

Our Draft District Plan

He Po. He Ao. Ka Awatea.

SUMMARY

www.timaru.govt.nz/draftplan



YOUR PLAN OUR FUTURE
TIMARU DISTRICT PLAN REVIEW

Contents

Purpose of this Document	3	Public Access	23
Introduction and General Provisions	3	Versatile Soils	24
Zoning Principles	4	Activities on the Surface of Water	26
Strategic Directions and Urban Form and Development	6	Coastal Environment	27
Subdivision	7	Drinking Water Protection	29
Infrastructure and Energy	8	Earthworks / Quarrying and Mining	30
Transportation	9	Light	32
Stormwater Management	10	Noise	33
Contaminated Land	11	Relocated Buildings and Shipping Containers	34
Natural Hazards	12	Signs	35
Hazardous Substances	14	Temporary Activities	37
Historic Heritage	15	Residential Zones	38
Notable Trees	16	Rural Zones	39
Sites of Significance to Māori	17	Commercial and Mixed Use Zones	41
Ecosystems and Indigenous Biodiversity	19	General Industrial Zone	43
Natural Character	20	Open Space and Recreation Zones	44
Natural Features and Landscapes	21	Māori Purpose Zone	46

Purpose of this Document

The Draft District Plan – Summary Document provides an overview of the key provisions and changes compared to the operative District Plan.

Introduction and General Provisions

Part 1 – Introduction and general provisions provides an introduction to the Draft District Plan including information about how to use the Plan, which is similar in purpose and content to the introductory chapters of the operative District Plan.

One key difference is the Tangata whenua / manawhenua chapter. This chapter identifies Kāi Tahu and Kāti Huirapa as having manawhenua status over the area of Timaru District, and sets out their manawhenua values and interests in respect to resource management. This chapter was prepared by manawhenua in collaboration with Timaru District Council to give effect to relevant legislation and the requirements of the National Planning Standards.

Zoning Principles

The zoning patterns in the Proposed District Plan have been informed by the Timaru Growth Management Strategy 2018, the District Town Centre Study 2016 and a desk top land use survey. Further, reports and information on hazards and infrastructure have helped inform the zone boundaries and a detailed review of reserves, sporting and recreation facilities and conservation areas has been undertaken.

Key features for the revised zoning pattern are:

- New Rural Lifestyle zones around the northern and western edge of Timaru
- New Rural Lifestyle zones around the northern edge of Temuka
- New Rural Lifestyle zones around the northern and eastern edge of Geraldine
- A new General Residential zone at Geraldine
- A new Rural Lifestyle zone around the southern edge of Pleasant Point
- New Industrial zoning at Washdyke and Geraldine.

In addition to the above, the zone names are changing to reflect those required by the National Planning Standards. In general these are as follows:

RESIDENTIAL	
Previously	Change to
Residential 1	General Residential Zone
Residential 2	Medium Density Residential Zone
Residential 3	Rural Settlement Zone
Residential 4	General Residential Zone
Residential 5	General Residential Zone
Residential 6	General Residential Zone
INDUSTRIAL	
Previously	Change to
Industrial L	General Industrial Zone
Industrial H (including deferred)	General Industrial Zone
OPEN SPACE	
Previously	Change to
Recreation 1	Open Space Zone
Recreation 2	Split between Open Space Zone and Sports and Active Recreation Zone
Recreation 3	Split between the General Rural zone, the Open Space zone, the Natural Open Space zone and the Sports and Active Recreation zone
Public cemeteries	Open Space Zone

COMMERCIAL

Previously

Change to

Commercial 1A	City Centre Zone
Commercial 1B and 1C	Split between the City Centre Zone and the Large Format Retail Zone
Commercial 1 zone (Temuka), (Geraldine) and (Pleasant Point)	Town Centre Zone
Commercial 2	Local Centre Zone
Commercial 2A	Large Format Retail Zone
Commercial 3	Neighbourhood Centre Zone

RURAL

Previously

Change to

Rural 1, 2, 3, 5	General Rural zone
Rural 4A (Geraldine Downs)	Rural General Zone with an overlay
Rural 4B (Blandswood)	Open Space Zone with a Hutt Precinct overlay
Rural Residential	Rural Lifestyle Zone

Māori Purposes Zone

A Māori Purposes Zone has been applied to land granted as Native Reserve for Māori occupation or use at Waipopo and Arowhenua.

Overlays

In conjunction with the Planning Maps the proposed Plan will contain a number of overlays and precincts including but not limited to, Hutt Precincts, Sites and Areas of Significance to Māori, Heritage Items, Coastal Hazards, Outstanding Natural Features and Landscapes, Visual Amenity Landscapes, Significant Natural Areas and Natural Hazards.

Strategic Directions and Urban Form and Development Issues

Strategic directions are overarching directions for the sustainable management of land use and development of the Timaru District. They are matters that are strategically important for achieving integrated management and provide the basis for how decisions relating to resource use will be made in the District over the life of the Plan. The Urban Form and Development Chapter contains specific strategic directions for how growth will be managed. The strategic directions leave the articulation of activity-specific and location-specific objectives and policies to the specific of the Plan.

Operative District Plan Approach

The Operative District Plan does not contain comparable strategic directions in their own section. Rather, the key objectives are dispersed throughout the plan arranged by topic, for example natural hazards, and by area, for example the residential zone.

Draft Plan Approach

The Draft District Plan contains two strategic directions chapters. The first contains strategic directions for key resource management topics such as business areas and activities, while the second provides direction on settlement patterns across the district, for example setting out the Plan’s approach for accommodating future growth in line with the Timaru District 2045 Growth Management Strategy.

Changes

Key changes include:

Directions on residential areas and activities, for example requiring the provision of housing choice and identifying how this will be achieved

Directions on business areas and activities, for example enabling a range of business activities, whilst maintaining and enhancing the district’s centres

Directions on the natural and historic environment, for example requiring the protection of important landscapes and features

Directions on manawhenua matters, for example requiring the protection of the values of sites and areas of significance to Kāti Huirapa

Directions on how to respond and plan for climate change, for example by requiring climate change to be taken into account in natural hazards management

Directions on how to address natural hazards, for example by avoiding development in areas where natural hazards risks are unacceptable

Directions on recognising the importance of regionally significant infrastructure

Directions on activities in rural areas, for example requiring the maintenance of rural character, quality and amenity values

Directions on settlement patterns, for example requiring future growth primarily within Timaru and the existing towns of Temuka, Geraldine and Pleasant Point.

What it means in practice

The strategic directions will provide overarching guidance for both the community and the Council when implementing the district plan.

Subdivision

Issues

Subdivision is the process of dividing an allotment into one or more additional allotments or changing the location of the existing allotment boundaries. The subdivision process provides a means of managing the creation of new allotments to ensure they can accommodate anticipated land uses and are suitable for development. This includes the design and provision of appropriate transport access, connections to electricity and communications networks, and connections to reticulated water, stormwater and wastewater services in areas where these are available. Larger-scale subdivision can also require new roads, reserves, and network infrastructure to be designed and developed. In addition, the design of subdivision needs to maintain natural values where they exist.

Operative District Plan Approach

The subdivision chapter contains rules and performance standards and makes reference to other parts of the Plan that set out the technical specifications for servicing. The objectives and policies relevant to subdivision are contained in chapters throughout the Plan.

Draft Plan Approach

Under the Draft Plan, the objectives, policies and rules for subdivision are contained together in the subdivision chapter, which provides an integrated policy framework for assessing applications. The objectives and policies of the zone will also be relevant to determining requests for subdivision. In addition the rules in the district-wide chapters such as Natural hazards, Natural character, Ecosystems and indigenous biodiversity, Natural features and landscapes, Sites and areas of significance to Maori and the Coastal environment chapter impose further restrictions. Overlays that impose further restriction on subdivision are mapped in the E-Plan.



Changes

Key changes include:

Subdivision is a controlled activity generally, subject to compliance with the relevant standards, except in the case of multi-unit developments in the Medium density residential zone, or where there is an overlay that imposes a higher activity status

In the Medium density residential zone there is no minimum allotment size for multi-unit developments provided an application is granted for both subdivision and land use consent as a package

The standards for the control of minimum allotment sizes, connections to infrastructure and services, transport access, and requirements for the creation of esplanade reserves along specified waterways, have been updated

The minimum allotment size in the General rural zone is 40 hectares, which applies to the largest part of the District

In the Rural lifestyle zone a 5,000m² a minimum allotment size applies in most places, except that minimums of 2 hectares or 10 hectares apply to specific areas in the Geraldine

Downs Areas are mapped for future development and these are labeled Development Areas on the maps. Further work is needed to determine allotment sizes and standards for development in those areas.

Reasons

The changes to allotment sizes and creation of Development Areas adjacent to established urban settlements gives effect to the Canterbury Regional Policy Statement, which requires rural lifestyle development to be limited to areas adjacent to existing townships, and this is also consistent with the Timaru Growth Management Strategy. The changes to encourage medium residential development that is well designed, requiring assessment of subdivision and land use consent concurrently is intended to deliver a quality built form that is more flexible to the needs of the community.

What this means in practice

The majority of requests for subdivision are to create residential allotments and these will remain a controlled activity provided that all standards are met. For multi-unit developments in the medium residential density zone subdivision is a restricted discretionary activity. If for example an overland flow path exists on the parent site, or a riparian margin, or any of the other mapped layers that affect subdivision then the activity status of the subdivision changes to restricted discretionary or discretionary. The activity status for non-compliance with some rules and standards is non-complying activity such as for the creation of under size allotments in the General rural zone.

Infrastructure and Energy

Issues

Safe and efficient regionally significant infrastructure is vital to meet the community's social, cultural and economic wellbeing. It is therefore important to enable its ongoing operation, maintenance, upgrading and establishment where possible. However, poorly designed or inappropriately located infrastructure can adversely affect amenity values and the District's sensitive environments such as important landscapes.

Operative District Plan Approach

The Operative District Plan manages infrastructure on a zone by zone basis with some additional matters in the general rules section. These provisions do not fully give effect to the more recent national level standards and policies on electricity generation and transmission or telecommunications, nor support the provision and operation of regionally significant infrastructure as required by the Canterbury Regional Policy Statement. The issue of high energy consumption and the need for improved energy efficiency and energy conservation is only covered at a policy level.

Draft Plan Approach

The draft District Plan co-locates the majority of infrastructure provisions within an Infrastructure and Energy Chapter (transport and stormwater are located in their own chapters and infrastructure is also managed in the sensitive environment overlay provisions). The provisions have been updated in accordance with national level standards and policies and expressly cover regionally significant infrastructure including Timaru Airport, the Port of Timaru, the electricity transmission and distribution network, telecommunications facilities and sewage collection, treatment and disposal networks.



Changes

Key changes include:

Permitting maintenance and repair of existing infrastructure

Permitting new underground infrastructure and minor upgrading

Permitting upgrading and new above ground telecommunications and radio communications subject to standards

Requiring consent for new overhead electricity and telecommunications lines

Requiring consent for new aboveground water supply, wastewater and stormwater infrastructure

Permitting solar cells, solar hot water systems and small-scale wind turbines for small scale renewable electricity generation, subject to standards

Requiring consent for large scale renewable electricity generation.

Reasons

These changes recognise the importance of regionally significant infrastructure, give effect to higher order planning documents and manage the adverse effects from more significant infrastructure.

What it Means in Practice

Infrastructure will continue to support the Timaru District as it changes and grows.



The Port of Timaru

Transportation

Issues

Safe and efficient land transport infrastructure is vital for meeting the community's social, cultural and economic wellbeing. However, poorly designed roads, vehicle accessways and other transport features, can adversely affect the safety and efficiency of the transport network, while the construction of roads can adversely affect the District's sensitive environments such as important landscapes.

Operative District Plan Approach

The Operative District Plan manages a range of roading features, from minimum roadway widths to minimum loading and manoeuvring areas. However, many of the technical standards governing components of the transport system have been updated since the District Plan was made operative. In addition, the Operative District Plan does not manage high traffic generating activities such as large education facilities, shops and offices, which can cause network congestion.

Draft Plan Approach

The draft District Plan largely carries over the operative plans provisions but updates them in accordance with best practice changes in technical standards. It also includes provisions to manage high traffic generating activities to ensure the traffic network is not unduly affected by new significant activities.

