

New activities-based district plan notified for fast-growing Selwyn District

The proposed Selwyn District Plan is an activities-based plan which contains strategic objectives to provide an overarching direction for new activities in the district. As an activities based plan it is important you know how current and future activities are defined and provided for in the plan.

The Proposed Plan was notified on 5 October 2020 and will have an impact on new development and activities that occur in the Selwyn District. For example, the ability to subdivide, the location and form of new buildings, and what can be done on a property based on where it is located. This article summarises the key changes proposed. Specific advice should be sought for individual proposals.

The Proposed Plan reflects the Council's current view on the policies and rules that should be in place, however the public now have an opportunity to seek changes. Submissions can be made on the Proposed Plan until **5pm 4 December 2020**.

The Proposed Plan is in a digital format only and can be found [here](#).

Residential Zones

There are four new residential zones (compared with 70 different living zones in the current District Plan), which can be briefly summarised as:

- Large Lot Residential Zone - typically low density (minimum average sections are 5,000m²), lifestyle properties on the fringe of townships. Home business is allowed but no commercial or industrial activity;

- Low Density Residential Zone – typically one or two storey detached dwellings consistent with suburban character located in Coalgate, Darfield, Doyleston, Dunsandel, Leeston and Southbridge. Minimum average sections are 750m². Home business and some commercial activity is allowed, but no rural or industrial activity;
- General Residential Zone – a range of housing types, higher density (minimum average sections are 650m²) located in townships of Rolleston, Lincoln, Prebbleton, West Melton and Castle Hill. Home business and some commercial activity is allowed, but no rural or industrial activity;
- Settlement Zone – a cluster of residential activities within a rural environment, low density (minimum average section are 1000m²). Home business and a range of commercial activity is allowed, but no rural or industrial activity.

For some properties there are changes proposed to minimum average section sizes. Other existing bulk, location and density requirements have been largely carried over from the current District Plan.

Rural zones

Land currently classified as Rural Zone in the District Plan will now be part of the General Rural Zone. The zone will have Specific Control Areas which are controlled by different residential density rules.

Grandfather clauses apply to enable development on some vacant allotments that existed prior to the Proposed Plan becoming operative, but the Proposed Plan will restrict the ability of some landowners to subdivide their property in the future, even if they currently meet minimum lot size requirements.

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Key controls in relation to the Specific Control Areas are:

- High Country – no change to minimum density (1 dwelling per 120 ha), reduce clustering numbers and remove grandfather clauses;
- Malvern Hills – now called West Plains and Foothills, minimum density increased from 1 dwelling per 20 ha to 1 dwelling per 40 ha, and grandfather clauses retained;
- Outer Plains – this zone will be separated into West Plains and Foothills and East Plains. The minimum density will remain 1 dwelling per 20 hectares and grandfather clauses removed for East Plains; but will be increased from 1 dwelling per 20 ha to 1 dwelling per 40 ha for West Plains and Foothills, with grandfather clauses retained;
- Inner Plains - current density of 1 dwelling per four ha retained, grandfather clauses removed;
- Banks Peninsula Outstanding Natural Landscapes (**ONL**) – density of 1 dwelling per 100 ha, grandfather clauses retained;
- Banks Peninsula Visual Amenity Landscapes (**VAL**) above 60m – density of 1 dwelling per 40 ha, grandfather clauses removed.

The current District Plan allowed a range of activities to establish in rural areas regardless of whether they needed to be there. The Proposed Plan is proposing changes to make it harder for that to happen (unless the business services rural activities and has a genuine need to be located within the General Rural Zone).

Urban Growth

Council has generally not investigated or rezoned new greenfield residential or business areas, because it considers that there is sufficient land to cater for the projected population growth. However, the Proposed Plan introduces an Urban Growth Overlay for rural land in locations identified to provide for new development in the future, consistent with existing Development Plans that have been developed for specific locations by Council. Policies direct that future urban growth should be located within these areas.

Business activities

The Proposed Plan splits the business section of the current District Plan into commercial, mixed use, industrial and special purpose zones.

