015 analysis of the water quality of Christchurch's waterways, many sites recorded contaminants outside guideline levels, particularly for nitrogen, copper, zinc, sediment, nitrogen, phosphorus and *Escherichia coli*³.
- j. The impact of stormwater runoff on the ecological health of waterways is proportional to the area of adjacent urban land use. The percentage of the catchment with impervious cover has been linked to stream health. Generally at 10% impervious cover, stream health begins to be impacted⁴ and at 25% is likely to be significantly degraded⁵.

2. GENERAL DIRECTIONS

- a. Section 6(a) of the Resource Management Act requires Council as a matter of national importance to preserve the natural character of lakes and rivers and their margins and to protect them from inappropriate subdivision use and development. These directions are carried through the Regional Policy Statement and the Stage 1 Strategic Directions Chapter.
- b. Policy 5.3.12 in the Regional Policy Statement directs Council to specify appropriate controls on rural land use including water body setbacks to manage effects on water quality.
- c. Objective 7.2.3 in the Regional Policy Statement directs that "the overall quality of freshwater in the region is maintained or improved". Objective 7.2.4 directs that freshwater be sustainably managed in an integrated way within and across catchments.
- d. The New Zealand Coastal Policy Statement includes a policy to reduce contaminant loads in stormwater at source through controls on land use activities.
- e. The Mahaanui Iwi Management Plan includes a number of objectives and policies related to enhancement of water quality including Policy WM12.4 that

² Margetts, B. (2014). Surface water quality monitoring report for Christchurch waterways: January – December 2014. Christchurch City Council, Christchurch.

³ Margetts, B. (2014). Surface water quality monitoring report for Christchurch waterways: January – December 2014. Christchurch City Council, Christchurch.

⁴ Stark, J. (2006) Review of the assessment and management framework of Auckland's urban streams. Prepared by Cawthron for Auckland Regional Council. Cawthron Report No. 1204. Auckland Regional Council Working Report WR119. 2006.

⁵ Collier, et al. (2009) Ecological values of Hamilton urban streams (North Island, New Zealand): constraints and opportunities for restoration. *New Zealand Journal of Ecology* 33(2): 177–189. 2009.

“all waterways in the urban and built environment must have indigenous vegetated healthy, functioning riparian margins” and Policy WM6.9
 “to require that local authorities work to eliminate existing discharges of contaminants to waterways, wetlands and springs in the takiwa, including treated sewage, stormwater and industrial waste, as a matter of priority.”

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. Having regard to the strategic policy direction, which is to maintain or enhance water quality through the management of land uses, the recommended policy approach is to:
 - i. retain water body setbacks at their current distances and extend the classification system to Banks Peninsula;
 - ii. add setbacks for lakes and ponds in reserves;
 - iii. increase the activity status for buildings or earthworks in setbacks for Sites of Ecological Significance from Restricted Discretionary to Discretionary;
 - iv. limit impervious surfacing in setbacks;
 - v. manage vegetation clearance in setbacks.

7.2.3 Resource Management Issue 3: Amenity and character

WATER BODY MARGINS RESOURCE MANAGEMENT ISSUE 3

1. SUMMARY OF ISSUE

- a. Christchurch’s many water bodies contribute to its Garden City character and are integral parts of many of its significant and outstanding natural landscapes. Christchurch and the Banks Peninsula include a number of iconic water bodies including the Avon and Heathcote Rivers and a number of significant lakes including Te Waihora / Lake Ellesmere and Te Wairewa / Lake Forsyth.
- b. Smaller streams and ponds contribute to the open, spacious and natural character of locations across the District.
- c. The amenity and character of water bodies and their margins provide a variety of economic benefits including tourism, commercial recreation and increased property values as well as intrinsic values.
- d. This amenity and character can be lost with excessive or inappropriate development. As a result, controls are needed to maintain and enhance the existing amenity and character of water body margins.

2. GENERAL DIRECTIONS

- a. Section 7(c) directs Council to have particular regard to the maintenance and enhancement of amenity values.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The proposed direction is to maintain the amenity and character values of water bodies through setbacks allowing space for riparian planting and through matters of discretion relating to most buildings and earthworks in setbacks that would evaluate their impact on any significant landscape features or areas of Outstanding, Very High or High Natural Character.

7.2.4 Resource Management Issue 4: Cultural values and practices

WATER BODY MARGINS RESOURCE MANAGEMENT ISSUE 5

1. SUMMARY OF ISSUE

- a. The surface water of Christchurch and Banks Peninsula is of primary importance to Ngāi Tahu, the tangata whenua of Christchurch. It is considered to be a taonga left by tūpuna to provide and sustain all life. The present generation, as tangata tiaki, has a responsibility to ensure this taonga is available to future generations in as good, if not better, quality than that in which it was inherited.
- b. Water remains of prime importance to the iwi. Puna on the plains and Banks Peninsula hold special significance to Ngāi Tahu. The occurrence and wellbeing of puna is a matter of particular significance to Ngāi Tahu. Continued access to, and the health of, mahinga kai is also highly important and enables Ngāi Tahu to participate in the practices of its tūpuna.
- c. A 2007 assessment⁶ of the cultural health of the Avon-Heathcote Estuary and its catchment rated the catchment as in a state of poor to very poor cultural health based on suitability for mahinga kai, physical and legal access, degree of water body modification and identification of valued and pest species.
- d. Threats to the cultural health of the waterbodies were identified as the impacts of untreated stormwater drainage, loss of native vegetation, decline of water quantity in the catchment and *E coli* contamination from human and agricultural sources.
- e. The report recommended:
 - i. all waterways including drains be treated with the same standards and managed to promote mahinga kai values;
 - ii. 20m buffer zones be established for waterways in the catchment;
 - iii. District Plan requirements for native riparian buffer zones and on-site stormwater treatment systems when any land adjacent to any waterway (including drains) is subdivided
- f. The Mahaanui Iwi Management Plan 2013 includes a policy to recognise that protection, establishment and enhancement of riparian areas along waterways and lakes is a matter of regional importance, and a priority for Ngāi Tahu.

2. GENERAL DIRECTIONS

- a. Section 6 of the RMA requires Council to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga and to protect customary rights. This is carried through in the Regional Policy Statement (Objective 10.2.4) and the Stage 1 Strategic Directions Chapter (Objective 3.3.3).

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The recommended policy approach is to:
 - a. retain the current water body setbacks;
 - b. introduce controls on impervious surfacing in setbacks;
 - c. require a Discretionary consent for buildings or earthworks in Silent File areas;
 - d. retain the operative Plan requirements to consult with tangata whenua upon receipt of applications for certain activities, particularly with respect to larger water bodies;
 - e. include Matters of Discretion relating to the impacts of proposals on cultural

⁶ Te Rūnanga o Ngāi Tahu, *State of the Takiwa - Te Āhuetanga o Te Ihutai: Cultural Health Assessment of the Avon-Heathcote Estuary and its Catchment*; 2007

values for proposals in the setbacks of larger water bodies.

7.2.5 Resource Management Issue 5: Public access

WATER BODY MARGINS RESOURCE MANAGEMENT ISSUE 6

1. SUMMARY OF ISSUE

- a. Public access to and along river and lake margins allows for the use and enjoyment of their amenity, landscape and recreational values and for customary use by tangata whenua.
- b. Public access is often provided by esplanade reserves, esplanade strips or access strips. Where land is in private ownership, access is through agreement with the landowner.
- c. The appropriateness and demand for public access to and along rivers and lakes varies depending on the location and the particular values associated with it. It may be more appropriate to provide access for water bodies of high landscape character but to restrict it for sensitive ecological sites.
- d. Providing for public access along some water bodies, particularly smaller rural water bodies, needs to be balanced against the needs of landowners to contain grazing stock or to provide privacy and residential amenity in developed urban areas.

2. GENERAL DIRECTIONS

- a. Section 6(d) of the RMA requires Council to maintain and enhance public access to and along lakes and rivers. This is carried through in the Regional Policy Statement (Objective 10.2.4).

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. The recommended policy approach is to retain water body setbacks at their current distances but to clarify in the assignment of Matters of Discretion which classifications and environments prioritise public access provision. For example, in the proposed rules development in the margins of rural drains would not be assessed against its effects on public access.

7.3.0 EVALUATION OF OBJECTIVES AND POLICIES

- a. Objectives and policies relevant to water body margins have also been introduced through the Strategic Directions; Natural Hazards; Natural and Cultural Heritage; Subdivision, Development and Earthworks and Open Space chapters. A list of relevant objectives and policies is provided as part of the assessment of Option 3 below.

7.3.1 EVALUATION OF PROPOSED OBJECTIVE 1

OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE RMA	
Objective 1	Summary of Evaluation
<p>Objective 1 Option 1 – Recognition of the multiple values associated with water body margins</p> <p><i>6.6.1.1 Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p><i>a. Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p>	<ol style="list-style-type: none"> Option 1 recognises the need to consider multiple values in assessing proposed activities adjacent to water bodies including hazard mitigation, ecology, landscape, recreation, heritage, culture and maintenance. The benefits of this objective are that it will discourage unnecessary development in the water body margins which will provide additional flood storage capacity, reduce impediments to land drainage and encourage riparian planting stabilising banks. This objective will reduce hazard risk by requiring buildings to be set further back from water bodies where the risk of flooding, erosion and liquefaction is generally not as great. The cost of this objective is that some sites may not be able to realise their development aspirations. Objectives in the LURP and RPS including increasing housing supply and intensifying existing residential areas. However, there is an adequate supply of land provided through other Plan mechanisms to achieve these goals without requiring additional or more intensified development in water body margins. Option 1 is the most appropriate way to achieve the purpose of the RMA because it recognises and provides for: <ol style="list-style-type: none"> the preservation of the natural character of lakes, rivers and their margins (s6(a)); the maintenance and

	<p>enhancement of public access (s6(d));</p> <p>c. the relationship of Māori to water resources (s6(e));</p> <p>d. the maintenance and enhancement of amenity values (s7(c));</p> <p>e. the intrinsic value of ecosystems (s7(d));</p> <p>f. the protection of the habitat of trout and salmon (s7(h))</p> <p>5. It also recognises and provides for:</p> <p>a. objectives and policies in the Canterbury Regional Policy Statement including:</p> <p>i. Objective 7.2.1 Sustainable management of fresh water</p> <p>ii. Objective 7.2.3 Protection of intrinsic value of waterbodies and their riparian zones</p> <p>iii. Policy 7.3.3 Enhancing fresh water environments and biodiversity</p> <p>iv. Objective 10.2.2 Maintenance of the flood-carrying capacity of rivers</p> <p>v. Objective 10.2.4 Public and Ngāi Tahu access to and along rivers and lakes</p>
<p>Objective 1 Option 2 – Status Quo</p> <p><i>Operative City Plan Objective 2.2 Water</i></p> <p><i>Maintenance and enhancement of the quality and availability of the City's water resources, and of the natural and cultural values and public accessibility of waterways and their margins.</i></p> <p><i>Operative City Plan Objective 2.5 Natural hazards</i></p> <p><i>To avoid or mitigate the actual or potential effects of loss or damage to life, property, or other parts of the environment from natural hazards.</i></p> <p><i>Operative City Plan Objective 5.1 Māori and</i></p>	<p>1. The operative City and Banks Peninsula Plans include a number of objectives and policies relating to water bodies. These include the need to maintain, enhance and protect water quality, the natural character of waterways, cultural values and public access and to avoid or mitigate natural hazards.</p> <p>2. Option 1 is a more appropriate way to achieve the purpose of the Act, however, because it pulls together the most significant values associated with water bodies and give additional weight to amenity and character and to the need for maintenance access.</p>

<p><i>their resources</i></p> <p><i>To recognise the importance of, and provide for, the relationship of Māori, their culture and traditions with ancestral lands, waters, sites, waahi tapu and other taonga.</i></p> <p><i>Operative City Plan Objective 10.2 Protection of natural features and archaeological sites</i></p> <p><i>That significant natural features and archaeological sites be recognised and protected at the time of considering applications for, and through the process of, land subdivision and/or land use development, recognising likely subsequent land use practices.</i></p> <p><i>Operative City Plan Objective 13.2 Water resources</i></p> <p><i>Management of land use activities to protect the quality and availability of both surface and ground water in the rural area of the City.</i></p> <p><i>Operative Banks Peninsula District Plan Objective 10.1</i></p> <p><i>To assist in the protection of the availability of water and in the preservation and enhancement of water quality of surrounding coastal waters and the underground and surface fresh water of the District.</i></p> <p><i>Operative Banks Peninsula District Plan Objective 17.1</i></p> <p><i>To protect and enhance the natural and cultural values of the lakes and their shores and associated wetlands.</i></p> <p><i>Operative Banks Peninsula District Plan Objective 19.2</i></p> <p><i>To identify, protect and enhance significant indigenous vegetation and significant habitats of indigenous fauna, wetlands and ecosystems; and encourage the retention and enhancement of indigenous vegetation and habitats of indigenous fauna.</i></p> <p><i>Operative Banks Peninsula District Plan</i></p>	<p>3. Option 1 better supports a catchment-wide approach that includes provisions for smaller streams and drains.</p> <p>4. Option 2 also only considers amenity impacts on water bodies in general terms (i.e. “achieving a pleasant and attractive city”) or to protect significant natural features at subdivision.</p>
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<p><i>Objective 19.4</i> <i>To maintain and enhance the quality and quantity of natural water bodies and potable water sources and protect their natural character.</i></p> <p><i>Operative Banks Peninsula District Plan</i> <i>Objective 38.1</i> <i>To avoid or mitigate the costs resulting from natural hazards in terms of loss of life and loss or damage to property and the environment.</i></p>	
<p>Objective 1 Option 3 – No specific District Plan objectives for Water Body Margins. Rely on Strategic Directions and objectives and policies from other chapters.</p> <p><i>Stage 1 Strategic Directions</i></p> <p><i>Objective 3.3.3 – Ngāi Tahu Manawhenua</i> <i>A strong and enduring relationship between the Council and Ngāi Tahu Manawhenua in the recovery and future development of Otautahi (Christchurch City) and the greater Christchurch District, so that:</i></p> <p><i>d. Ngāi Tahu Manawhenua’s historic and contemporary connections, and cultural and spiritual values, associated with the land, water and other taonga of the district are recognised and provided for; and</i></p> <p><i>e. Ngāi Tahu Manawhenua can retain, and where appropriate enhance, access to sites of cultural significance;</i></p> <p><i>f. Ngāi Tahu Manawhenua are able to exercise kaitiakitanga.</i></p> <p><i>Objective 3.6.6 – Natural hazards</i></p> <p><i>a. New subdivision, use and development shall:</i></p> <p><i>(i) be avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and</i></p> <p><i>(ii) be otherwise undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated</i></p> <p><i>Objective 3.3.9 – Natural and cultural</i></p>	<ol style="list-style-type: none"> 1. Option 3 is a less appropriate way to achieve the purpose of the RMA because Option 1 looks more holistically at the multiple values associated with water body margins. 2. Option 1 also considers the catchment-wide impacts of activities in water body margins, including streams, ponds and drains compared with Objective 3.6.4(a)(ii)(B) which is primarily concerned with protecting the natural character of larger water bodies. 3. A number of other chapters include objectives and policies relating to water body margins but they are generally either issue or activity specific (e.g. Natural Hazards, Earthworks) or apply only within certain zones (e.g. Open Space). 4. Having a single objective for water body margins reduces the need for repetition of these values in other chapters.

<p><i>environment</i></p> <p><i>A natural and cultural environment where:</i></p> <p><i>(a) People have access to a high quality network of public open space and recreation opportunities, including areas of natural character and natural landscape; and</i></p> <p><i>(b) Important natural resources are identified and their specifically recognised values are appropriately managed, including:</i></p> <p><i>(ii) the natural character of the coastal environment, wetlands, lakes and rivers, springs/puna, lagoons/hapua and their margins; and</i></p> <p><i>(iii) indigenous ecosystems, particularly those supporting significant indigenous vegetation and significant habitats supporting indigenous fauna, and/or supporting Ngāi Tahu Manawhenua cultural and spiritual values;</i></p> <p><i>(iv) the mauri and life-supporting capacity of ecosystems and resources; and</i></p> <p><u><i>Objectives and policies from other chapters relevant to water body margins:</i></u></p> <p>Natural Hazards Objective 5.1.1– Reduced risk</p> <p>Natural Hazards Policy 5.2.1 – Avoid development where there is unacceptable or intolerable risk</p> <p>Natural Hazards Policy 5.2.3 – Restrict land use to avoid or mitigate hazards</p> <p>Natural Hazards Policy 5.2.4 – Precautionary approach</p> <p>Natural Hazards Policy 5.2.5 – Worsening, adding or transferring hazard</p> <p>Natural Hazards Policy 5.2.6 – Natural features providing hazard resilience</p> <p>Natural Hazards Policy 5.3.1 – High flood hazards</p> <p>Natural Hazards Policy 5.3.3– Protection of flood storage and overflow areas</p> <p>Natural Hazards Policy 5.4.1 – Geotechnical risk including liquefaction susceptibility</p> <p>Natural Hazards Policy 5.4.2 – Management of geotechnical risks on flat land</p> <p>Natural Hazards Policy 5.7 – Multiple natural hazard areas</p> <p>Natural and Cultural Heritage Objective 9.1.1 – Biodiversity and ecosystems</p> <p>Natural and Cultural Heritage Policy 9.1.1.1 –</p>	
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<p>Ecological significance and biodiversity</p> <p>Natural and Cultural Heritage Policy 9.1.1.2 – Land management</p> <p>Natural and Cultural Heritage Policy 9.1.1.3 – Cultural heritage and customary rights</p> <p>Natural and Cultural Heritage Policy 9.1.1.5 - Offsetting</p> <p>Natural and Cultural Heritage Policy 9.2.2.1 – Outstanding Natural Landscapes and Significant Landscapes of Banks Peninsula and the Port Hills</p> <p>Natural and Cultural Heritage Policy 9.2.2.3 – Outstanding Natural Features – Kaitorete Spit and Te Waihora/Lake Ellesmere</p> <p>Open Space Objective 18.1.2 – Natural open space, water bodies and their margins</p> <p>Open Space Policy 18.1.4 – The role of open space and recreation facilities</p> <p>Open Space Policy 18.1.7 – Water bodies and their margins</p> <p>Subdivision, Development and Earthworks Objective 8.5.1 – Protecting the environment from earthworks</p> <p>Subdivision, Development and Earthworks Policy 8.5.1.5 – Water quality</p>	
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7.4.0 EVALUATION OF PROPOSED RULES AND METHODS

- a. Section 32 (1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

7.4.1 Recognising different environments for water bodies

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p>6.6.1.1 <i>Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p>a. <i>Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p> <p>6.6.1.1.1 <i>Policy – Naturalisation of water body margins</i></p> <p>a. <i>Take a catchment-wide approach to protecting and enhancing the natural form, function and ecology of water body margins to improve water quality, flood control, biodiversity, bank stability and amenity values, while:</i></p> <ol style="list-style-type: none"> i <i>in City and Settlement areas, recognising provisions for ecological corridors and public access may not be fully achievable for some classifications of water body because of historic development patterns or adjoining land uses.</i> ii <i>in Rural areas, providing for rural activities that will not adversely affect water bodies and recognising that protecting or improving water quality is a priority matter.</i> iii <i>in Natural areas, minimising development in water body setbacks.</i> 	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Different policies and rules for city, rural and natural environments</p> <p>Methods: See Appendix 7.2 for a summary of the rules as they differ between the city and settlement, rural and natural environments</p>	<p>1. Effectiveness</p> <ol style="list-style-type: none"> a. Having different rules for water bodies in different environments allows rules to be better tailored to the outcomes anticipated for that environment. For example, in many urban environments extensive fencing of water bodies can exacerbate flood risk, create CPTED issues and poor amenity outcomes whereas in rural environments, fences are needed to exclude stock from water bodies and improve water quality. Therefore the approach to controls on fencing needs to consider the priority of outcomes for that

	<p>environment (reduced flood risk and damage in the city and improving water quality in rural environments).</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Larger setbacks can be provided in environments where historic development or other land uses do not constrain them. ii. More protection can be provided in natural areas than would be feasible to provide district-wide. <p><i>Economic</i></p> <ul style="list-style-type: none"> iii. Matters of Discretion can be tailored to the environment reducing costs for applicants and plan administrators (see 7.4.2 below) iv. Costs of obtaining resource consents for fences that are suitable and appropriate in particular areas (i.e. rural environments) are reduced. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> v. Provisions for the different environments can be tailored to reflect the community's aspirations for that environment and the typical activities that occur there. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Concedes that not all environments will be able to prioritise ecological or landscape values for all water body types. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Rule structure is slightly more complex as applicants need to find their zone and then the type of water body to determine the setback size and rules but this was true to some extent under the operative Plans which had different rules applying in the City and Banks Peninsula. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iii. Concedes that not all environments will be able to prioritise public access for all water body types.
Options less or not as appropriate to achieve the Objectives and Policies	
<p>2. Option 2 – Status quo</p> <p>Different rules for city, rural and natural environments but no objective or policy level explanation of the</p>	<p>Appropriateness</p> <ul style="list-style-type: none"> 1. Option 2 is a less effective and efficient way to achieve the objective because it would complicate plan administration by not supporting the justification for different setback widths or other differences between the rules in the city

outcomes anticipated for each environment.	and rural environments.
3. Option 3 – Same provisions apply to all water bodies district-wide Simplify the plan by applying the same setbacks and rules to water bodies across the District	Appropriateness 1. Option 3 would be less effective because it would require either significantly increasing urban setbacks and imposing additional costs on landowners that would be difficult to justify or significantly decreasing rural and natural area setbacks to an extent that would not support the flood management, ecological and amenity outcomes sought by the objectives and policies.
Risk of Acting or Not Acting	
1. There is sufficient information about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)).	

7.4.2 Recognising different functions of the setbacks for different classifications of water bodies and managing activities in a way that is consistent with those functions

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p>6.6.1.1 <i>Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p>a. <i>Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p> <p><u>Canterbury Regional Policy Statement</u></p> <p><i>Policy 7.3.1 – Adverse effects of activities on the natural character of fresh water</i> <i>To identify the natural character values of fresh water bodies and their margins in the region and to:</i> <i>(1) preserve natural character values where there is a high state of natural character;</i> <i>(2) maintain natural character values where they are modified but highly valued; and</i> <i>(3) improve natural character values where they have been degraded to unacceptable levels.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Policy level explanation of the classification system for water bodies</p> <p>6.6.1.1.2 <i>Policy 2 –Setbacks from water bodies</i></p> <p>a. <i>Avoid, remedy or mitigate adverse effects of activities on water bodies and their margins within setbacks consistent with the classification of water body.</i></p> <p>Table explaining the function of the setback for each classification of water body</p> <p>Appendix explaining the criteria for the different water body classifications.</p> <p>Methods:</p> <p>a. Assessment matters for the activities are based on the functions of the setback for that water body type</p> <p>and</p> <p>6.6.1.1.3 <i>Policy 3 - Management of activities in water body setbacks</i></p> <p>a. <i>Where buildings, earthworks or other activities</i></p>	<p>1. Effectiveness</p> <p>a. Option 1 allows for a clear articulation of the purpose of the water body setback for each classification of water body, provides justification for the setback widths and informs the selection of Matters of Discretion that apply to each activity for each type of water body (see Appendix 7.2).</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <p>i. Matters of discretion can be more directive because they are targeted at specific types of water bodies where the relevant issues are of most concern.</p> <p>ii. Developments with the potential to disturb sensitive ecological, heritage or landscape areas are appropriately assessed.</p> <p><i>Economic</i></p> <p>iii. Improved efficiency of plan administration and decreased costs for applicants where the outcomes anticipated for each type of water body</p>

<p><i>are permitted within a water body setback, manage the activity so that:</i></p> <ul style="list-style-type: none"> <i>i any cultural significance of the water body to tangata whenua is appropriately recognised and provided for.</i> <i>ii water quality, biodiversity, and mahinga kai values are maintained or enhanced;</i> <i>iii connectivity between land, natural freshwater systems and the coast are retained or enhanced;</i> <i>iv the stability of water body banks and adjacent land is maintained and sedimentation and erosion minimised;</i> <i>v maintenance access is enabled;</i> <i>vi the ability of water body margins, channels, or ponding areas to store and/or convey surface water safely and efficiently is not impeded;</i> <i>vii flood events are not exacerbated;</i> <i>viii adverse effects are not transferred to another site;</i> <i>ix amenity and landscape values, including riparian planting, are retained or enhanced;</i> <i>x activities do not disturb or visually detract from:</i> <ul style="list-style-type: none"> <i>A. Sites of Ecological Significance;</i> <i>B. Outstanding Natural Features and Landscapes;</i> <i>C. Significant Features and Landscapes;</i> <i>D. Areas of Outstanding, Very High or High Natural Character;</i> <i>E. Important Ridgelines;</i> <i>F. Heritage Items or Settings;</i> <i>G. Significant Trees or Groups of Trees;</i> <i>H. Silent File areas;</i> <i>I. significant indigenous vegetation;</i> <i>xi provision is made for public access appropriate to the classification and location of the water body and having regard to:</i> <ul style="list-style-type: none"> <i>A. the relationship of tangata whenua with their ancestral lands, water and sites;</i> <i>B. protection of Sites of Ecological Significance;</i> <i>C. residential amenity;</i> <i>D. Outstanding Natural Features and Landscapes;</i> <i>E. bank and land stability;</i> <i>F. public safety;</i> <i>G. the operational or security requirements of infrastructure, including Lyttelton</i> 	<p>are more clearly articulated and assessment matters are targeted to those outcomes.</p> <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iv. NIL <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Network waterways are no longer assessed against amenity and character. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. NIL <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iii. Network waterways are no longer assessed against public access or cultural values (unless they are in a Silent File Area). iv. Consideration of public access in rural and city and settlement environments is generally confined to lakes and rivers.
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<i>Port.</i>	
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>No objective or policy level support for the classification of water bodies</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. The operative Plan includes some brief descriptions of the types of waterways in the Reasons for the Rules but the justification for the different setback widths for the different water bodies is in the technical report that informed their development (see attached Appendix 7.6). 2. The s35 monitoring report highlighted the need for better integration of the objectives and policies with the rules. Discussions with Council officers suggested that the Plan did not clearly define the purpose or criteria for the different water body classifications and that this would be useful in the administration and interpretation of the Plan. 3. Currently the same 20 assessment matters apply to every application that triggers a consent. It would be more efficient for both applicants and plan administrators to target the assessment matters to the justification for the setback for the specific type of water body in the specific environment.
<p>3. Option 3 – All values are considered for all water bodies</p> <p>Consent applications for all water bodies are assessed for their effect on natural hazards, natural values, amenity and character, cultural values, maintenance access and public access</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. This would be a more effective way to achieve the objective because it would allow for the consideration of all values for all water bodies, including drains.. 2. However, it would be less efficient than Option 1 because it would require consideration of a large number of assessment matters in situations where they are not always appropriate or not consistent with zone objectives (e.g. assessing provision of public access and impacts on amenity and character for an open drain in an Industrial zone).
Risk of Acting or Not Acting	
<ol style="list-style-type: none"> 1. There is sufficient information about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)). 	