Changes

Key changes include:

Updated road design and private way requirements in accordance with best practice, including minimum traffic lane widths, footpath and cycle lane requirements

Updated vehicle crossing standards for network safety and efficiency (e.g. maximum widths and number of crossings, and minimum distances between crossings and intersections)

Updated sight lines and vehicle tracking curves for network safety and efficiency

New provisions that require resource consent for any activities that generate vehicle trips in excess of specified thresholds, for network safety and efficiency

Removal of minimum car parking requirements in line with the requirements specified in the National Policy Statement for Urban Development (August 2020).

What it Means in Practice

The transport network will continue to be managed to ensure a safe and efficient network as the community changes and grows.



Stormwater Management

Issues

Stormwater runoff generated from land use and development can have adverse effects on property, communities and their environments. These effects include nuisance effects on neighbouring properties, waterway flooding, and contaminants entering rivers and the coastal environment. Since the District Plan became operative there has been a gradual evolution in the stormwater management industry from an initial focus on end-of-pipe treatment to a more holistic approach incorporating reduction at source and on-site management / treatment. Under the Land and Water Regional Plan the District Council is required to manage the quantity and quality of all stormwater directed to and conveyed by the Council’s reticulated Stormwater network, and from 1 January 2025 the quantity and quality of all stormwater discharged from that reticulated stormwater system.

Operative District Plan Approach

The Operative District Plan manages stormwater as part of subdivisions, for example through outline development plans which stipulate where and how stormwater will be managed on a development site. Stormwater generated from infill development and new roads is not managed by the District Plan. (Note: Stormwater is also managed outside of the District Plan through the Council’s Consolidated Bylaw 2018 (Chapter 15 Water Services), where Council approval is required to direct stormwater from greenfield developments into the Council’s reticulated stormwater network).

Draft Plan Approach

The draft District Plan carries over the subdivision requirements for stormwater management, but also includes impervious surface thresholds for infill development. Where these thresholds are breached, any additional stormwater generated must be directed to the Council’s reticulated network, but approval from the Council is required for this first. The Council will work with developers to achieve stormwater neutrality on-site where possible, along with the management of contaminants.

Changes

Key changes include:

A new chapter covering stormwater quantity and quality, including objectives, policies and rules that seek to avoid increasing peak demand on stormwater management systems or cause adverse effects on the water quality in the reticulated stormwater network

Rules for all residential areas requiring new impervious surfaces over 30m² to utilise a rainwater tank or other stormwater capturing system or obtain approval from the Council to connect to the Council’s existing reticulated stormwater network to manage stormwater quantity

Rules for all commercial and industrial areas requiring new impervious surfaces over 30m² to obtain approval from the Council to connect to the Council’s existing reticulated stormwater network to manage stormwater quantity and quality

Rules for roads requiring new impervious surfaces over 100m² to obtain approval from the Council to connect to the Council’s existing reticulated stormwater network to manage stormwater quantity and quality

Rules requiring resource consent to use any copper, galvanised metal, unpainted zincalume or any other unpainted metal, used in roof material, gutters, downpipes or external cladding of buildings or structures.

What it Means in Practice

New provisions are proposed to manage stormwater quantity and quality. These provisions apply the same approach in the District Plan that is currently taken by the Council under the Consolidated Bylaw 2018, but apply these to more developments such as roads and infill developments. This will help avoid increasing peak demand on stormwater management systems or cause adverse effects on the water quality in the reticulated stormwater network.



Contaminated Land

Issues

Contaminated land, where it is disturbed, poses a risk to the environment and to people's health and safety.

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) contains a national rule framework for managing contaminated land for human health but, as a Standard, does not include objective and policy guidance to assist the Council when processing resource consents that are required under the Standard.

Operative District Plan Approach

Because of the NESCS, the Operative Plan does not include rules relating to contaminated land. In broad terms, the policy direction lacks any specific direction on how existing, or potentially, contaminated sites should be managed, and instead focuses more on the management of activities to avoid contamination arising.

Draft Plan Approach

It is proposed to include a policy framework to guide consideration of resource consents that are required under the NESCS.

Changes

Key changes include:

Direction requiring: investigation of contaminated land or potentially contaminated land in specific circumstances; subdivision, use or development of contaminated land to follow a best practice approach; and for remediation of, or management works undertaken on contaminated land to not increase or preferably reduce risks to human health.

Reasons

The provisions are intended to provide guidance for consideration of resource consents that are required under the NESCS.

What it Means in Practice

The proposed approach will not alter the requirements under the NESCS that stipulate in what circumstances resource consents are required. However, they will assist with how resource consents, when they are triggered by the NESCS, are considered and what consent conditions may be imposed.

Natural Hazards

Issues

- Identify and map areas of the District at risk from natural hazards and understand the level of risk in various areas.
- Avoid subdivision, use and development in high hazard areas, and protect people and property from risks associated with all other identified natural hazards.
- Avoid undertaking works that would exacerbate any risks from natural hazards.
- Protect, maintain and restore natural features that assist in mitigating the effects of natural hazards.

Operative District Plan Approach

The planning maps in the Operative Plan identify stopbanks but do not identify areas at risk from any other natural hazards (except coastal erosion and inundation).

The natural hazard provisions address river flooding. Other natural hazards including earthquakes, subsidence, and wind were deemed to be more effectively addressed through the Building Act.

The objectives and policies that manage natural hazards are found in several chapters of the Plan including the Natural Hazards, Rural Zone, Residential and Recreation 1 Zone chapters. However, they all essentially seek to minimise adverse effects from flooding by avoiding areas that pose a significant risk to new development and managing activities in other areas i.e. building to minimum floor height. Furthermore, some of the policies are written as rules and whilst the objectives and policies are very directive, they do not provide an overall picture of how natural hazards will be managed in the District.

The rules are also duplicated in the zone chapters. Of particular note:

- Permitted activities include all household units and other residential activities are to be constructed with a floor height such that the risk of flood waters rising to that level shall not exceed 0.5% in any year, except that this rule shall not apply to extensions of existing household units and other residential activities where the extension will not increase the total floor area by more than 20%. Residential activities that do not meet this rule are generally non-complying
- The erection of a building or structure on the landward side of a Regional Council stopbank within 100 metres of the centreline of that stopbank identified on the District Plan maps is a discretionary activity
- Household units and other residential activities on the river side of a Regional Council stopbank, and new holiday huts are generally prohibited.

Draft Plan Approach

The following areas will be mapped:

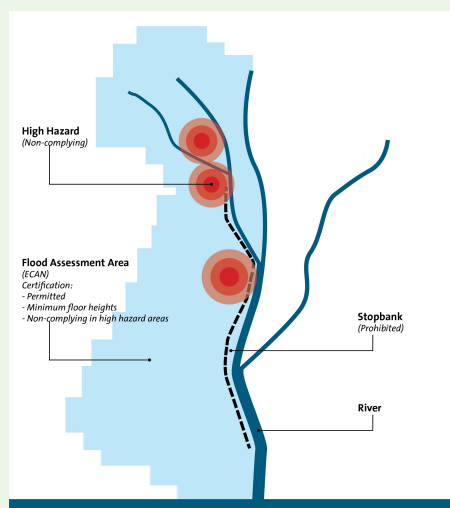
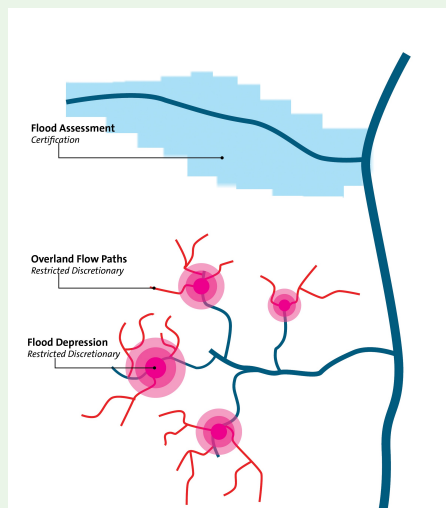
- Liquefaction areas
- Earthquake Fault (Subdivision Awareness) and (Infrastructure or Facilities Awareness) areas
- Overland flow paths and Flood depression areas – applying in main settlements
- Flood Assessment areas – applying mainly to the rural areas
- High Hazard areas – applying only to the Holiday Huts and an area in Temuka
- Within the main settlements, high hazard and flood hazard areas will be mapped by the time the proposed District Plan is released and rules relating to these areas are included in the draft for completeness.

A certification process will be applied within the Flood Assessment areas to enable site specific assessment of risk at the time of any proposed development, and the ability to determine if development is appropriate or not through a consenting process if required. Other rules will be risk-based rules, permitting some development with standards and requiring resource consent for sensitive development or in high hazard areas or where mitigation measures such as minimum floor levels are not met.

Changes

It is proposed to provide for critical infrastructure and subdivision as restricted discretionary activities in the areas where liquefaction is possible to enable site specific geotechnical investigations to be undertaken. Similarly, critical infrastructure and subdivision are to be provided for as activities in areas of known fault risk to enable site specific investigations to be undertaken.

In the floodable areas and overland flow paths, the rules apply as follows:



It is proposed that these rules do not apply to:

- Farm buildings in a Rural Zone, that only have an unsealed or permeable floor
- An extension to an existing building at first floor or above and which is certified by a qualified engineer as being above flood levels.

Reasons

The Council has a requirement to manage risks from natural hazards under both the RMA (s6h), Local Government Act and the Canterbury Regional Policy Statement. Several reports commissioned for this review have identified that the District is at risk from natural hazards and these risks necessitate management. The National Planning Standards also require all District Plans to include a Natural hazards chapter that contains all provisions relating to natural hazards (except coastal hazards which are addressed in the Coastal Environment chapter).

What it Means in Practice

- Existing activities such as farming, and some new activities or buildings/structures built to meet minimum floor heights, outside of high hazard areas, will be permitted
- Activities in areas subject to identified natural hazards are likely to require resource consent, including some that are currently permitted
- There will be some cost to landowners in flood assessment areas to obtain a flood risk certificate when development is proposed.



Hazardous Substances

Issues

Hazardous substances pose potential threats to the health and safety of people and can have significant adverse effects on the environment. At the same time, it is recognised that their use, storage, manufacture and disposal allow people to provide for their social and economic wellbeing, and their health and safety.

Hazardous substance use and storage is controlled by the Hazardous Substances and New Organisms Act 1996 (HSNO) and associated regulations. The District Plan should not duplicate those regulations but can instead target residual risks to the environment not addressed by HSNO.

Operative District Plan Approach

The Operative District Plan comprehensively addresses hazardous substances but no changes have been made since the Plan became operative in 2005. This means that the Plan provisions are not consistent with the 2017 RMA amendments and other regulatory changes, which created Health and Safety at Work (Hazardous Substances) Regulations administered by Worksafe New Zealand.

Draft Plan Approach

The approach to hazardous substances in the Draft Plan is to target only significant hazardous facilities, which are identified and mapped in the Draft Plan.

The Draft Plan supports the ongoing operation of existing legally established significant hazardous facilities, while directing new such facilities into appropriate areas and environments, and avoiding new sensitive activities establishing in close proximity to them.

There is a shift to ensure the specific environmental effects are considered and there is no overlap with regulations already controlling the use, storage and transportation of hazardous substances.

Changes

Key changes include:

Significant hazardous facilities are identified and mapped in the Draft Plan.

Rules control the maintenance, repair and alteration of significant hazardous facilities.

Rules restrict new significant hazardous facilities establishing in close proximity to sensitive areas.

Non-complying activity status rule applies to new sensitive activities, which is a defined term, locating within 250m of a significant hazardous facility.

Reasons

The proposed changes will align with current legislation and regulations and provide more certainty to users and the community of the requirements under the Plan. The location of significant hazardous facilities is managed where there are residual risks to the values of the natural and cultural environment.

Sensitive activities should not locate in near proximity to significant hazardous facility to protect those facilities from reverse sensitivity effects, and to protect the health of people.