The zones are:

- Neighbourhood Centre Zone – for small scale commercial activities and community activities that directly support the immediate residential neighbourhood. Maximum height 8m;
- Local Centre Zone – covers town centres which meet daily and weekly goods and service needs of the surrounding area. Maximum building height 10m;
- Large Format Retail Zone – an area which forms part of the existing iPort industrial area and provides for retail activities that require large floor or yard areas. Maximum building height 25m;
- Town Centre Zone – covers key activity centres in Rolleston, Lincoln, Leeston and Darfield and provides for a wide range of commercial activities, along with recreation, cultural and community activities and civic services. Maximum building height 10-15m;
- General Industrial Zone – provides for a range of industrial activities and other compatible activities, as well as activities that support the functioning of industrial areas; and
- Special purpose zones - There will be special zones for existing inland ports, a knowledge area (covering the Lincoln University and Crown Research Institute), dairy processing and tourism-related zones. A new Māori Purpose Zone which covers historical reserve land around Taumutu and a small area north-east of Te Waihora/Lake Ellesmere has also been introduced.

There are no substantial changes to rules managing commercial and industrial activities in terms of height, landscaping and when you might require resource consent.

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Flooding

The Canterbury Regional Policy Statement directs the Proposed Plan to identify and manage areas at risk from a once in 200-year flood event (compared with a 50-year flood event in the current District Plan). As a result, around 80% of properties in the District are subject to a Plains Flood Management Overlay. New buildings require an increased minimum floor height level.

Coastal hazards

The Proposed Plan includes a mapped coastal environment and identifies areas at risk from coastal hazards. There are new proposed overlays – Coastal Environment Overlay, Coastal Erosion Overlay, Coastal Inundation Overlay (for low-lying coastal areas), and Tsunami Policy Overlay, with associated policies and rules relating to subdivision and building.

Geotechnical hazards

The Proposed Plan introduces new rules to manage geotechnical hazards through obligatory geotechnical assessment. Rules apply to some subdivision and certain activities identified within the following overlays: Liquefaction Damage Unlikely Overlay, Greendale Fault Avoidance Overlay, Fault Awareness Overlay and Fault Investigation Overlay.

Wildfire

The Proposed Plan includes specific rules for managing wildfire risk in rural areas, including setbacks for woodlots and shelterbelts and consideration of fire risk of vegetation planting used for screening.

Landscape protection

Areas with landscape value that merit protection are classified as Outstanding Natural Landscapes (**ONL**) or Visual Amenity Landscapes (**VAL**) and subject to restrictions on activities. The number of ONL areas has been increased from 4 to 8; and VAL areas from 1 to 3. Te Waihora/Lake Ellesmere is proposed as an ONL.

Ecosystem and Indigenous biodiversity

Areas identified as within an Ecosystem and Indigenous biodiversity overlay (EIB Management Overlay) have to comply with more restrictive rules relating to clearance of

indigenous vegetation. This overlay applies to areas within the Canterbury Plains.

There are also overlays which protect indigenous animal species Canterbury mudfish and crested grebe, and which apply to voluntary listing of significant natural areas.

Sky glow

New specific rules manage sky glow across the district (in addition to lux levels and glare rules).

Historic heritage

The Proposed Plan contains an updated set of criteria to help identify heritage items for listing in the Plan. Resource consent is required for any alterations and additions to a listed heritage item, partial or complete demolition, earthquake strengthening, and new buildings/structures or earthworks within the setting of a heritage item.

Noteable trees

The Proposed Plan proposes an updated set of criteria to help identify notable trees for listing. Resource consent is required for destruction or removal of a listed tree or anything being fixed to a listed tree.

Sites and areas of significance to Māori

The Proposed Plan includes new rules to recognise and protect sites and areas of significance to Ngāi Tahu using Wāhi Tapu and Wāhi Taonga overlays and Nga Tūranga Tūpuna Overlay. Certain activities within proximity of listed Ngā Wai and other surface waterbodies are also managed and resource consent is required.

Visitor accommodation

No resource consent for visitor accommodation is needed if your property is in:

- the General Rural Zone, and you permanently reside on it and have no more than 5 guests; or
- a residential zone and you have no more than five guests.

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Does the Proposed Plan have effect now?

Rules addressing listed historic items, notable trees, sites and areas of significance to Māori and ecosystems and indigenous biodiversity have effect now and resource consent may be required under either or both the operative District Plan and proposed District Plan.

Most of the other rules in the Proposed Plan will not come into effect until after the Council has released decisions on submissions (expected to be at the end of 2022).

Want to know more?

If you would like to know more about the proposed plan affects your business or property, or for assistance in preparing a submission, please contact our specialist [Resource Management Team](#).