7.4.3 Setback distances

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p>6.6.1.1 <i>Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p>a. <i>Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p> <p>6.6.1.1.2 <i>Policy 2 –Setbacks from water bodies</i></p> <p>a. <i>Avoid, remedy or mitigate adverse effects of activities on water bodies and their margins within setbacks consistent with the classification of water body.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Rationalise setback distances for Christchurch and Banks Peninsula</p> <p>Methods:</p> <ul style="list-style-type: none"> a. Extend City Plan water body classification system to Banks Peninsula b. Generally retain current Banks Peninsula setback distances where these differ from City Plan distances and apply the Banks Peninsula distances to Rural zones in the City c. Add new setbacks for lakes and ponds in the City where these are in public ownership (i.e. in reserves) <p>Note: Method a. will result in setbacks applying for the first time to non-rural or conservation zones in Banks Peninsula</p>	<p>1. Effectiveness</p> <ul style="list-style-type: none"> a. Option 1 extends the City Plan classification system, which was developed based on an assessment of the requirements for the multiple values in water body margins including land drainage, ecology, landscape, and maintenance. See Appendix 7.6 for the technical report used to develop the classification system and distances for the City Plan waterway setbacks. b. The operative Banks Peninsula water body setbacks are more piecemeal and zone-dependant. They generally do not apply to settlements or to smaller waterways. c. Option 1 would provide a more comprehensive, consistent and catchment-wide approach to managing activities in water body margins. For example, the City Plan currently requires a 30m setback for downstream rivers, such as at the tidal reaches of the Avon and Heathcote Rivers. A similar river on Banks Peninsula would only have a 20m setback if the operative Plan setback distances were retained even though potentially fewer development pressures would mean there was space to provide for larger setbacks. <p>2. Efficiency</p> <ul style="list-style-type: none"> a. Benefits <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Takes a more integrated and catchment-wide approach to water body margins in Banks Peninsula. Previously setbacks were only provided in some zones and for some types of water bodies. ii. Existing natural lakes and ponds in the City will have setbacks for the first time. Formerly only Banks Peninsula lakes and newly constructed ponds in the City had setbacks. iii. Particularly in Rural zones, some waterways will have larger

	<p>setbacks (downstream rivers in Banks Peninsula; environmental asset waterways in Rural zoned areas formerly in the City Plan area).</p> <p><i>Economic</i></p> <ul style="list-style-type: none"> iv. Plan is simpler and easier to administer. v. Potentially decreased risk of flood damage in settled areas in Banks Peninsula. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> vi. Improved provision for public access to rivers in settled areas of Banks Peninsula. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Some setbacks would be smaller (environmental asset waterways in former Recreation Reserve Zones; network waterways in former Conservation Reserve Zones). <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Properties affected by new or larger setbacks would now require a consent to build or undertake earthworks in those setbacks. In some cases, they would need consent for earthworks from both the City and Regional Councils. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iii. NIL
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Retain current setback distances. Do not introduce new setbacks.</p>	<p>Appropriateness</p> <ul style="list-style-type: none"> 1. Option 2 would be a less appropriate way to achieve the objectives and policies because it would create an inconsistent approach to setback distances and would not provide for assessment of proposals for buildings or earthworks in the margins of waterways in settled parts of the Banks Peninsula or for smaller Banks Peninsula streams or drains. 2. Setbacks on Banks Peninsula also generally only apply to permanent, natural surface water bodies, not to constructed drains or ponds. 3. If the current distances were retained, lakes in Banks Peninsula would have a 20m setback but rural area lakes in the former City Plan would not have a setback. 4. In the operative Plan, any newly created pond is deemed to be an environmental asset waterway requiring a 7m setback, whereas no setback is specified for existing lakes and ponds. This creates a situation where older natural lakes and ponds in the City have no setback while newly constructed ponds have a 7m setback. For this reason, lakes and environmental asset ponds in reserves have been added to the maps and are proposed to have setbacks in city and settlement areas. 5. The operative City Plan also includes a setback for “utility

	waterways to be piped". These have been dropped from the proposed provisions because these waterways have all now been piped.
3. Option 3 – Rely on Regional Council setbacks Drop District Council setbacks and rely on Regional Council setbacks	Appropriateness 1. Dropping all District Plan water body setbacks and relying on Regional Plan setbacks would not be effective in achieving the objective because the Regional Plan setbacks do not apply to buildings in setbacks or provide setbacks for artificial waterways. The Regional Plan rules focus on water quality and quantity, in-stream ecological values and the carrying capacity of the waterway during flood events. They do not consider the effects of flooding on land, Sites of Ecological Significance identified in the District Plan apart from spawning sites, terrestrial ecological values or amenity values. 2. Therefore, Option 3 would not control inappropriate use and development in water body margins to the extent that Option 1 would. 3. See discussion of specific activities below for further consideration of reliance on Regional Consents alone for those activities.
Risk of Acting or Not Acting	
1. There is currently insufficient information about the number of properties that would be affected by adjustments to the setback distances or the creation of new setbacks, the extent of the effect for those properties or the appropriateness of the setback distance at a site-specific level. 2. The risk of acting is that some properties would require consent for buildings or earthworks in water body setbacks larger than what might be applied by a more granular assessment of the flood risk, ecological values, etc. for that site. 3. The risk of not acting is that development or earthworks could be allowed in the setback area that would: <ul style="list-style-type: none"> a. be at risk of or exacerbate flooding or other natural hazards; b. disrupt ecological, cultural or heritage values; c. impede future public access. 	

7.4.4 Appropriate activity status for buildings and earthworks in setbacks

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES
<p>Relevant objectives and policies:</p> <p>6.6.1.1 <i>Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p>b. <i>Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p> <p>6.6.1.1.3 <i>Policy 3 - Management of activities in water body setbacks</i></p> <p>a. <i>Where buildings, earthworks or other activities are permitted within a water body setback, manage the activity so that:</i></p> <ul style="list-style-type: none"> i <i>any cultural significance of the water body to tangata whenua is appropriately recognised and provided for.</i> ii <i>water quality, biodiversity, and mahinga kai values are maintained or enhanced;</i> iii <i>connectivity between land, natural freshwater systems and the coast are retained or enhanced;</i> iv <i>the stability of water body banks and adjacent land is maintained and sedimentation and erosion minimised;</i> v <i>maintenance access is enabled;</i> vi <i>the ability of water body margins, channels, or ponding areas to store and/or convey surface water safely and efficiently is not impeded;</i> vii <i>flood events are not exacerbated;</i> viii <i>adverse effects are not transferred to another site;</i> ix <i>amenity and landscape values, including riparian planting, are retained or enhanced;</i> x <i>activities do not disturb or visually detract from:</i> <ul style="list-style-type: none"> A. <i>Sites of Ecological Significance;</i> B. <i>Outstanding Natural Features and Landscapes;</i> C. <i>Significant Features and Landscapes;</i> D. <i>Areas of Outstanding, Very High or High Natural Character;</i> E. <i>Important Ridgelines;</i> F. <i>Heritage Items or Settings;</i> G. <i>Significant Trees or Groups of Trees;</i> H. <i>Silent File areas;</i> I. <i>significant indigenous vegetation;</i> xi <i>provision is made for public access appropriate to the classification and location of the water body and having regard to:</i> <ul style="list-style-type: none"> A. <i>the relationship of tangata whenua with their ancestral lands, water and sites;</i> B. <i>protection of Sites of Ecological Significance;</i> C. <i>residential amenity;</i> D. <i>Outstanding Natural Features and Landscapes;</i> E. <i>bank and land stability;</i> F. <i>public safety;</i> G. <i>the operational or security requirements of infrastructure, including Lyttelton Port.</i>
Canterbury Regional Policy Statement

Policy 7.3.1 – Adverse effects of activities on the natural character of fresh water

*To identify the natural character values of fresh water bodies and their margins in the region and to:
(1) preserve natural character values where there is a high state of natural character;*

Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 –Sensitive environments have a more restrictive activity status</p> <p>Retain current Restricted Discretionary activity status for earthworks and buildings within water body margins but require a Discretionary consent for activities in Sites of Ecological Significance and Silent File areas.</p>	<p>1. Effectiveness</p> <ul style="list-style-type: none"> a. For the majority of sites in water body setbacks the adverse effects of limited and appropriate use or development can generally be remedied or mitigated through site-specific assessment and negotiation at the time of application for consent. b. For sites with identified sensitivities, including Sites of Ecological Significance and Silent File areas, it would be more appropriate to signal through the activity status that unnecessary use and development in the setbacks should generally be avoided or approached with caution. c. A discretionary activity status for these areas would be a more effective way to protect them and is more consistent with statutory directions including Policy 7.3.3 in the Regional Policy Statement to “identify and protect areas of significant indigenous vegetation and significant habitats, sites of significant cultural value, wetlands, lakes and lagoons/hapua and other outstanding water bodies” and Policy 7.3.1 to “preserve natural character values where there is a high state of natural character”. <p>2. Efficiency</p> <ul style="list-style-type: none"> a. Benefits <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Buildings and earthworks in water body margins are further discouraged in more sensitive environments including spawning sites and areas of significant indigenous vegetation. ii. A broader range of matters can be used in assessing effects of development or earthworks on sensitive ecological sites. <p><i>Economic</i></p> <ul style="list-style-type: none"> iii. Potentially fewer applications received and needing assessment if the activity status discourages applications for these areas.

	<p><i>Social/Cultural</i></p> <p>iv. Inappropriate use and development in Silent File areas is further discouraged and additional protection given to sensitive cultural sites in water body margins including potential burial or archaeological sites.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. NIL</p> <p><i>Economic</i></p> <p>ii. May constrain development options in water body setbacks in these areas.</p> <p>iii. Potentially additional consenting costs for applicants as discretionary activity status allows for assessment of a broader range of matters.</p> <p>iv. Reliance on Silent File areas may require some applications for consents on sites that are not the primary focus of concern</p> <p><i>Social/Cultural</i></p> <p>v. NIL</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Restricted discretionary as the default activity status for buildings or earthworks in water body setbacks</p>	<p>Appropriateness</p> <p>1. Option 2 would be a less appropriate way to achieve the objectives because it would not recognise the additional degree of sensitivity for certain sites.</p> <p>2. Option 2 would also not be consistent with the activity status of buildings in Sites of Ecological Significance in the remainder of the District which is proposed by the Natural and Cultural Heritage chapter to be Discretionary.</p>
<p>3. Option 3 – More permitted activities to reduce consents</p> <p>Additional exemptions or permitted activities to reduce the number of consents triggered by the operative Plan rules.</p>	<p>Appropriateness</p> <p>1. Adding additional exemptions or permitted activities is considered to be a less appropriate way to achieve the objectives and policies because, as a general rules, the purpose of the provisions is to act as a deterrent to unnecessary development in the setbacks and to provide for the appropriate assessment of effects where development is necessary.</p> <p>2. A 2011 monitoring report evaluating the effectiveness and efficiency of the Christchurch City Plan recommended that the setback provisions in relation to utility and environment asset waterways</p>

	<p>be reviewed for the purpose of reducing the number of resource consents approved on a non-notified basis.</p> <ol style="list-style-type: none"> 3. Consent records for the past 10 years found 1159 consents triggered by the City Plan waterway setback provisions some of which are multiple breaches in the same application. 1074 of those (93%) were granted non-notified. The majority of these were in the L1 zone and were triggered by environmental asset waterway setbacks (112), utility waterway setbacks (68) and upstream/downstream river setbacks (128). 4. Review of a selection of these consents and workshops with Council staff found that in the majority of cases, the consent process was adding value in that proposals were modified either at the pre-application or application stage to improve outcomes for the site. Because the issues relating to water body setbacks depend on a large number of site-specific variables and values, it is difficult to write an effective permitted standard or exemption for buildings or earthworks in setbacks. 5. One exception is that under the operative Plan rules, larger non-ground floor extensions require consent. 6. A review of consents triggered by the existing provisions identified several applications for non-ground floor extensions or alterations in the setbacks which required consent. Alterations of this type that do not impact land drainage or the flood storage capacity of the setback are not considered to require control although very large extensions could reduce amenity for neighbours by blocking views of the water body. 7. The proposed provisions address the number of consents granted on a non-notified basis by clarifying the objectives and policies for the setbacks and providing a stronger framework for declining consent applications for inappropriate use or development.
<p>4. Option 4 – More restrictive default activity status</p> <p>Default of discretionary or non-complying activity status for buildings or earthworks in water body margins</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. A number of strategic policy documents include directions for development in water body margins that would suggest consideration of the appropriateness of a default discretionary or non-complying activity status. 2. For example, section 6(a) of the Resource Management Act directs Council to “preserve the natural character of river and lakes beds and their margins and protect them from inappropriate

	<p>subdivision, use and development”.</p> <ol style="list-style-type: none"> 3. Policy 10.3.1 of the Regional Policy Statement requires Council “to provide for activities in river and lake beds and their riparian zones... ensuring that significant bed and riparian zone values are maintained and enhanced and avoiding significant adverse effects on the values of those beds and their riparian zones, unless they are necessary for the maintenance, operation, upgrade, and repair of essential structures, or for the prevention of losses from floods, in which case significant adverse effects should be mitigated or remedied.” 4. The District Plan addresses these directions through several mechanisms including esplanade reserves and strips, provisions in the Open Space Water and Margins Zone and setback requirements. 5. Feedback from plan administrators has been that the restricted discretionary activity status and proposed Matters of Discretion give sufficient scope to assess the appropriateness of buildings and earthworks for the majority of applications. In more sensitive areas, a Discretionary activity status would be more appropriate, as proposed by Option
<p>5. Option 5 – More restrictive activity status for higher geotechnical risk areas</p> <p>Discretionary activity status in Liquefaction Assessment Area 1 where, based on a high level assessment of soil composition, risk for liquefaction in a future earthquake is considered to be higher</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. The earthquakes have demonstrated the vulnerability of certain soil types commonly found near water bodies to liquefaction and associated lateral spread or slumping. 2. Consideration was therefore given to the appropriateness of a more restrictive activity status for water body setbacks in areas identified as being at higher risk of liquefaction in future earthquakes. 3. The advice received was that the earthquakes had also demonstrated which parts of the District were most vulnerable to liquefaction and that that risk could be addressed through the identification of areas most at risk through the decision-making process for the Specific Purpose (Flat Land Recovery) Zone. Because that process has not yet been completed, the Specific Purpose (Flat Land Recovery) Zone is proposed to be exempted from the water body setback rules for the remainder of the District as part of Stage 3 of the Review. 4. The proposed rules include a Matter of Discretion addressing “the risk of damage to buildings and property posed by natural hazards including flooding, liquefaction (including lateral spread) and slumping and the scale and likelihood of that potential damage.”

	5. This will allow for site specific assessment of geotechnical risk in appropriate locations without requiring a more restrictive activity status.
Risk of Acting or Not Acting	
1. There is sufficient information about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)).	

7.4.5 Impervious surfacing in setbacks

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p>6.6.1.1 <i>Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p>a. <i>Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p> <p>6.6.1.1.3 <i>Policy 3 - Management of activities in water body setbacks</i></p> <p>a. <i>Where buildings, earthworks or other activities are permitted within a water body setback, manage the activity so that:</i> <i>ii water quality, biodiversity, and mahinga kai values are maintained or enhanced;</i> <i>ix amenity and landscape values, including riparian planting, are retained or enhanced.</i></p> <p><u>New Zealand Coastal Policy Statement 2010</u> Policy 23(4) <i>In managing discharges of stormwater take steps to avoid adverse effects of stormwater discharge to water in the coastal environment, on a catchment by catchment basis, by:</i> <i>b. reducing contaminant and sediment loadings in stormwater at source, through contaminant treatment and by controls on land use activities.</i></p> <p><u>Mahaanui Iwi Management Plan 2013</u> Policy WM6.9 <i>To require that local authorities work to eliminate existing discharges of contaminants to waterways, wetlands and springs in the takiwa, including treated sewage, stormwater and industrial waste, as a matter of priority.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Control on impervious surfacing in water body setbacks</p> <p>Maximum 10% impervious surfacing in setbacks except for in Transport and Open Space zones</p>	<p>1. Effectiveness</p> <p>a. Water quality and ecosystem health in water bodies has been associated by numerous studies with the amount of impervious surfacing in the catchment. Generally 10% catchment-wide impervious surfacing is the point at which common signs of stream degradation become evident including increased contaminants in water and degradation of aquatic habitats. At 25% or more catchment-wide impervious surfacing serious degradation of water quality is generally observed.</p> <p>b. Water bodies are the most sensitive part of the catchment, particularly to contamination from stormwater runoff from roads or carparks which can introduce heavy metals, hydrocarbons and sediment into waterways.</p>

	<ul style="list-style-type: none"> c. Placing controls on impervious surfacing in water body setbacks would give effect to the New Zealand Coastal Policy Statement Policy 23(4) and the Mahaanui Iwi Management Plan Policy WM6.6 (see above). d. A 10% limit on impervious surfacing would still allow for accessways, patios and pathways but would require consent for proposals that pave significant areas of the setback. No control is proposed on pervious surfacing meaning that sites would still be able to provide accessways and carparks in the setbacks but at potentially higher cost. <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Potentially reduced contamination of water bodies from stormwater runoff including sediment, heavy metals, hydrocarbons and other contaminants from car parks and vehicle accesses in the setbacks. ii. Increased storage capacity in the floodplains of water bodies. iii. Encourages planting in water body setbacks which promotes ecological benefits, including ecological corridors, increases in water quality and bank stability. <p><i>Economic</i></p> <ul style="list-style-type: none"> i. Potentially reduced requirement over the long term for engineered upgrades to the stormwater management network. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> i. Higher amenity planted water body margins are encouraged. ii. Reduced drainage of stormwater into water bodies is consistent with the policy directions of the Iwi Management Plan. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. For some individual sites, pervious surfacing may not convey stormwater away from the site as quickly as impervious surfacing would. However, at the catchment level, increased naturalisation of water bodies and use of pervious surfacing would increase the flood storage capacity of the setbacks.
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	<p>ii. Some low-cost or poorly maintained pervious surfacing options could result in poor amenity outcomes.</p> <p><i>Economic</i></p> <p>i. Potential for reduced flexibility for development on some sites. Pervious surfacing is not restricted but costs can, in some instances, be higher. Some very narrow residential lots with multiple units would need to either use pervious surfacing for the accessway or reduce the number of units on the site.</p> <p>ii. Potentially additional consenting costs where more than 10% impervious surfacing is required in the setback. Non-notification clauses are proposed for consents breaching the standards for network and hill waterways recognising that the purpose of the rule is to achieve a good design in terms of flooding impacts and amenity rather than to create an overly onerous process. The non-notification clause is proposed for hill and network waterways because they are assessed against natural hazards effects but not amenity and character.</p> <p>iii. Increased maintenance costs for some forms of pervious surfacing.</p> <p><i>Social/Cultural</i></p> <p>i. NIL</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>No controls on impervious surfacing in water body setbacks.</p>	<p>Appropriateness</p> <p>1. Option 2 would be a less effective way to achieve the policy to maintain or enhance water quality because it would place no limits on hardstand areas in water body setbacks and would allow, for example, industrial or commercial sites to use their entire water body setback for impervious vehicle accesses or carparks. This would increase contaminants entering the water body from stormwater runoff.</p> <p>2. Option 2 also represents a lost opportunity for riparian planting that would increase ecological function of water bodies and stabilise banks. It would generally result in poorer amenity outcomes compared with planted setbacks.</p>
<p>3. Option 3 – Controls for selected classifications of water body</p>	<p>Appropriateness</p> <p>1. Option 3 would be a less effective way to achieve the objective of improving water quality but would</p>

Control impervious surfacing in the setbacks of higher classifications of water bodies but exempt network waterways	<p>be more efficient because it would allow more flexible site design options and more carparking for Industrial or Commercial zones with small network waterways running through them potentially reducing consents.</p> <p>2. Option 3 does not take a catchment-wide approach to managing water quality, however, and would allow contaminant run-off from smaller network waterways to affect ecological values and water quality downstream.</p>
Risk of Acting or Not Acting	
<ol style="list-style-type: none"> 1. There is insufficient information about the exact degree to which impervious surfacing in Christchurch's water body setbacks is contributing to declining water quality but there is a significant body of international research dating back more than 20 years that links increased impervious surfacing and contaminants from stormwater runoff to declining water quality. 2. The risk of acting is increased costs for developers in some instances to use and maintain pervious surfacing or to alter their site layout proposals to avoid development in the waterway setbacks. 3. The risk of not acting is continued decline of water quality and riparian ecosystem health, and poor amenity outcomes in setbacks. 	

7.4.6 Fencing in setbacks

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p>6.6.1.1 <i>Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p>a. <i>Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p> <p>6.6.1.1.3 <i>Policy 3 - Management of activities in water body setbacks</i></p> <p>a. <i>Where buildings, earthworks or other activities are permitted within a water body setback, manage the activity so that:</i></p> <ul style="list-style-type: none"> <i>iii connectivity between land, natural freshwater systems and the coast are retained or enhanced;</i> <i>v maintenance access is enabled;</i> <i>vi the ability of water body margins, channels, or ponding areas to store and/or convey surface water safely and efficiently is not impeded;</i> <i>vii flood events are not exacerbated;</i> <i>viii adverse effects are not transferred to another site;</i> <i>ix amenity and landscape values, including riparian planting, are retained or enhanced;</i> <i>xi provision is made for public access appropriate to the classification and location of the water body</i> <p><u>Stage 1 Natural Hazards</u></p> <p>Policy 5.2.5 – Worsening, adding or transferring hazard</p> <p>a. <i>Ensure that subdivision, use and development, or hazard mitigation proposals do not:</i></p> <ul style="list-style-type: none"> <i>i. worsen the adverse effects of any known natural hazard;</i> <i>ii. create a new hazard; or</i> <i>iii. transfer or increase risk to other people, property, infrastructure or the environment.</i> 	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Controls on fencing in setbacks</p> <p>Methods:</p> <p>Rules requiring:</p> <ul style="list-style-type: none"> a. fences be set back from the bank of the water body; b. fences in the setback be no more than 20% solid structure; c. consent for fences built across water bodies in some instances; d. provision of access to the water body for maintenance. 	<p>1. Effectiveness</p> <ul style="list-style-type: none"> a. Option 1 is the most effective means to achieve the objective because it recognises the requirements of landowners to provide for their safety and security needs by installing fences in setbacks but reduces the adverse effects of solid fences on the ecological functioning of water bodies (e.g. movement corridors and recharge rates), land drainage, transfer of flood risk and poor amenity and CPTED outcomes from fenced corridors around urban waterways. b. Option 1 would also be a more effective way to manage the effects of solid fences built across waterways causing a potential obstruction to

	<p>drainage. It would better provide for maintenance access to waterways to clear debris or repair damage to channel linings.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Reduced risk of solid fences creating a barrier to land drainage and transferring flood risk to adjacent properties. ii. Reduced obstruction of base flows entering streams lessening impacts on water quantity and associated stresses on ecosystems. iii. Reduction in ecological effects on water bodies by allowing proper functioning of riparian margins, particularly allowing corridor movement. iv. Incentive for property owners to plant setbacks to provide additional privacy creating flow-on benefits supporting ecological corridors. <p><i>Economic</i></p> <ul style="list-style-type: none"> iii. Reduced requirements for higher floor levels for some properties where fences have transferred flood risk. iv. Reduced maintenance costs for water bodies where access for repairs or vegetation management is not impeded. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iii. Reduction in CPTED issues as a result of improved visibility into the waterway corridor. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Some risk of increased obstruction of waterways from roots or debris from additional riparian planting. CCC has a streamside planting guide that details appropriate plants to be used in riparian margins to reduce this risk. ii. Some risk of poor amenity outcomes where low cost non-solid fencing is selected. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Higher amenity options for non-solid fencing, such as pool fencing, are generally more expensive than solid wood fencing (see Appendix 7.11 for a cost comparison). iii. Increased costs for establishing and maintaining privacy planting in setbacks.
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	<ul style="list-style-type: none"> iv. Some additional costs for maintaining water bodies where roots or debris from additional planting cause obstructions. v. Consents generally required in City environments to build fences over waterways. Where property owners have land on both banks of a water body they would have difficulty fencing their property boundary without requiring a consent. This would generally be at least \$1500. Non-notification clauses are proposed for consents breaching the standards for network and hill waterways recognising that the zone rules generally provide for boundary fencing as a permitted activity, fencing serves an important role in security and safety on many properties, and the purpose of the rule is to achieve a good design in terms of flooding impacts and amenity rather than to prevent any fences in setbacks or to create an overly onerous process. The non-notification clause is proposed for hill and network waterways because they are assessed against natural hazards effects but not amenity and character. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> iv. Reduced privacy for property owners although additional privacy could be achieved through planting. v. In City environments, some property owners would not be able to fence the boundary of their property without consent. This would make it more difficult for them to achieve the safety and security requirements of their property.
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>No District Plan controls on fencing under 2m high in the water body setbacks.</p> <p>Fences that obstruct waterways are removed under bylaw provisions.</p>	<p>Appropriateness</p> <ul style="list-style-type: none"> 1. Option 2 would be a less appropriate way to achieve the objectives and policies because, although it would allow enforcement action to be taken where waterways are obstructed, it would be a reactive approach that would wait until after the fence was constructed and then require its removal at the landowner's expense. 2. The Land Drainage Act 1908 section 62 gives local authorities the ability to order the removal of any obstruction to a watercourse or drain located within 3m of its margins. 3. The Christchurch District Drainage Act 1951 section 43 also empowers the Drainage Board to require

	<p>the removal of any obstruction to the free flow of water in the watercourse and the removal of any structures in, over or under any watercourse.</p> <ol style="list-style-type: none"> 4. The Canterbury Regional Council Flood Protection and Drainage Bylaw 2013 requires a permit from the Regional Council to build a fence in or over any drain or small watercourse or within 7.5m of the bank of any drain or small watercourse but this authority only applies to activities within the vicinity of flood protection and flood control works controlled by the Regional Council such as the Waimakariri stopbanks. 5. The City Council's Water Supply, Wastewater and Stormwater Bylaw 2014 allows removal of obstructions but only to the public stormwater network. This would not apply to private drains. 6. Relying on the bylaws also would not address the amenity or CPTED issues created by long corridors of fencing in the margins of waterways.
<p>3. Option 3 – Control only in Floor Level and Fill Management Areas</p> <p>Controls on fencing only in Floor Level and Fill Management Areas</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. Option 3 would target the controls on fencing to areas identified as most at risk of flooding but would not address the other issues with fencing in setbacks (ecological, amenity, maintenance access and CPTED issues). 2. Permitting solid fencing built along the bank of the water body makes it more difficult to negotiate good amenity outcomes on neighbouring sites. This is an issue that exists across the District and is not restricted to Floor Level and Fill Management Areas.
Risk of Acting or Not Acting	
<ol style="list-style-type: none"> 1. There is insufficient information about the number of properties that would be affected, particularly by the restriction on building fences across waterways. 2. The risk of acting is that consents would be required to fence property boundaries where the property includes both banks of the waterway. 3. The risk of not acting is that fences would be allowed in areas where they could exacerbate flooding or transfer risk and would only be removed where this risk was identified and enforcement action taken. 	

7.4.7 Activities with Building or Regional Consent

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES
<p>Relevant objectives and policies:</p> <p>6.6.1.1 <i>Objective 1 – Protection of water body margins from inappropriate use.</i></p> <p> a. <i>Water body margins are protected from activities that have adverse effects on flood management; water quality; riparian or aquatic ecosystems; the natural amenity and character of the water body; heritage or cultural values; and access for recreation or maintenance; and where possible these values or functions are enhanced.</i></p> <p>6.6.1.1.3 <i>Policy 3 - Management of activities in water body setbacks</i></p> <p> a. <i>Where buildings, earthworks or other activities are permitted within a water body setback, manage the activity so that:</i></p> <p> i <i>any cultural significance of the water body to tangata whenua is appropriately recognised and provided for.</i></p> <p> ii <i>water quality, biodiversity, and mahinga kai values are maintained or enhanced;</i></p> <p> iii <i>connectivity between land, natural freshwater systems and the coast are retained or enhanced;</i></p> <p> iv <i>the stability of water body banks and adjacent land is maintained and sedimentation and erosion minimised;</i></p> <p> v <i>maintenance access is enabled;</i></p> <p> vi <i>the ability of water body margins, channels, or ponding areas to store and/or convey surface water safely and efficiently is not impeded;</i></p> <p> vii <i>flood events are not exacerbated;</i></p> <p> viii <i>adverse effects are not transferred to another site;</i></p> <p> ix <i>amenity and landscape values, including riparian planting, are retained or enhanced;</i></p> <p> x <i>activities do not disturb or visually detract from:</i></p> <p> A. <i>Sites of Ecological Significance;</i></p> <p> B. <i>Outstanding Natural Features and Landscapes;</i></p> <p> C. <i>Significant Features and Landscapes;</i></p> <p> D. <i>Areas of Outstanding, Very High or High Natural Character;</i></p> <p> E. <i>Important Ridgelines;</i></p> <p> F. <i>Heritage Items or Settings;</i></p> <p> G. <i>Significant Trees or Groups of Trees;</i></p> <p> H. <i>Silent File areas;</i></p> <p> I. <i>significant indigenous vegetation;</i></p> <p> xi <i>provision is made for public access appropriate to the classification and location of the water body and having regard to:</i></p> <p> A. <i>the relationship of tangata whenua with their ancestral lands, water and sites;</i></p> <p> B. <i>protection of Sites of Ecological Significance;</i></p> <p> C. <i>residential amenity;</i></p> <p> D. <i>Outstanding Natural Features and Landscapes;</i></p> <p> E. <i>bank and land stability;</i></p> <p> F. <i>public safety;</i></p>

- G. the operational or security requirements of infrastructure, including Lyttelton Port.