What this Means in Practice

The rules in the hazardous substances chapter effect only existing significant hazardous facilities, which are identified in the Draft Plan, and any new significant hazard facility, which is a defined term on the Plan. New sensitive activities such as a residential activity, place of assembly, education facility, and a visitor accommodation will be discouraged from locating within 250m of a significant hazardous facility.



Historic Heritage

Issues

- Is the Operative District Plan list of heritage items robust, i.e. does it contain all items deserving of some form of protection?
- How can heritage protection be enabled while acknowledging the economic cost of protection?
- Should protection of heritage items and buildings be extended to identify the setting within which they sit?

Operative District Plan Approach

The Operative District Plan has list of 129 heritage items throughout the District. 11 items with higher heritage values are classified as Category A and the remaining items are classified as Category B.

Any works on heritage items, other than restoration or repair, require resource consent.

Changes

Key changes include:	Reasons:
Heritage list: The current list of heritage items in the District Plan (129 items) has been updated with the addition of 82 new items. A robust heritage assessment has been prepared for each item. In addition the Plan now contains the criteria used to determine whether items have highly significant heritage value (Category A) or significant heritage value (Category B).	The improved list of heritage items with their respective assessments better represents the history of the District. It is also a great resource for owners, the community and Council relating to the history and values of individual items and historic areas.
Settings of heritage items: The settings that all heritage buildings sit within have been identified and subdivision or new development within the settings will require resource consent.	The protection of the settings of heritage items will avoid losing elements of the surrounding environment which contribute to items historic heritage value.
New historic areas: Two Historic Heritage Areas have been identified and protected (Central Stafford Street and Caroline Bay, Timaru). In addition two Historic Character Areas are to be identified and protected (King Street, Temuka and the area surrounding central Stafford Street, Timaru)	Previously the values of these areas have been managed through their zoning, however it was considered that management under the Historic Heritage Chapter of the District Plan would highlight and increase the heritage values and profile of these areas.
Strengthening of buildings: New provisions will enable structural strengthening of heritage buildings where the strengthening is not visible outside the building.	To reduce the economic cost of protection of heritage items that require seismic strengthening.

Notable Trees

Issues

Identification of significant trees in the district, listed in a schedule of notable trees for protection in the District Plan.

Operative District Plan Approach

The Operative District Plan identifies significant trees in a schedule. The policy and rule framework allows trimming and pruning of scheduled trees when in accordance with recognised horticultural practices. The term 'recognised horticultural practices' is subjective and the policy framework does not provide good direction on the circumstances when trees could be removed and what information should support an application.

Draft Plan Approach

The objective is focused on the identification of notable trees and protection of the identified values. Policy provides clear direction on when and how landowners can modify notable trees (pruning) and when supervision by an expert (a qualified arborist) is more desirable. Direction is given on assessment of new activity and development in proximity to notable trees and the importance of maintaining critical infrastructure is recognised. Policy gives direction on the circumstances in which resource consent could be granted to remove a notable tree.

Changes

Key changes include:

Pruning and trimming of branches less than 50mm diameter are permitted

Any maintenance above the permitted activity threshold is a controlled activity if the work is supervised or undertaken by a qualified arborist

The term 'qualified arborist' is defined

The term 'root protection area' is defined and a rule on new activity and development applies only to the area within the extent of roots and spread of foliage.

Reasons

Feedback in the early stages of the District Plan Review supported retaining protection of significant trees. Nominations for additional trees were received and considered. The Draft Plan provisions improve on the Operative Plan rules, making interpretation and application more readily understandable.

What it Means in Practice

- Landowners are encouraged to keep up regular maintenance of notable trees by limiting the extent of pruning to avoid needing to apply for resource consent
- In the rare situations when new activity and development within the root protection area of a notable tree is necessary or when it is necessary to remove a notable tree, the rules list what information is required when making a resource consent application.



Sites of Significance to Māori

The hapū who hold manawhenua in Timaru District are Kāti Huirapa. The rohe of Kāti Huirapa extends over the area from the Rakaia River in the north to the Waitaki River in the south. The Papatipu Rūnanga that represents Kāti Huirapa is Te Rūnanga o Arowhenua.

Issues

- The protection of sites and areas of significance to Kāti Huirapa from adverse effects of activities and land use, including ensuring that the values underlying the connection with the area are protected and maintained.
- The ability for Kāti Huirapa to provide timely input to decision-making about activities that could affect their significant sites/areas and their values.
- An ongoing ability to access and use resources in accordance with tikanga.

Operative District Plan Approach

There are no specific sites or areas of significance to Māori identified on the planning maps or within the plan. There is mention of takata whenua values in various places in the objectives and policies in the Natural Environment, Heritage and Rural Zone sections. However, the methods applied to these provisions focus on consultation and are not directive in terms of process or through rules requiring any action.

Draft Plan Approach

The objective and policy framework is intended to provide clarity on the need to provide for recognition and protection of sites and areas of significance to Māori from inappropriate activities, and to ensure that there is involvement in decision making processes for Kāti Huirapa.

Rules within the chapter are focused on activities that have been identified as being a particular threat to cultural values, including earthworks, buildings and structures, vegetation clearance, plantation forestry and temporary events. The rules are generally split between the larger wāhi tupuna areas and the smaller wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays, within which more restrictive rules are applied.

In addition to the rules within this chapter, there are a range of supporting provisions in other chapters, such as matters of discretion that will require consideration of impacts on cultural values.

Changes

Key changes include:

Inclusion of Kāti Huirapa in resource management decisions and consultation and engagement with Kāti Huirapa

Provision for customary harvest and other cultural practices, existing access and opportunities for enhanced access

Identification of sites and areas of significance, and management of the effects of in a way that protects the cultural values of different areas and recognises the threats to identified values

Ensuring the sustainability of ecosystems that support taonga and mahinga kai.

The rules are separated into two groups:

1. Those applying to the wāhi tupuna overlay within which earthworks above 750m² require resource consent as a restricted discretionary activity.
2. Those applying to the wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays as follows:

Summary of key rules

Permitted activities

- Wāhi taoka overlay: any new or extended building subject to height and scale limits
- All overlays: indigenous vegetation clearance for specified activities such as customary harvest and cultural use, and for other exemptions to align with Biodiversity rules.

Restricted discretionary activities

- Earthworks
- Wāhi taoka overlay: those buildings and structures that do not meet permitted activity standards
- Wāhi tapu, wai taoka and wai tapu overlays: all new or extended buildings
- Indigenous vegetation clearance that is not otherwise permitted.

Non-complying activities

- Plantation forestry
- All shelterbelts or woodlots as well as plantation forestry at rock art sites
- Any temporary event except cultural events in wāhi tapu areas
- Mining, quarrying and intensively farmed stock.

Reasons

As part of fulfilling the Resource Management Act 1991 obligations under sections 6(e), 7(a) and 8, the Council has developed this chapter (and provisions in other chapters) together with rūnanga for the purpose of managing activities that have potential adverse effects on the values of sites and areas that are significant to Kāti Huirapa. The intent of this approach is to give effect to the outcomes sought by Kāti Huirapa for the sites and areas of significance to them.

What it Means in Practice

Private landowners who have sites and areas of significance to Māori identified on their property will require resource consent to undertake activities that may currently be permitted. In some instances, a cultural impact assessment may be all that is required and, in others, restrictions on the proposed activity may be necessary to ensure protection of cultural values.



Ecosystems and Indigenous Biodiversity

Issues

- A directive policy approach to protection of biodiversity values and provisions focused on protecting Significant Natural Areas (SNAs)
- Ensuring that the criteria for assessing ecological significance are up to date and there is a comprehensive list of SNAs within the District Plan
- Control of all related activities impacting on biodiversity values e.g. planting of pest plant species
- Avoidance of duplication of provisions for works from both ECan and TDC.

Operative District Plan Approach

The Operative District Plan does not list sites of significant indigenous vegetation, neither does it identify SNAs on its planning maps.

The Plan includes definitions of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna which include broad areas such as coastal wetlands, shrublands as well as individual shrubs across large areas of the District i.e. the Plains, soft rock hills and downs and intermontane and mountain ranges.

The rules relating to indigenous vegetation clearance only apply in the Rural Zones and rely on site by site identification of indigenous vegetation when any clearance is proposed.

Draft Plan Approach

The criteria for significance are aligned with those in the Canterbury Regional Policy Statement, and the SNAs are identified on the planning maps and in a schedule to the chapter.

The objective and policy framework is intended to provide clear direction on protection as a matter of national importance and for general maintenance and enhancement of biodiversity values across the district to meet the needs of people and communities, as well as set out the approach to assessing and managing biodiversity values.

It is proposed to utilise a dual method of dealing with biodiversity values, recognising that many areas are now known through the SNA assessments, while some areas remain unidentified but likely to contain significant values. Strict rules can be applied to the identified SNAs and a case specific approach to the unknown areas to enable appropriate assessment when biodiversity values may be affected by activities.

The key activities to be managed are those that will or could damage biodiversity values and primarily include removal of indigenous vegetation and earthworks within SNAs as a non-complying activity. Some activities are to be permitted e.g. the removal of pest plant species and customary harvest.

Changes

Key changes include:

Updated objectives and policies that address the identification and protection of SNA's, and maintenance and enhancement generally, and recognition of Ngāi Tahu values.

Summary of key rules

Permitted activities

- customary harvest
- maintenance of existing activities e.g. tracks
- ancillary clearance e.g. under forestry
- clearance within improved pasture

Restricted discretionary activities

- indigenous vegetation clearance close to wetlands, the coast, waterbodies and springs, as well as over 900m in altitude or on slopes over 300
- clearance of vegetation in the long-tailed bat protection area (mapped)

Non-complying activities

- indigenous vegetation clearance and earthworks in SNAs
- planting of potential pest species

Reasons

The Council has a responsibility to maintain indigenous biological diversity and to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna under s6 of the Resource Management Act.

The District contains a diverse range of habitats that support indigenous flora and fauna. The District's lowlands have been significantly modified by urban growth, farming activities and rural residential development. Much of the indigenous vegetation habitat has been removed and these areas are identified in the Land Environments of New Zealand Threatened Environment Classification as either acutely or chronically threatened environments, having less than 20% indigenous vegetation remaining. Many highly important species are also resident in the area and require protection e.g. long-tailed bat communities.

What it Means in Practice

- Many SNAs will be identified on the planning maps making it easier for landowners to determine which, if any rules, in the Ecosystems and Indigenous Biodiversity chapter apply to their land and proposed activities on the land
- The rules are clear and simple to understand
- The focus on the areas identified as having significance means that some activities that are currently permitted will require resource consent under the proposed provisions
- There will be greater overall protection of biodiversity values within the District.

Natural Character

Issues

- The Council's responsibility to recognise and provide for the preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins; and the protection of them from inappropriate subdivision, use and development.
- The need to consider relevant riparian areas to protect natural character values.

Operative District Plan Approach

The Operative Plan approach is to include a general objective together with policies focusing on natural character of the landscape, the coastal environment and the functioning of coastal waters, lagoons, rivers and wetlands separately.

Rules currently only apply to Rural 1, 2 and 5 zones and do not cover any other parts of the district. Within those zones covered, the rules focus on tree planting and harvest, vegetation clearance, buildings and structures, earthworks, cultivation and grazing activities. The riparian areas to which these provisions vary depending on the activity being managed and, in some cases, the slope of the land in the riparian area.

Draft Plan Approach

The proposed approach is to provide clarity around what areas are considered to be riparian margins for the purpose of natural character protection and to apply these consistently in recognition of the different types of waterbodies. On this basis the rules will apply to the coast and land that is within:

- 10m of the bank of that part of a river that is up to 3m wide (and is not listed in (c) below); and/or
- 20m of the bank of that part of a river that is greater than 3m wide (and is not listed in (c) below); and/or;
- 100m of the banks of the Rangitata; Opihi; and Orari Rivers; and/or;
- 50m of any wetland.

The rules then provide for management of the activities that have the potential to damage natural character values.



Changes

The policies identify what makes up natural character values and where restoration/enhancement is desirable, as well as where preservation of natural character values is to be achieved. There are also policies in relation to works necessary for flood risk mitigation, a desire to achieve incentives to support restoration/enhancement and protection for high naturalness waterbodies.

