

RELATIONSHIPS BETWEEN SPATIAL LAYERS

Types of Spatial Layers

The District Plan utilises a number of spatial layers to manage areas of the District appropriately in terms of their expected type and level of activities and development. These spatial layers are:

- District-wide Layers:
 - Overlays; and
- Area-specific Layers:
 - Zones;
 - Precincts;
 - Specific Control Areas;
 - Development Areas; and
 - Designations.

District-Wide Overlays

The District Plan includes district-wide overlays in areas with a particular characteristic, risk or value that needs to be managed at a district-wide scale. These district-wide overlays normally span across or occur in multiple zones. The associated rules provide more specific provisions relating to the characteristic, risk or value of interest to be managed. Not all district-wide matters have an associated overlay.¹ These rules apply in addition to rules on activities in the Area-Specific Layers.²

Zones

The District is divided into zones according to the intended character and use of the area. Activities within different zones will be subject to different zone provisions, including objectives, policies, rules and standards. Activities may be subject to more permissive or restrictive controls depending on the purpose of the zone in which they are located. All sites and locations within the District are zoned.

Precincts

Precincts are used to manage areas where place-based provisions apply to modify or refine the policy approach and rules of the underlying zone. For example, a precinct could be used to achieve a desired outcome in an area that has high values and that requires additional protection.

Specific Control Areas

Specific control areas spatially identify where a site or area has provisions that are different from other spatial layers that apply to that site or area. These tend to apply to smaller, localised and more easily defined sites, such as a single property, rather than wider area with more complex provisions which may be more appropriately managed using an overlay or precinct.

Designations

Designations are used to show land, often across multiple sites (e.g. linear infrastructure), which has been designated for a particular purpose by a requiring authority. Designations are generally associated with a public work, a particular project or a network utility operation. They can impose rules which supercede zone rules and are typically more permissive in terms of the activity for which the site is designated.

¹ Forest and Bird [156.8]

² Forest and Bird [156.7]

Any relevant resource consent is still required from the CRC Canterbury Regional Council. The provisions of the District Plan for the underlying zone apply in relation to any land that is subject to a designation where the land is used for a purpose other than the designated purpose.

Any Minister of the Crown or local authority is automatically a requiring authority. Section 166 of the RMA defines other network utility operators who may apply to the Minister for the Environment for approval as a requiring authority. A requiring authority may, at any time, give notice to the Council in respect of a requirement.

The District Plan also contains general rules for infrastructure not designated, providing for these in a manner similar to general activities.

Development Areas

Development Areas spatially identify and manage an area where Development Area Plans (DAPs) are used to determine future land uses, development, infrastructure provision, and open space. Activities that are in accordance with ~~the a DAP Development Area Plan~~ are permitted within the development area, while activities which do not comply with the DAP plan require resource consent.

Future Development Areas

The Future Development Area Overlay identifies land that is suitable for future urban or rural lifestyle development. The Future Development Area Chapter addresses how future growth will be managed in the Future Development Area Overlay and how activities that could compromise future growth in the Overlay will be addressed. It also addresses how urban development not anticipated by the District Plan located outside the Future Development Area Overlay will be managed and how urban development within the Future Development Area Overlay but out of sequence will be managed.

While land in the Future Development Area Overlay is suitable for urban development or rural lifestyle development, it cannot be developed until it is rezoned to enable that development to occur, including the preparation of a DAP Development Area Plan. Until such time, land within the Overlay remains in the General Rural Zone and may be used for a range of primary production activities. Activities that potentially compromise the development of the Overlay are to be managed through the resource consent process to avoid any permanent effects on the future development of this area.

Relationships between ~~d~~District ~~s~~District ~~l~~Layers

All land in the ~~d~~District is subject to a zone layer and most land is subject to other spatial layers. Figure 4 below illustrates how a planning map may look like with the different layers showing.