Stage 2 Subdivision, Development and Earthworks

Objective 8.5.1 – Protecting the environment from earthworks

a. Outstanding natural features and landscapes, significant indigenous biodiversity and ecosystem functioning, water quality, significant trees, and heritage items and settings are not adversely affected by earthworks of associated structures, while recognising the benefits of some activities involving earthworks.

Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Remove exemption for activities with a building consent or regional consent</p> <p>Remove the blanket exemption for proposals that have already been granted consent by the Regional Council or which already have a building consent (for building foundations only).</p> <p>Revise rules to avoid overlaps between the provisions that require both Regional Council and City Council consents for the same activity and for the same purpose.</p> <p>Add activities to allow councils and network utility operators to undertake necessary works in water body margins. Consider and set appropriate standards for those activities. These include installation and maintenance of defences against water and water body bank maintenance and enhancement works and vegetation management activities.</p>	<p>1. Effectiveness</p> <p>a. Regional Policy Statement Policy 7.3.3 requires Council to include standards in the District Plan that remove the requirement for resource consent from the City Council if resource consent is granted by the Regional Council for the same purpose.</p> <p>b. The Regional Plans also include water body setback rules; however the function and extent of these rules are strongly focused on the management of water quality and quantity and the prevention of erosion. The Regional Plan setbacks are generally smaller than what was provided for in the City Plan and Banks Peninsula District Plan, in some cases significantly so, and do not cover:</p> <ul style="list-style-type: none"> i. artificial water bodies; ii. structures or buildings on banks and margins; iii. maintenance access; iv. effects of flooding on the land; v. Sites of Ecological Significance identified by the District Plan; vi. broader terrestrial ecological values; or vii. landscape and amenity values. <p>c. Removing the blanket exemption for proposals with regional consent would allow for a more effective assessment of the impacts of that proposal on matters not considered by the Regional Plan.</p> <p>d. Removing the exemption for proposals with building consents for building foundations would be more effective in achieving the objective because it would allow for the assessment of impacts of</p>

	<p>larger filling and excavation proposals on environmental values, implications for renewal, maintenance and naturalisation.</p> <p>e. This approach would permit works for servicing developments (i.e. wastewater or stormwater pipes) but would require a consent for building foundations which have the potential to have a larger and more permanent impact on values for the site.</p> <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Maintenance and enhancement of ecological and amenity values in the margins of water bodies, particularly terrestrial values; ii. Improvement in water quality; iii. Protection of significant ecological values identified at the district level (i.e. Sites of Ecological Significance other than spawning sites identified by the Regional Plan); iv. Protection for constructed streams and ponds. <p><i>Economic</i></p> <ul style="list-style-type: none"> v. Ensures maintenance and management of waterways can be undertaken in an effective and efficient manner; vi. Mitigates the potential costs of flooding; vii. Mitigates the costs of a reduction in water quality. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> viii. Maintains and enhances amenity values; ix. Maintains and enhances cultural and heritage values. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> a. NIL <p><i>Economic</i></p>
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	<p>b. Removal of the exemption may require landowners in some situations to apply for consents from both councils. Some activities that did not require City Council consent under the operative Plan rules would now require consent.</p> <p>c. Requires the Plan to anticipate the types of works that may be required in water body margins and to provide for them. Where works are not anticipated, potentially a more restrictive default activity status would be applied to those activities than would otherwise be considered appropriate.</p> <p>d. Christchurch City Council currently relies on its global consent from the Regional Council to undertake many of its works along waterways. Deleting the exemption for proposals with Regional Council consent would require the City Council to go for individual consents for these works, apply for a global consent from itself or include additional rules within the District Plan that enable these works to be undertaken with appropriate standards and assessment. The proposed rules, however, include the majority of the activities permitted by the global consent as permitted activities under the definition of "water body bank maintenance and enhancement works".</p> <p><i>Social/Cultural</i></p> <p>e. NIL</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Proposal with consent from the Regional Council or with a building consent do not require consent from Christchurch City Council</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. Option 2 would be a less effective way to achieve the objectives and policies because it would not allow for assessment of the full range of values for water body margins. 2. The building consent process looks at hazard risk and effects on erosion but not at amenity, access, ecological values,

	<p>cumulative effects or wider hazard risk.</p> <p>3. In some cases, the building consent exemption is used by developers to avoid the need to apply for resource consent in anticipation of the grant of a building consent. Building consent is not issued until resource consent for an activity has been approved. This creates an issue with the relative timing of the two processes. In practice, the need for a resource consent is often waived to allow the building consent process to progress.</p>
Risk of Acting or Not Acting	
<ol style="list-style-type: none"> 1. Insufficient information exists about the range and effects of activities previously exempted from the need for resource consent. 2. The risk of acting is that consent is required for activities not previously assessed including some works that may be necessary for infrastructure, park management, bank maintenance or flood mitigation works. These have been exempted in general terms but monitoring and additional assessment are necessary to ensure that consents are not being required for essential activities where the consent process is not adding value. 3. The risk of not acting is that inappropriate development continues in the water body setbacks where the exemption for activities with regional or building consent does not allow for adequate assessment of the ecological, amenity or access implications of the proposal. 	

7.4.8 Updates to maps

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
Relevant objectives and policies:	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1</p> <p>Updating the Plan maps to include newly created or diverted water bodies.</p> <p>Updating the position of water bodies.</p> <p>Classifying and adding Banks Peninsula water bodies to the maps</p>	<p>1. Effectiveness</p> <ul style="list-style-type: none"> a. The current schedule of waterways in the operative District Plan has not been updated since 1997. The Corporate Data and Asset Network Planning teams have maintained a database of new, diverted and piped waterways which has been used to update the schedule and position of the waterways on the District Plan maps. b. The dataset in the Plan maps has been updated to reflect a 2008 ground-truthing and remodelling of the Council's GIS WaterCourse layer and checking of Council's data on water bodies against aerials. c. This will allow for a more effective administration of the Plan by more accurately signalling the need to consider water body setbacks in LIM and PIM notices. d. New work has been undertaken to classify major Banks Peninsula water bodies, particularly on the flat and near settled areas but this is not an exhaustive survey. These classifications can be updated as part of a periodic Plan Change to update the maps and include new water bodies. <p>2. Efficiency</p> <ul style="list-style-type: none"> a. Benefits <ul style="list-style-type: none"> <i>Environmental</i> <ul style="list-style-type: none"> i. Water bodies attracting setbacks are correctly identified. <i>Economic</i> <ul style="list-style-type: none"> ii. Property data, on which LIM and PIM reports are based, will more accurately inform property owners about the location of waterways and

	<p>required setbacks.</p> <p>iii. Updating the dataset will assist planning staff in administering the setback rules as it will decrease the likelihood of applications coming in for sites where waterways have been incorrectly identified.</p> <p><i>Social/Cultural</i></p> <p>iv. NIL</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. NIL</p> <p><i>Economic</i></p> <p>ii. NIL</p> <p><i>Social/Cultural</i></p> <p>iii. NIL</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Retain current maps</p>	<p>Appropriateness</p> <p>1. This would be a less effective and efficient way to achieve the objectives and policies because the current maps are significantly out of date and do not include water bodies created or diverted over the past 17 years.</p>
Risk of Acting or Not Acting	
<p>1. There is sufficient information about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)).</p>	

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Upper Hutt District Plan	Upper Hutt City Council
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Waikato Regional Plan	Waikato Regional Council
Waimakariri District Plan	Waimakariri District Council
Waipa District Plan (decision version)	Waipa District Council

Whangarei District Plan	Whangarei District Council
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APPENDIX 7.1 Comparison of provisions for water body setbacks in selected District Plans

Plan	Waterway types	Activities controlled	Setbacks and standards
Auckland Unitary Plan	Lakes, rivers, streams, wetlands	Use, maintenance, repair, demolition of existing structures a P activity; replacement or extension of existing structures in management areas is a D activity; Vegetation management in riparian margins is generally RD	5-10m setbacks in urban areas; 20m setback in rural zones Most buildings required to obtain a resource consent 5m ² earthworks permitted as of right; more is an RD activity
Central Otago District Plan	Any water body	Earthworks; vegetation clearance; structures	10m earthworks setback 10m vegetation clearance Buildings non-complying within Water Surface and Margin Resource Area
Clutha District Plan	Rivers over 3m; wetlands over 2ha; scheduled water bodies	Buildings	20m building setback in urban areas 50m building setback in rural or coastal areas
Grey District Plan	Lakes, wetlands over 2ha, rivers, streams over 3m	Buildings; forestry; vegetation clearance; earthworks	25m building, forestry and indigenous vegetation clearance setback from wetlands 20m setback from lakes 10m setback from rivers and streams
Hauraki District Plan	Rivers, streams, lakes, drains	Buildings, vegetation clearance, earthworks, fencing	15m vegetation clearance 12m building setback 15m earthworks 15m setback for any structure
Manawatu District Plan	Watercourses; wetlands	Forestry; buildings	50m setback for plantation forestry in the coastal areas and significant wetlands 10m building setback from drains and watercourses
Selwyn District Plan	Rivers, lakes, streams, ponds, wetlands	Buildings; earthworks	Town 20m building and earthworks setback from scheduled water bodies 10m building and earthworks setback from other water bodies Rural 20m earthworks setback

Plan	Waterway types	Activities controlled	Setbacks and standards
			100m building setbacks from lakes or wetlands 20m building setback from scheduled water bodies 10m building setback from other water bodies
Tararua District Plan	Lakes, rivers, wetlands	Forestry; buildings	5-10m setbacks from watercourses for forestry 20m building setback from open drains 20m building setback from rivers, streams, lakes, watercourses
Upper Hutt District Plan	Water bodies wider than 3m	Buildings, earthworks, vegetation clearance	20m building setbacks 10m earthworks setbacks 10m indigenous vegetation clearance
Waikato District Plan	Lakes over 8ha, rivers wider than 3m, wetlands over 1ha	Buildings	32-50m building setback for most zones 10m building setback for artificial watercourses (from Regional Plan)
Waikato Regional Plan	Artificial water courses	Buildings, planting trees or shrubs, fences perpendicular to the watercourse without a gate; fences over 0.75-1.2m parallel to the watercourse	10-15m building setbacks
Waimakariri District Plan	Lakes, rivers (excludes drains), wetlands	Earthworks; vegetation clearance; buildings	20m earthworks setbacks from rivers or lakes; 50m earthworks setbacks from wetlands 20m vegetation clearance setbacks from rivers and lakes; 50m vegetation clearance setbacks from wetlands
Waipa District Plan	Lakes, river, stream, pond, wetland	Building, earthworks, vegetation clearance, feed pads, forestry	23m building and earthworks setbacks from lakes and water bodies 5m forestry setbacks
Whangarei District Plan	Lakes over 8ha; rivers wider than 3m	Building	5-27m building setbacks depending on bank slope

APPENDIX 7.2 Comparison of proposed rules in different environments

	City and settlement	Rural	Natural
Water bodies with setbacks	All	All	All
Distances of setbacks	Downstream 30m Upstream 10m EA WW 7m Network WW 5m Hill 10m EA WB 7m Network WB 5m	As for City but: Upstream 20m EA WW 10m EA WB 20m	As for Rural but: EA WW 20m Hill 20m
Activities controlled	Earthworks, buildings, maintenance	As for City but: Indigenous vegetation clearance and plantation forestry setbacks for some classifications of water body	As for City but: Indigenous vegetation clearance setbacks for some classifications of water body
Non-ground floor extensions to existing buildings	Permitted	Permitted	Not permitted
Impervious surfacing	10% of setback	10% of setback	Not controlled
Fences	Require RD consent to be built over water bodies	Require RD consent to be built over water bodies if more than 20% solid structure	Require RD consent to be built over water bodies
Indigenous vegetation clearance	Not controlled	RD except for maintenance	RD except for maintenance
Plantation forestry	Not controlled	RD	Not controlled
Matters of Discretion	Public access is a Matter of Discretion for larger waterways and lakes but not for drains and smaller streams; network water bodies are only assessed against natural hazards and maintenance access	Public access is not a Matter of Discretion except for the largest classifications of water body; network water bodies are only assessed against natural hazards and maintenance access	All water bodies are assessed against all Matters of Discretion

Matrix of Matters of Discretion for water body classifications

S = City and settlement

R = Rural

N = Natural

	Natural Hazards	Natural Values	Amenity and Character	Cultural Values	Maintenance Access	Public Access
Downstream waterway	All	All	All	All	All	All
Upstream waterway	All	All	All	All	All	All
Environmental asset waterway	All	All	All	All	All	N
Network waterway	All	All	N	N	All	N
Hill waterway	All	All	N	All	All	N
Environmental asset standing water body	All	All	All	All	All	All

Key differences:

1. Public access is only a Matter of Discretion for lakes and rivers in rural areas and in city and settlement areas.
2. Network waterways are only assessed against natural hazards, natural values and maintenance access outside of Natural areas.
3. Hill waterways are not assessed against amenity and character or public access outside of Natural areas.

APPENDIX 7.3 Mapping of provisions for waterway setbacks in the Regional and District Plans

7.3.1 Provisions for buildings in water body setbacks

Activity	Land and Water Regional Plan (General)	LWRP (Christchurch; Banks Peninsula; Selwyn)	Operative City Plan	Operative Banks Peninsula District Plan	Proposed Replacement Plan
Buildings	NIL	NIL	Buildings are restricted discretionary within: 30m downstream river 20m upstream river (rural) 10m upstream river 10m hill waterway 7m environment asset waterway 5m utility waterway	Buildings must be set back 20m from lakes, wetlands, creeks, streams or rivers in the Conservation Reserve Zone, Recreation Reserve Zone and Akaroa Hill Slopes Zones. In Rural zones, buildings must be set back 10m from streams or rivers and 20m from lakes or wetlands. No setbacks in other zones (i.e. residential, centres or small settlements)	<u>Potentially new setbacks</u> <i>Potentially larger setbacks</i> <i>Potentially smaller setbacks</i> City: 30m downstream 10m upstream 10m hill 7m environmental asset ww 5m network <u>7m environmental asset wb</u> <u>5m network water body</u> Rural: 30m downstream 20m upstream 10m hill 10m environmental asset ww <u>5m network</u> <u>10m environmental asset wb</u> <u>5m network water body</u>

Activity	Land and Water Regional Plan (General)	LWRP (Christchurch; Banks Peninsula; Selwyn)	Operative City Plan	Operative Banks Peninsula District Plan	Proposed Replacement Plan
					<p>Natural:</p> <p><i>30m downstream</i> 20m upstream 20m hill 20m environmental asset ww <i>5m network</i> 20m environmental asset wb <u>5m network water body</u></p> <p>Wetland setbacks replaced by the overlay for Sites of Ecological Significance</p>

7.3.2 Provisions for earthworks in water body setbacks

Activity	Land and Water Regional Plan (General)	LWRP (Christchurch; Selwyn)	LWRP (Banks Peninsula)	Operative City Plan	Operative Banks Peninsula District Plan	Proposed Replacement Plan
Earthworks	Permitted within 10m of a lake, river or wetland in a High Soil Erosion Risk area or 5m in other areas up to 500m ² or 10% of the area, undertaken in accordance with Farm Environment Plan or the code of practice for plantation forestry, except for utilities or fencing, controls on sedimentation, not adjacent to a spawning site, not within 5m of a flood control structure); Otherwise RD with discretion restricted to: slope stability, water quality, natural character, areas of significant indigenous vegetation, mahinga kai area, sites of importance to tangata whenua, flood carrying capacity)	Permitted until 31 December 2018 (subject to standards) within 10m of a river, lake or wetland if for the purposes of repairing earthquake damaged land	NIL	Earthworks are restricted discretionary within: 30m downstream river 20m upstream river (rural) 10m upstream river 10m hill waterway 7m environment asset waterway 5m utility waterway; Filling or excavation pursuant to the land repair rules in exempted	Earthworks must be set back 20m from lakes, wetlands, creeks, streams or rivers in the Recreation Reserve Zone and Akaroa Hill Slopes Zone; In Rural zones, earthworks must be set back 10m from streams or rivers and 20m from lakes or wetlands. No setbacks in other zones (i.e. residential, centres, small settlements, Conservation Reserves or Lakes)	Retaining setbacks at the same distances as for buildings to assess impacts on terrestrial riparian ecology, land drainage, transfer of flood hazard to adjacent properties, amenity impacts, public access and maintenance access.

7.3.3 Provisions for other activities in water body setbacks

Activity	Land and Water Regional Plan (General)	LWRP (Christchurch; Selwyn)	LWRP (Banks Peninsula)	Operative City Plan	Operative Banks Peninsula District Plan	Proposed Replacement Plan
Utilities	Pipes, ducts, cables and wires over the bed of a lake or river are permitted subject to standards (not in spawning sites or high naturalness water bodies)	NIL	NIL	Establishment, repair or replacement of permitted utilities is exempted from the setback requirements	NIL	Retain exemption for utilities.
Bridges and culverts	Permitted subject to standards (not in spawning sites, sedimentation control, restoration of bed, no piers in bed, no transfer of flood hazard, works do not prevent fish passage)	NIL	NIL	Most bridges would fall under the definition of building and require a RD consent; culverts are exempted as utilities	In Rural zones, "minor bridges and culverts" permitted by the Regional Council are exempted	Permitted with no standards except for culverts in network waterways. Otherwise rely on regional consenting process.
Defences against water / flood protection works	Permitted subject to standards (does not prevent access, not in a high naturalness water body or spawning site, undertaken by a local authority or network utility operator in accordance with a plan certified by the CRC, works or structures do not prevent fish passage)	NIL	NIL	Filling, excavation or structures associated with the maintenance of flood protection and bank erosion protection works exempted from setback requirements	NIL	Exempted from the District Plan rules when having regional consent.
Bores for geotechnical testing	Permitted subject to standards concerning the method of decommissioning	NIL	NIL	NIL	NIL	Permitted subject to standards relating to the timing of decommissioning

Activity	Land and Water Regional Plan (General)	LWRP (Christchurch; Selwyn)	LWRP (Banks Peninsula)	Operative City Plan	Operative Banks Peninsula District Plan	Proposed Replacement Plan
Planting	Permitted subject to standards (maintenance access retained, not a pest species, must be indigenous in high naturalness water bodies)	NIL	NIL	Planting holes exempted from the setback requirements	NIL	
Removing vegetation	Permitted subject to standards (not vegetation used for flood control or bank stabilisation; not indigenous species, not in a spawning site); Permitted within 10m setback from lakes, rivers and wetlands in High Soil Erosion Risk areas; 5m setback from other lakes, rivers or wetlands if less than 10% of area and undertaken in accordance with a Farm Environment Plan or the Environmental Code of Practice for Plantation Forestry, not adjacent to a spawning sites, logs and trees are not dragged through or across the beds of lakes, rivers or wetlands.	Permitted until 31 December 2018 (subject to standards) within 10m of a river, lake or wetland if for the purposes of repairing earthquake damaged land	NIL	Some zone specific controls, particularly rural, but not specific to the water body setbacks	NIL	Maintenance of vegetation adjacent to water bodies and park management activities are permitted with no standards. Some controls retained on plantation forestry (see below).
Removing indigenous vegetation and significant	Restricted discretionary	NIL	NIL	Some zone specific controls, particularly rural, but not specific to the water body setbacks	No clearance of indigenous vegetation in the Conservation Reserve zone. Permitted subject to standards in the Lakes Zone but not within 20m of a river, 50m of a wetland, 50m of Lake	Some clearance of indigenous vegetation is permitted for public safety, maintenance and natural hazards purposes. In Rural and Natural areas, indigenous

Activity	Land and Water Regional Plan (General)	LWRP (Christchurch; Selwyn)	LWRP (Banks Peninsula)	Operative City Plan	Operative Banks Peninsula District Plan	Proposed Replacement Plan
indigenous vegetation					Forsyth or 100m of Lake Ellesmere; Indigenous vegetation clearance must be set back 20m from lakes, wetlands, creeks, streams or rivers in the: Recreation Reserve Zone and Akaroa Hill Slopes Zone; In Rural zones, indigenous vegetation clearance must be set back 10m from streams or rivers and 20m from lakes or wetlands. no plantation forestry in Rural zones within 20m of a stream or river with a channel width over 3m. No clearance of indigenous vegetation in Outstanding Natural Feature and Landscape areas	vegetation clearance is RD and significance indigenous vegetation clearance is NC.
Stock holding areas	20m setback from lakes, rivers, artificial watercourses and wetlands	NIL	NIL	NIL	In the Lakes zones, stock yards and pens must be set back 20m for rivers, 50m for wetlands, 50m from Lake Forsyth, 200m from Lake Ellesmere.	No controls in proposed Replacement Plan. Rely on Regional Plan provisions.
Grazing	Prohibited in spawning sites or the bed of spring-fed plains rivers; Non-complying in beds of lakes, rivers over 1m wide or wetlands	NIL	NIL	NIL	In the Lakes zones, cattle and goat grazing must be set back 20m for rivers, 50m for wetlands, 50m from Lake Forsyth, 200m from Lake Ellesmere.	No controls in proposed Replacement Plan. Rely on Regional Plan provisions.
Plantation forestry	In flow-sensitive catchments, replanting that increases the area or new plantation forests are RD; outside flow-sensitive catchments is Controlled; Matters of Discretion include surface water flow, in-stream values, slope	NIL	NIL	NIL	Woodlot forestry must be set back 20m from lakes, wetlands, creeks, streams or rivers in the: Recreation Reserve Zone and Akaroa Hill Slopes Zones. In Rural zones, plantation forestry must be set back 10m from streams or rivers and 20m from lakes or wetlands; and no plantation forestry within 20m of a	Plantation forestry is a restricted discretionary activity in water body setbacks. Distances from Banks Peninsula Plan retained.

Activity	Land and Water Regional Plan (General)	LWRP (Christchurch; Selwyn)	LWRP (Banks Peninsula)	Operative City Plan	Operative Banks Peninsula District Plan	Proposed Replacement Plan
	stability, biodiversity. See “removing vegetation” for additional standards.				stream or river with a channel width over 3m	

Areas Identified as High Soil Erosion Risk



0 10 20 Kilometres

Legend:

- Sub Regional Chapter Boundaries
- Canterbury Regional Boundary
- State Highways
- Roads

Waimakariri River

Selwyn River

Avon River/Otakaro

CHRISTCHURCH

Heathcote River

Heathcote Rural Estate

Inset Map:

- KAITIAKI
- CHRISTCHURCH
- TIMARU

Christchurch - West Melton Sub Regional Chapter Land and Water Regional Plan

The map displays the Banks Peninsula Sub Regional Chapter, highlighting its land and water resources. Key features include Lyttelton Harbour, Lyttelton, Pegasus Bay, and various smaller bays like Pigeon Bay, Okaiwi Bay, and Le Bons Bay. The map also shows the Canterbury Regional Boundary, State Highways, and Roads. An inset map shows the location of the peninsula within the Canterbury region.

Legend:

- Sub Regional Chapter Boundaries
- Canterbury Regional Boundary
- State Highways
- Roads

Map Labels:

- Lyttelton
- Lyttelton Harbour
- Pegasus Bay
- Pigeon Bay
- Okaiwi Bay
- Le Bons Bay
- Victory Bay
- Okapi Bay
- Otamatea Bay
- French Farm Bay
- Waiwiri Bay
- Le Bons Bay
- Lyttelton Harbour
- Lyttelton

Map Title: Banks Peninsula Sub Regional Chapter Land and Water Regional Plan

Selwyn - Waihora Sub Regional Chapter Land and Water Regional Plan

Legend:

- Sub Regional Chapter Boundaries
- Canterbury Regional Boundary
- State Highways
- Roads

Map Labels: Springfield, Darfield, Hororata, Rolleston, Lincoln, Dunsandel, Leeston, Selwyn River/Waikare, Lake Ellesmere (Te Waihora), Kaitiaki Lagoon, Mount Herbert/Te Ahu Rahui, Cooper's Lagoon/Muriwai.

Inset Map Labels: Kaitiaki, Christchurch, Timaru.

APPENDIX 7.4 Illustration of issues for water body setbacks

7.3.1 Proximity to the water body

a. Earthquake damage to dwelling built less than 2m from river bank. A new building under the operative and proposed Plan rules would require a 15m setback in this location. Avon River downstream of Fendalton Road bridge.



b. Earthquake-damaged fence over St Albans Creek at Hills Road. The grey house on the left is 3m from the channel edge and has since been demolished. A new building under the operative Plan rules would require a 7m setback. This is the same site as 7.3.4(a).



7.3.2 Fences

7.3.2.1 Fences built over water bodies

a. Debris and vegetation on fence built across a waterway creating a damming effect.



b. Debris from past flooding collecting on fence and creating a potential future obstruction.

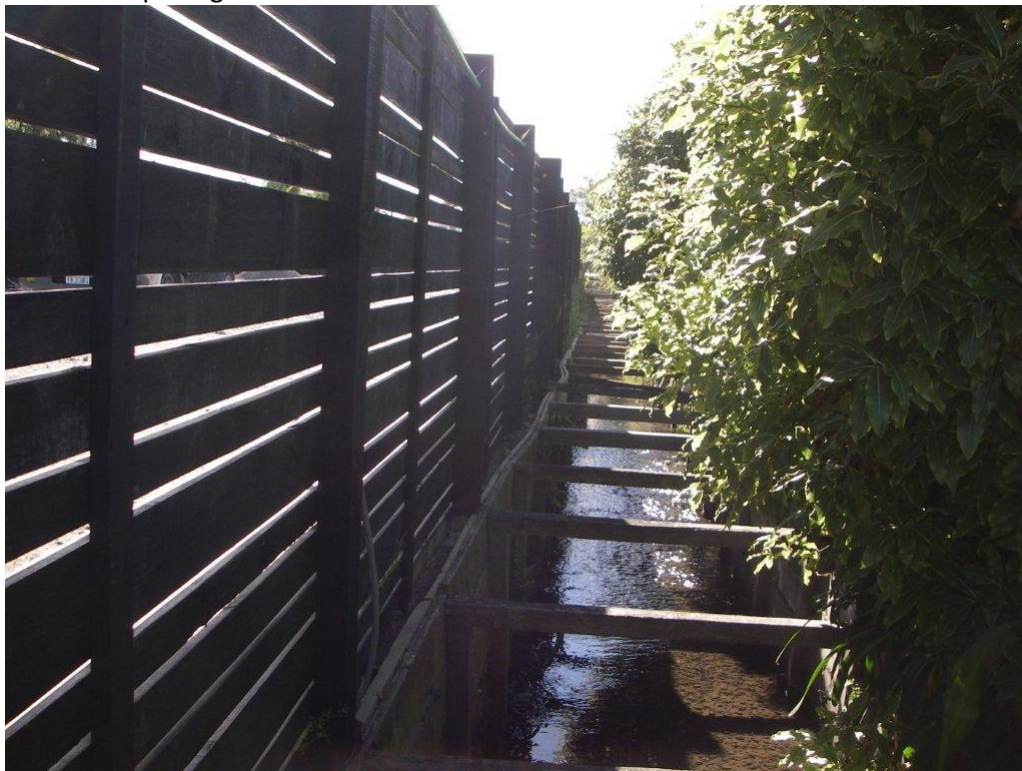


7.3.2.2 Fences impeding maintenance access

a. Fences built directly beside drains impeding maintenance access, creating CPTED issues and transferring flood hazard.



b. Fence impeding maintenance access to drain.



c. Sumner Main Drain during the March 2014 floods. Transfer of flood hazard to adjacent sites and fence built over the drain.



7.3.3 Poor amenity outcomes from solid fences in setbacks

a. Papanui Drain. Solid fences on both sides of drain and built across the drain.



b. Poor amenity, CPTED, land drainage issues.