Summary of key rules within riparian margins

Permitted activities

- Clearance of pest plant species outside high naturalness waterbodies.
- Indigenous vegetation planting for restoration/enhancement purposes outside high naturalness waterbodies.
- Limited earthworks.
- Post and wire fences.

Restricted discretionary activities

- Vegetation planting and earthworks by local authorities for the purpose of hazard mitigation works.

Non-complying activities

- Buildings and structures outside high naturalness waterbodies.

Reasons

The preservation of the natural character of the coast, rivers, lakes and wetlands and their margins, and the protection of them from inappropriate subdivision, use and development is identified as a matter of national importance within section 6 of the Resource Management Act. The National Planning Standards require that all District Plans must include a Natural Character chapter if relevant to the district and the Regional Policy Statement also requires preservation of natural character.

What it Means in Practice

The natural character values of riparian areas will be better recognised and protected from development pressures, improving the overall environment for waterbodies and wetlands. There will be greater encouragement of restoration and enhancement of waterbodies. Resource consents will be required for a greater number of activities (including those that may currently be permitted) than the present rules.

Natural Features and Landscapes

Issues

- Identification and protection of the Outstanding Natural Features and Landscapes (ONFLs) and Visual Amenity Landscapes (VALs) in the District Plan needs to be consistent with best practice, the CRPS criteria, the Canterbury Regional Landscape Study 2010 and the Timaru Landscape Study 2018.
- There are currently no specific rules for managing activities in the visual amenity landscape areas and the rules for outstanding landscape areas are dated.
- There is a need to update the identification of ONFL and VAL areas in the District Plan to ensure that they capture all areas of significant landscape values.

Operative District Plan Approach

The Operative District Plan identifies outstanding landscape areas and significant amenity landscapes on the planning maps. However, there are no specific outstanding natural features, areas of outstanding or high natural character or heritage landscapes currently identified in the District Plan.

The objective and policy framework for the management of outstanding natural landscapes and amenity landscapes seeks to:

- Identify, protect, and enhance outstanding landscape values of the District.
- Protect and enhance the natural character of the landscape from inappropriate subdivision and the adverse effects of any use or development of land.
- Avoid subdivision, use or development which has the potential to modify, mask or detract from important landscape areas, or mitigate or remedy adverse effects.
- Set out the management outcomes for various specific landscape areas.

The rules that manage activities in outstanding landscape areas are found in the Rural 1 and 5 zones only, and these manage a range of activities within outstanding landscape areas such as new walking tracks, fences, vehicle and stock access tracks, buildings, tree planting, woodlots and forestry. There is no rule approach that is specifically targeted towards managing effects on landscape values within significant amenity landscapes.

Draft Plan Approach

The objective and policy framework is intended to provide clear direction on the necessity for the protection of ONFL as a matter of national importance and management of VALs to protect amenity values. The rules enable some activities that currently occur to continue without the need for resource consent, and to manage those activities that are likely to have adverse effects on the values of ONFL and VAL.

Changes

The policies seek to ensure the protection of the qualities of the ONFLs and maintenance of VALs, by managing activities in a comprehensive manner and by providing clear direction on when and where activities or effects should be avoided or managed.

- Permitted activities that recognise established activities such as farming and the need for some buildings associated with anticipated activities.
- Consent is required for activities such as the construction of walking and cycling tracks and roads and farm tracks, large scale buildings, plantation forestry, subdivision, and mining and quarrying that could affect the identified qualities of the ONF/L/VAL.
- A specific rule relating to farming intensification in ONL and ONF areas.

Summary of key rules

Permitted activities

- Farming related buildings, structures and irrigators, other than fences, and public amenity buildings subject to standards
- Earthworks subject to standards
- Network utilities subject to standards
- Fences subject to standards
- Tree planting subject to restrictions
- Farming with limitations on new areas of farming or increased intensity.

Controlled activities

- New walking or cycling tracks
- Plantation forestry in VAL.

Restricted discretionary activities

- Farming related buildings, structures and irrigators, other than fences, and public amenity buildings in the Rural Lifestyle zone within the Geraldine VAL
- Earthworks subject to standards
- Network utilities subject to standards
- Fences subject to standards
- Tree planting subject to restrictions.

Discretionary activities

- New roads and farm tracks
- Subdivision.

Non-complying activities

- Plantation forestry in ONFL
- Mining and quarrying.

Reasons

The Council is required to identify and protect outstanding natural features and landscapes, from inappropriate use and development as a matter of national importance under the RMA (section 6b). The RMA also requires the maintenance and enhancement of amenity values and the quality of the environment (s7c and s7f). The provisions also ensure that the Plan is consistent with the RMA and Canterbury Regional Policy Statement. The provisions provide for the protection of landscape values from inappropriate use, subdivision and development by clearly identifying areas with values and appropriately managing activities.

What it Means in Practice

- The proposed policy approach and rules will be clearer and more directly focused upon managing effects on the qualities of the ONFLs and VALs
- Existing farming activities can continue without resource consent but farming intensification or spread will require resource consent in ONFLs
- Activities that may generate significant adverse effects on the values of the ONFLs will require resource consent
- The policy framework and rules will enable applications to be declined. This is likely to potentially limit some activities and development.



Public Access

Issues

- The need to ensure that public access to and along the Coastal Marine Area (CMA), rivers and lakes is provided when development occurs
- Recognition that esplanade reserves have a range of purposes and public access is only one of these purposes, and that if esplanade reserves/strips are used as the primary means of gaining public access, they are only available at the time of subdivision and therefore will not incorporate large scale changes in land use that do not occur under a subdivision consent
- Recognition in the District Plan provisions of the importance of providing Ngāi Tahu access
- Ensuring that policies reflect the circumstances where public access to and along the CMA and rivers and lakes may need to be limited/restricted
- Consideration of the extent to which the District Plan should manage vehicle access to beaches and riverbeds, or whether this is already managed via other means e.g. bylaws.

Operative District Plan Approach

The objectives seek that present rights of public access are retained and enhanced; that provision is made for additional access opportunities; and public recreational access to the Port is provided for while maintaining public safety. Supporting policies seek to, amongst other matters, promote and enhance opportunities for public access and recreational use of the margins of rivers, wetlands, and coastal areas where compatible with the conservation values of these areas; and to use esplanade reserves, esplanade strips and access strips to provide public access to waterbodies and to other areas of natural cultural or heritage value.

There are no rules that relate specifically to public access in its own right, but this is achieved via esplanade reserves, esplanade strips, and access strips that are created during the subdivision of land.

Draft Plan Approach

The approach builds on the operative Plan provisions. It is proposed to incorporate policy that supports the taking of esplanade strips/reserves through subdivision and in addition provide for the provision of public access at the time of undertaking or consenting large land use developments.

One rule is proposed in this chapter to focus on requiring public access to be provided along waterbodies and the CMA at the time of undertaking large land use development. The intent of this approach is to recognize that large scale land use change can occur without subdivision and that there is a need to gain public access outside the subdivision process.

Other public access will be managed through the Subdivision chapter.

Changes

One rule that applies in all zones, when a large land use development is proposed adjacent to the coast or listed waterbodies, requiring public access provision as a controlled activity.

This rule relates to public access to be provided at time of:

- Development of 4 or more residential units.
- Development of a site with area more than 5,000m² in industrial or commercial areas.
- Any activity requiring consent as discretionary or non-complying in rural areas.

When public access is not proposed to be provided, consent is required for a discretionary activity.

Reasons

Councils are required to ensure public access to and along the coast, lakes and rivers as a matter of national importance under the RMA (section 6). The NZ Coastal Policy Statement provisions require the maintenance and enhancement of public access to the coastal environment.

What it Means in Practice

The continuation of the existing approach that will be enhanced by the taking of esplanade reserves and strips at the time of undertaking large scale development in specific locations. The combined approach will contribute positively to recreation and amenity values which are valued by the community.

Issues

- Versatile soils are an important physical resource within the District. Some subdivision, land use and development activities may compromise its ongoing ability to be used productively.
- The approach taken in the Operative Plan focuses more on particular activities, rather than focusing on potential effects on the versatile soil resource.
- The current mapping of versatile soils does not align with Environment Canterbury's more up-to-date mapping of Class 1 and 2 soils.

Operative District Plan Approach

The Operative Plan manages versatile soils by identifying Class 1 and 2 soils (under the land use capability classification system) as the Rural 2 Zone. Many of the rules for activities are the same in both the Rural 1 and Rural 2 zones. However, some activities are managed more stringently in the Rural 2 Zone, and in particular, more non-farming activities trigger a non-complying activity status. Notwithstanding the separate zoning, the objective and policy framework is not specific to each rural zone, although it does seek to discourage development that would result in irreversible adverse effects on versatile soils.

The current approach therefore limits the range of activities that can be undertaken within the Rural 2 Zone, rather than providing a framework more focused on the effects of activities on the versatility of the soils. In particular, restricting a range of activities does not take into account that depending on their exact nature, they may not have irreversible adverse effects on the versatility of the soil, or may be appropriate to support farming activities.



Figure 1: Example of zoning – Rural 2 (R2) in bright green, Rural 1 (R1) elsewhere.

Draft Plan Approach

The Draft Plan proposes to identify Versatile Soils using an overlay, with the underlying zoning (General Rural or Rural Lifestyle) being the same as other rural areas that are not Class 1 and 2 soils.

Using this approach, activities within the Overlay are managed under the zoning, but with additional controls added where they are considered necessary to appropriately protect versatile soils.

The approach does not alter the activity status for various different activities, including earthworks and subdivision, from that of the underlying General Rural or Rural Lifestyle zoning.

However, where activities require resource consent under the zone rules, or under the earthworks or subdivision rules, and are located within the Overlay, the application will be subject to additional consideration regarding the effects on the versatile soil resource. This is intended to ensure that the consideration of such applications is more clearly targeted to potential effects of an activity on versatile soils.

It is also proposed to introduce a site coverage limit for impervious surfaces within the Versatile Soil Overlay to address the potential effects of site coverage on the versatile soils resource. This is because that there are no site coverage limits applying under the zone rules; and impervious surfaces can reduce the area of versatile soils available for farming activities.

Changes

Key changes include:

Class 1 and 2 soils under the LUC classification are included within the Versatile Soils Overlay. This overlay is based on Environment Canterbury's soil mapping, rather than the more dated Rural 2 zoning in the Operative Plan

Within the Versatile Soils Overlay, activities are managed according to the relevant underlying zoning of the site and the district-wide rules applying

Where a resource consent requirement is triggered under the zoning rules, or within the earthworks or subdivision rules, additional objective and policy guidance specific to versatile soils will apply and will guide consideration of applications and ensure the potential effects on the versatile soil resource are considered

A site coverage limit is included for impervious surfaces within the versatile soil overlay, to address the potential effects of site coverage on the versatile soils resource

Policy direction is included in relation to expansion of urban activities or Rural Lifestyle zoning into the Versatile Soil Overlay.

Reasons

The Draft Plan uses zones to identify areas that have a similar purpose, character and qualities. This reflects that rural areas containing versatile soils have the same general purpose, character and qualities as other areas within the General Rural or Rural Lifestyle zones. The Versatile Soils Overlay then recognise areas with a particular natural resource that requires additional, targeted management. The approach is intended to better recognise that various activities may affect the soils resource, but that it will depend on the particular nature of the activity as to whether it will have irreversible adverse effects on the versatility of the soil. For example, the extent of coverage, compaction or removal of versatile land that may result from a non-farming activity, and whether the activity is needed to support farming activities. Aligning the Overlay with Environment Canterbury's soil mapping ensures more up-to-date information is used to target the provisions to the appropriate areas.

What it Means in Practice

- A site coverage limit will apply within the Versatile Soil Overlay. This will limit the amount of buildings and other impervious surfaces within the overlay area or trigger a resource consent requirement where an exceedance is proposed
- The mapping of the Versatile Soil Overlay will align with more up-to-date information, resulting in the controls being better targeted to the soil resource
- With the exception of site coverage, no additional resource consents will be triggered within the Versatile Soils Overlay; however, where a consent requirement is triggered, the potential impact on the versatile soil resource can be considered and managed.