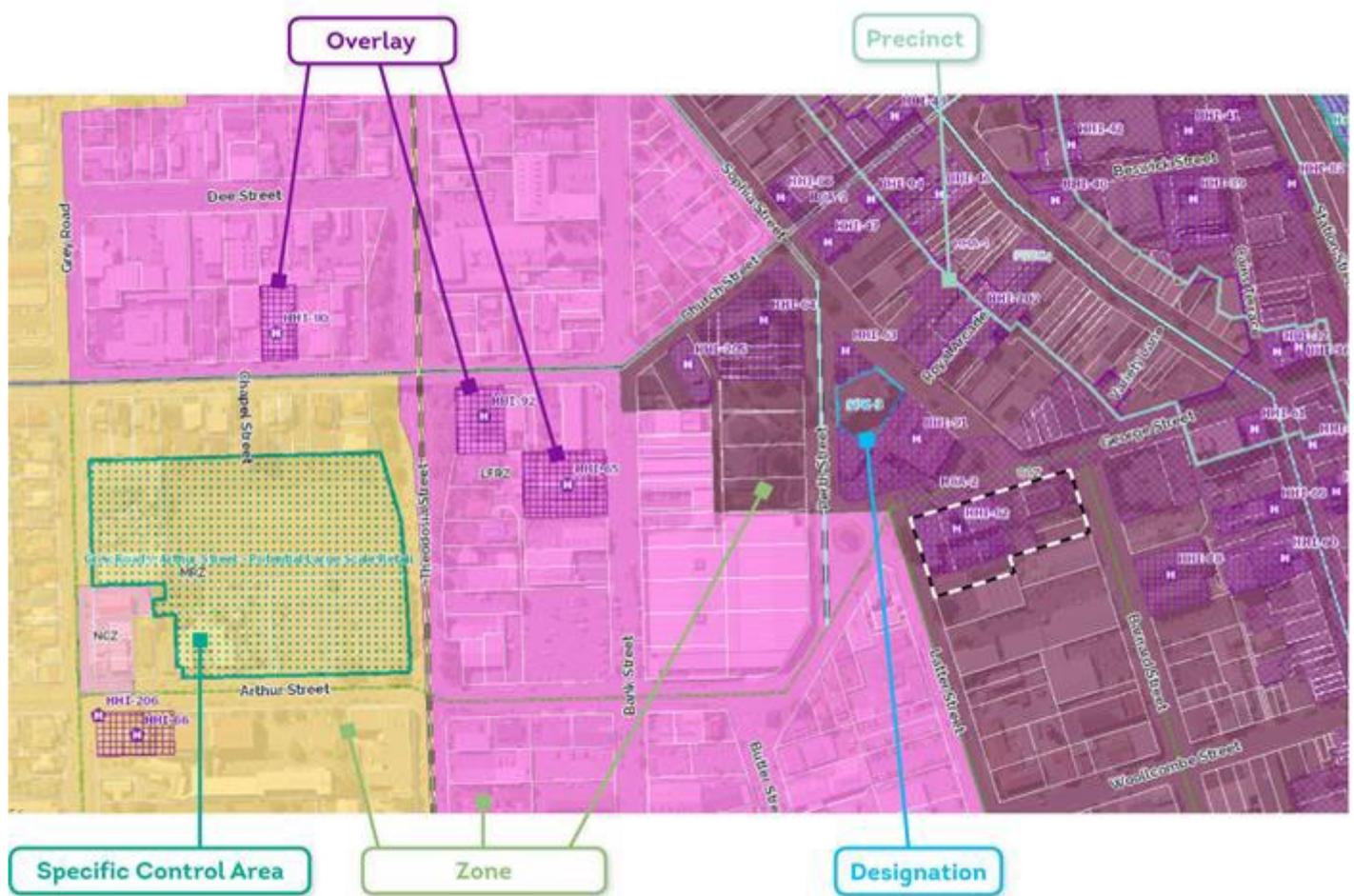


Figure 4 — Example of Planning Map with Different Spatial Layers

When there is a conflict between the provisions of different spatial layers, the following principles apply:

1. ~~When~~ when there is a conflict between overlays, or between an overlay and an area-specific spatial layer, the most stringent provision applies; and
2. ~~When~~ when there is a conflict between and an area-specific spatial layers, layers with a higher ranking in Figure 5 the³ below alters prevails over the⁴ relevant provisions in the layers underneath it.