7.3.4 Impervious surfacing

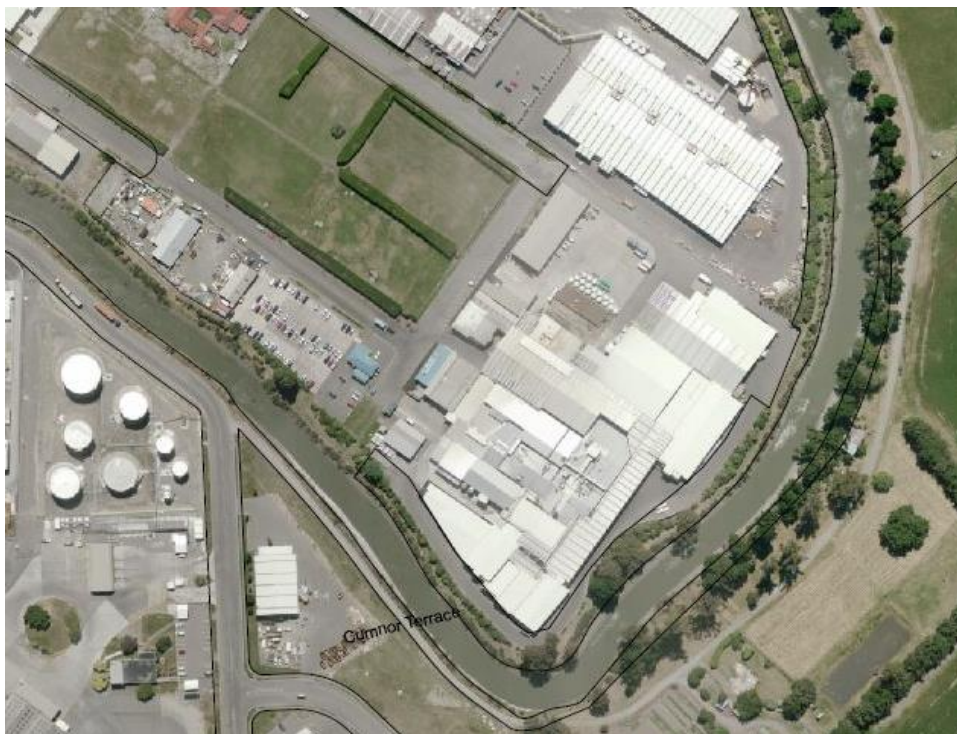
a. Same site as 7.3.1a. Majority of setback is paved for site access.



b. Significant paving of residential setbacks to provide tennis court and pool deck. This segment of the Avon River at Mona Vale has a 15m setback in the operative Plan.



c. Significant paving of the setback in an industrial area to provide vehicle access and carparking. This section of the Heathcote River has a 30m setback. The edge of the large building in the centre follows the setback line. The setback is paved around the entire length of the building. On the adjoining sites, carparking is built into part of the setback. On the site with tanks, the road width is 20m. The proposed impervious surfacing rules would mean either pervious surfacing or some vegetated areas would need to be provided in the first 10m of this site potentially improving ecological and amenity values and reducing stormwater runoff and associated contaminants flowing into the river.



APPENDIX 7.5 Case Study of Impact of Solid Fencing on Stormwater Runoff

Background

A case study was initiated to study the effect of fences on stormwater runoffs. Many private home owners and commercial developments in Christchurch have constructed fences along the water edge and in some cases crossing the stream. While these provide for the security, privacy and safety needs of those properties, they can also exacerbate or transfer flood hazard.

Fences cause obstruction to the free flow of stormwater runoffs thereby increasing the risk of flooding in areas not protected by fencing. The study was undertaken after receiving numerous complaints from individuals about the increased water depth in their properties during rain events caused by the construction of fences in the vicinity.

The case study presented has solid fences constructed along the water's edge of St Albans Creek (refer Photo 1 below). There is also a fence constructed across the waterway in this example. The case study is part of the wider St Albans Creek catchment area and is located in a flood prone area.

The analysis was carried out by building a simplistic open channel model and representing the areas blocked of by the fence as ineffective flow areas. An approximate 200 year event runoff from the wider catchment area was conveyed through the open channel to determine the water depth and an indicative spread width at upstream cross-sections most notably immediately upstream of the fenced area. The resulting water depth and the spread width were compared with the results from a similar analysis that did not include fences.



Photo 1- St Albans Creek at Hills Road with fencing along and across the waterway

The analysis is not a detailed river modelling and is only intended to highlight the potential impact of blocked flow areas caused by construction of fences on the conveyance capacity of the channel and the subsequent increase in the flood risk in the neighbouring properties through a simple open channel analysis.

Results and Discussion

Figures 1 and 2 below shows a screen shot of stormwater depth and width in the upstream and downstream cross-sections respectively. Figures 1 and 2 are approximate representations of the cross-section in the open channel at the location of the case study without constructed fences respectively.

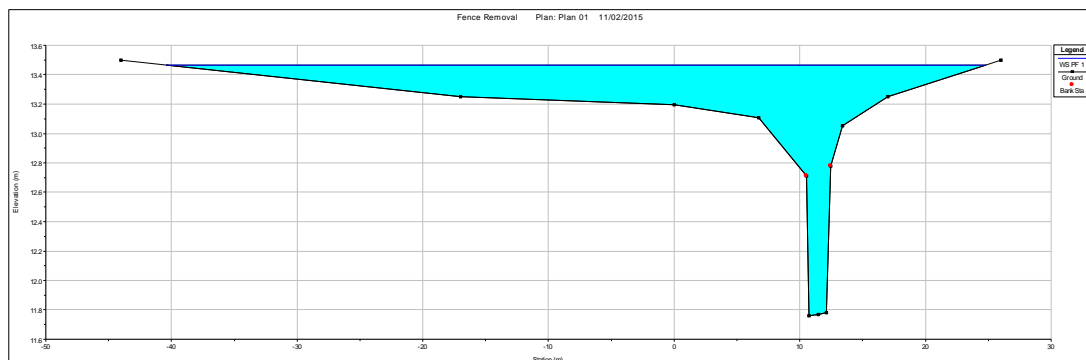


Fig 1- Downstream c/s without fence

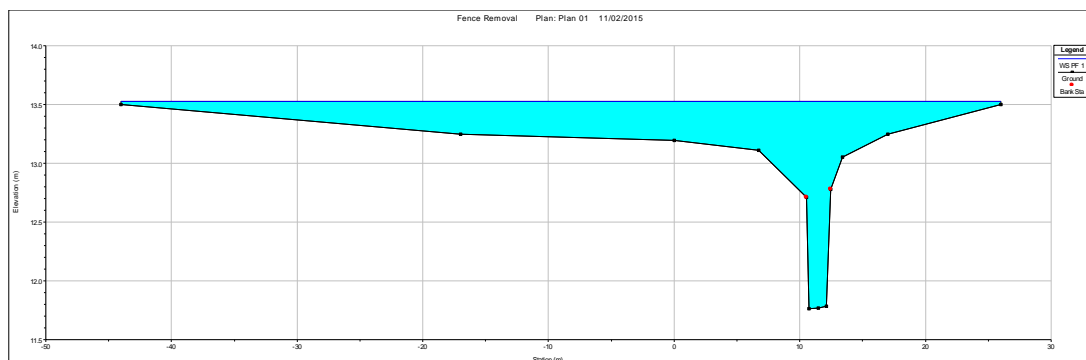


Fig 2- Upstream c/s without fence

Figures 3 and 4 are approximate representations of the same cross-section showing the water depth and the spread width. Figure 3 also shows the blocked flow area on the left and right side of the open channel caused by the construction of fences.

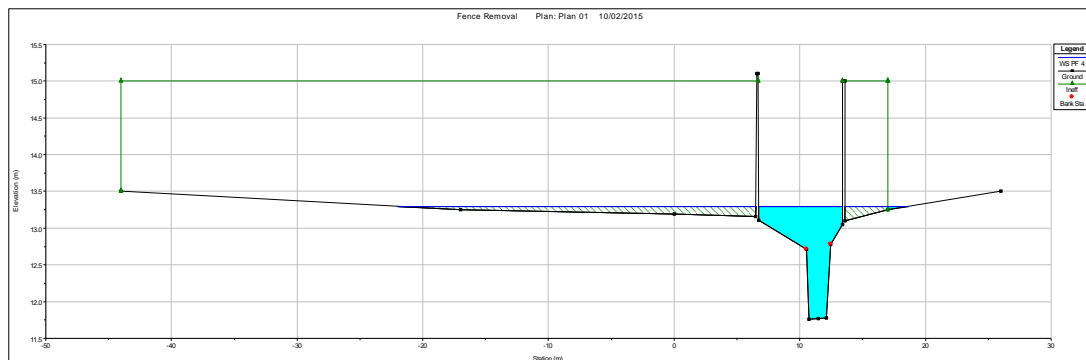


Fig 3- Downstream c/s with fence

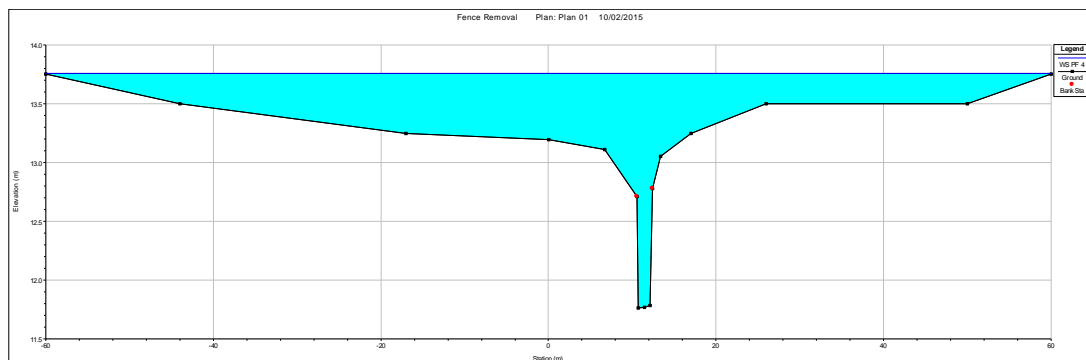


Fig 4- Upstream c/s with fence

From the above figures it can be seen that there is an increase in the water depth in the upstream c/s due to the construction of a fence downstream, impacting on site flooding and increasing the potential for building damage. This increase in the water depth in this case is close to 250mm at the upstream cross-section as shown by simply comparing Figure 2 and Figure 4. Figure 3 shows the stormwater is well contained within the channel left and right banks due to the construction of fences which otherwise would have spilled over as shown in Figure 1 and eventually would have reduced the accumulated water depth shown in Figure 4 in the upstream channel to the water depths shown in Figure 2. The water depth shown in the above figures are just an indicative water depth based on the analysis of a simplistic model which is aimed at highlighting the potential affects to water depths and upstream property flooding due to the construction of fences. Actual water depth for the same scenarios might vary and can be ascertained by carrying out a wider catchment area analysis which is beyond the scope of this study.

Although the increased water depth for a single case might be minor, the cumulative effects of fence construction and similar activities over the long term can also result in increases in the floor level requirements to address this increased flood risk, thereby increasing the costs for construction projects.

In some cases fences can also decrease the base flows entering the stream causing ecological damage.

APPENDIX 7.6 Technical report informing setback distances

APPENDIX 7.7 Schedule of water bodies added by the current Plan Review

7.7.1 Schedule of water bodies added or amended

The attached schedule includes water bodies added or significantly amended since the District Plan water body schedule was last updated in 1997. It does not include minor updates to the position of water bodies, most of which have moved to one degree or another as a result of natural processes or the earthquakes, or other minor amendments such as name changes. It also does not include water bodies that have been removed from the maps. These can be seen on the maps in 7.7.2 below.

A number of Banks Peninsula water bodies have been classified for the first time as a result of this review. The schedule of Banks Peninsula water bodies included in the Review and the methodology behind their classification are set out in Appendix 7.8.

a. Water bodies or segments of water bodies added

Downstream Waterways

Horseshoe Lake Outlet

Environmental Asset Waterways

Paparua Stream
Otukaikino Creek
Worsleys Drain
Halswell Domain Drain
Dunbar Waterway
Styx River
Railway Drain
Primrose Hill Stream
Snellings Drain
Otukaikino Creek Branch No 3
Otukaikino Creek Branch No 3 South
Otukaikino Creek Branch No 4
Plantation Creek Branch No 2 South
Green Stream
Kruses Drain
Cleaver Drain
Cleaver Drain Branch No 2
Cleaver Drain Branch No 1
Waimakariri River South Branch
Middle Stream
Stopbank Creek
Stopbank Creek Branch
Coutts Island Drain West
Chick Drain
Bourne Drain
Bryant Drain

Environmental Asset Waterways

No 1 Drain
Kruses Drain
Kate Sheppard Stream
Corser Stream
Angela Stream
Jacksons Creek Upper
Dudley Creek Branch
Wilkins Drain
Victory Drain
Linwood Canal
Pasifika Waterway
Avoca Valley Stream
Matuku Waterway
Bay View Waterway
Richmond Hill Waterway
Sumner Stream
Scarborough Outfall
Okeover Stream
Old Lake Outlet
Knights Drain
Estuary Drain
Riccarton Bush Waterway
Bridle Path Waterway
Cashmere Valley Drain
Fisher Drain
Wilkins Drain
Papanui Creek
Worsleys Drain
Winters Road Drain
Darroch Street Drain
Darroch Street Drain Diversion
Travis Pond Outfall
Travis Swamp Drain
Talbots Drain
Church Gully Stream
Primrose Hill Stream
St Albans Creek
Bergman Stream
Cavendish Stream
Primrose Hill Stream
Plantation Creek Branch No 1
Stillwater Creek
Storer Diversion
Gibsons Drain
Grehan Stream

Environmental Asset Waterways

Paparua Stream
Nga Puna Wai Waterway
Snellings Drain
Green Stream
Ilam Stream
Baxter Creek
Sheppards Drain
Manga Moko-Papa
Halswell Domain Drain
Mokomoko Stream
Heathcote / Opawaho River
Cashmere Valley Drain
Hayton Stream
Awatea Stream

b. Water bodies or segments of water bodies significantly amended

Downstream Waterway

Styx River
Horseshoe Lake Outlet

Upstream Waterway

Styx River

Environmental Asset Waterway

Curlett Stream Branch
Dry Stream
Paparua Stream
Dunbar Waterway
Bunz Drain
Styx River
Old No 2 Drain
Otukaikino Creek Branch No 2 West
Otukaikino Creek Branch No 3 West
Otukaikino Creek Branch No 3
Otukaikino Creek Branch No 4 North
Otukaikino Creek Branch No 4 South
Otukaikino Creek Branch No 4
Otukaikino Creek Branch No 5
Plantation Creek Branch No 2
Dogleg Creek
Waimakariri River South Branch
Middle Stream
Stopbank Creek
Wairarapa Stream
Bugg Drain

Environmental Asset Waterway

Horrell Drain
Darroch Street Drain
Fisher Drain
East Stream
Kaikanui Creek
Broomfield Waterway
Papanui Creek
Shirley Stream
Corser Stream
Linwood Canal
Avoca Valley Stream
Bridle Path Waterway
Matuku Waterway
Mt Pleasant Waterway
Richmond Hill Waterway
Bridle Path Waterway
Fisher Drain
Darroch Street Drain
Awatea Stream
Travis Swamp Drain
Cavendish Stream
Heathcote / Opawaho River
Rhodes Drain
Old Lake Outlet
Coutts Island Drain West
Paparua Stream
Smacks Creek
Buller Stream
Cashmere Brook

c. Lakes and ponds added

Environmental Asset Standing Water Bodies

Barnes Road Pond
Beckenham Park Ponds (1-2)
Charlesworth Pond
Cambridge Village Green Pond
Clearbrook Pond
Creamery Stream Ponds
Duncan Pond
Francella Reserve Pond
Groynes Ponds (1-6)
Halswell Quarry Ponds (1-3)
Hollis Reserve Pond

Environmental Asset Standing Water Bodies

Horseshoe Lake
Jellie Park Pond
Lake Albert
Lake Kate Sheppard
Preeces Pond
Primrose Pond
QE II Pond
Regents Pond
Rimu Park Pond
Roto Tahi Pond
Roto Rua Pond
Roydvale Pond
Sharnbrook Pond
Spencer Park Pond
Springvale Pond
Styx Mill Pond
Styx Pond
Timberlands Pond
Travis Pond
Victoria Lake
Waterford Pond
Westlake (west and east ponds)

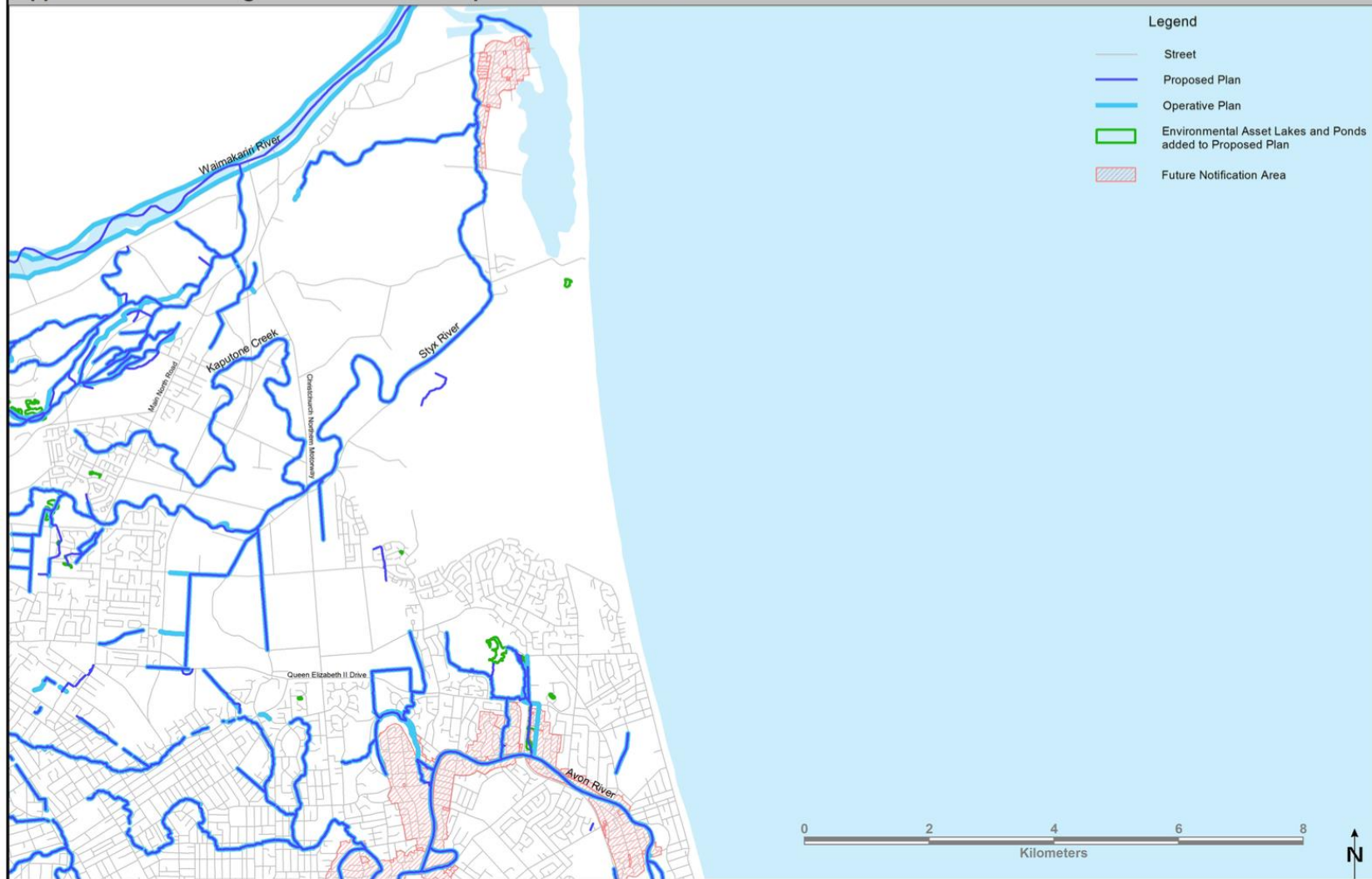
7.7.2 Maps of changes to water bodies

The attached maps show changes to the maps of water bodies from the operative City Plan to the proposed replacement District Plan.

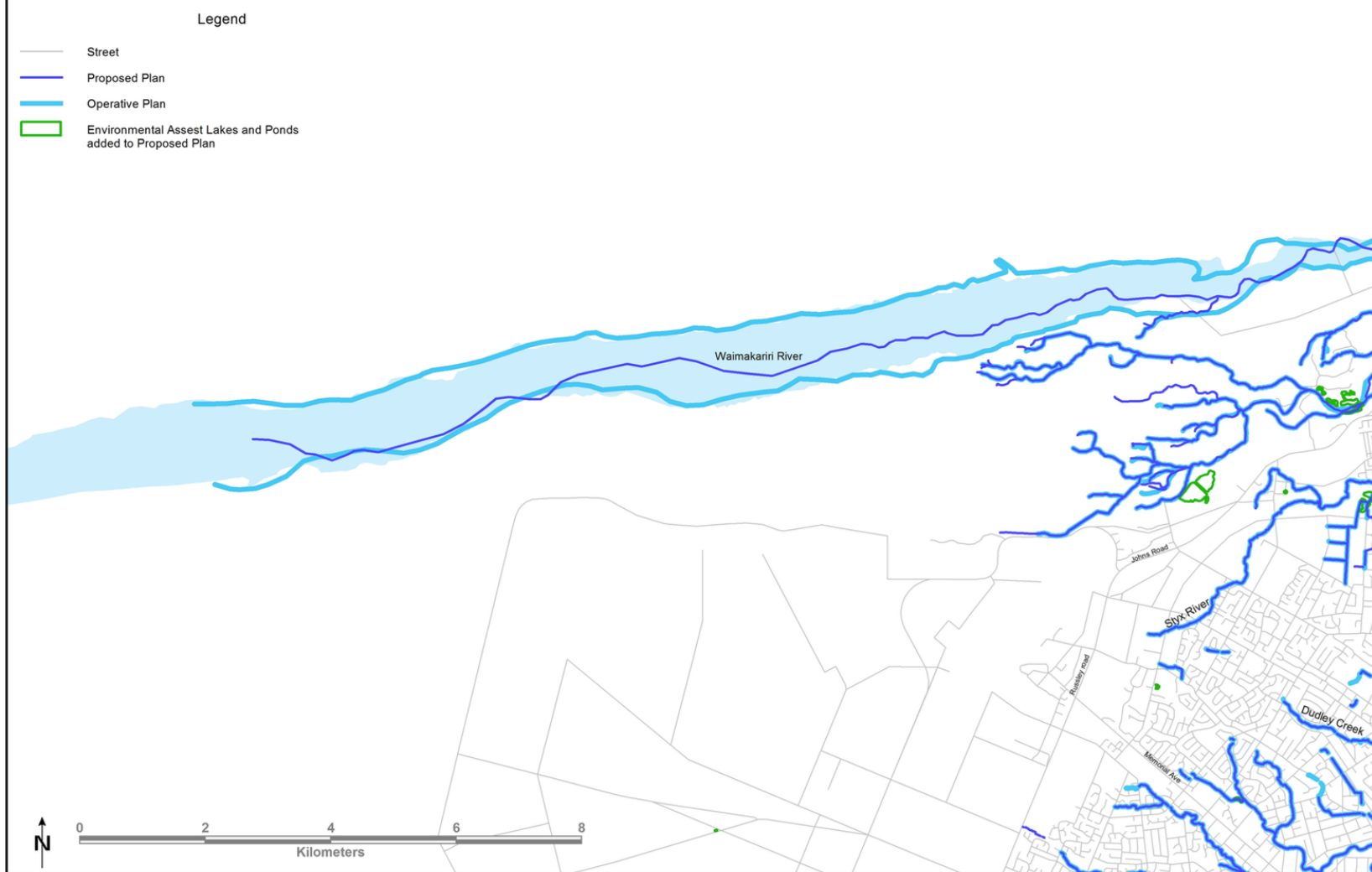
The dark blue lines show downstream, upstream and environmental asset water bodies identified in the proposed replacement District Plan. The light blue lines show the same classifications of water bodies in the operative District Plan. The green lines show lakes and ponds that have been added to the maps.

New water bodies or segments of water bodies are indicated by dark blue lines alone. Water bodies removed from the maps are shown with light blue lines alone. Where there are dark blue and light blue lines, the water body appears on both operative and proposed maps but the course may have altered slightly.

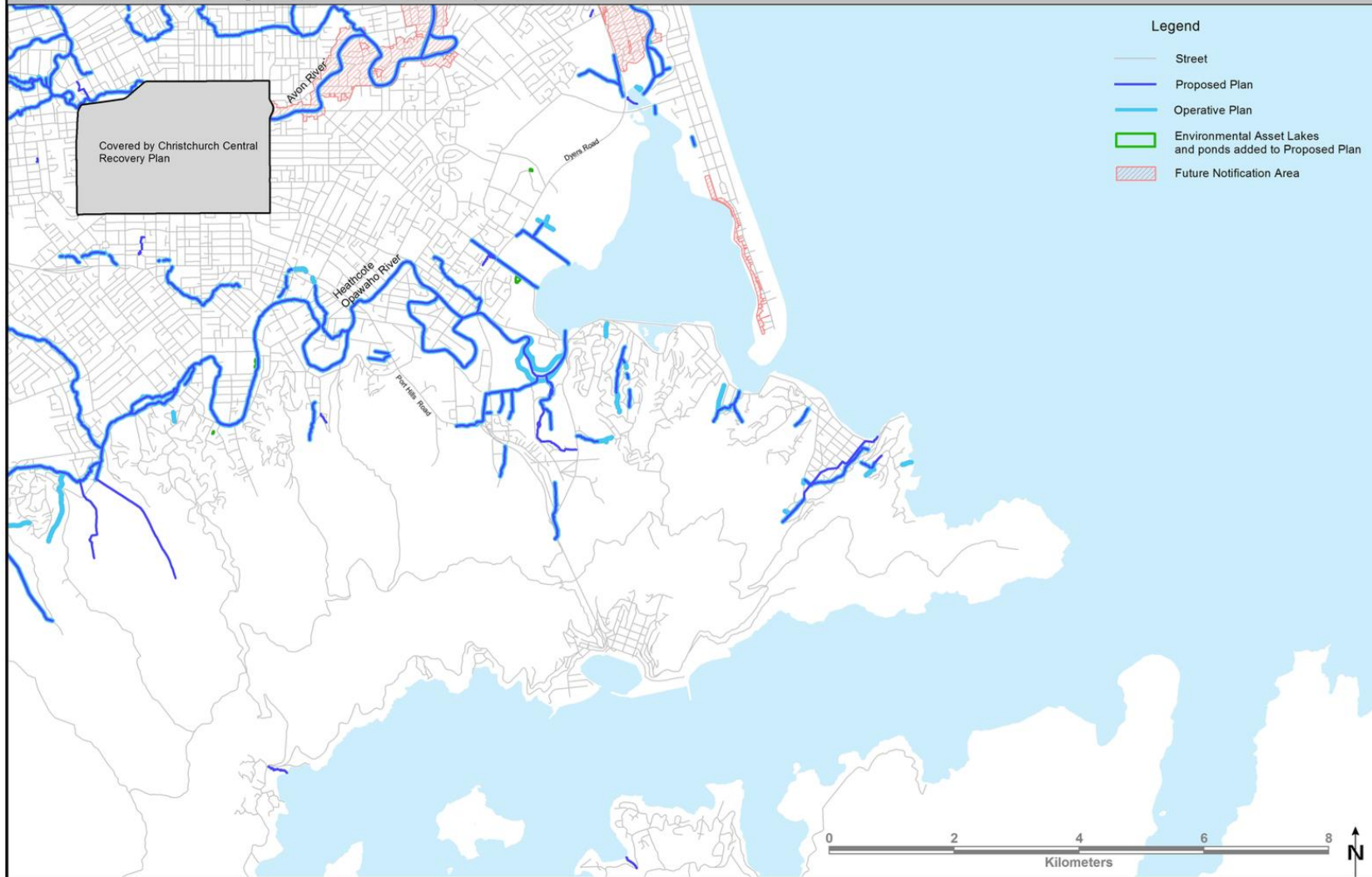
Appendix 7.7.2.1 Changes to District Plan Maps for Water Bodies