Activities on the Surface of Water

Issues

- The need to protect the ecological, recreational, natural character and cultural values of the District’s rivers from the adverse effects of activities on the surface of water, while providing for appropriate activities to occur
- Ensure consideration is given to the cultural values that Kāti Huirapa hold for the waterbodies in the District
- Provide clarity around what motorised or non-motorised craft are appropriate on different waterbodies
- Ensure provisions are clear and easy to understand.

Operative District Plan Approach

The objectives seek to provide for a diverse range of activities, whilst ensuring adverse effects on the natural environment are avoided, remedied or mitigated and that the integrity of the surface of water is safeguarded. Supporting policies seek to:

- Limit motorised craft use on the Rangitata River and Opihi River
- Mitigate the effects of motorised activities on threatened bird species
- Ensure that accessways to water surfaces by recreational craft are compatible with best environmental practice.

The following are discretionary activities:

- Commercial activities involving craft on the surface of the water, other than on the Opihi River
- The establishment and operation of areas for the recreational use of motorised craft on the surface of any water body, other than the Opihi and Rangitata Rivers.

The use of any motorised craft not provided for as a permitted or discretionary activity is prohibited.

Draft Plan Approach

The approach builds on the operative Plan provisions by refining the current objectives and policies to include new policies that provide for the values that Te Rūnanga o Arowhenua hold for the waterbodies in the district, and to support the protection of high naturalness areas and indigenous flora and fauna from activities on the surface of water. The policy framework is focused on providing for activities in key areas that are appropriate, and restricting activities elsewhere based on anticipated adverse environmental effects. These provisions are supported by rules that clearly set out what is and is not permitted, with clearer direction that is easier to understand.

Changes

Type of craft	Where and when	Activity status
Non-motorised craft	Non-commercial recreational uses (all rivers, anytime)	Permitted
Motorised craft	Specified environmental management or search and rescue purposes (all rivers, anytime)	Permitted
	Rangitata River	Permitted – within specified area and times
	Orari River	Non-complying – outside specified area
	Opihi River	Prohibited – in fish spawning areas above Red Rocks on the Rangitata River
	Pareora River	
	On any other river	Non-complying
Both motorised and non-motorised	Commercial activities (all rivers, anytime)	Discretionary
Structures	All rivers	Discretionary

Reasons

The Council is required to manage the effects of activities on the surface of rivers and lakes under section 31(1)(e) of the RMA.

What it Means in Practice

- Protection of vulnerable waterbodies and ecosystem values at appropriate times of the year
- Slightly more opportunity for motorised craft than the current provisions
- The same activity status applies to all commercial surface water activities regardless of the river or time of the year.

Explicit acknowledgement of the cultural values of waterbodies that exist.

Coastal Environment

Issues

- The need to identify the qualities that contribute to the natural character of the terrestrial part of Timaru's coastal environment
- The need to manage adverse effects of land use, development and subdivision on the values of the coastal environment
- The need to recognise the importance of the coastal environment to Ngāi Tahu
- The need to protect people and property from risks associated with coastal hazards.

Operative District Plan Approach

Coastal Environment

The Operative Plan does not map the Coastal Environment or contain a Coastal Environment chapter. The coastal environment is essentially zoned as Rural 3 Zone, which covers those areas of the coastal environment which retain a high degree of natural character, and where inappropriate use and development would threaten those natural character values. A default discretionary activity status is applied to buildings that are accessory to existing household units and farming.

Coastal Hazards

The planning maps in the Operative Plan identify the 100yr coastal erosion line and coastal inundation line. The objectives and policies seek to avoid further non-essential development or redevelopment in the most hazard prone areas of the District (with reference to flooding rather than coastal hazards). The rules generally prohibit buildings and structures seaward of the Coastal Hazard 1 line, but do not apply to the 100yr coastal erosion line or take into account climate change or sea level rise.

Draft Plan Approach

The policies have focus on achieving the preservation of natural character and its protection from inappropriate subdivision, use and development, by managing activities in a comprehensive manner, and managing the effects and risks from coastal hazards.

The planning maps identify the coastal environment and areas with high natural character. The rules are focused upon managing effects on the attributes of the coastal environment and the qualities of natural character. Any activity where there is the potential for significant adverse effects on areas with high natural character will require resource consent.

The planning maps identify coastal high hazard areas: land subject to coastal erosion over the next 100 years; and/or subject to sea water inundation (excluding tsunami) over the next 100 years. Given the level of risk to people and property, stringent rules apply in these areas requiring resource consent for most activities.

Changes

Key changes include:

Identify the Coastal Environment area

Identify and protect the natural character qualities of the coastal environment from inappropriate subdivision, use and development

Enable the restoration or rehabilitation of the natural character of the coastal environment

Protect people and property from coastal hazards

Recognise and maintain Kāti Huirapa's relationship with the coastal environment.

Summary of key rules

Permitted activities

- Customary harvest, amenity planting and indigenous conservation planting
 - Plantation forestry and farming outside of high natural character areas
 - Critical infrastructure outside of high natural character and hazard areas
 - Buildings and structures for farming and residential activities outside high natural character and hazard areas
 - Limited earthworks outside high hazard areas
-

Discretionary activities

- Earthworks associated with hazard mitigation works in hazard areas
 - Critical infrastructure in hazard areas
-

Non-complying activities

- Most activities in high natural character and hazard areas
 - Quarrying and mining
-

Reasons

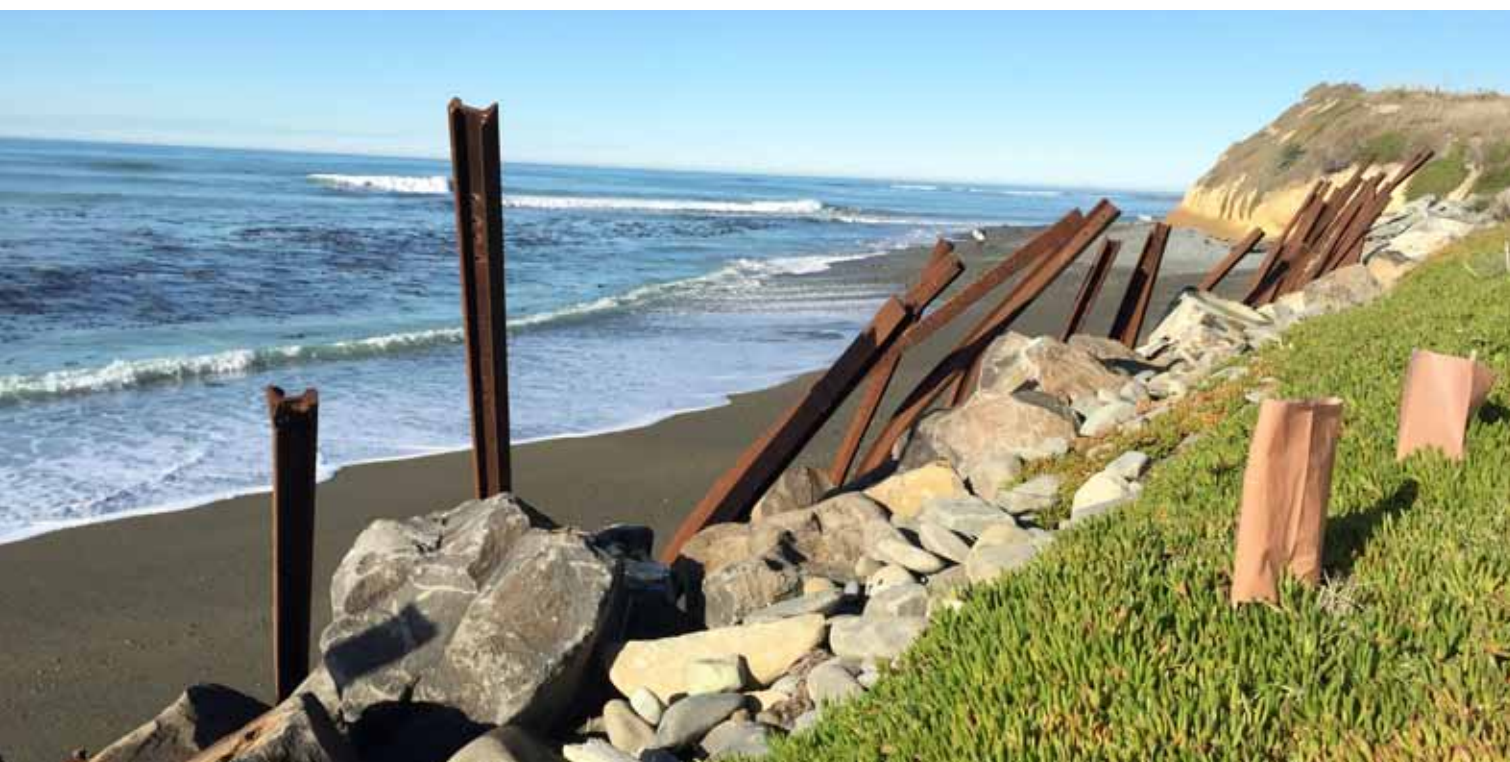
The Council has an obligation to manage the coastal environment to preserve its natural character and protect it from inappropriate subdivision, use and development under the RMA, the New Zealand Coastal Policy Statement and the Canterbury Regional Policy Statement.

The National Planning Standards require the Council to identify the coastal environment as an overlay and address its management, including coastal hazards, in a Coastal Environment chapter.

The Timaru District Landscape and Coastal Study has identified areas of Coastal High Natural Character (CHNC). The Timaru Coastal Erosion Assessment prepared by Jacobs and Timaru District Coastal Hazard Assessment prepared by NIWA have identified areas at high risk from coastal hazards.

What it Means in Practice

- The extent of the coastal environment, areas with high natural character and hazard areas are clearly identified on the planning maps
- Existing activities such as farming and small-scale buildings and structures are provided for
- Resource consents will be required for a greater number of activities (including those that may currently be permitted) than the present rules
- No duplication with rules in the underlying Rural Zone which will minimise the risk of conflicting provisions and potentially unnecessary applications
- Better protection of natural character values and improved protection for people and property from coastal hazard risks.



Drinking Water Protection

Issues

There is a need to adequately protect drinking water supplies from land use activities, subdivision, and development. If these supplies are not protected, they can become contaminated by pathogens or other contaminants and may be rendered unsafe for human consumption. Particular land uses or activities can pose a risk if located up-gradient of drinking water supplies, and management of these activities can help maintain the safety of drinking water supplies into the future.

Operative District Plan Approach

The protection of drinking water supplies is not specifically addressed in the Operative District Plan. There is a focus on ensuring drinking water connections are provided to new properties or buildings, but there are no provisions to ensure that the supply provided is safe to drink.

Draft Plan Approach

The Draft District Plan proposes to emphasise the protection of drinking water supplies in the objective and policy framework, map protection areas around community drinking water supplies, and to control land use and development activities that pose a risk to drinking water safety through rules.

Changes

The Draft District Plan proposes to require resource consent for the following activities where they occur within the mapped Drinking Water Protection Overlay, or within close proximity to a known drinking water supply: subdivision, camping grounds, quarrying activities, significant hazardous facilities.

Reasons

The Resource Management Act allows District Plans to control land use activities, subdivision, and development. The range of activities that pose a risk to drinking water supply safety is larger than the four mentioned previously, but the majority of those other activities are managed by regional plans rather than the District Plan. The activities proposed to be controlled by the District Plan are ones not managed elsewhere, and which fall within the scope of what is able to be addressed by the District Plan.

What this Means in Practice

If people wish to set up a camping ground or quarrying activity near a drinking water supply, they will require resource consent to do so. During the resource consent process, the Council can consider the potential impact on the safety of the drinking water supply, and what measures will be taken to protect the supply point from the effects of the activity.

Subdivisions, where they are near to drinking water supplies, will require restricted discretionary resource consent rather than the default status (where the consent is guaranteed to be granted). Lastly, new or extended significant hazardous facilities will become non-complying activities rather than discretionary activities where they are near to drinking water supplies. This means there is a higher bar to pass for the consent to be granted.



Issues

Earthworks play a key role in, and form a necessary part of, subdivision, land use and development but earthworks require management around issues such as land instability, sediment loss and natural hazards and effects on amenity and cultural values, strategic infrastructure and the natural environment.