³ Schedule 1, cl16(2)

⁴ Waka Kotahi [143.1] and Transpower [159.73FS]

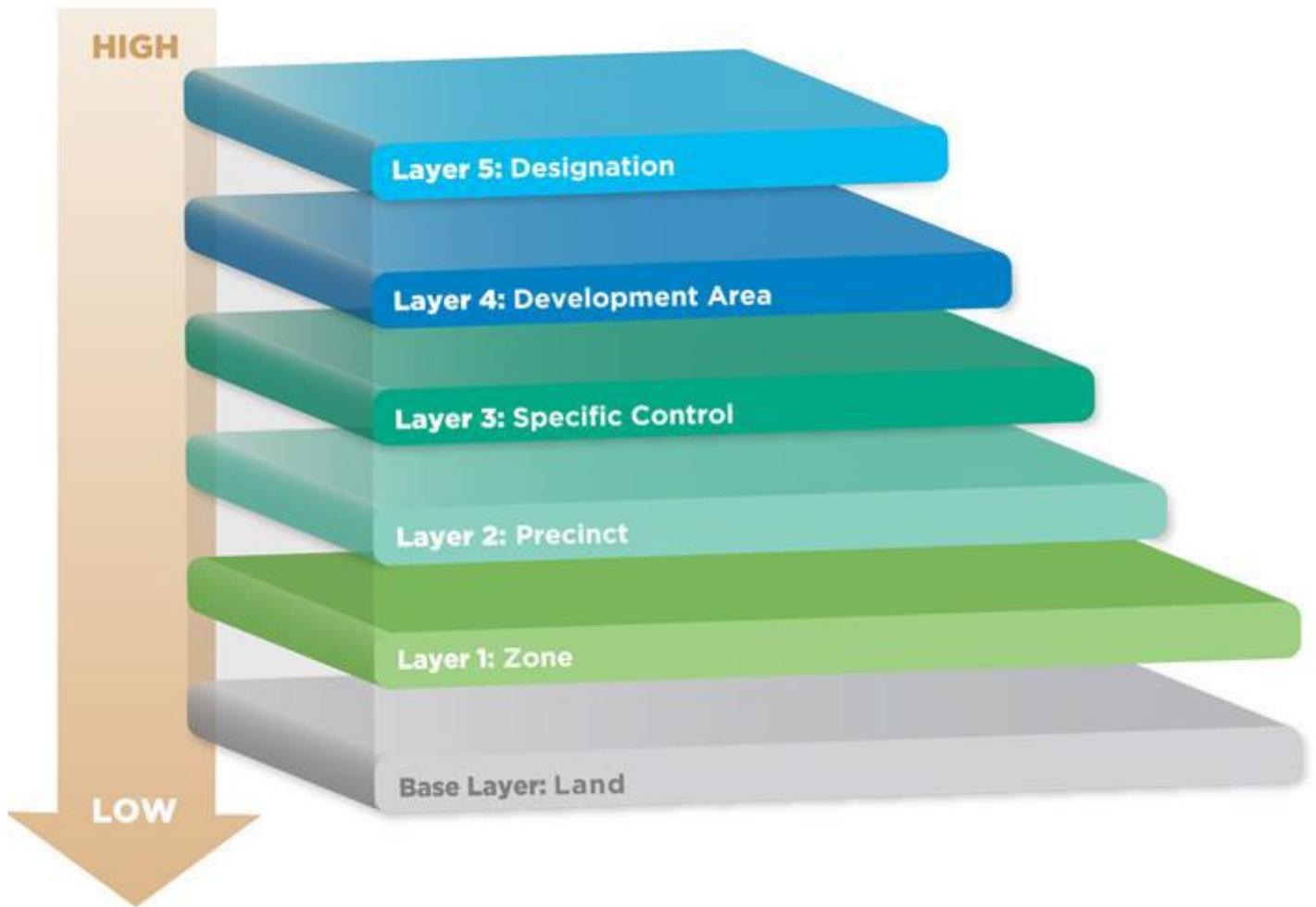


Figure 5 — Relationships of Area-Specific Spatial Layers