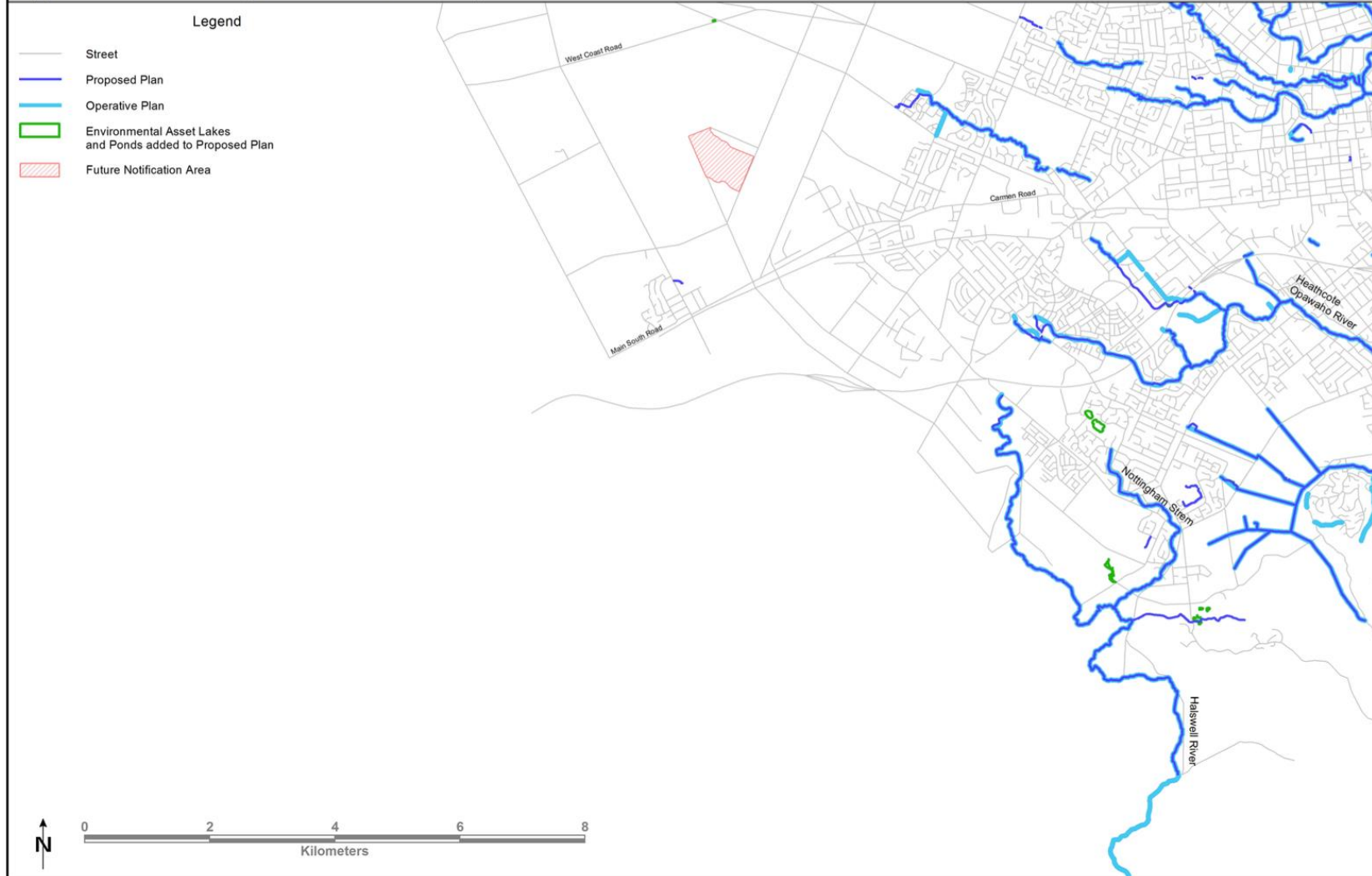
Appendix 7.7.2.2 Changes to District Plan Maps for Water Bodies

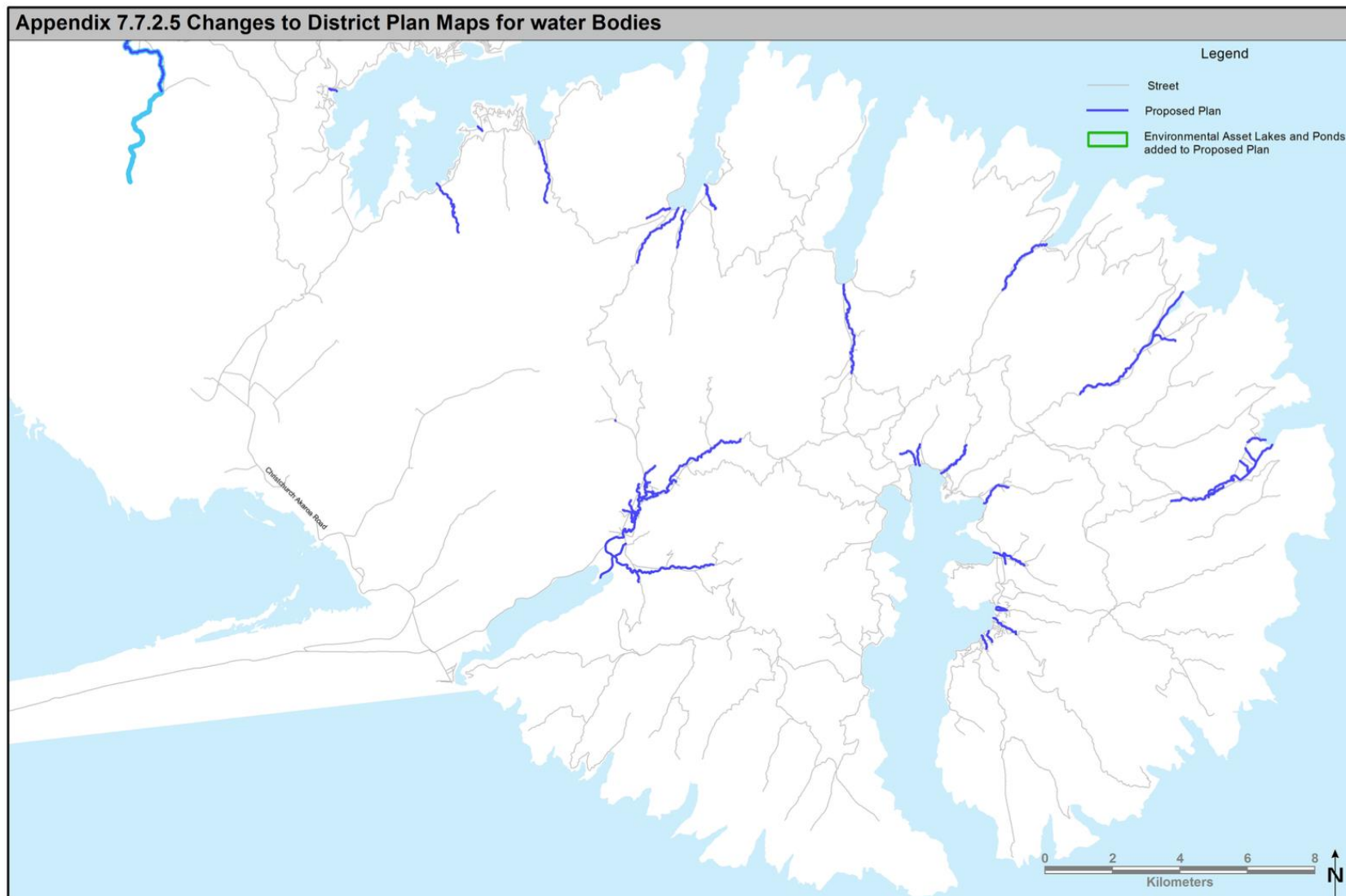


Appendix 7.7.2.3 Changes to District Plan Maps for Water Bodies



Appendix 7.7.2.4 Changes to District Plan Maps for Water Bodies





APPENDIX 7.8 Explanation of classification decisions for Banks Peninsula water bodies

Due to the scale of the task and the timeframes, only waterways in settlement areas and flat terrain were classified. All other water bodies across the Banks Peninsula will be classified at a later date as part of a periodic Plan Change to update the maps. Settlement areas included the large towns such as Akaroa and Little River and included the smaller townships such as Duvauchelle and the outer bays.

The process of classification was carried out as a desktop exercise, using the resources within WebMap and Geomedia, staff knowledge and ecological data. Limited visits were carried out specifically for this study.

Hill waterways – as per the District Plan definition of a gradient of 1 in 50 or steeper. This was determined using the contour GIS layer in WebMap to identify hill slopes and the estimated gradients.

Downstream waterways – as per the District Plan definition. Downstream sections of significant waterways. Usually those that are tidally affected and with a visible active flood plain. Whilst river dimensions were not used to define the classification, they were used indicatively. The downstream waterway sections were the widest sections of any waterway.

Upstream waterway – as per the District Plan definition. In the case of the Banks Peninsula, upstream waterways are usually the upstream segments of a river before it is classified as a downstream waterway. Again they are of significant size and have a visible flood plain.

Environmental asset waterway – as per the District Plan definition. Decisions for this classification were also supported by the findings of the Banks Peninsula Ecological Study 2014 for the Natural and Cultural Heritage proposal. Those waterways which had regionally and nationally scarce fish species, supported breeding areas for inanga, had exceptional water quality or provided habitat for the scarce species were automatically assumed to be environmental asset waterways where they occurred on flat terrain. For sections which ran down the hillsides, they were classified as hill waterways.

Network Waterways – as per the District Plan definition. The classification generally included man made waterways such as roadside ditches and field drains. It was also used to classify waterways which were predominantly dry, lacked a clearly defined channel and had little to no ecological value or potential.

Most waterways on the Banks Peninsula originate in the hills, therefore are made up of multiple classifications. In most cases the point at which one classification ends and another begins was located at a confluence with a tributary, a road or another physical item.

Banks Peninsula Water Bodies Classified for the District Plan Review

Charteris Bay	
Te Wharau Stream	EA Ww then Hill Ww
Diamond Harbour	
Church Gulley Stream	EA Ww then Hill Ww
Purau Stream	EA Ww then Hill Ww
Port Levy	
Purau Creek	EA Ww then Hill WW
Te Kawa Stream	D/s Ww, U/s Ww, EA Ww then Hill Ww
Owhetoro Stream	D/s Ww, U/s Ww, EA Ww then Hill Ww
Koukourarata Stream	EA Ww then Hill WW
Pigeon Bay	
Pigeon Bay Stream	D/s Ww, U/s Ww, EA Ww then Hill Ww
Little Akaloa	
Little Akaloa Stream	EA Ww then Hill Ww
Okains Bay	
Opara Stream	D/s Ww, U/s Ww, EA Ww then Hill Ww
Opara Stream Branch No 24	EA Ww then Hill Ww
Opara Stream Branch No 25	EA Ww
Le Bons Bay	
Le Bons Stream	D/s Ww, U/s Ww, EA Ww then Hill Ww
Le Bons Stream Branch No 14	EA Ww
Le Bons Stream Branch No 13	EA Ww then Hill Ww
Le Bons Stream Branch No 10	EA Ww
Hughes Drain	EA Ww
Akaroa	
Grehan Stream	EA Ww, Hill Ww
Balguerie Stream	EA Ww, Hill Ww
Walnut Stream	EA Ww then Hill Ww
Aylmers Stream	EA Ww then Hill Ww
Takamatua	
Takamatua Stream	EA Ww then Hill Ww
Takamatua Stream Branch No 10	EA Ww then Hill Ww
Duvauchelle	

Pipers (Valley) Stream	EA Ww then Hill Ww
Pawsons Stream	EA Ww then Hill Ww
Duvauchelle Showground Drain	EA Ww then Hill Ww
Robinsons Bay	
Lavericks Drain (Robinsons Bay Stream)	EA Ww then Hill Ww
Little River	
Okana River	D/s Ww, U/s Ww
Solander Drain	Network Ww
Okana River Branch No 7	Network Ww
Okana River Branch No 6	Network Ww
Dunster Drain	Network Ww
Morrisons Road Drain	Network Ww
Barclays Road Drain	Network Ww
Barclays Road Drain Branch	Network Ww
Council Hill Road Drain Branch	Network Ww
Little River Heritage Park Drain	Network Ww
Okana River Branch No 4	Network Ww
Little River Service Centre Drain	Network Ww
Little River Service Centre Drain Branch	EA Ww
Okana River Branch No 3	EA Ww then Hill Ww
Okana River Branch No 3 East	EA Ww then Hill Ww
Western Valley Road Drain No 2	Network Ww
Western Valley Road Drain No 3	Network Ww
Hukahuka Turoa Stream	EA Ww then Hill Ww
Opuahou Stream Branch No 20	EA Ww
Opuahou Stream	EA Ww then Hill Ww
Little River Cemetery Drain	Network Ww then Hill Ww
Little River Cemetery Drain Branch No 2	Network Ww then Hill Ww
Opuahou Stream Branch No 21	EA Ww then Hill Ww
Opuahou Stream Branch No 21 North	EA Ww
Opuahou Stream Branch No 21 North Branch	EA Ww
Church Road Drain	Network Ww
Greenslade Drain	Network Ww
Springvale Drain	Network Ww
Ribble Drain	EA Ww
Cooptown Drain	EA Ww the Network Ww
Takiritawai River	D/s Ww
Okuti River	EA Ww then Hill WW
Okuti River Branch No 21 & sub branches	EA Ww & Network Ww
Okuti River Branch No 20	Network Ww
Okuti River Branch No 19	Network Ww
Okuti River Branch No 18	Network Ww
Kinloch Stream	EA Ww then Hill Ww
Okuti River Branch No 17	Network Ww then Hill Ww
Lyttelton	

All Hill Waterways	
Cass Bay	
All Hill Waterways	
Rapaki	
All Hill Waterways	
Governors Bay	
Stream Reserve Drain/Zephyr Stream	EA Ww then Hill Ww

APPENDIX 7.9 Recommendations for future work

Provisions for springs

1. Further work could be undertaken on the identifications of significant springs and the determination of appropriate setback provisions for springs not already provided for by the current setbacks. Many springs will already have setbacks, particularly if they are in reserves, but it was not possible to undertake a comprehensive survey of springs on private land as part of this review.

Classification of Banks Peninsula waterways

1. Classification of Banks Peninsula waterways for this review has been focused on identified priority waterways on the flat and near settlement areas. The vast majority of other Banks Peninsula waterways are likely to be hill waterways, but future work will need to be undertaken, likely as part of a periodic Plan Change to update the waterway maps, to complete the classification of Banks Peninsula waterways.

Comprehensive survey of environmental asset lakes and ponds and network standing water bodies

1. City lakes and ponds in reserves have been added to the planning maps based on work undertaken in 2009 for a proposed Plan Change to update the waterway schedule and information gathered from more recent subdivision consents and Council asset network managers regarding newly constructed environmental asset ponds in reserves.
2. The current plan maps do not identify environmental asset lakes or ponds in private ownership or any network standing water bodies (i.e. constructed stormwater basins or ponds, swales, etc. with low existing ecological values) in either public or private ownership. Newly constructed network standing water bodies generally are in utility reserves or are protected by easements, but this may not be the case for older basins and ponds. There was not sufficient time for the current review to survey, assess and map network standing water bodies where setbacks would be appropriate and necessary.

Identification of priority piped segments to naturalise

1. In the operative and proposed Plans, waterways do not have setbacks where they pass through pipes. In some cases, piped segments of waterways connect segments with identified ecological values and potential exists to enhance those values by encouraging daylighting of the piped segments. A future Plan Change could consider incentives for daylighting and naturalising piped segments of waterways identified as having significant potential for enhancement.

APPENDIX 7.10 Linkages between provisions - Water body setbacks

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
<p><i>General Rules and Procedures - Water body setbacks</i></p> <p>Resource Management Issue 7.2.1 Managing risk from natural hazards in water body margins</p> <p>Resource Management Issue 7.2.2 Maintaining and enhancing biodiversity and ecosystems in water body margins</p> <p>Resource Management Issue 7.2.3 Amenity and character</p> <p>Resource Management Issue 7.2.4 Cultural values and practices</p>	<p><i>Strategic Directions Chapter</i></p> <p>3.3.1 Enabling recovery and facilitating the future enhancement of the district</p> <p>3.3.3 Ngai Tahu Manawhenua</p> <p>3.3.6 Natural hazards</p> <p>3.3.9 Natural and cultural environment</p>	<p>6.6.1.1 Protection of water body margins from inappropriate use</p>	<p>6.6.1.1.1 Naturalisation of water body margins</p> <p>6.2.1.1.2 Setbacks from water bodies</p> <p>6.2.1.1.3 Management of activities in water body setbacks</p>	<p>6.6.2 Water body setback rules</p>	<p>6.6.3 Matters of discretion for water body setbacks</p>

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
Resource Management Issues 7.2.5 Public access					

APPENDIX 7.11 Cost comparison for fencing and impervious surfacing

7.11.1 Fencing

The table below compares costs between different fencing types to understand the potential cost impact of the proposed waterway setback standards. Prices were surveyed in February 2015.

Type of Fencing	Requiring consent (more than 20% solid)				Permitted (less than 20% solid)			
	Picket Style - Rough Sawn	Picket Style - Planed & Gauged	Timber Paling		Chain Link	Picket Style - Rough Sawn	Picket Style - Planed & Gauged	Pool Fence
Per m	\$110	\$138	\$110		\$70	\$113	\$128	\$295
Gate	\$180	\$180	\$180		-	\$180	\$180	\$518

7.11.2 Impervious surfaces

This table below compares costs between impervious and pervious surfacing to understand the potential cost impact of the proposed waterway setback standards. Prices exclude additional ongoing maintenance or replacement costs.

Type	Impervious Surfacing					Pervious Surfacing				
	Asphalt - Thin	Asphalt - Thick	Pavers - Holland	Pavers - Flagstone	Concrete	Grass	Ground Cover	Grass Paver	Exposed Aggregate	Permeable Paving
Per m ²	\$29	\$54	\$60	\$72	\$78	\$2	\$19	\$54	\$90	\$108

NB All prices exclude GST.
Surface price exclude site preparation, labour etc

7.11.3 Cost of flood inundation on neighbouring properties

Variation 48 introduced the Flood Management Areas and the requirement to raise floor levels to avoid floodwaters inundating buildings. Economic analysis was undertaken for that variation (in 1991) and determined that when floodwaters enter homes the average damage costs is \$30,000. This cost increases to \$77,000 once the water exceeds 0.5m in depth and to \$89,000 if the depth of the water exceeds 1m. \$30,000 adjusted for inflation would be approximately \$49,000 in 2015.

The cost of raising floor levels on neighbouring properties is also significant compared with the cost of using non-solid fencing materials.

8.0 AIRCRAFT PROTECTION

8.1.0 CONTEXT

8.1.1 Purpose and Scope of the Aircraft Protection Section

1. The purpose of the Aircraft Protection section is to restrict land use activities in the vicinity of airports and airfields that have the potential to:
 - a. obstruct flight paths;
 - b. interfere with the safe and efficient operation of aircraft; or
 - c. exacerbate the effects of an aircraft accident.
2. These purposes are not dissimilar to those of the operative City Plan and Banks Peninsula District Plan. However, in reviewing those provisions, several changes have been identified. In particular there is a need to:
 - a. combine subsections relating to aircraft protection including provisions for Christchurch International Airport, Wigram Airfield, and bird strike protection rules in the operative Plan;
 - b. update maps and diagrams to reflect movement of the runways during the earthquakes;
 - c. review the activities controlled by the runway end protection areas (REPAs);
 - d. adjust the provisions for aircraft protection surfaces where they intersect with the Port Hills.

8.1.2 Proposed District Plan: Overview and Synopsis

1. Aircraft protection in the operative plan is managed through the use of:
 - a. airport protection surfaces that prohibit buildings or trees in the flight paths of aircraft;
 - b. runway end protection areas (REPAs) which control land uses and activities at the immediate end of runways;
 - c. birdstrike management areas, where activities that attract certain species of birds are restricted.
2. The general approach to aircraft protection is proposed to be maintained but a review has been undertaken of the activities controlled within the REPAs and birdstrike risk areas to increase their clarity, provide greater certainty for affected property owners and meet the Statement of Expectations for the District Plan Review. Minor changes have also been proposed with respect to sections of the protection surfaces that intersect the Port Hills.
3. Wigram Airfield's protection surfaces were reviewed in 2011 as part of Plan Change 46. Consultation with NZDF and the Wigram Air Force Museum did not highlight any issues with the current provisions. As such, they are proposed to be rolled over with only minor formatting changes.

8.1.3 Strategic Planning Documents

1. Those strategic matters and provisions specifically given effect or had regard to in this section are summarised in the table below and set out in full in Appendix 1. These documents broadly identify the resource management issues for the district and provide the higher level policy direction to resolve these issues.

2. The Strategic Directions Chapter also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the section 32 report for the Strategic Directions chapter. Those objectives and policies within the Strategic Directions Chapter that are relied on in this chapter are discussed in section 8.3 (Evaluation of Objectives) below.

Table 1: Strategic Planning Documents

	Document	Relevant provisions	Relevant directions given effect/taken account of in the Outdoor Lighting and Glare section
a	The Canterbury Regional Policy Statement (CRPS)	Policy 5.3.9; Objective 6.2.1; Policy 6.3.5	The CRPS directs Council to set out objectives and policies to avoid land uses that constrain the ability of regionally significant infrastructure to be developed or which could adversely affect the safe operation of regionally significant infrastructure including the Christchurch International Airport. Council is also directed to set out objectives and policies to avoid land-uses that directly adversely affect the safe operation of regionally significant infrastructure.
b	Land Use Recovery Plan (LURP)	s4.4.3	The LURP identified Christchurch International Airport as strategic infrastructure of national significance, enabling international and domestic freight to move to and from the South Island and to provide a gateway for tourism into the region. The ability of the airport to operate efficiently is considered to be essential to the recovery of the region.
c	Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 – Statement of Expectations	Schedule 4(a)-4(b)	The Statement of Expectations requires the replacement District Plan to contain objectives and policies that clearly state the outcomes intended for the district and to reduce reliance on resource consent processes, the number, extent and prescriptiveness of development controls and requirements for notification and written approval.

8.1.4 Independent Hearings Panel Decisions on Stage 1 Proposals

1. Decisions were released on 26 February 2015 on several Stage 1 proposals including the Strategic Directions proposal.

2. The decision on the Strategic Directions proposal revised a number of objectives and introduced Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district and Objective 3.3.2 Clarity of language and efficiency. All other plan objectives and policies are required to be expressed and achieved in a manner consistent with Objectives 3.3.1 and 3.3.2.
3. The proposed provisions achieve Objective 3.3.1 and 3.3.2 by supporting the recovery and ongoing operation of Christchurch International Airport, meeting community's the immediate and longer term need for strategic infrastructure. They also reduce reliance on resource consent processes in the management of the REPAs and clarify and consolidate objectives and policies relating to aircraft protection.

8.1.5 Scale and Significance

1. Section 32(1)(c) of the Act requires that this evaluation report contains 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. For this section, an assessment of the scale and significance is made at the end of the description of the resource management issues.

8.2.0 RESOURCE MANAGEMENT ISSUES

- a. Several related resource management issues have emerged from a range of sources including:
 - i. discretionary discussions with stakeholders including the Collaborative Advisory Group (CAG), Christchurch International Airport Ltd (CIAL), New Zealand Defence Force (NZDF), and the Wigram Air Force Museum;
 - ii. submissions on Stage 1 of the review including the Strategic Directions chapter and the designation for Christchurch International Airport;
 - iii. the administration of the operative District Plan.

8.2.1 Resource Management Issue 1: Enabling the safe and efficient operation of aircraft

AIRCRAFT PROTECTION RESOURCE MANAGEMENT ISSUE 1	
1. SUMMARY OF ISSUE	
a. To enable the safe and efficient operation of aircraft, there is a need to restrict land use activities with the potential to create obstructions in flight paths or to distract or otherwise reduce visibility for pilots.	
b. There is also a need to manage the potential for loss of life or property damage in the event of an aircraft accident by restricting activities at the ends of runways that could exacerbate the damage caused (such as the storage of flammable or otherwise hazardous substances).	
c. Since the City Plan became operative in 2005, plan changes for rezonings in the	

western sector of the city have typically attracted submissions from Christchurch International Airport seeking inclusion of provisions aimed at reducing the risk of bird strike (aircraft colliding with a bird or flock of birds). Consequently there are numerous references to bird strike in the operative City Plan and these have in many cases been rolled over into Stage 1 of the District Plan Review. Not all of the references are consistent in terminology or in the wording of rules and assessment matters.

- d. It would be more effective and less repetitive to have generic provisions based on distance from the airport rather than on zones, in one place in the replacement District Plan i.e. Chapter 6. CIAL has also submitted on Stage 1 seeking a similar outcome, although there are some differences between the provisions they seek and those now proposed by the Council. Differences relate to distances from the airport where “bird- attracting activities” should be of concern, types of activities which should be targeted by land use rules, and the degree of detail about mitigation measures which should be contained in the Plan. These issues will be discussed in the evaluation of options below.
- e. The operative Plan includes protection surfaces calculated from the ends of the runways. The positions of the runways have moved slightly (0.3m) as a result of the earthquakes which has required an update to the position of the protection surfaces based on resurveyed endpoints.

2. GENERAL DIRECTIONS

- a. The general policy direction from the Regional Policy Statement, Land Use Recovery Plan and other replacement District Plan chapters (Strategic Directions) has been to avoid land uses and activities that could constrain the safe and efficient operation of strategic infrastructure. The direction from the Statement of Expectations is to reduce the number, extent and prescriptiveness of development controls.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. Having regard to the strategic policy direction, the proposed direction is to retain the current protection surfaces, REPAs and birdstrike management areas but to review the current controls to ensure that they provide clear, achievable requirements for affected landowners and represent a reasonable level of restriction to impose on private property owners.

4. SCALE AND SIGNIFICANCE

- a. Proposed changes to the existing provisions are considered to be minor and to affect a limit number of stakeholders and property owners.
- b. The resurveyed protection surfaces will now apply to some additional properties but the restrictions imposed by them are limited and in many cases do not impose any additional control on development because the zone height limits are significantly lower than the protection surfaces.
- c. Changes to the REPA rules and the protection surfaces on the Port Hills are considered to represent a negligible increase in risk to aircraft safety.

8.3.0 EVALUATION OF OBJECTIVES AND POLICIES

Section 32(1)(a) of the Act requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose (section 5) of the Act.

8.3.1 EVALUATION OF PROPOSED OBJECTIVE 1

OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE RMA	
Objective 1	Summary of Evaluation
<p>Objective 1 Option 1 – Focus on aircraft safety rather than the operational needs of individual sites</p> <p><i>6.7.1.1 Objective 1: Safe and efficient aircraft operation</i></p> <p><i>a. Aircraft are able to safely and efficiently approach, land, take-off and depart from airports, airfields or helipads.</i></p>	<ol style="list-style-type: none"> 1. The intent of Objective 1 is to recognise the specific requirements of aircraft operations, including aircraft used for purposes other than transport (e.g. recreational, agricultural or training uses). Option 1 provides an appropriate framework for developing provisions for aircraft safety that apply to Christchurch International Airport, Wigram Airfield and to other future airfields or helipads whether these are classified as strategic infrastructure or not. 2. Option 1 also pulls together policies relating to bird strike, which in the operative plan are repeated for each zone. 3. Chapter 9 of the Regional Policy Statement (Ecosystems and Biodiversity) does mention bird strike in relation to wetland areas in the vicinity of the airport, but there are no objectives or policies directly addressing this.
<p>Objective 1 Option 2 – Status Quo</p> <p><i>Operative Plan Objective 7.7 Transport safety</i></p> <p><i>The maintenance and improvement of transport safety throughout the City.</i></p> <p><i>Operative Plan Objective 7.8 Access to the City</i></p> <p><i>Recognition of the need for regional, national and international links with the City and provision for those links.</i></p> <p><i>Policy 7.8.1 To provide for the effective and efficient operation and development of Christchurch International Airport.</i></p>	<ol style="list-style-type: none"> 1. Option 2 is considered to be a less appropriate way to achieve the purpose of the Act because it does not consider the safety or efficiency requirements of aircraft used for purposes other than transport. 2. Policy 7.8.1 does not as clearly apply to airfields other than Christchurch International Airport, such as Wigram Airfield.