Quarrying and mining is essential for development because construction requires aggregate to construct roads and service the needs of industry. The district contains aggregate and mineral deposits that are of considerable social and economic importance, but that extraction can be constrained by conflicting land uses and that it can have significant adverse effects on landscape, amenity and cultural values if not appropriately controlled.

Operative District Plan Approach

Earthworks is only managed in a few sub zones in the Operative District Plan. There is no integrated approach to the management of earthworks in all zones that recognises natural and cultural values and risks to land stability.

Quarrying and mining is not permitted in any zone.

Draft Plan Approach

Earthworks activity is permitted when it complies with standards, except when a layer in the Plan requires protection of cultural and natural environment values. The term earthworks is specifically defined by the National Planning Standards to refer to the alteration or disturbance of land but excluding gardening, cultivation, and disturbance of land for the installation of fence posts. Further exemptions are provided for within the proposed plan for activities such as tree planting, wells, maintenance of existing drains and ponds and where a building consent has been approved or where earthworks are regulated under a national environment standard.

Quarrying and mining is controlled by rules in the zone chapters.

Changes – Earthworks

Key changes include:

The district wide earthworks rules are designed to manage the scale, volume and location of earthworks through a series of thresholds. These include a permitted status of:

- 250m² per site in any 12-month period for earthworks in Residential zones and 2000m² in other zones which recognises the more sensitive nature of residential zones;
- a maximum depth or height of earthworks of 1.5m and a maximum gradient of 1 in 4; and
- filling and/or excavation of no more than 0.5m in depth or height within 1.5m of a boundary.

The rules also require specific consideration of rehabilitation, earthworks within a heritage setting and those within proximity of the National Grid and/or a 66kV electricity distribution line.

Beyond the generic rules more specific earthworks rules are contained within the Draft Plan to address impact on sensitive areas such as significant natural areas, outstanding natural features and landscapes, high naturalness water bodies, visual amenity landscapes, the coastal environment, and sites and areas of significance to Māori. Resource consent is required for earthworks in the Wāhi tupuna overlay that exceed a maximum area of 750m².

Changes – Quarrying and Mining

Key changes include:

Draft Plan provides for the expansion of existing quarries as a restricted discretionary, and new mining and quarrying activities as a discretionary activity in the General rural zone only, provided certain measures are met including:

- for existing mines or quarries, not increasing production or hours of operation;
- for all, a 500m separation distance from a sensitive activity or Residential zone, Settlement zone or Maori Purpose zone;
- for all, a 20m setback from a site boundary; or 100m from a riparian margin; and
- for all, not being within and outstanding natural landscape or feature, significant natural area, high naturalness water body, visual amenity landscape, the coastal environment, a site or area of significance to Māori and a heritage item or setting.

Provision is made for farm quarries as a permitted activity provided they do not exceed 2000m² and are not within an outstanding natural landscape or feature, significant natural area, high naturalness water body, visual amenity landscape, the coastal environment, a site or area of significance to Māori and a heritage item or setting, and are set back 20m from a boundary.

Reasons

The earthworks rules and standards recognise that earthworks not managed well in urban areas can impact on neighbours and cause discharge of sediment onto roads and into the stormwater system. Retaining of earth greater than maximum depth or height of 1.5m and on land of more than a gradient of 1 in 4 can cause potential effects on land stability. Filling and/or excavation of greater than 0.5m in depth or height within 1.5m of a boundary can cause instability of neighbouring sites.

The changes in regard to quarrying and mining give clearer direction for assessment of resource consent applications to minimise adverse effects on the environment.

What this Means in Practice

The majority of development requiring earthworks will not require a resource consent, or can be designed to avoid needing a resource consent. For example deep cuts and high retaining walls can often be avoided. In the Wāhi tupuna overlay resource consent will be needed only if a large homestead, curtilage and driveway is going to result in earthworks over more than 750m² of area; the threshold is intended to capture only large development where there is potential to disrupt ground that has been used historically by manawhenua for cultivation and habitation.

In the case of quarrying and mining the changes update provisions to align with best practice environmental management.



Light

Artificial outdoor lighting enables work, recreation and entertainment activities to occur beyond normal daylight hours. It also enables night-time activities to be conducted safely and provides for site security. Where lighting is poorly designed, selected, controlled or orientated, lighting may adversely affect the amenity of neighbouring properties; result in loss of views of the night sky; and potentially disturb wildlife.

Issues

- Use of inconsistent terminology between different zones
- Disconnect between objectives, policies and rules
- Inconsistency with lux spill in different zones and on adjoining activities
- Effects of glare and light trespass overlooked
- Commercial zone and mixed-use interfaces not addressed
- Light spill from recreational activities inconsistent
- Inconsistent with the CPTED guidelines
- Every zone and general rule are silent on lighting and glare in relation to the adverse effects on energy use, ecology, health and the night sky.

Operative District Plan Approach

The Timaru District Plan contains specific zone-based rules to control the effects of lighting. Generally exterior lighting is required to be directed away from neighbouring sites and roads other than in the recreation zone. Spill light (vertical only) at the boundary is limited to 10 lux between 10:00pm and 7:00am and 20 lux at other times across all zones other than the rural zone.

A limit of 1 lux in the vertical plane on windows of other sites applies between 10:00pm and 7:00am and 10 lux at other times across the industrial and recreation zones. A higher level of control applies in the rural zone where a limit of 5 lux of light spill on adjoining properties applies throughout the night and all outdoor lighting (notably including street lighting) is required to be shielded from above in such a manner that the edge of the shield is below the whole of the light source.

Draft Plan Approach

As there is an increasing awareness in the community of the effects of light pollution, the approach of the draft plan for artificial outdoor lighting is to provide for adequate lighting to support night-time activities and site security, while minimising potential adverse effects.

In addition, the benefits associated with astro-tourism and enhanced quality of life by protecting the night sky from the effects of light pollution are recognised. The draft plan contains rules to limit the effects of spill light and glare from adjacent uses, objectives to limit light pollution and control the type and quantity lighting that can be installed as of right.

Draft Plan Approach

The new draft Light chapter of the District Plan Review includes provisions that manage the use of outdoor lighting across the District. The provisions for artificial outdoor lighting provide for adequate lighting to support activities and site security, while minimising potential adverse effects.

Reasons

- If outdoor lighting is poorly designed, controlled, located or orientated, it may adversely affect the amenity of neighbouring properties and light sensitive areas; result in a loss or reduction of views of the night sky; and potentially disturb wildlife. It may also affect human health and/or safety. The provisions seek to mitigate these effects.

What it Means in Practice

The draft light chapter introduces provisions that manage the use of outdoor lighting across the District. Generally, illuminance levels at adjoining boundaries, on sensitive environments and the night sky will be reduced, especially during late evening, but are considered readily achievable with good design particularly with the use of LED lighting.

Issues

- Noise is necessary part of everyday life, but if not managed properly, noise levels can cause annoyance and disturb activities undertaken by people
- Because different zones have different roles, functions and values, conflicts can arise from noise at the boundary between more noise sensitive zones and higher noise producing zones
- Some important infrastructure, such as the State Highway, Railway Corridor and the Port, provides important services and facilities to the community, but by its nature can generate higher noise levels. This can lead to the potential for reverse sensitivity effects to arise when noise sensitive activities are located in proximity to such infrastructure.

Operative District Plan Approach

The Operative Plan generally seeks to minimise situations where there is conflict between higher noise emitting activities and other more noise sensitive land uses. This is achieved through what activities are encouraged or limited in different zones, and through setting noise limits. The limits differ depending on the sensitivity of the zone, but in some cases only apply at the boundary between zones; not at boundaries within zones. Specific rules also control noise associated with construction noise; blasting; temporary military training activities; bird scaring devices; and noise from aircraft engine testing and aircraft operations at the Timaru Airport.

A noise contour is also provided for the Timaru Airport and the Timaru Raceway, with related provisions seeking to avoid noise sensitive land use activities and further subdivision within the contours, in order to protect the functioning of these particular activities.

Draft Plan Approach

The approach taken seeks to build on the Operative Plan approach by continuing to minimise conflict between higher noise emitting activities and other more noise sensitive land uses, through controls on what activities are encouraged or limited in different zones, and through setting noise limits. The specific noise limits applied to each zone are largely unchanged, but in all zones will apply at boundaries between sites, not only at the zone boundary. It is also proposed to slightly reduce the existing noise limit for the evening period (7pm to 10pm). Rules for specific activities will be retained, but updated or rationalised where appropriate. It is also proposed to update all rules and noise limits to reflect technical best practise.

Provisions intended to manage potential for reverse sensitivity to arise are strengthened and extended to apply to additional infrastructure. In particular, it is proposed to require acoustic insulation and ventilation for noise sensitive activities within a specified distance of established noise generating activities (the State Highway and Rail Corridor) or higher noise generating zones (commercial and industrial zones).

Changes

Key changes include:

All activities must achieve the specified noise limits at the boundary of adjoining sites. The limits are determined by the zoning of the adjoining site

There are specific noise limits for some specified activities – temporary events; Temporary Military Training Activities; construction noise; bird scaring noise; aircraft engine testing and aircraft operations at the Timaru Airport; and helicopter landing sites

Noise sensitive activities within: 40m of a State Highway or the Railway Corridor; a commercial zone; and a residential zone that is 20m or less from the boundary of an industrial zone, are required to meet specified acoustic insulation requirements, while still providing appropriate ventilation.

Reasons for the Provisions

In general, minor updates from the approach taken in the Operative Plan are intended to provide a clearer and easy to administer set of provisions to manage noise within the Timaru District. These have been informed by technical advice and are considered to follow best practise.

The inclusion of acoustic insulation requirements in proximity to established noise generating activities or higher noise generating zones is consistent with provisions included in other district plans and reflects the best practise approach to managing potential reverse sensitivity.

What it Means in Practice

Where a new land use activity is being established, or an existing activity changes, it will need to meet the noise limits at the boundary of adjoining sites, or obtain approval through a resource consent process. Activities with specific noise standards (such as bird scarring devices) will need to meet those standards.

Where a new noise sensitive activity is proposed within 40m of a State Highway of the Rail Corridor, or within a commercial zone, it will need to be designed, constructed and maintained to achieve the specified noise reduction level. In practise, this means that it will cost more to construct a complying building. This is estimated to represent about 10-15% of the build cost.

Relocated Buildings and Shipping Containers

Issues

Allowing for relocated buildings and use of shipping containers but when this is consistent with maintaining the character and visual amenity of the surrounding environment.

Operative District Plan Approach

The Operative District Plan manages shipping containers and relocated buildings in a uniform way with the same rules and performance standards as if the potential adverse effects are similar or the same.

Draft Plan Approach

The Draft Plan has separate policies and rules for shipping containers and relocated buildings so that the activities are managed more effectively. The exception is the General industrial zone, in which both are permitted because adverse effects are not anticipated.

Reasons

Relocated buildings are a popular low cost alternative to building new homes and therefore making this option possible, while maintaining a quality environment, is important. Likewise shipping containers serve a community need and therefore the Draft Plan recognises that but seeks to manage the potential adverse effects.

What it Means in Practice

- Shipping containers and relocated buildings are permitted in the General industrial zone without restriction
- Shipping containers in all other zones are a controlled activity if located more than 20m from a road boundary or not visible from the road, are not stacked, and do not occupy more than 20m² of area
- Relocated buildings are a controlled activity in all other zones with similar requirements to the Operative District Plan, although the terminology used in the rule has been updated to align with current legislation.

Signs

Issues

The review of the Signs chapter focused on assessing the existing signs provisions of the Operative District Plan in light of local, regional and national direction and planning best practice, and considering implementation issues with the current Plan. Illumination standards for signs were reviewed and revised in conjunction with the development of the Draft Light chapter of the Plan. The following issues were identified as part of the review:

- No uniform policy around managing the effects of signs (including cumulative effects)
- Limited activity standards for signs in the Commercial, Industrial, Rural and Open space zones
- Limited heritage protection around signs in Stafford Street (Timaru) and King Street (Temuka)
- Limited guidance for the assessment of illuminated, flashing, moving and digital signs
- Open discretion to consider temporary signs (discretionary activity status).

Operative District Plan Approach

The current Signs chapter contains out of date provisions that are not considered to be appropriately addressed through a District Plan, and do not reflect industry best practice, regional or national policy direction.