<p>Objective 1 Option 3 – No specific District Plan objectives for aircraft protection. Rely on Strategic Directions.</p> <p><i>Strategic Directions chapter</i></p> <p><i>3.3.12 Objective – Infrastructure</i></p> <p><i>a. The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled; and</i></p> <p><i>b. Strategic infrastructure, including its role and function, is protected by avoiding adverse effects from incompatible activities... by, amongst other things:</i></p> <p><i>(iv) managing the risk of bird strike to aircraft using Christchurch International Airport</i></p>	<p>1. Option 3 is considered to be a less appropriate way to achieve the purpose of the Act because it focuses on the infrastructure dimension of aircraft safety but potentially would not cover other aircraft uses (such as recreational helicopter flights).</p>
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8.4.0 EVALUATION OF PROPOSED RULES AND METHODS

- a. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonable practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

8.4.1 Policy 1 - Avoidance of physical obstructions

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
Relevant objectives and policies: <i>6.7.1.1 Objective 1: Safe and efficient aircraft operation</i> <i>a. Aircraft are able to safely and efficiently approach, land, take-off and depart from airports, airfields or helipads.</i>	
Provision(s) most appropriate	Effectiveness and Efficiency
Policy 1 - Option 1 <i>6.7.1.1.1 Policy 1: Avoidance of physical obstructions</i> <i>a. Avoid physical obstructions that are not essential to aircraft operations in take-off, approach, landing or departure paths and in runway end protection areas (REPAs).</i> Methods b. Rules: <ol style="list-style-type: none"> i. prohibiting buildings, utilities or trees at a height that penetrates defined airport protection surfaces ii. prohibiting buildings, utilities or trees (with some exceptions) in defined areas at the end of runways (REPAs) 	<ol style="list-style-type: none"> 1. Effectiveness <ol style="list-style-type: none"> a. The proposed policy and rules are appropriate in achieving the objective because they prevent the construction of buildings or other structures or the growth of trees into the flight paths of aircraft. 2. Efficiency <ol style="list-style-type: none"> a. Benefits <p><i>Environmental</i></p> <ol style="list-style-type: none"> i. Reduces the risk of damage to land, vegetation and structures from an aircraft accident. <p><i>Economic</i></p> <ol style="list-style-type: none"> ii. Allows aircraft to operate safely and efficiently within predefined flight paths. Safe and efficient aircraft movement creates economic benefits including tourism, freight movement, commercial travel, recreational flights and agricultural activity. <p><i>Social/Cultural</i></p> <ol style="list-style-type: none"> iii. Reduces the risk of death or injury from an

	<p>aircraft accident.</p> <p>iv. Supports the social benefits of air travel.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>i. Requires some trees in the vicinity of airfields to be topped.</p> <p><i>Economic</i></p> <p>ii. Restricts land uses for some sites to a minor extent. The protection surfaces are generally at least 30m high at the boundaries of CIAL's property so this effect is considered to be minimal except for several properties on the Port Hills where the protection surfaces in the operative plan intersect with the hillside (see Appendix 8.2) and prevent any buildings on the whole of several properties. To address this issue, it is proposed to amend the description of the protection surfaces at 6.7.3.4.1(d)(iv) and (f)(iii) to clarify that "except that at any point on the Port Hills where the distance between the ground and the protection surface is less than 10m, the protection surface will be assumed to be at 10m." This will continue to allow reasonable use of the properties on the Port Hills without significantly increasing risk to aircraft approaching Christchurch International Airport.</p> <p>iii. Requires property owners on the boundaries of airfields to maintain trees at a certain height.</p> <p><i>Social/Cultural</i></p> <p>iv. NIL</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
Policy 1 Option 2 – No protection surfaces or REPAs	<p>Appropriateness</p> <p>2. Option 2 is not considered to be an appropriate way to achieve the objectives because it would allow buildings, structures, utilities or trees to be built or grow into the flight paths of aircraft. This would increase operational costs and complexity for the airport and airfields.</p> <p>3. The rules prohibiting obstructions in protection surfaces and REPAs generally do not impose a significant burden on property owners because in most parts of Christchurch the heights restricted by the protection surfaces are significantly higher than what would be allowed under the zone</p>

	<p>rules. Where the operative plan protection surfaces significantly restrict development (i.e. the Port Hills), changes are proposed to the descriptions of the surfaces to allow some development to occur on the ground to an extent that would not realistically interfere with aircraft operation.</p> <p>4. With respect to the REPAs the areas where building is restricted in generally small and either owned and controlled by the airport, designated for airport purposes or proposed to be added to the designation in Stage 1 of the District Plan Review.</p>
Risk of Acting or Not Acting	
<p>3. There is considered to be sufficient information about the proposed provisions without the need to take account of the risk of acting or not acting (RMA s32(4)(b)).</p>	

8.4.2 Policy 2 - Avoidance or mitigation of navigational or operational impediments

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
<p>Relevant objectives and policies:</p> <p>6.7.1.1 <i>Objective 1: Safe and efficient aircraft operation</i></p> <p><i>a. Aircraft are able to safely and efficiently approach, land, take-off and depart from airports, airfields or helipads.</i></p>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p>Policy 2 - Option 1</p> <p>6.7.1.1.2 <i>Policy 2: Avoidance or mitigation of navigational or operational impediments</i></p> <p><i>a. Avoid or mitigate the potential effects of activities that could interfere with the safe navigation and control of aircraft including activities that could interfere with visibility or increase the possibility of bird strike.</i></p> <p>Methods</p> <p>a. Rules:</p> <ul style="list-style-type: none"> i. prohibiting reflective glare or production of light beams that could interfere with the vision of a pilot in the REPAs; ii. restricting light spill and glare in defined areas extending from the ends of runways; iii. requiring a restricted discretionary consent to create new water bodies or ponding areas within 3km of the airport; iv. requiring a discretionary consent to establish a new landfill within 8km of the airport <p>b. CIAL designates or purchases REPA land where a more restrictive approach to land use is required.</p>	<p>1. Effectiveness</p> <ul style="list-style-type: none"> a. The proposed policy and rules are appropriate in achieving the objective because they prevent the production of light or glare that could distract pilots and discourage specific activities that would attract large groups of birds in the proximity of flight paths. b. Designating and/or purchasing the REPA land would be a more effective way to achieve the objective because it would allow CIAL to have more certainty and control over activities proposed in the REPAs. c. The proposed bird strike provisions are more effective than Option 3 because they are targeted at the areas close to the airport where most bird strike events are likely to occur. <p>2. Efficiency</p> <p>a. Benefits</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Reduces the risk of damage to land, vegetation and structures from an aircraft accident. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Allows aircraft to operate safely and efficiently within predefined flight paths. Safe and efficient aircraft movement creates economic benefits including tourism, freight movement, commercial travel, recreational flights and agricultural activity. iii. Reduces maintenance costs for the airport (i.e. repairing damage to planes struck by birds). iv. Provides more certainty to landowners around what activities are or are not allowed

	<p>within the REPAs.</p> <ul style="list-style-type: none"> v. Reduces Council enforcement costs around activities, such as dust generation or radio signals, that are not clearly defined or quantified (see discussion for Option 2 below). vi. Targets appropriate activities most likely to increase the risk of bird strike, rather than applying to a wide range of activities which might or might not pose a risk and provides greater certainty to property owners. vii. Reduces complexity and costs of consents compared with Option 3, because level of detail on information required should correspond to the scale of the problem. viii. Plan complexity and administration costs reduced by combining a number of varying provisions for bird strike spread through the Residential, Commercial and Industrial zones in Stage 1 of the replacement District Plan. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> ix. Reduces the risk of death or injury from an aircraft accident. x. Supports the social benefits of air travel. <p>b. Costs</p> <p><i>Environmental</i></p> <ul style="list-style-type: none"> i. Requires a consent to construct stormwater ponds and basins. <p><i>Economic</i></p> <ul style="list-style-type: none"> ii. Requires CIAL to purchase the REPA areas. iii. Potentially some additional costs for future developments such as using non-reflective surfacing or mitigation measures to discourage bird roosting or feeding near consented stormwater basins. iv. Would require a consent to establish a new landfill near the airport but this is unlikely to be proposed. v. Would require quarrying operations to consider the extent and duration of ponding which may occur as a result of heavy rainfall, and how to prevent this becoming a bird strike risk. This matter is not specifically covered through the current management plan regime. <p><i>Social/Cultural</i></p> <ul style="list-style-type: none"> vi. NIL
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Options less or not as appropriate to achieve the Objectives and Policies:	
<p>Policy 2 Option 2 – Status quo</p> <p>Methods</p> <p>a. Rules:</p> <ul style="list-style-type: none"> i. prohibiting release of any substance that could interfere with the operation of aircraft, including smoke, dust and steam; ii. prohibiting reflective glare or production of light beams that could interfere with the vision of a pilot in the REPAs; i. prohibiting production of radio or electrical interference which could affect aircraft communication or navigation equipment in the REPAs; ii. prohibiting the use of land for activities which may attract birds, including but not limited to crops, orchards, and waterbodies (including swales or retention basins for the management of stormwater) in the REPAs; iii. restricting light spill and glare in defined areas extending from the ends of runways; 	<p>Appropriateness</p> <ol style="list-style-type: none"> 1. Option 2 is considered a less appropriate way to achieve the objective because some of the prohibited activities in the operative Plan do not consider the scale or risk of the activity and do not provide certainty to private property owners. 2. Production of smoke and steam are discharges to air and would be more appropriately managed through the Regional Plan. Management of dust on a scale that would interfere with aircraft operation could be more effectively achieved through CIAL owning the properties in question. 3. Restricting the production of radio or electrical interference does not sufficiently consider the scale of the activity or provide certainty to landowners. For example, it is unclear from the rule whether internet or mobile phone use within the REPAs would be a prohibited activity. CIAL ownership of the REPAs would allow for more effective and efficient management of these types of activities where they have the potential to interfere with navigation or communication equipment. 4. Prohibiting crops and orchards on rurally zoned private land to reduce risk of bird strike is not considered to be an efficient or effective way to achieve the purpose of the Act. Other district plans in New Zealand manage this risk through airport ownership and zoning of the affected land or through wildlife management plans or agreements with private property owners (see Appendix 8.3).
<p>Option 3: Rules proposed by CIAL for bird strike in submission 863 on Stage 1</p> <p>Rules apply to certain activities within 13 km of airport.</p> <p>Birdstrike risk activity defined as including a wide range of activities, and including “any other activities that have the potential to attract “dangerous” bird species</p> <p>Requirement for written approval by CIAL.</p> <p>Assessment matter effectively requiring</p>	<p>Appropriateness</p> <ol style="list-style-type: none"> a. Option 1 does propose to retain a 3km Bird Strike Management Area where stormwater ponds, including swales and basins, would be a restricted discretionary activity. This is considered a more efficient way of achieving the purpose of the Act because it allows for engineering solutions that could reduce the attractiveness of these facilities for birds while continuing to provide the benefits of on-site stormwater management. b. ICAO Standards state that “the appropriate authority shall take action to eliminate or to prevent the establishment of rubbish dumps or any such source attracting bird activity on, or in the vicinity of an aerodrome unless an

<p>a management plan to minimise birdstrike risk.</p>	<p>appropriate aeronautical study indicates that they are unlikely to create conditions conducive to a bird hazard problem.</p> <p>c. NZCAA has no regulation to implement this standard, but notes in its “Guidance Material for Land Use at or near aerodromes” (June 2008) that the ICAO recommend that refuse dump sites be located no closer than 13km from the airport property, and that “in the vicinity” of an aerodrome artificial and natural lakes increase the bird strike hazard depending on the size and shape of the lake, its ecological state and the surroundings. (there is no definition of “in the vicinity”). Advisory Circular 139-6 (2011) supplements this guidance and discusses a wider range of activities but puts emphasis on airports working with local authorities to ensure “bylaws” are established. A search of other recently reviewed NZ District Plans appears to indicate that no other local authority has included land use provisions relating to bird strike in their District Plan to date. This would imply that other local authorities for whatever reason do not consider it to be an issue they should cover in their District Plans, even where their airports are beside or surrounded by water. NZCAA does state that an aerodrome operator must establish an environmental management programme to minimise or eliminate any wildlife hazard that presents a hazard to aircraft operations at their aerodrome in areas within their authority.</p> <p>d. A NZ Civil Aviation Authority report “Bird Incident Rate Report for April to June 2014”, analyses bird incident rates at all NZ airports and converts them to strikes per 10,000 aircraft movements over the previous 12 months. It also analyses trends over the preceding three years. This report classes Christchurch airport as having a “low” average bird strike rate per 10,000 aircraft movements, with this risk category having been constant recently. It is possible that preventative action and negotiation with landowners by CIAL has kept this risk low. CIAL has previously argued that even one serious birdstrike event is too many, and that this is a hazard where the probability may be low but the consequences are high. On this basis Council is prepared to continue bird strike rules in this replacement DP but with some rationalisation.</p> <p>e. Advice from CCC Ranger Andrew Crossland, who has considerable ornithological expertise, is that</p>
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	<p>the two main issues for Christchurch airport are:</p> <ul style="list-style-type: none"> i. Birds flying along the Waimakariri-Estuary flyway and crossing the airport's northern and eastern approach slopes; and ii. Localised movements between waterbodies in the area surrounding the airport. <p>f. US FAA data indicates that more than 90% of bird strikes occur below 900m in altitude, with nearly 60% below 30m ie incidents are most likely to occur on takeoff or landing or in the near vicinity of airports.</p> <p>g. US FAA Advisory Circular 150/5200-33B provides general separation criteria of 3 km for airports serving turbine powered aircraft from a number of hazardous wildlife attractants and 8km where the attractant could cause hazardous wildlife movement into or across the approach, departure or circling airspace. Transport Canada guideline TP1247 describes moderately hazardous activities that are not recommended within 3.2km of airport reference points and extremely hazardous activities which are prohibited within 8km of airport reference points (food waste landfill sites, garbage dumps and commercial fish processing plants, and some agricultural activities).</p> <p>h. In the Council's view, there is no clear justification for making all water bodies including all stormwater facilities restricted discretionary activities within 13km of the airport and subject to CIAL written approval. This proposal would impose undue regulatory cost on a wide range of landowners across the City, as 13km extends to the eastern suburbs. CCC proposes to limit bird strike rules with respect to the creation of waterbodies to 3km from the airport and consider bird strike out to 8km from the airport only in relation to very hazardous activities such as landfill sites and rubbish dumps.</p> <p>i. The definition of birdstrike activity is unnecessarily wide, including overseas and potentially irrelevant uses eg cattle feed lots, and in the last phrase introduces a large element of uncertainty as to what activities are covered and would therefore be subject to consents.</p> <p>j. There is no evidence which justifies a distance of 13km for such a range of activities, except an ICAO recommendation in respect of refuse dump sites, and even then it appears that the 13km</p>
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	<p>distance has not been accepted in some other jurisdictions. 13km is much wider than “in the vicinity of” the airport.</p> <p>k. The costs of this scale of regulation (to landowners) are unlikely to be justified by the benefits (to CIAL and potentially to the public - see issues discussion above).</p> <p>l. Some of the standards for mitigation are uncertain. It is not appropriate to specify standards, unless the activity is a permitted activity, subject to meeting particular standards.</p> <p>m. A requirement for written approval by another authority i.e. CIAL is likely to be unlawful, as it fetters the Council’s discretion on a consent decision.</p> <p>n. Proposed new assessment matter b. effectively requires a birdstrike management plan to be developed irrespective of the level of the risk. In some cases this may be unnecessary.</p>
Risk of Acting or Not Acting	
<p>1. There is insufficient information quantifying the risk posed by some operative REPA provisions (such as radio or electrical interference) but there is considered to be sufficient information to recommend Option 1 – that this risk would be more effectively managed through CIAL ownership and control of the areas in question.</p>	

8.4.3 Policy 3 – Risk minimisation

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES	
Relevant objectives and policies: 6.7.1.1 <i>Objective 1: Safe and efficient aircraft operation</i> <i>a. Aircraft are able to safely and efficiently approach, land, take-off and depart from airports, airfields or helipads.</i>	
Provision(s) most appropriate	Effectiveness and Efficiency
Policy 3 - Option 1 6.7.1.1.3 <i>Policy 3: Risk minimisation</i> <i>a. Avoid or mitigate activities at the ends of runways that would significantly exacerbate the effects of an aircraft accident.</i> Methods a. Rules: i. making “mass assembly of people” a discretionary activity in the REPAs ii. prohibiting storage of hazardous substances in excess of the standards for the most restrictive zone group in the REPAs; b. Definitions: i. Mass assembly of people means any activity intended to attract a group of people in numbers greater than what would be anticipated for activities provided for in that zone to a place where none of them resides and which encourages them to remain in the same location. Mass assembly of people includes gatherings associated with recreation activities, entertainment activities or markets. Golf course recreation does not constitute mass assembly of people.	1. Effectiveness a. The proposed policy and rules are appropriate in achieving the objective because they prevent large groups of people congregating for a significant length of time in the REPAs and control storage of quantities of flammable, toxic or explosive substances that could increase loss of life, injury or damage to property from an aircraft crash. b. Defining mass assembly of people provides additional certainty for property owners around what types of activities would or would not be controlled. 2. Efficiency a. Benefits <i>Environmental</i> i. Reduces the risk of damage to land, vegetation and structures from an aircraft accident. <i>Economic</i> ii. Reduces costs to insurers in the event of an accident. <i>Social/Cultural</i> iii. Reduces the risk of death or injury from an aircraft accident. b. Costs <i>Environmental</i> i. NIL <i>Economic</i> ii. Restricts potential land uses for private property

	<p>iii. Requires property owners to store some hazardous substances in alternative locations.</p> <p><i>Social/Cultural</i></p> <p>iv. Very minor restrictions on assembly of people in small defined areas at the ends of runways where these activities are unlikely to be proposed in any event.</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>Policy 2 Option 2 – Status quo</p> <p>i. Prohibiting “mass assembly of people” in the REPAs; no definition of mass assembly of people</p> <p>ii. Prohibiting storage of hazardous substances in excess of the standards for the most restrictive zone group in the REPAs</p>	<p>Appropriateness</p> <p>1. Option 2 is not considered to be an appropriate way to achieve the purpose of the Act because “mass assembly of people” is not clearly defined and does not give certainty to private property owners.</p> <p>2. Discretionary activity status for mass assembly of people is more appropriate because it acknowledges that the risk can be managed based on the scale and timing of the proposed activity, particularly where a prohibition on “mass assembly of people” is difficult to quantify, manage or enforce.</p>
Risk of Acting or Not Acting	
<p>1. There is insufficient information quantifying the risk posed by mass assembly of people in the REPAs but there is considered to be sufficient information to recommend that this risk would be more effectively managed through CIAL ownership and control of the areas in question or through assessment of a resource consent application that considered the scale, timing and duration of a proposed activity.</p>	

8.5.0 BIBLIOGRAPHY

Strategic Documents	Author
Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014	-
Canterbury Earthquake Recovery Strategy	Canterbury Earthquake Recovery Authority
Land Use Recovery Plan	Environment Canterbury
Reports	Author
CAA Advisory Circular AC139-06A Aerodrome Design	Civil Aviation Authority of New Zealand
FAA Advisory Circular 150/5300-13 Airport Design	Federal Aviation Authority Office of Airport Standards (USA)
Other District Plans	Territorial Authority
Auckland Unitary Plan	Auckland Council
Queenstown Lakes District Plan	Queenstown Lakes District Council
Waipa District Plan	Waipa District Council
Wellington City Plan	Wellington City Council

APPENDIX 8.1 Key strategic documents

The key messages that inform the direction taken in the chapter include the following:

1. Canterbury Regional Policy Statement 2013

Policy 5.3.9 Regionally significant infrastructure

In relation to regionally significant infrastructure (including transport hubs):
(1) avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety

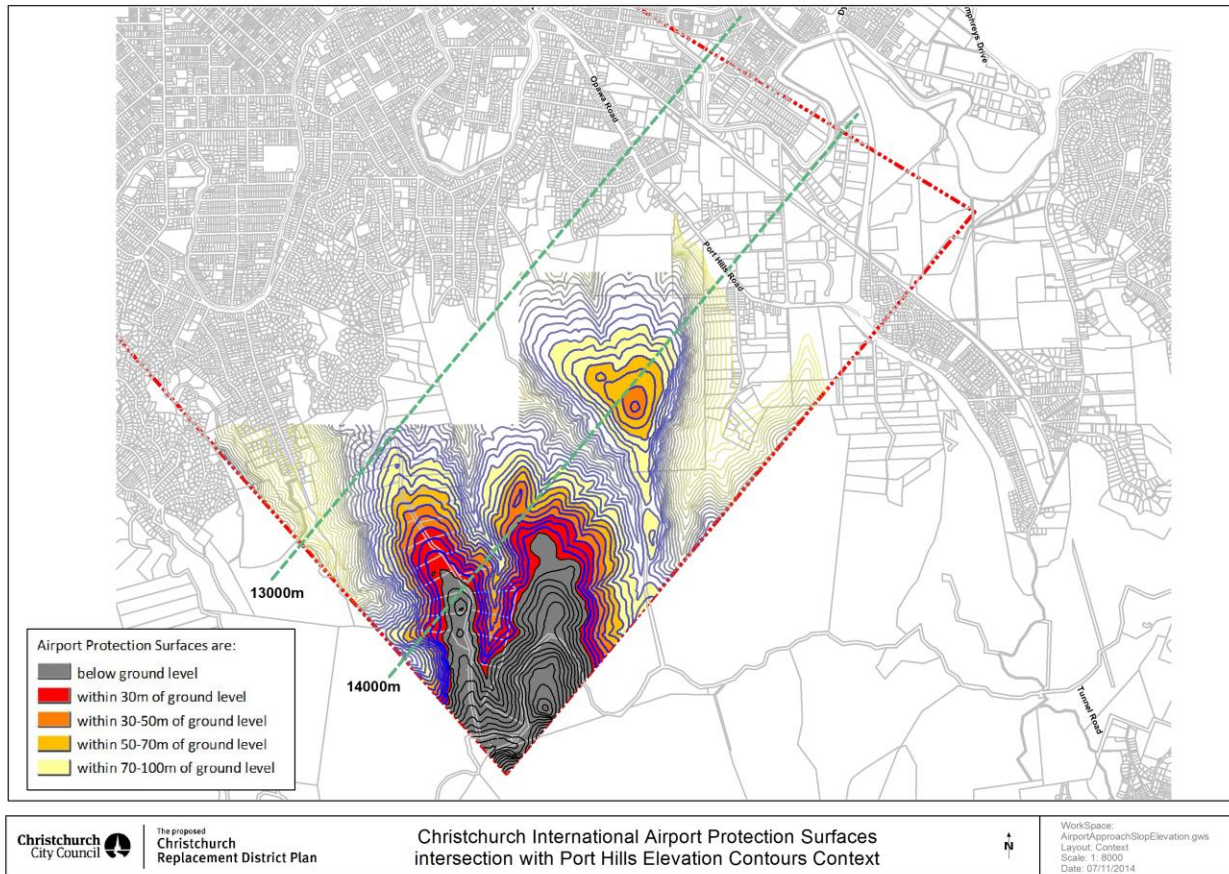
Objective 6.2.1 Recovery framework

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:
(9) integrates strategic and other infrastructure and services with land use development
(10) achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade and future planning of strategic infrastructure and freight hubs

Policy 6.3.5 Integration of land use and infrastructure

Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:
(3) Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;
(5) Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.

APPENDIX 8.2 Maps showing the intersection of Christchurch International Airport's protection surfaces and properties on the Port Hills



APPENDIX 8.3 Comparison of provisions for aircraft protection for larger New Zealand airports

	Christchurch	Auckland	Wellington	Hamilton	Dunedin	Rotorua	Queenstown
Plan rules/ designation	Plan rules – Volume 3, Part 9.6 (protection surfaces and REPAs)	Designation – Part 7 Auckland International Airport Ltd. Designation number 1102	Designation – G2 (protection surfaces); Plan rules (airport zone)	Designation – D39 (protection surfaces); Plan rules 10.4 (REPAs)	Designation (protection surfaces) – D274; Plan rules (airport zone)	Designation A6.12 (protection surfaces); Plan rules (airport zone)	Designation D.3 (protection surfaces); Plan rules (airport zone)
Protection surfaces	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bird strike provisions	Yes	Nil	Nil	Nil	Nil	Activities attractive to birds are prohibited in the airport zone.	Farming prohibited in the airport zone.
REPAs	Yes as plan rules	Yes as part of the purpose of the designation	None. The runway ends for Wellington Airport are over water.	Yes as plan rules	None. Activities are managed through an airport zone and an Airport Master Plan.	None. Activities are managed through an airport zone.	None. Activities are managed through the airport zone.
- Buildings	Prohibited	Prohibited	Some height restrictions in specific areas to preserve visibility for control towers. Non- airport buildings	Prohibited (residential, guest accommodation, schools, places of assembly, service stations,	Prohibited (residential, commercial, community); Permitted (industrial, service stations,	Non-complying (residential, industrial, commercial, community facilities, retail)	Prohibited (residential, guest accommodation, commercial, community activities)

	Christchurch	Auckland	Wellington	Hamilton	Dunedin	Rotorua	Queenstown
			are restricted discretionary or discretionary (subject to standards)	hospitals, camping grounds); Restricted Discretionary (retail, offices, industrial, car storage)	guest accommodation)		
- Storage of hazardous substances	Uses the most restrictive zone category within the REPAs	Prohibited	Controlled activity	No specific controls with respect to REPAs	-	No specific controls with respect to Airport Protection Zone.	-
- Mass assembly of people	Prohibited	Prohibited	-	See prohibited buildings above. Otherwise, no specific controls with respect to REPAs	-	Produce stands are Discretionary.	See prohibited buildings above.
- Release of smoke, dust, steam	Prohibited	Prohibited	Standard to avoid dust nuisance.	No specific controls with respect to REPAs	-	Prohibited	-
- Glare / reflective surfaces	Prohibited	Prohibited	-	No specific controls with respect to REPAs	-	Prohibited	Roofs in the airport zone must be non-reflective.
- Radio signals	Prohibited	Prohibited	-	No specific controls with respect to REPAs	-	Prohibited	-
- Activities	Prohibited	Prohibited	-	No specific	Farming is	Agricultural	Farming is

	Christchurch	Auckland	Wellington	Hamilton	Dunedin	Rotorua	Queenstown
attractive to birds				controls with respect to REPAs	permitted in the airport zone.	activities are Discretionary in the protection zone.	prohibited in the zone.

APPENDIX 8.4 Summary of proposed changes to REPA provisions

Operative Plan	Proposed Replacement Plan	Reason for Proposed Change
<u>Prohibited activity</u> Buildings or utilities located in the REPAs (with some exceptions)	<u>Prohibited activity</u> Buildings or utilities located in the REPAs (same exceptions)	No change
<u>Prohibited activity</u> Any activities that results in mass assembly of people, including but not limited to gatherings associated with recreation activities, public entertainment events, or fairs. Golf course recreation does not amount to mass assembly of people. No definition of mass assembly of people.	<u>Discretionary activity</u> Mass assembly of people Definition: Mass assembly of people means any activity intended to attract a group of people in numbers greater than what would be anticipated for activities provided for in that zone to a place where none of them resides and which encourages them to remain in the same location. Mass assembly of people includes gatherings associated with recreation activities, entertainment activities or markets. Golf course recreation does not constitute mass assembly of people.	Mass assembly of people without a definition is difficult to interpret and enforce. The purpose of the rule is to limit deaths on the ground in the event of an airplane crash but that risk will depend on the number of people gathering in the area and the length of time they remain there. A discretionary activity status therefore is more appropriate to this activity than a blanket prohibition.
<u>Prohibited activity</u> The release of any substance which will impair visibility or otherwise interfere with the operation of aircraft, including the creation of smoke, dust and steam	Rule removed	Creation of smoke and steam are discharges to air and should be controlled through the Regional Plan. This activity is imprecisely defined, does not give certainty to affected landowners about what is or is not permitted and does not consider the scale of the activity or its likelihood of interfering with visibility for pilots. If retained, a discretionary activity status would be more appropriate.

Operative Plan	Proposed Replacement Plan	Reason for Proposed Change
<u>Prohibited activity</u> Notwithstanding the zoning applicable to land within the REPA, the use or storage of hazardous substances in excess of the quantities specified for a Group 1 Zone in Volume 3, Part 11 (Hazardous Substances)	<u>Prohibited activity</u> Use or storage of hazardous substances in excess of the permitted standards for Group 3 zones	No change except updating to reflect new group names in the Hazardous Substances chapter. The standards are the same.
<u>Prohibited activity</u> Production of direct light beams, or reflective glare which will interfere with the vision of a pilot, provided that for the purposes of this rule, the following are excluded: (i) reflections from glass and mirrors used in motor vehicles; and (ii) light from motor vehicles	<u>Prohibited activity</u> Production of direct light beams, or reflective glare which will interfere with the vision of a pilot, provided that for the purposes of this rule, the following are excluded: (i) reflections from glass and mirrors used in motor vehicles; and (ii) light from motor vehicles	No change.
<u>Prohibited activity</u> Production of radio or electrical interference which could affect aircraft communication or navigational equipment	Rule removed	This activity is imprecisely defined, does not give certainty to affected landowners about what is or is not permitted and does not consider the scale of the activity or its likelihood of interfering with equipment. If retained, this control should have defined standards or be a discretionary activity with clear assessment matters.

Operative Plan	Proposed Replacement Plan	Reason for Proposed Change
<p><u>Prohibited activity</u></p> <p>The use of land for activities which may attract birds, including but not limited to crops, orchards, and waterbodies (including swales or retention basins for the management of stormwater)</p>	<p>Rule removed</p>	<p>This activity is imprecisely defined and prohibits normal agricultural activities on Rural zoned land, effectively sterilising land use for other property owners within the REPAs. If CIAL wants to controls these activities in REPAs it would be a more appropriate course to designate and purchase the land in question. Risk of birdstrike could be managed through other plan controls on creation of water bodies and landfills within certain distances of the airport, Wildlife Management Plans or informal arrangements with landowners.</p>

APPENDIX 8.5 Linkages between provisions - Aircraft protection

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
<i>General Rules and Procedures – Aircraft Protection</i> Resource Management Issue 8.2.1 Enabling the safe and efficient operation of aircraft	<i>Strategic Directions Chapter</i> 3.3.1 Enabling recovery and facilitating the future enhancement of the district 3.3.12 Infrastructure 3.3.14 Incompatible activities	6.7.1.1 Safe and efficient aircraft operation	6.7.1.1.1 Avoidance of physical obstructions 6.7.1.1.2 Avoidance or mitigation of navigational or operational impediments 6.7.1.1.3 Risk minimisation	6.7.2 Aircraft protection rules	n/a

9.0 SIGNAGE

9.1 STRATEGIC CONTEXT

9.1.1 Purpose and scope OF PART 6.8 OF THE GENERAL RULES AND PROCEDURES CHAPTER

1. The outdoor advertising provisions in the Christchurch City Plan and Banks Peninsula District Plan are being reviewed as part of preparing Phase 2 of the Replacement Plan (General Rules and Procedures chapter).
2. The purpose of Part 6.8 – Signs is to control the potential adverse effects associated with advertising, and a proliferation of advertising, within Christchurch City Council boundaries.
3. In line with the Statement of Expectations in the Order in Council, there is a policy direction to, where appropriate, reduce rule complexity and seek to make most signs Permitted Activities in appropriate land use zones, subject to activity and built form standards being met. Other policy directions include aligning the prevalence and function of signage with the purpose of the zone in which they are located and reducing notification requirements where possible. The overall aim is to enable businesses and other organisations to promote their products, services and activities in a manner that promotes high quality amenity and urban design outcomes.

9.1.2 PROPOSED DISTRICT PLAN: OVERVIEW AND SYNOPSIS

1. Control of the use, development, or protection of land, and therefore signage, is a specific territorial authority function (section 31 of the RMA). There is no overlap with regional council functions, and hence regional planning and policy documents.
2. The Land Use Recovery Plan and Chapter 5 of the Canterbury Regional Policy Statement are only very indirectly relevant to Part 6.8, insofar as they seek to enhance centres to provide for commercial opportunities and for territorial authorities to consider methods to promote good planning, building design and urban design to give effect to the 2005 New Zealand Urban Design Protocol.
3. Part 6.8 – Signs of the General Rules and Procedures Chapter gives effect to these and other strategic documents.

9.1.3 RESEARCH

1. Ekin Sakin, Christchurch City Council Architect, prepared draft Urban Design Advice in response to a 'Brief for Urban Design lead on Outdoor Advertising provisions' from the policy development team. This advice considered the operative District Plan provisions and an analysis of outdoor advertising-related resource consents over a 10-year period (2004-2014) (included as **Appendix A**). The analysis found that a high proportion of consents were non-notified, and that key elements of the existing district plan provisions were not being considered in consent decisions.

9.1.4 Consultation

1. The RMA requires the Council to consult with the Minister for the Environment, other Ministers of the Crown who may be affected by the plan, local authorities who may be

affected and the tangata whenua of the area affected. The Council may also consult with anyone else during the preparation of the plan.

2. To date there has been no consultation with these parties regarding outdoor advertising provisions, with any parties. The only consultation has been between the policy and consent teams.

9.2.0 CURRENT SITUATION

1. Signage within the Christchurch City Council area is currently controlled in one of six ways:
 - a. Existing Statements and Rules in the Operative Christchurch District Plan
 - b. Existing Rules in the Operative Banks Peninsular District Plan
 - c. Signboards in Public Places Policy
 - d. Christchurch City Council Public Places Bylaw 2008, Section 7; Obstruction in Public Places
 - e. Christchurch City Council Brothels (Location and Commercial Sexual Services Signage) Bylaw 2013, Section 6; Prohibition on Signage Advertising Commercial Sexual Services and Section 7: Regulation of Signage Advertising Commercial Sexual Services.
 - f. Banks Peninsula District Council Public Places and Signs Bylaw 2004
2. In addition, the New Zealand Transport Agency controls signs within state highway road reserves and has an interest in signs outside the state highway road reserve, which are visible and may impact the efficient and safe operation of the State Highway. All advertising signs within the state highway road reserve are controlled through the New Zealand Transport Agency (Signs on State Highways Bylaw) 2010.
3. There are no relevant provisions on signs in the RPS, LURP and the Iwi Management Plan.

9.2.1 Resource Management Issues

RESOURCE MANAGEMENT ISSUE 9.2.1.1 – Requirement to incorporate Ministerial expectations into district plan review.

The Statement of Expectations in the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 sets out the expectations of the Minister for Canterbury Earthquake Recovery and the Minister for the Environment that the replacement district plan must reduce significantly the reliance on resource consent processes, the number, extent and prescriptiveness of development controls and design standards (in order to encourage innovation and choice) and the requirements for notification and written approval.

RESOURCE MANAGEMENT ISSUE 9.2.1.2 – Existing district plan provisions are not fit for purpose

a. The trigger for requiring consent is too low

In the operative Christchurch District Council Plan, the resource consent threshold for total signage area and number of signs allowed per site is very low and it often triggers consent applications which are always granted on a non-notified basis. Out of 1,000 consents applied for in the last ten years 897 of those were processed and granted on a non-notified basis. In the Banks Peninsula District Plan, some signs are classified as Controlled Activities, which requires consent to be approved in every situation. This approach has not provided an enabling regulatory environment and does not align with the direction set in the Statement of Expectations in the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

b. The rules are overly complex

Current rules are written in a very complex matrix such that it is difficult to understand and in turn implement, e.g. there are twelve different limits of permitted total signage areas ranging from 0.2m² to 50m². In addition there are different permitted signage areas and numbers for different types of activities. The method of ensuring compliance with the permitted signage area is also confusing, as in some cases the total signage area permitted is also measured as a percentage of the site's total road frontage. The combination and permutations of permitted signage area and the number of signs permitted per site makes it very complicated to calculate and come up with an appropriate signage for a particular site without having to apply for resource consent.

c. The cumulative effects of signs are not adequately considered

The issue of cumulative effects generated by having several signs on one site and the way they relate to each other is not addressed in the existing standards and assessment matters. There have been a number of occasions where signs obscure each other on one site and detract from the amenity of the surrounding environment but still meet all other development standards. In some situations, businesses resort to applying for large signs to try and be visible in a cluttered environment.

d. The operative district plans don't control indoor displays

The operative plans only consider outdoor signs and do not consider indoor displays. There are situations where indoor displays can be more prominent than outdoor signs if these are designed and located strategically within a large window facing a major road. These displays can detract from traffic safety and the amenity of the surrounding environment in the same way as outdoor signs.

e. Management of remote (off-site) signs

These are signs located away from the site they advertise. In the operative Christchurch Plan these signs are managed as Non-Complying Activities requiring consent to establish because they breach a Critical Standard in the existing rules. In the Banks Peninsula District Plan, remote signs are controlled by bylaws limit signs to designated places within the rural zones on which businesses can apply to erect a sign in accordance with Council standards.

Remote signs are an integral part of both Christchurch and Banks Peninsula and have been used for a long time to advertise business goods and services. Such signs are usually located along arterial road corridors due to the high level of traffic movement and visibility achieved

on these routes. The nature and scale of these signs has a potential to detract from traffic safety. Further these signs can proliferate particularly in rural areas where paddocks adjacent to arterial roads can be rented for the erection of these signs and potentially detract from the amenity of the surrounding environment. These signs can help motorists make appropriate decisions in advance, helping to avoid unsafe manoeuvres and reactions when the driver identifies a service they want to use. Therefore there is a need to provide for the establishment of these signs in a manner that ensures traffic safety and amenity is maintained.

RESOURCE MANAGEMENT ISSUE 9.2.1.3 – Signage enables economic and community activities

With few exceptions, businesses, communities groups and others seeking to advertise their activities, services and/or products use signs as an integral part of enabling the continuation of their economic and community activities.

In doing so, however, there is the potential for adverse effects associated with this signage, including:

- a. loss of amenity as a result of the number, size and design of signs
- b. Cumulative effects associated with a high density of signs
- c. Adverse effects on specific values, including heritage, outstanding natural landscapes etc. The ability of different environments to absorb signage varies significantly.

The Council's focus is on attenuating and controlling the potential adverse effects of signs, without unnecessarily restricting business and community advertising this ensuring the economic viability of businesses.

9.3.0 SCALE AND SIGNIFICANCE EVALUATION

1. Section 32(1)(c) of the Act requires that this evaluation report contains 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 policy framework.

9.4.0 GENERAL POLICY DIRECTION OPTIONS & RECOMMENDATIONS

- a. Based on analysis of the Resource Management issues set out in Section 2.1, the following policy options have been considered in order to develop the provisions of Part 6.8 – Signs, of the General Rules and Procedures Chapter.
- b. **Option 1: Status quo - retain existing City and District Plan provisions and bylaws**
 - i. Signage rules are managed by the Christchurch District Council Plan and Banks Peninsula District Plan and a number of bylaws as listed above in Section 2.0.1. While some signage activities are clearly identified as being controlled in the District Plans, the level of control on the number and design of signs under the bylaws are not clear, e.g. the Christchurch City Council Public Places Bylaw controls all signs with potential to

obstruct public spaces without specifying the nature of those signs. Many other signs controlled by the District Plans can also fall in this bracket, therefore duplicating rules. In addition to zone rules there are also site or activity specific signage rules e.g. signage rules for Home Occupation activities in residential zones and signage rules for brothels controlled by bylaws.

- ii. The rules are spread throughout the District Plans, making it unnecessarily complicated for plan users. There is inconsistency between the Banks Peninsular and Christchurch City plans, and monitoring of the plan provisions shows that the existing provisions are not being implemented consistently.
- iii. Given the statutory direction to reduce the regulatory burden in the replacement district plan and the results from research identifying the issues with the implementation of the current planning framework (as outlined above), the option of maintaining the operative provisions is not considered to be the most appropriate way to achieve the purpose of the RMA.

c. Option 2: Streamline plan provisions and mix of RMA and non-RMA regulatory methods

- i. The Statement of Expectations requires that the replacement district plan must reduce significantly the reliance on resource consent processes, the number, extent and prescriptiveness of development controls and design standards (in order to encourage innovation and choice) and the requirements for notification and written approval.
- ii. Streamlining the signs plan provisions to provide greater certainty for advertising controls, with fewer rules focussing on identifying permitted activities and the accompanying development standards. The land use zones would be grouped in accordance with their common environmental outcomes with one set of signage rules which apply without or with minimal exceptions.
- iii. There would be a clear distinction between signage activities controlled by the District Plan and those controlled by bylaws and NZTA. All signs within the Road Reserve would be controlled by Council and NZTA bylaws. Signs and temporary signs would be controlled by Council bylaws, whilst all other signs would be controlled by the District Plan.
- iv. Design guidelines would be considered to help with good outcomes in addition to rules. The use of existing bylaws to control nuisance signs would continue, as they address issues relating in particular to safety.
- v. This option is assessed as the most appropriate way of achieving the purpose of the RMA and meeting the requirements of the Statement of Expectations.

d. Option 3: Remove objectives, policies and rules from the district plan and rely on non-RMA methods, such as bylaws and design guides.

- i. Removal of objectives, policies and rules from the district plan, and relying on non-RMA methods to achieve the desired outcomes would primarily involve the use of bylaws and design guides. Territorial authorities have a general power to make

bylaws, under the Local Government Act 2002. Bylaws may be made for one or more of the following purposes:

- a) protecting the public from nuisance:
 - b) protecting, promoting, and maintaining public health and safety:
 - c) minimising the potential for offensive behaviour in public places.
- ii. Control of signs is focused on three primary outcomes. Firstly to prevent adverse effects on public safety. Secondly, to maintain and enhance amenity values and thirdly to prevent adverse effects on natural and built environment character.
 - iii. Given the limited nature of bylaws, i.e. they are focused on preventing public nuisance and safety, the use of bylaws is not the most appropriate way to achieve the purpose of the RMA.
 - iv. Design guides would primarily focus on preventing adverse effects on building environment character, again a limited focus. Given this, the use of design guides along is not the most appropriate way to achieve the purpose of the RMA.
 - v. Even in combination, bylaws and design guides would not achieve the full range of outcomes being sought by the Council.

9.5 EVALUATION OF PROPOSED OBJECTIVE 6.8.1.1

1. Section 32(1)(a) of the RMA requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose (Section 5) of the Act.

OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE RMA	
Objective	Summary of Evaluation
6.8.1.1 Objective 1: a. Signs which collectively contribute to Christchurch's vitality and recovery by supporting business and communities in a manner that contributes to public safety, visual amenity values and character of the area, buildings or structures.	<ul style="list-style-type: none"> a. Signs and other outdoor displays are important for communicating information to the public. Signs are erected for a range of purposes, such as promoting goods and services, advertising upcoming community events, traffic directions or public safety, etc. Whilst signs are an integral part of society contributing positively to economic and social wellbeing, they have a potential to create adverse effects, particularly in areas where high amenity standards are anticipated like residential areas. Signs can also have potential to distract from traffic and pedestrian safety if not properly located or designed. b. This objective seeks to recognise and provide for signage in a way that minimises the potential adverse effects. The objective is the most appropriate to achieve the purpose of the Act because it will enable businesses and communities to advertise goods and services, thereby enabling people and communities to provide for their social and economic well-being, and for their health and safety.

	<p>c. This objective is consistent with section 6(f) of the Act, which requires that the protection of historic heritage from inappropriate subdivision, use and development is recognised as a matter of national importance, and section 7(c) of the Act which requires particular regard to be had to the maintenance and enhancement of amenity values.</p> <p>d. The objective is considered to be the most appropriate ways to achieve the purpose of the RMA, and to support the Christchurch recovery by supporting businesses and communities.</p>
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9.6 EVALUATION OF PROPOSED POLICIES, RULES AND METHODS

1. Section 32 (1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives, by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.
2. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

SPECIFIC PROVISIONS (POLICY, RULE, METHOD) <u>MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES</u>	
6.8.1.1 Objective 1: a. Signs which collectively contribute to Christchurch's vitality and recovery by supporting business and communities in a manner that contributes to public safety, visual amenity values and character of the area, buildings or structures.	
Provision(s) most appropriate	Effectiveness and Efficiency
1. Option 2: Streamline plan provisions and mix of RMA and non-RMA regulatory methods 6.8.1.1.1 Policy 1: a. To ensure that the size, number, height, location, shape and form of signs do not detract from, and where possible contribute to, the character and visual amenity of the area in which they are sited. b. To ensure that the character and amenity of residentially zoned areas is protected from inappropriate or large scale signage. 6.8.1.1.2 Policy 2a. To ensure that signage does not detract from the integrity of the building	Benefits a. These proposed policies will: <ol style="list-style-type: none"> i. Signal that public safety, amenity and high quality urban design outcomes (including heritage) are key considerations. ii. Give landowners, businesses and communities certainty about sign requirements across the City. iii. Maintain different character and amenity values across the City iv. Give effect to the RMA requirements to protect historic heritage from inappropriate use, subdivision and development (s6), the maintenance and enhancement of amenity values (s7) and to enable people and

<p>design, historic character, structure or setting of buildings and that buildings remain the primary visual elements.</p> <p>.</p> <p>6.8.1.1.3 Policy 3:</p> <p>a. To ensure that signs do not cause obstruction and/or distraction for motorists and pedestrians and other road users.</p> <p>6.8.1.1.4 Policy 4:</p> <p>a. To encourage signs that contribute to the public realm through their design, size and content.</p> <p>6.8.1.1.5 Policy 5</p> <p>a. To enable temporary signs and signs that are permitted through other statutes, subject to meeting basic activity and built form standards.</p>	<p>communities to provide for their social, economic and cultural wellbeing (s5).</p> <p>v. Adding new policy 6.8.1.1.5 will address the need for consistency within the proposed signage controls. The existing bylaws are not zone-specific.</p> <p>vi. Combining policies 6.8.1.1.3 and 6.8.1.1.4 reduces repetition and streamlines the proposed policies.</p> <p>Costs</p> <p>These proposed policies will:</p> <ol style="list-style-type: none"> 1. Continue to impose controls over signage across the City, signalling that in some cases signage will not be acceptable. 2. Limit the ability for businesses and communities to advertise their activities, services and products. 3. Lost opportunity costs for those businesses who could potentially utilise their properties for rental advertising space. <p>Efficiency and Effectiveness</p> <p>These proposed policies will:</p> <ul style="list-style-type: none"> • Achieve the objective by establishing clear policies for advertising across the City; and • Ensure signs are of a scale and nature compatible with, and they do not detract from, amenity values, public safety or heritage. • The benefits of the policies are considered to significantly outweigh the costs and will be most appropriate to achieve Objective 6.8.1
<p>2. Rules: Consolidating rules into one section of the plan</p> <p>a. Permitted activities focus on activities where regulation already exists, such as bylaws, or where the receiving environment is capable of absorbing advertising in a variety of sizes, scales and design. Permitted activities also provide for temporary activities, provided there is a limit on the duration of such activities. All signs complying with the Activity Standards or relevant Built Form Standards are permitted, recognising the Council's objective to allow signage subject to compliance with conditions..</p>	<p>Benefits</p> <p>a. These proposed rules will:</p> <ol style="list-style-type: none"> i. Create a single point in the plan (with the exception of relevant rules in Chapter 14) where signage rules can be found, thereby avoiding repetition. This will reduce administrative costs for the Council, landowners, businesses and communities. ii. Reduce consent costs for landowners, businesses and communities, as a greater number of signs will be permitted activities. iii. Clarify and remove the overlap between district plan rules, Council and NZTA bylaws. iv. Provide a regulatory framework which enables the relevant matters in section 5, 6 and 7 of the RMA to

The number of signs/area of signs is consistent with the Central City provisions. Additional controls have been applied to the Specific Purpose Airport Zone over what is currently in the Operative Plan. These additional controls are included in response to the increased breadth of activities now understood by the Council to be permitted by the more permissible regime introduced through Plan Change 54.. The main concern is the potential proliferation of signs around the edge of the Airport site and their effects on the safety of State Highway one, and the amenity of the Rural Fringe Zone. The additional controls adopt a permissive regime within the Airport boundary whilst seeking to confine signs to the immediate vicinity of the activity being promoted and limit the number of signs at the edge of the Airport. The proposed rules also differentiate between the Airport Aviation Precinct and the Airport Development Precinct, recognising the different uses and focus.

.Note that the number of free-standing signs permitted in the Specific Purpose Zone (Airport) has been increased from 3 to 5 from the version that went to the Minister, to more closely reflect existing sign numbers.

The permitted activity rules, Activity Standards, Built Form Standards and Assessment Matters have been updated since the previous Chapter version when to the Minister. These changes were made following an Urban Design Rule and they incorporate:

- (a) Amended rules P3, P6, and P7 to tighten the wording and remove duplication throughout the chapter and improve consistency particularly with temporary activities rules.
- (b) New rules P8 and P9. Rule P8 brings the Utilities sign rule into the Signs chapter, whilst P9 provides the 'catch-all' rule for signs complying with the Built Form standards.

- b. There are no controlled activities as the Council wishes to retain the discretion to decline inappropriate applications. Use of

be met.

- v. Provide certainty for landowners, businesses and communities regarding the consent requirements for signage.
- vi. With regard to the SPAZ zone the benefits are those to do with traffic safety along the high speed roads surrounding the Airport, and visual amenity along those roads bordering a rural zone.

Costs

a. This proposed rules will:

- vii. Potentially reduce development rights for businesses, communities and landowners.
- viii. With the exception of those limited number of signs provided for as permitted activities, the larger majority of business owners and community groups will be required to apply for a resource consent.
- ix. Users of the Residential and Utilities sections of the plan may find this approach confusing, as they will need to look at two sections of the plan rather than one.
- x. There will be opportunity costs for the Airport as a result of proposed signage restrictions, and some businesses will not receive external profile. However, those businesses are serving the Airport related workforce and visitors to the Airport(including arriving and departing passengers) - not casual customers.

Efficiency and Effectiveness

- xi. These rules are effective in assessing applications for signs that could compromise public safety, amenity values and/or heritage values through the resource consent approval process.
- xii. The rules are efficient to the extent that they seek to optimise the permissiveness of the regulatory framework by minimising the regulatory intervention while enabling a high degree of choice for promoter of the event or activity.

<p>the Restricted Discretionary Activity status tightens the scope of the discretion.</p> <p>c. Restricted Discretionary Activities control those signs which aren't specifically identified as permitted, discretionary or non-complying activities. The Council's discretion is limited to the built activity standard(s) which can't be met.</p> <p>d. Discretionary Activities are primarily those signs that would affect matters under sections 6 and 7 of the RMA, or where the effects are potentially significant.</p> <p>e. Non-complying Activities are those in zones which are particularly sensitive to the potential adverse effects of an over-proliferation, or unsuitable, signs.</p>	
Options less or not as appropriate to achieve the Objectives and policies:	
<p>Option 1: Status quo – Place all signage rules in relevant chapter/zone/activity</p>	<p>Benefits</p> <p>a. Simplifies the administrative burden – users of the plan can find rules in the zone chapter they are interested in.</p> <p>Costs</p> <p>a. Requires repetition throughout the plan, with the potential for error.</p> <p>b. Makes it administratively onerous, and therefore costly, when needing to update plan provisions.</p> <p>c. Doesn't provide certainty to council of the desired resource management outcomes, or to plan users in terms of what they are required to do.</p> <p>d. Provides no regulatory control over potential environmental effects of uncontrolled signage, for example effects on traffic and pedestrian safety, adverse effects on the built environment, including cumulative effects and effects on heritage buildings, and loss of amenity.</p> <p>Efficiency and Effectiveness</p> <p>a. Less efficient and effective as it would not achieve the requirement to reduce the regulatory burden for users of the plan.</p>
Risk of Acting or Not Acting where there is uncertain or insufficient information	
<p>The quantitative evidence supporting, or not, the economic and other benefits of signs is limited. There appears to be no NZ- specific quantitative evidence on this matter and only limited international research that isn't promoted by advertising companies to justify their media.</p>	

The most in depth and credible study appears to be a 192 page book released by the American Planning Association in 2001 titled Context Sensitive Landscape Design, with the fourth chapter examining the economic context of signs. This chapter sets out studies that have examined the economic impact of signs, including:

- On average, one additional sign installed on a site would result in an increase in annual sales in dollars of 4.75 percent at that site.
- One additional sign installed at a site is projected to increase the annual number of transactions by 3.93 percent.
- The impact on the average dollar amount spent per transaction as the result of additional signs ranged from \$0.06 US per transaction where one additional 36-square-foot wall sign was added, up to \$0.78 US per transaction where one additional 144-square-foot pole sign was added.
- Changes to building signage (e.g., the addition or replacement of wall signs) resulted in an increase in weekly sales per store of 1 to 5 percent from the prior year.
- The addition of pole signs and plaza identity signs (e.g., a multitenant sign with Pier 1 Imports identified as a tenant) resulted in a 4 percent to 12 percent increase in weekly sales at the nine sites on which those two types of signs were added. Researchers attribute the increase to the advertising impact on passing traffic.
- The addition of small directional signs indicating ingress and egress routes resulted in weekly sales increases ranging from 4 percent to 12 percent. Researchers attribute the increase in these cases to the signs' ability to guide a site-bound shopper more than any specific advertising effect.

Similarly, a piece of research came out of the University of Cincinnati in 2012 examining the economic value of signs. Column three of the table below sets out the average increase in business performance associated with the perceived impact of signs on business performance:

Table 7: Perceived Impact of Sign Changes on Business Performance		
Performance Measure	% Reporting Increase	Average Increase
Sales	65%	12%
Transactions	62%	11%
Profits	59%	9%
Staffing	23%	6%

There is, therefore, insufficient information and the information that does exist is uncertain in its relevance to New Zealand.

The risk of acting on this insufficient and uncertain information is that the controls imposed in the district plan stifle economic development, and therefore fail to achieve the objective of supporting the Central City recovery. The risk of not acting is an inappropriate weighting towards enabling the potential or perceived economic benefits of additional signs, at the expense of amenity and safety. Neither scenario is acceptable, and a balance must be established between these potentially competing requirements.

The risk of not acting is considered to be greater than acting, because of the potential adverse impact on amenity and safety, and the lack of sufficient non-RMA provisions to address these matters. As discussed earlier in this report, design guidelines and bylaws only address part of the issues identified by the Council.

APPENDIX 9.1: ANALYSIS OF OUTDOOR ADVERTISING RELATED RESOURCE CONSENTS THROUGH 2004-14

Between 2004 and 2014, 1003⁷ resource consent applications included outdoor advertising. Approximately 90% (897) of these consents were processed and granted on a non-notified basis.

In reviewing the operative provisions, this information leads to the following questions:

- Whether this number of consents should have been generated in the first place?
- Are operative consenting thresholds (by way of permitted standards) appropriate?

Distribution of the 897 non-notified consents by zone

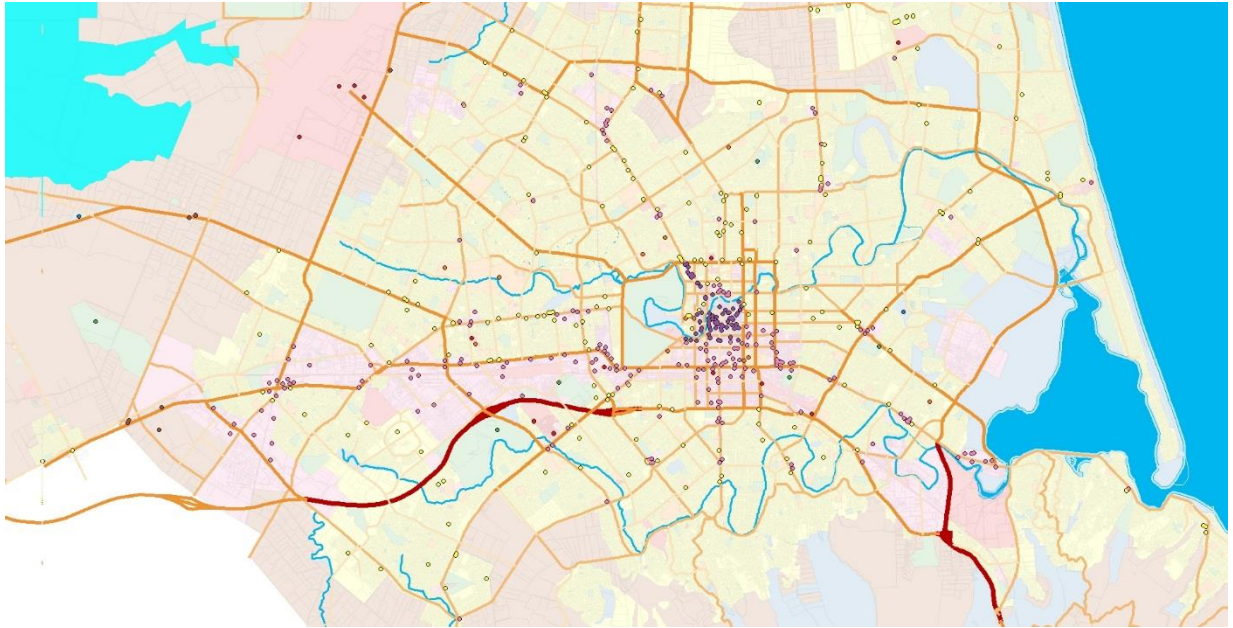
24%	in L1 (13%), L2& L3	(217)	
14.4%	in ccb	(129)	
9.3%	in cc mixed use	(83)	24% (combined central city)
10.5%	In business zone 2	(95)	
7%	in business zone 1	(64)	
9.5%	in suburban industrial	(85)	

The analysis of resource consent data from the last 10 years shows that the highest generators by zone are residential zones including almost a quarter (24%) of the non-notified outdoor advertising consents. This is as many outdoor advertising resource consents as those generated in Central City Business (CCB) and Central City Mixed Use (CCMU) zones combined. Central City may be expected to generate outdoor advertising consents due to the high intensity of commercial and transport activity set against a large number of sensitive high amenity heritage and civic features and public spaces.