Draft Plan Approach

Draft objectives, policies and rules have been revised to provide greater clarity regarding the desired environmental outcomes, including appropriate nuisance controls to maintain and as appropriate enhance amenity.

Changes

Key changes include:

Clearer provisions around managing the effects of signs (including considering the cumulative effects of signs)

Ensuring signs do not compromise the heritage character and qualities of heritage areas

- A new heritage policy matter relating to signs located on Stafford Street (Timaru) and King Street (Temuka)

Not providing for flashing or moving signs in Stafford Street (Timaru).

- Limiting signage containing explicit or lewd content

Retaining control over signs containing explicit or lewd content but removing reference to controls around brothel signs

Off-site signs

- A new non-complying activity status for off-site signs, and only considering community activity off-site signage as a discretionary activity.

Commercial and industrial zone signs

- Restricting the height and area for free-standing signs, the area of signs when attached to buildings, and requiring all signs to be contained within the site

Illuminated, flashing, moving and digital display signage

- Clearer provisions for illuminated, flashing, moving and digital display signs to ensure that the Plan's provisions keep pace with the impact of changing technology

Temporary signage

- Restricting temporary signs to that ancillary to temporary activities provided for under the Plan.
- A new non-complying activity status for temporary signs not associated with a permitted temporary event.
- A new restricted discretionary activity status for temporary signs (forming part of a permitted temporary event but breaching a rule matter relating to duration, setback and height or other relevant general sign standards).
- Only allowing one temporary sign per site at any one time.
- New restrictions around temporary sign height and area

Open space zone

- Providing more flexibility around sponsorship signs not visible from other public places or roads

Reasons

The proposed provisions are considered to be the most effective and efficient way of managing signs across the District as they address the key implementation issues of the current Plan, and build on the success of the plan's provisions. The proposed changes are based on industry good practice and meet regional and national policy direction.

What it Means in Practice

The Draft Plan provisions will ensure there are clear and relevant controls in place to manage the potential adverse effects of signs, and enable signs that:

- Contribute to social and economic wellbeing of the District;
- Support needs of business, infrastructure;
- Provide information and direction; and
- Identify places.

Temporary Activities

Issues

Temporary activities that have a limited duration do not generate long-term effects and therefore there is benefit to enabling temporary activities in limited circumstances without a resource consent or with less restrictive requirements.

Operative District Plan Approach

The Operative District Plan manages temporary buildings and activities by permitting those that are limited in scale and duration.

Draft Plan Approach

The Operative District Plan provisions are retained but improved to meet the requirements of the National Planning Standards and to achieve best practice in policy drafting. The Temporary activities chapter addresses the management of temporary activities such as:

- Public and community events that are held from time to time to provide the community with recreational options
- Temporary buildings that are necessary for construction works
- Temporary military training that are required under the Defence Act 1990 to meet the Ministry of Defence's obligations.

Reasons

The New Zealand Defence Force (NZDF) requested changes during the early stages of the District Plan Review process, which were accepted in part when drafting the new chapter. Improvements were needed to manage construction activity and community and recreational events.

What it Means in Practice

- Clear direction on what construction work temporary activities are permitted, so that people know what to do, and compliance can be monitored
- A more permissive but targeted approach to community and recreational events.
- A targeted approach to temporary training activities meaning that small scale events are permitted, while only large scale events attract the need for a resource consent application.

Residential Zones

Issues

- Amenity of residential areas: What standards are needed to maintain the amenity of Residential Zones if housing is developed at greater densities?
- Number of residential zones: There are six Residential zones in the Operative District Plan. As the recent National Planning Standards require new Plans to have a limited number of zones based on the density of housing it has been necessary to rationalise the residential zones.
- Stormwater management: How can the potential for localised flooding in the residential area be reduced?

Operative District Plan Approach

The current Plan six Residential zones which provide for a range of housing densities within Timaru, Geraldine, Pleasant Point and Temuka. These zones include:

- Suburban Residential (Timaru, Geraldine, Pleasant Point and Temuka)
- High Density Residential (Timaru Inner city)
- Medium density (Gleniti)
- Low Density (Washdyke and Temuka)
- Future Residential (Geraldine).

Draft Plan Approach

The following zones are now proposed for residential areas:

- General Residential Zone: All residential areas other than inner city Timaru and central Geraldine
- Medium Density Residential Zone: Inner city Timaru and central Geraldine
- The Draft Plan manages land use in sensitive environments by a series of “overlays” which are contained in their own chapters. Some of these overlays e.g. natural hazards, apply to land within residential zones.

Changes

Key changes include:	Reasons:
<p>Building height:</p> <p>Provision for up to three storey houses in the Medium Density Residential zone</p> <p>Reason for change: To enable a greater density of housing and make efficient use of sites</p>	<p>To achieve good site layout and building design for more intensive developments.</p>
<p>Multi-unit development: Consent required for three or more units on a site in the Medium Density Residential zone</p>	
<p>Stormwater management:</p> <p>A 50% limit is proposed on the amount of impervious surface on a residential site in the General Residential zone.</p>	<p>To reduce the amount of stormwater coming off sites in storm events so that there is reduced potential for localised flooding of streets.</p>
<p>Retirement villages:</p> <p>Specific provision for retirement villages, subject to a consent process</p>	<p>To recognise and provide for increased need for housing for older people while maintaining the amenity of neighbourhoods.</p>
<p>Homebased and small-scale non-residential activities: Further provision made for homebased enterprises and community services including homebased education.</p>	<p>To provide for the efficient and economic use of homes for employment and a variety of community services.</p>

Rural Zones

Issues

- Number of Rural zones: There are eight Rural zones in the Operative District Plan. As the recent National Planning Standards limit the number of zones it has been necessary to rationalise the type and number of zones.
- Provision for rural residential / lifestyle use: The current and previous District Plans have allowed a moderate degree of rural residential/lifestyle development throughout the rural area. The scattered nature of rural residential development has resulted in unpredictable and inefficient servicing demands for water supply, sewage treatment and disposal, roading and access. It has also resulted in constraints on farming operations resulting from complaints by new rural residents.
- Protection of versatile soils: The District has large areas of versatile soils which are a significant resource for the district, region and country enabling efficient production of food and fibre. Over time activities, subdivision, and development (including extensions to towns) has resulted in a reduction in the availability of versatile soils.
- Control of intensive rural activities: There has been a general increase in the intensity of farming, especially livestock farming. This has resulted in increased traffic movements by heavy vehicles in and around farm buildings, odour and noise.

Operative District Plan Approach

The current Plan includes manages development through the rules of each Rural zone, including those protecting more sensitive environments. The zones are:

- Rural 1: General
- Rural 2: Contains the most versatile land.
- Rural 3: Coastal areas
- Rural 4A and B: Geraldine Downs
- Rural 5: Hill and High country
- Rural Residential (Brookfield Road).

Draft Plan Approach

The following zones are proposed for the rural area:

- General Rural Zone: All the rural area, including hill and high country and the coast.
- Rural Lifestyle Zone: This is a new rural zone specifically providing for rural residential development in identified areas adjoining of near townships. These newly zoned areas will be developed in accordance with Development Area Plans to ensure coordination of servicing. The proposed Rural Lifestyle zone Development areas are:

Timaru area

- DEV3 – Brookfield Rural Lifestyle Development Area
- DEV4 – Gleniti North Rural Lifestyle Development Area
- DEV5 – Kellands Heights Rural Lifestyle Development Area
- DEV6 – Elloughton Rural Lifestyle Development Area

Geraldine area

- DEV7 – Templer Street Rural Lifestyle Development Area
- Temuka area
- DEV8 – Thompson Rural Lifestyle Development Area
- DEV9 – Guild Rural Lifestyle Development Area

Pleasant Point area

- DEV10 – Manse Road Rural Lifestyle Development Area
- Settlement Zone: This zone replaces the current Residential 3 zone and applies to Seadown (Acacia Drive), Cave, Orari, Pareora, Winchester, Peel Forest, Blandswood and Woodbury settlements.

The Draft Plan manages land use in sensitive environments by a series of “overlays” which are contained in their own chapters. Many of these overlays e.g. natural character and outstanding and visual amenity landscapes, relate to land within the rural zones.

Changes

Key changes include:

Residential units in the rural area:

The ability to create “rural living sites” for rural residential use in the general rural area is to be replaced by confining rural residential development to new Rural Living zones adjoining or near Geraldine, Temuka, Timaru and Pleasant Point. There is however an exemption permitting houses to be built on rural living sites created since 1 January 2016.

The minimum area for a residential unit in the General Rural zone is to be 40ha and there will be a maximum of two residential units per property. Resource consent will be required for additional houses.

Setbacks:

Larger setbacks from property and road boundaries and neighbouring houses will be required for all buildings including milking sheds, effluent facilities and stock holding areas and intensively farmed stock.

Future urban development area:

An area for the future residential development of Geraldine is to be created on Orari Station Road.

Reasons:

To meet the Canterbury Regional Policy Statement requirements for rural residential living and to confine rural residential development to areas that can be efficiently serviced for water, sewage treatment and disposal and roading.

To reduce adverse impacts of noise, odour and lighting on neighbouring properties and limit the use of the roads and their verges for farm related operations

To avoid activities, subdivision or buildings which could compromise integrated and serviced urban development on this land in the future.



Commercial and Mixed Use Zones

Issues

The Operative Plan includes a range of Commercial Zones, but does not clearly articulate the role and function of each commercial zone, nor the importance of the Timaru central business area as the main centre for the South Canterbury area.

The rules controlling activities permitted in each zone are overly specific and may restrict appropriate activities that would promote the vitality and viability of these commercial areas.

Poorly targeted urban design provisions can affect the viability of reinvestment or redevelopment in commercial areas, but conversely, if design is not managed appropriately, the qualities of commercial areas that make them attractive to the community can be eroded and make them less functional.

An economic assessment has identified that the scale and timing of retail development currently enabled in the Commercial 2A Zone has the potential to create significant adverse effects on the Timaru City Centre.

The National Planning Standards require particular zones to be used within district plans.

Operative District Plan Approach

The Operative District Plan contains a range of commercial zones - Commercial 1A, Commercial 1B, Commercial 1C, Commercial 1 (Temuka), Commercial 1 (Geraldine), Commercial 1 (Pleasant Point), Commercial 2, Commercial 2A and Commercial 3. The provisions generally seek to maintain the amenity and quality of retail areas and minimise conflict between commercial activities and other land uses and mitigate adverse effects of activities within commercial zones on adjoining residential zones.

There is a separate rule framework applying to each zone, which lists a range of commercial, community and other activities that are permitted in each zone. The permitted activities are highly specific and list out specific activities that would be captured under broader definitions of 'commercial activities' or 'community facilities'.

Activities within all commercial zones are subject to performance standards that manage matters such as height, access to sunlight, setbacks from road and internal boundaries and screening of outdoor storage areas.

In central Timaru and Temuka, there are particular consent requirements for demolition and new buildings that seek to recognise and protect the heritage values in these commercial areas. The controls apply to all buildings within the identified areas, rather than to specifically identified heritage buildings. Within the main street areas in Timaru, there are also design controls that seek to provide active frontage, consistent provisions of verandahs and buildings built up to the road. In the main street areas in Geraldine and Temuka there are also requirements for the consistent provisions of verandahs.

Draft Plan Approach

To align with the National Planning Standards and rationalise the number of commercial zones, the zones set out in the following table are proposed for the District's commercial areas.

The framework proposed would clearly articulate the role and function of each zone, and include a hierarchy emphasising the City Centre Zone.

The approach taken will also target urban design controls to where these controls are considered to be most appropriate. This includes resource consent requirements for buildings within the Large Format Centre Zone and larger developments in the Local Centre Zone. The current requirement for resource consent for demolition of buildings and design of replacement buildings would be removed from the commercial zone provisions and instead addressed through targeted provisions in the Historic Heritage Chapter.