Residential zones however do not include intensive commercial activity therefore could be an unexpected high generator. The conversations with the processing planners and the geographical mapping suggest that the majority of the resource consents in living zones are generated along busy arterial roads and many are related to child care, medical care and visitor accommodation activities.

The proposed Residential Chapter in the Replacement District Plan specifically allows for child care, medical care, veterinary care, educational and assembly activities located within residential zones to include signage up to 1m². This may be expected to reduce the number of resource consents for outdoor advertising in residential zones. As part of Phase 2 Replacement District Plan chapters, a new Visitor Accommodation and Community Facilities zone is proposed along part of Riccarton Road, Bealey Avenue and Papanui Road. This is also likely to reduce high resource consent generation in residential zones.

⁷ Appendix X



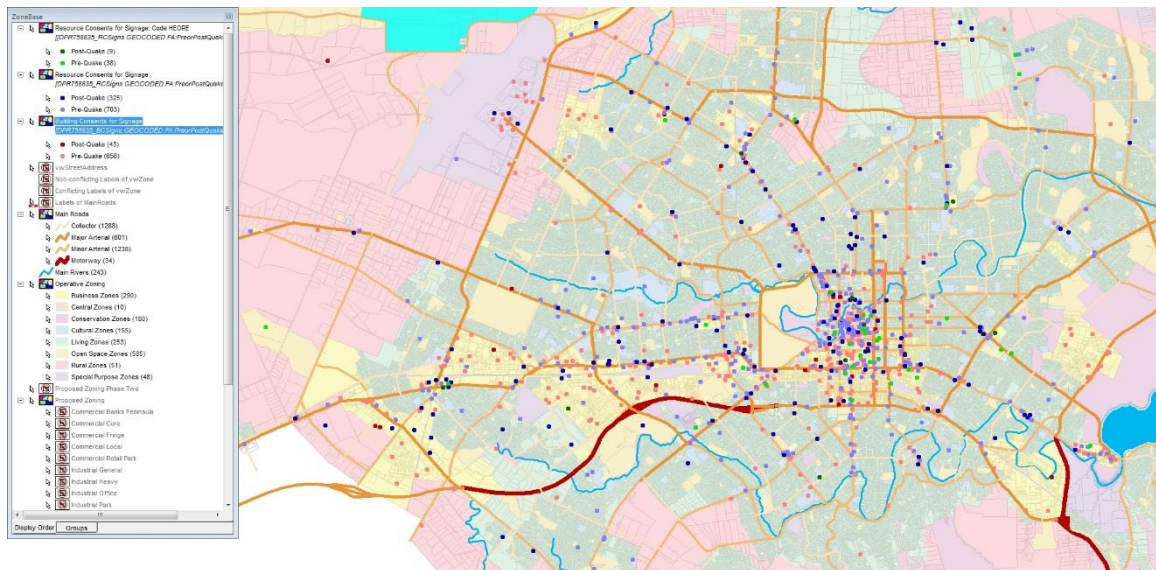
Geographical mapping of Resource Consents 2004-2014 coloured by zone. Yellow is for residential zones, pink is for commercial zones.

There are significantly more outdoor advertising resource consents in residential zones immediately around Key Activity Centres and along three busy arterial roads, Riccarton Road, Papanui Road and Bealey Avenue. All Key Activity Centres include a commercial core (B2 in the operative plan) zone which ranks third in generation of outdoor advertising resource consents. It can therefore be suggested that Key Activity Centres are the largest source of non-notified resource consent generation (accounting for about a third of the total) for outdoor advertising both in their vicinity and along the linkages between them.

Outside the Central City, a small number of direct regional links out of the city, Blenheim Road (continuing to Main South Road), Riccarton Road, Papanui Road (continuing to Harewood Road) together with immediately south of Central City contain the largest concentration of outdoor advertising related resource consents.

Both pre and post-earthquake resource consents are located in the same nodes and corridors with the exception of southwest and north of the city showing more resource consents in a less concentrated distribution post earthquakes, which is likely the result of temporary business relocation into suburban residential areas.

Subject to more detailed analysis, it is rational for key activity centres and the key linkages between them to be high resource consent generators as these locations are in close proximity to if not bordering residential zones and include a high intensity of commercial activity and transport movement.



Mapping of resource consents and building consents for outdoor advertising Orange indicated building consent, blue indicates resource consent.

The location of building consents demonstrate where outdoor advertising activity is established in accordance with the operative rules.

Where there are many building consents without resource consents, this may suggest that the current rules are not un-realistic and hence not challenged. The mapping therefore indicates that the operative provisions work well in the living zones and business zones that are outside central city and not on key arterial roads.

Where there are many resource consents that are processed without notification, this may suggest either that:

1. The rules are not realistic and the thresholds are too low or
2. The assessment matters and the administration of the plan require revision to adequately address adverse effects arising from the over-size/height sign applications.

It is found that:

1. Rules are not realistic and the thresholds are too low for specific activities such as medical, educational care, assembly activities in residential zones.
2. Administration of the plan require revision to adequately address adverse effects arising from non-site related and over size signs (also referred to as billboards) as well as painted walls.

10.0 SALE OF ALCOHOL

10.1.0 CONTEXT

10.1.1 Purpose and Scope of the Sale of Alcohol Section

1. The purpose of the Sale of Alcohol section is to:
 - a. address the impacts of late night noise and traffic generation from licensed premises at the interface between residential and commercial zones, particularly in smaller centres.
2. These purposes are not dissimilar to those of the operative City Plan. However, in reviewing those provisions, several changes have been identified. In particular there is a need to:
 - a. simplify the rules by reconciling the approach taken in the operative City Plan for the Central City with the approach taken for the remainder of the District;
 - b. align with objectives and policies in the Christchurch Central Recovery Plan to direct late-night entertainment and hospitality activities to identified precincts.

10.1.2 Proposed District Plan: Overview and Synopsis

1. The operative District Plan includes provisions in Part 10 section 4 require a restricted discretionary resource consent to sell alcohol from an on-licence between the hours of 11pm and 7am within a living zone, adjoining to a living zone or across the street from a living zone.
2. The operative District Plan provisions were introduced to cover effects not addressed by the Sale of Liquor Act 1989. That Act has now been superseded by the Sale and Supply of Alcohol Act 2012 which includes new criteria for District Licensing Committees (DLCs) to consider when issuing or renewing liquor licences. These criteria include effects on the amenity and good order of the surrounding area and consideration of previous complaints.
3. The Sale and Supply of Alcohol Act includes default national trading hours for sale and supply of alcohol for on-licences from 8am to 4am.
4. Council can further restrict these hours through a Local Alcohol Policy. There is currently a proposed Local Alcohol Policy for Christchurch which would restrict the hours for sale of alcohol from restaurants and cafes to 8am to 1am.
5. The proposed Local Alcohol Policy has not yet been adopted and consideration is on hold awaiting the outcome of legal challenges to proposed local alcohol policies in other districts.
6. In the absence of a Local Alcohol Policy, the default national trading hours of 4am would apply to all on-licences. Particularly in smaller centres with a residential interface, this has the potential to create adverse effects including sleep disturbance from noise and late-night traffic generation.

7. For this reason, it is proposed to retain the operative Plan provisions restricting late-night sale of alcohol from on-licences in the vicinity of residential areas.

10.1.3 Strategic Planning Documents

1. Those strategic matters and provisions specifically given effect or had regard to in this section are summarised in the table below and set out in full in Appendix 1. These documents broadly identify the resource management issues for the district and provide the higher level policy direction to resolve these issues.
2. The Strategic Directions Chapter also contains higher order objectives and policies to reflect the outcomes sought in a number of strategic planning documents. An assessment of these objectives and policies is contained within the section 32 report for the Strategic Directions chapter. Those objectives and policies within the Strategic Directions Chapter that are relied on in this chapter are discussed in Section 10.3 (Evaluation of Objectives) below.

Table 1: Strategic Planning Documents

	Document	Relevant provisions	Relevant directions given effect/taken account of in the Sale of Alcohol section
a	Christchurch Central Recovery Plan (CCRP)	Objective 12.2; Policy 12.2.3; Policy 12.3.1; Policy 12.5.1	The CCRP Noise and Entertainment provisions include objectives and policies to direct entertainment and hospitality activities towards the central city and specified precincts and to ensure proposed activities do not undermine residential amenity or compete with the hospitality and entertainment precincts. The CCRP also amended the City Plan in 2012 to modify the restrictions for Central City Living zones (imposing a 75m buffer area rather than restricting sale within or adjacent to living zones).
b	Sale and Supply of Alcohol Act 2012	s43; s105	The Sale and Supply of Alcohol Act sets default national trading hours (s43) in the absence of a Local Alcohol Policy. It also sets out criteria for refusing a licence which including effects on the “amenity and good order of the locality”.
c	Christchurch Proposed Local Alcohol Policy (LAP)	s2.2	The proposed Local Alcohol Policy would require more restrictive cut-off times for sale of alcohol than the default national trading hours. See Appendix 10.2 for a comparison of the cut-off times in the proposed provisions and the LAP.
d	Canterbury Earthquake	Schedule 4(a)	The Statement of Expectations requires the replacement District Plan to have particular

	(Christchurch Replacement District Plan) Order 2014 – Statement of Expectations		regard to: d. reducing reliance on resource consent processes, the number, extent and prescriptiveness of development controls and requirements for notification and written approval
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10.1.4 INDEPENDENT HEARING PANEL DECISIONS ON STAGE 1 OF THE REVIEW

1. Decisions were released on 26 February 2015 on several Stage 1 proposals including the Strategic Directions proposal.
2. The decision on the Strategic Directions proposal revised a number of objectives and introduced Objective 3.3.1 Enabling recovery and facilitating the future enhancement of the district and Objective 3.3.2 Clarity of language and efficiency. All other plan objectives and policies are required to be expressed and achieved in a manner consistent with Objectives 3.3.1 and 3.3.2.
3. The proposed provisions achieve Objective 3.3.1 and 3.3.2 by facilitating the recovery of the Central City and identified hospitality and entertainment precincts, promoting social wellbeing and protecting amenity values in residential areas.

10.1.5 SCALE AND SIGNIFICANCE

1. Section 32(1)(c) of the Act requires that this evaluation report contains 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. For this section, an assessment of the scale and significance is made at the end of the description of the resource management issues.

10.2.0 RESOURCE MANAGEMENT ISSUES

10.2.1 Resource Management Issue 1: Managing the adverse effects of late night sale of alcohol on residential amenity

TEMPORARY ACTIVITIES RESOURCE MANAGEMENT ISSUE 1	
1. SUMMARY OF ISSUE	<ol style="list-style-type: none"> a. The Sale and Supply of Alcohol Act and the proposed Local Alcohol Policy cover alcohol related harm and amendments to the Act allow district licensing committees to consider the effect of a proposal on the amenity and good order of the location. The statutory framework, however, does not directly address the noise and late night traffic generation effects of licenced premises in close proximity to residential areas. b. The default national trading hours in the Sale and Supply of Alcohol Act are very permissive, particularly with regards to restaurants and cafes which can provide alcohol until 4am. These hours would be restricted by the Local Alcohol Policy, but it has not yet been adopted and the timeframe for when it would go into

effect and its final form is uncertain.

2. GENERAL DIRECTIONS

- a. The approach taken by the Christchurch Central Recovery Plan for the Central City was to retain provisions related to the Sale and Supply of Alcohol but to change the method of control for the Central City to restrict sale within 75m of a residential zone rather than on sites adjacent to residential zones.
- b. The CCRP Noise and Entertainment objectives and policies seek to direct hospitality and entertainment activities into identified precincts in the Central City (see Appendix 10.4) and to discourage them where they would have adverse effects on residential amenity.

3. PROPOSED DIRECTION IN ADDRESSING THE ISSUE

- a. In light of the general directions, the proposed approach is to retain the current operative Plan rule restricting sale of alcohol in the vicinity of residential zones after 11pm.

4. SCALE AND SIGNIFICANCE

- a. Changes proposed are not large or significant. Minor changes are proposed to the method of measuring the effect of the rule to simplify its application and reduce the complexity of the Plan. Some additional licensed premises may be picked up by the new method in which case they would require a consent for late-night sale of alcohol.

10.3.0 EVALUATION OF OBJECTIVES AND POLICIES

10.3.1 EVALUATION OF PROPOSED OBJECTIVE 1

OBJECTIVE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE RMA	
Objective 1	Summary of Evaluation
Objective 1 Option 1 – Specific objective for sale of alcohol <i>6.9.1.1 Objective - Late-night sale and supply of alcohol</i> <i>a. The adverse effects of late-night sale or supply of alcohol on residential amenity, particularly sleep disturbance and alcohol-related anti-social behaviour, are avoided, remedied or mitigated.</i>	1. Objective 1 is the most appropriate way to achieve the purpose of the Act because it sets out more specifically the effects of concern with respect to late-night sale of alcohol.
Objective 1 Option 2 – Status Quo <i>Operative Plan Objective 4.2</i>	1. Option 2 is considered to be a less appropriate way to achieve the purpose of the Act because it does not set out specific objectives or policies

<p><i>Amenity</i></p> <p><i>A pleasant and attractive City.</i></p>	<p>relating to sale of alcohol or recognise the entertainment and hospitality precincts introduced by the CCRP.</p>
<p>Objective 1 Option 3 – No specific District Plan objectives for sale of alcohol. Rely on Strategic Directions and zone objectives and policies.</p> <p><i>Stage 1 Strategic Directions</i></p> <p><i>Objective 3.3.1 – Enabling recovery and facilitating the future enhancement of the district</i></p> <p><i>The expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city, in a manner that:</i></p> <ul style="list-style-type: none"> <i>(c) meets the community's immediate and longer terms needs for housing, economic development, community facilities, infrastructure, transport, and social and cultural wellbeing; and</i> <i>(d) fosters investment certainty; and</i> <i>(e) sustains the important qualities and values of the natural environment.</i> <p><i>Objective 3.3.8 – Revitalising the Central City</i></p> <p><i>(a) The Central City is revitalised as the primary community focal point for the people of Christchurch</i></p> <p><i>Objective 3.3.14 – Incompatible activities</i></p> <p><i>(a) The location of activities is controlled, primarily by zoning, to minimise conflicts between incompatible</i></p>	<p>1. Option 3 is considered to be a less appropriate way to achieve the purpose of the Act. Although the Strategic Directions objectives address the broader issues of facilitating economic recovery while managing potential adverse effects on amenity, Option 1 more specifically identifies late-night sale of alcohol and residential areas as incompatible activities with a potentially significant adverse effect on the amenity values of neighbourhoods and the health and safety of residents.</p>

<p><i>activities; and</i></p> <p><i>(b) Conflicts between incompatible activities are avoided where there may be significant adverse effects on the health, safety and amenity of people and communities.</i></p> <p><u><i>Residential Stage 1</i></u></p> <p><i>Objective 14.1.5</i></p> <p><i>a. High quality, sustainable, residential neighbourhoods which are well designed, have a high level of amenity, and enhance local character.</i></p>	
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10.4.0 EVALUATION OF PROPOSED RULES AND METHODS

- a. Section 32 (1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonable practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

PROVISIONS (RULE, METHOD) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES
<p>Relevant objectives and policies:</p> <p><u>Christchurch Central Recovery Plan – Noise and Entertainment provisions</u></p> <p>Objective 12.2 Role of the Central City To restore and enhance the Central City as Christchurch’s principal focus for a diversity of business, accommodation, community and cultural activities, while managing adverse effects arising from the intended mix of activities.</p> <p>Policy 12.2.3 Promote a high standard of amenity and discourage activities from establishing where they will have an adverse effect on the amenity values of the Central City by: - identifying entertainment and hospitality precincts and associated noise provisions for these are adjacent areas, and encouraging such activities to locate in these precincts.</p> <p>Policy 12.3.1 Ensure that retail and commercial activity maintains a primary function underpinning the vitality and viability of the Central City by: - providing for entertainment and hospitality activity in identified precincts and managing the extent to which these activities can occur outside of the identified precincts.</p> <p>Policy 12.5.1 To enhance and revitalise the Central City Mixed Use Zone by enabling: - entertainment and hospitality activities of a scale, type and duration that do no conflict with or undermine existing and future residential activity, nor undermine the identified hospitality and entertainment precincts.</p> <p>Stage 1 Strategic Directions Objective 3.3.1 – Enabling recovery and facilitating the future enhancement of the district The expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city, in a manner that:</p> <ol style="list-style-type: none"> (a) meets the community’s immediate and longer terms needs for housing, economic development, community facilities, infrastructure, transport, and social and cultural wellbeing; and (b) fosters investment certainty; and

- (c) sustains the important qualities and values of the natural environment.

Objective 3.3.8 – Revitalising the Central City

- (a) The Central City is revitalised as the primary community focal point for the people of Christchurch

Objective 3.3.14 – Incompatible activities

- a. The location of activities is controlled, primarily by zoning, to minimise conflicts between incompatible activities; and
- b. Conflicts between incompatible activities are avoided where there may be significant adverse effects on the health, safety and amenity of people and communities.

Residential Objective 14.1.5

- a. High quality, sustainable, residential neighbourhoods which are well designed, have a high level of amenity, and enhance local character.

Residential Policy 14.1.5.1

- a. Ensure individual developments achieve high quality residential environments in all residential areas by:
 - iv minimising noise effects from traffic and other sources where necessary to protect residential amenity;

Provision(s) most appropriate	Effectiveness and Efficiency
<p>1. Option 1 – Adopt the Central City approach</p> <p>Adopt the Central City approach for the remainder of Christchurch: RD consent required for sale of alcohol within 75m of a residential area between the hours of 11pm and 7am.</p>	<p>1. Effectiveness</p> <ol style="list-style-type: none"> a. Option 1 would be the most effective way to achieve the objective of retaining residential character and amenity and directing late night hospitality and entertainment activities towards identified precincts. b. The Central City version of the rule results in a more equitable application and is easier to interpret and enforce. <p>2. Efficiency</p> <ol style="list-style-type: none"> a. Benefits <p><i>Environmental</i></p> <ol style="list-style-type: none"> i. Reduced sleep disturbance and loss of residential amenity. <p><i>Economic</i></p> <ol style="list-style-type: none"> ii. Reduced enforcement costs to Council mediating disputes between residents and late-night entertainment venues. iii. Hospitality and entertainment activities are grouped in a way that encourages spill-over trade and support the recovery of the Central City. <p><i>Social/Cultural</i></p>

	<p>iv. Reduced alcohol related harm and nuisance in residential areas including littering and anti-social behaviour.</p> <p>b. Costs</p> <p><i>Environmental</i></p> <p>v. Adverse noise effects are transferred to other environments but those environments have provisions (such as requirements for noise insulation of residential buildings) that would allow them to better absorb the effects.</p> <p><i>Economic</i></p> <p>vi. Potentially some additional consenting costs for restaurants or cafes in small centres wanting to sell alcohol after 11pm.</p> <p><i>Social/Cultural</i></p> <p>vii. Customers may need to travel farther to reach the entertainment and hospital precincts.</p>
Options less or not as appropriate to achieve the Objectives and Policies:	
<p>2. Option 2 – Status quo</p> <p>Different rules for the Central City and remainder of Christchurch. Central City: within 75m of residential Rest of Christchurch: on a residential zone or adjoining a residential zone or across the road from a residential zone</p>	<p>Appropriateness</p> <p>1. Having two versions of the same rule, one for the Central City and one for the remainder of Christchurch, creates unnecessary complexity for plan users and for compliance officers. The difference in effect of the two versions of the rule in terms of the number of premises affected is minimal.</p>
<p>3. Option 3 – Drop sale of alcohol provisions from the District Plan and rely on policies, bylaws and the Sale and Supply of Alcohol Act</p> <p>Remove Sale of Alcohol provisions from the District Plan and rely on the Local Alcohol Policy (when adopted) and the Sale and Supply of Alcohol Act</p>	<p>Appropriateness</p> <p>1. District Licensing Committees (DLCs) are now empowered under the Sale and Supply of Alcohol Act to consider effects on the amenity and good order of the locality when issuing licences so there is some potential for overlap of functions if the District Plan retains the current restrictions.</p> <p>2. DLCs review licences on a yearly basis and would be able to deny reissue of a licence where sale or supply of alcohol was causing enforcement issues but would need significant just cause to deny an application for a new licence on these grounds.</p> <p>3. Providing guidance and clear matters of discretion in the District Plan provides more certainty for the community and for applicants and takes a more proactive approach to managing the potential for adverse effects than relying on the licensing process.</p> <p>4. The proposed Local Alcohol Policy has not yet</p>

	<p>been adopted and is on hold pending the outcome of legal challenges to local alcohol policies in other districts. The default maximum trading hours in the Sale and Supply of Alcohol Act are very permissive (e.g. 8am-4am for on-licence restaurants) and are not considered to be as effective a way to manage the potential effects of sale and supply of alcohol in proximity to residential areas.</p> <p>5. Option 3 would also be a less effective way to achieve the objectives in the CCRP and Central City chapter to focus late-night entertainment and hospitality activities in identified Central City precincts because DLCs do not consider the distribution effects of licences for late-night sale of alcohol outside the Central City.</p>
Risk of Acting or Not Acting	
<ol style="list-style-type: none"> 1. There is insufficient information about the final form of the proposed Local Alcohol Policy or when it will go into effect. 2. The risk of acting is that some restaurants and cafes will potentially need to apply for consent to sell alcohol after 11pm. 3. The risk of not acting is that some restaurants and cafes in local centres will be able to sell alcohol until 4am potentially disturbing local amenity and increasing noise complaints to the Council. 	

10.5.0 BIBLIOGRAPHY

Reports	Author
Evaluating the Effectiveness and Efficiency of the Christchurch City District Plan, 28 January 2011	Response Planning Consultants Limited
Draft Local Alcohol Policy 2013 – Summary of submissions 31 May -1 July 2013	Christchurch City Council, Policy Team
Other District Plans	Territorial Authority
Ashburton District Plan	Ashburton District Council
Auckland Unitary Plan	Auckland Council
Hamilton City District Plan	Hamilton City Council
Napier District Plan	Napier City Council
Queenstown Lakes District Plan	Queenstown Lakes District Council
Selwyn District Plan	Selwyn District Council
Waimakariri District Plan	Waimakariri District Council

APPENDIX 10.1 Summary of other legislation, policy and bylaws relevant to sale of alcohol in Christchurch

Sale and Supply of Alcohol Act 2012	<p>Purpose of Act is to enable safe and responsible sale, supply and consumption of alcohol and to minimise harm cause by excessive or inappropriate alcohol consumption.</p> <p>Imposes maximum trading hours of: 8am-4am for on-licences and clubs 7am-11pm for off-licences. Hours can be modified by a Local Alcohol Policy and have been proposed to be restricted further (see below).</p> <p>Authorises District Licensing Committees (DLCs) to issue licences to sell alcohol. Criteria for the issue of licences s105(1) includes: (c) any relevant local alcohol policy, (d) days and hours proposing to sell alcohol, (e) design and layout of the premises, (h) <i>whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence;</i> (i) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that – <ul style="list-style-type: none"> (i) they would be unlikely to be reduced further; but (ii) it is nevertheless desirable not to issue any further licenses </p> <p>Assessment matters for considering the effects of issue or renewal of a licence are in s106 and include noise levels, nuisance and vandalism, cumulative effects, and surrounding land uses.</p> <p>Licences are reviewed and issued on an annual basis.</p>
Proposed Local Alcohol Policy	<p>Currently on hold awaiting the outcome of appeals on other local authorities' LAPs. The proposed policy would impose maximum trading hours of: 9am-9pm for off-licences 8am-1am for on-licence restaurants/cafes 24hr trading hours for on-licence hotels selling to lodgers 8am-3am for taverns/pubs/bars in Christchurch Central Area A 5pm-4am for night-clubs in Christchurch Central Area A 8am-1am for taverns/bars/pubs/clubs in Christchurch Central Area B</p> <p>No new off-licenses for bottle stores or taverns outside of land zoned Business or Town Centre (or identified as a business areas in an ODP)</p>
Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 / proposed Alcohol	<p>Creates Alcohol Ban Areas where consumption of alcohol is not allowed, or allowed only during restricted hours, in public places (parks, footpaths, riverbanks, beaches and roads). The proposed Alcohol Restrictions in Public Places Amendment Bylaw 2014 adjusts the days and hours for some Alcohol Ban Areas.</p>

Restrictions in Public Places Amendment Bylaw 2014	
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APPENDIX 10.2 Comparison of permitted hours for Sale of Alcohol

Type	Default national hours	Proposed Local Alcohol Policy	Proposed District Plan	Effect
Off-licences	7am-11pm	9am-9pm	Not controlled	None. The DP provisions exempt off-licences.
On-licence restaurants/cafes	8am-4am	8am-1am	7am-11pm within 75m of a residential zone	DP provisions would require an earlier cut-off times for restaurants and cafes.
On-licence hotels selling to lodgers	8am-4am	24hrs	Exempted from District Plan rules where served with a meal; otherwise 7am to 11 pm within 75m of a residential zone	None. The DP provisions generally exempt hotels.
Temporary activities	As per terms of special licence	As per terms of special licence	Exempted from District Plan rules	No change.

APPENDIX 10.3 Linkages between provisions - Sale of Alcohol

Issue	Directions	Objectives	Policies	Rules	Assessment Matters
<p><i>General Rules and Procedures – Sale of Alcohol</i></p> <p>10.2.1 Resource Management Issue 1: Managing the adverse effects of late night sale of alcohol on residential amenity</p>	<p><i>Strategic Directions Chapter</i></p> <p>3.3.1 Enabling recovery and facilitating the future enhancement of the district</p> <p>3.3.8 Revitalising the Central City</p> <p>3.3.14 Incompatible activities</p>	<p>6.9.1.1 Late-night sale and supply of alcohol</p>	<p>6.9.1.1.1 Entertainment and hospitality precincts</p>	<p>6.9.2 Sale of alcohol rules</p>	<p>6.9.3 Matters of discretion for sale of alcohol</p>

11.0 PUBLIC SAFETY AND EMERGENCY SERVICES

The New Zealand Fire Service, through the Crown submission on Stage 1 of the District Plan Review, sought to add provisions to a number of zones requiring compliance with the 'New Zealand Firefighting Water Supplies Code of Practice' (SNZ PAS 4509:2008). This code relates to the need to provide access for fire appliances and water supply for firefighting both for residential units and other buildings (including commercial and industrial buildings with significant occupancy) but not sheds or similar buildings.

Rather than repeat these provisions for every zone, it is proposed to add a new General Rules and Procedures subsection (6.10 Public Safety and Emergency Services). This reduces repetition, raises the profile of the requirements and is more consistent with Strategic Directions Objective 3.3.13 Emergency services and public safety. This requires "recovery of, and provision for, comprehensive emergency services throughout the city, including for their necessary access to properties and the water required for firefighting."

The rules propose to permit all buildings that comply with the Code of Practice, except for accessory buildings that are not habitable. This will reduce compliance costs by not requiring sheds or other minor and non-habitable buildings to provide a water supply for firefighting.

Alternatively, requirements to provide access for fire appliances and for water supply for fire fighting could be achieved through amendments to the Building Act or the Fire Service Act but as these Acts at the present time do not require those provisions, the proposed rules will be more effective at achieving the objective.