Operative Plan Zone	Proposed Plan Zone
Commercial 1A Zone	City Centre Zone (including Retail Core Precinct)
Commercial 1B Zone	City Centre Zone Large Format Retail Zone
Commercial 1C Zone	Large Format Retail Zone
Commercial 1 (Temuka)	Town Centre Zone
Commercial 1 (Geraldine)	Town Centre Zone
Commercial 1 (Pleasant Point)	Town Centre Zone
Commercial 2 Zone	Local Centre Zone
Commercial 2A Zone	Large Format Retail Zone – North East Precinct
Commercial 3 Zone	Neighbourhood Centre Zone

Other main street controls in central Timaru, Temuka and Geraldine will be continued. However, in central Timaru, these will be targeted to a reduced area, identified as the Retail Core Precinct.

Within the Large Format Retail Zone – North East Precinct it is proposed to reduce the thresholds for staging of retail activities on the site and limit the type of other commercial activities provided for within this area, in line with economic advice regarding how development of this site could impact on the City centre zone.

Performance standards that manage built form would largely be retained, except where rationalised as a result of the rationalisation of zones.

Changes

Key changes include:

A specific set of objectives and policies for each zone are provided that set out the purpose, character and qualities of each zone

For each zone, the range and mix of activities that are enabled or controlled reflect the purpose of the zone and are expected to promote the vitality and viability of these centres

The importance of the City Centre Zone as the main centre for the South Canterbury area is emphasised. This includes provisions that restrict the staging and type of commercial development enabled in the Large Format Retail Zone – North East Precinct

Urban design controls are targeted to areas where they are considered necessary to maintain the character of areas that are valued by the community, or to ensure that developments integrate with the public realm, and result in attractive and inviting commercial spaces.

Reasons

The provisions are intended to provide clear direction on the purpose of each zone, and the character, amenity and design outcomes anticipated for each zone. This will ensure that the District's commercial areas are attractive and functional to residents, business and visitors, as relevant to the function and purpose of each zone. In particular, the approach taken will provide opportunities for a range of business activities to establish, in appropriate locations. It will also ensure that a greater emphasis is placed on the importance of the City Centre and ensure that development in other zones does not compromise its purpose, function and amenity values.

What it Means in Practice

- It will be clearer what the purpose of each commercial zone is and the range of activities expected within it.
- The importance of the City Centre Zone for the whole District will be emphasised and development outside controlled, as necessary, to maintain its purpose, function and amenity values.
- In the Local Centre and Large Format Retail Zones, there will be additional, targeted urban design controls. Conversely, urban design controls will be targeted to a reduced area (the Retail Core Precinct) in central Timaru. Existing verandah controls in the main street areas in Geraldine and Temuka will remain.



General Industrial Zone

Issues

- The General industrial zone contains predominately industrial activity, which is important to the District in terms of employment and social and community wellbeing. The Zone recognises the economic importance of industrial activity and the need to have some compatible non-industrial activity to support industry.
- Parts of the General industrial zone adjoins a Residential zone and Open spaces and recreation zone, which requires limitations to provide for suitable amenity.
- New connections to the industrial and trade waste water system needs to be managed so as to not foreclose the opportunity to develop new sites.
- Restrict non-industrial activity when it does not contribute to the desirability of the zone for industrial activity.

Operative District Plan Approach

The Operative District Plan has two industrial zones (Heavy and light). The Heavy zone includes the port and has no height limit. The Light zone limits height to a standard maximum of 10m for buildings with allowance for infrastructure of up to 20m. Boundary treatment controls apply to any development within 50m of the residential 1 Zone, and this applies in Washdyke.

Draft Plan Approach

The General industrial zone is proposed to replace the current two zones. The permissive and enabling approach of the operative District Plan is carried forward into the Draft Plan, however there are key changes to address the issues identified above, and to maintain a suitable level of general amenity within the zone. A more targeted and more restrictive approach is taken toward non-industrial activities locating within the zone.

Changes

Key changes include:

A Height specific control area is applied to the areas that were the heavy industrial zone including the port and this applies a maximum height of 35m when currently there is no height limit

Elsewhere the maximum height is increased from 10m to 15m but height in relation to boundary recession planes apply at the boundary of Residential zones and Open spaces and recreation zones, which limits potential height

Offensive trade activities will require a resource consent anywhere in the zone

New connections to the industrial and trade waste water system will require a resource consent

Standards impose limitations on industrial activity in near proximity to residential zones

Non-industrial activity such as a café will be a non-complying activity except when it is limited in to less than 200m² of gross floor area, and any residential activity will be a non-complying activity.

Reasons

There was little difference between the heavy and light industrial zones other than in relation to height. The lack of a height limit in the heavy zone was considered unacceptable because that opened the possibility to buildings and structures that could be visible to the wider Timaru urban area and even beyond.

A 35m height limit was identified as sufficient to enable port operations, while also limiting potential adverse visual effects. The 10m height limit was identified as overly restrictive except when near to Residential zones and Open spaces and recreation zones.

What it Means in Practice

- Industrial activity will continue to be enabled, while limitations are imposed at the boundaries of sensitive zones
- New development that requires a new connection to the industrial and trade waste water system will need to be designed in a way that does not foreclose the opportunities of other sites to connect
- Residential activity and any non-industrial activity that is not necessary to support industrial activity is unlikely to be approved, and this is intended to safeguard the suitability of the zone for industrial activity.

Open Space and Recreation Zones

Issues

- The need to provide a clear understanding of the character and amenity anticipated to be maintained in each of the different open space and recreation areas.
- The need to specifically provide for cemeteries in the urban areas of the District.
- The need for clear objectives, policies and rules that manage activities within the existing clusters of holiday huts, to avoid or minimise risks to human life and property from river flooding, coastal erosion and inundation, and differentiate the distinct character of the holiday huts from the residential zones of the District.
- The need to recognise the distinct character and importance of Caroline Bay as well as its location within the coastal environment.

Operative District Plan Approach

The Operative Plan has the following Recreation Zones:

- Recreation 1 (Holiday Residential), which includes the holiday huts at Butlers Huts, Milford Huts, Waipopo, Rangitata, Stratheona and part of Blandswood:
- Recreation 2 (Urban), which includes recreational land and open space along the coast: and
- Recreation 3 (Rural), which includes recreational land in rural areas.

The objectives and policies seek to provide for recreational activities and avoid or mitigate the adverse effects arising from recreational activities. They also require the taking of esplanade reserves or esplanade strips alongside waterways, set the purpose of the zones, protect the visual amenities of recreation areas, manage activities within the holiday hut areas in relation to natural hazards, provide for the continued operation of existing recreation activities and promote the enhancement of recreational land and facilities.

The rules are activity based and activities are generally managed to minimise risks to health, safety and property from natural hazards. Of note, clubrooms, grandstands, changing rooms and toilets are discretionary activities in the Recreation 2 and 3 Zones. New holiday huts in all holiday hut areas are a prohibited activity. There are also a number of General Rules that apply to the Recreation Zones; vehicle access and loading; parking; signs; and natural hazards, but no noise standards apply to activities in the Recreation Zones.

Draft Plan Approach

It is proposed to establish three zones: Natural Open Space, Open Space, and Sport and Active Recreation. The policy framework will then recognise the diverse purposes and character of the open space and recreational areas in the District. This will enable the potential effects of future activities and development to be assessed against the character and qualities of the zone ensuring that the purpose and level of amenity anticipated by the community is maintained and/or enhanced. It is also proposed to recognise the commercial activities that occur at some of the large-scale facilities in the District i.e. Southern Trusts Event Centre and Caroline Bay Aquatic Centre.

The policy framework also introduces two precincts: The Holiday hut precinct and the Caroline Bay precinct:

- The Holiday hut precinct forms part of the Open Space zone and recognises the unique character of these clusters of holiday huts as well as their location, often in areas that are subject to natural hazards.
- The Caroline Bay precinct forms part of the Sport and Active Recreation zone and is subject to many of the policies and rules of this zone. However, the specific precinct provisions reflect the extent and the importance of Caroline Bay as an area of open space as well as its location within a coastal high hazard area.

Changes

Key changes include:

- Policy framework and rules to provide for cemeteries in the Open Space Zone
- Specific provision for park management activities in all recreation zones
- Permit buildings and structures associated with existing cemeteries and small-scale buildings associated with permitted activities in the Open Space Zone
- Outside the high hazard areas, buildings and structures are provided for as a Restricted Discretionary activity in the Holiday Hut precinct
- Limited commercial activities are provided for as a permitted activity in the Sport and Active Recreation Zone
- Buildings and structures are a non-complying activity in the Caroline Bay precinct due to the coastal hazard.

Reasons

The provisions reflect the national planning standards. They also address the issues identified above with each Zone and the Precinct having its own framework of objectives, policies and rules that reflect the intent, purpose and character of the zones / precinct as well as managing the risk from natural and coastal hazards. The provisions also provide specific policy provision for those facilities in the District that provide for a broad range of activities such as Caroline Bay and the Southern Trusts Event Centre.

What it Means in Practice

- The different purposes, character and amenity values of the zones are recognised, enabling the establishment and consideration of activities that reflect that
- Buildings and structures for permitted activities are generally provided for, although consent will be required for large scale buildings in the Open Space zone
- In the Holiday hut precinct and the Caroline Bay precinct all buildings and structures require consent because of the risk from natural hazards
- Existing cemeteries and associated activities are specifically provided for, potentially reducing the need for resource consents.



Māori Purpose Zone

Issues

The purpose of the zone is to specifically provide for Māori needs and activities, including residential, social, cultural, environmental and economic use and development, through a kāika nohoaka approach which achieves a thriving, sustainable and self-sufficient Māori community. It has been developed to reflect the outcomes identified by Aoraki Environmental Consultancy Limited on behalf of Kāti Huirapa in a research report which identifies the aspirations for settlement to meet the needs of Kāti Huirapa whanau including:

- Flexibility to configure development to suit a communal lifestyle.
- An approach that enables community and business activities.
- Consistent rules irrespective of land tenure.
- A practical response to flood hazard that enables development while keeping people safe.
- Future proofing for water supply and wastewater services.
- Recognition of rangatiratanga over ancestral land.

Operative District Plan Approach

There is no Māori Purpose zone or any other provisions that specifically address and provide for the establishment of papakāinga housing or Māori communities on Māori or ancestral land in the Operative District Plan.

Draft Plan Approach

The approach to the Māori Purpose zone is to recognise the two key areas of Māori reserve land granted to Kāti Huirapa and to tailor the zone provisions for this land to enable future settlement growth by Kāti Huirapa. The rules for this zone are similar to the Rural Settlement zone with a tailored approach to provide for cultural uses and activities.

Changes

Key changes include:

Enable integration of whānaungatanga, mātauranga and tikanga in the use, design and layout of development within the zone

Enable appropriate and compatible activities within the zone that meet the needs of the Kāti Huirapa community and avoiding incompatible activities

Provide for consideration of other locations for the zone to meet Kāti Huirapa needs in the future.

Summary of key rules

Permitted activities

- Residential and Home stays
- Home occupations
- Marae complexes
- Whare taonga
- Urupā
- Pou
- Mahinga kai
- Community facilities
- Kōhanga reo and kura kaupapa
- Whare Hauora
- Māori cultural activities
- Hākinakina
- Ahuwhenua
- Conservation activities
- Public amenities

Restricted discretionary activities

- Commercial Services, Offices and Retail activities

Discretionary activities

- Industrial and Rural Industrial activities

Non-complying activities

- Mining and Quarrying, Plantation Forestry and Intensively Farmed Stock
- Wastewater and effluent ponds and effluent spraying

Reasons

To ensure that there is explicit provision within Timaru District to support Kāti Huirapa aspirations for a form of settlement that enables:

- Whanau to exercise rangatiratanga.
- A tikanga-based community on ancestral land.
- Cultural, economic and social activities that are needed to sustain the community.
- Flexibility to configure development to suit a communal lifestyle.
- Consistent rules irrespective of land tenure.

What it Means in Practice

Descendants of those granted the land for settlement purposes will be able to work towards the enhancement of whanau based settlement. Private landowners within the land identified as Māori Purpose zone may require resource consent to undertake some activities that are currently permitted.









Timaru District Council

2 King George Place
PO Box 522, Timaru 7940
T (03) 687 7200
E enquiry@timdc.govt.nz

Temuka Service Centre

72-74 King Street, Temuka
T (03) 687 7591

Geraldine Service Centre

73 Talbot Street, Geraldine
T (03) 693 9336

