

Hutt City Council PDP Hearing Stream 1: Further Information from Ben Farrell¹

Partially operative Selwyn District Plan

SD-DI-O2 Selwyn's prosperous economy and community well-being are supported through the efficient use of land, resources, and infrastructure, *while ensuring existing activities are protected from incompatible activities and reverse sensitivity effects.*

SD-IR-O1 The important infrastructure needs of the community are fulfilled, and the operation, maintenance, upgrading and development of existing or authorised important infrastructure is *protected from incompatible activities and reverse sensitivity effects.*

SD-UFD-O4 Urban growth and development: 1. is well-integrated with the efficient provision, including the timing and funding, of infrastructure; and 2. has the ability to manage or respond to the effects of climate change; and 3. *manages reverse sensitivity effects and conflict with incompatible activities, including avoiding development or intensification of sensitive activities that would compromise the operation of existing or authorised important infrastructure, as set out in EI-P6 and other relevant policies.*

Wellington City Council: 2024 District Plan

SRCC-O2 Risks from natural hazards are: ... 1. Identified and understood; 2. Planned for through adaptation and mitigation measures so that residual risk is acceptable; *and 3. Avoided where there would be a high risk to life or buildings.*

CEKP-O3 Mixed use, industrial and commercial zones outside of Centres: 1. Complement the hierarchy of Centres; 2. *Provide for activities that are incompatible with other Centres-based activities;* and 3. Support large scale industrial and service-based activities that serve the needs of the City and wider region.

CEKP-O4 Land within the City Centre, Centres, Mixed Use, and General Industrial Zones is *protected from activities that are incompatible* with the purpose of the relevant zone or have the potential to undermine the City's hierarchy of centres.

SCA-O7 *Infrastructure is protected from incompatible development and activities that may create reverse sensitivity effects or compromise its efficient and safe operation.*

Partially operative Waimakariri District Plan

SD-O5 Rural environment: Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by: 1. providing for primary production activities, rural industry and other activities that support primary production activities and activities reliant on the soil resources of Rural Zones and limit other activities; and 2. *ensuring that within rural areas the establishment and operation of primary production activities are not limited by new incompatible sensitive activities.*

Timaru Proposed District Plan

UFD-O1 Settlement patterns: A consolidated and integrated settlement pattern that: ... 10. *controls the location of activities, primarily by zoning, to minimise manage conflicts between incompatible activities, including reverse sensitivity effects and avoid these where there may be significant adverse effects;* and ... 12. *avoids unanticipated urban development* outside of the Future Development Area Overlay or out of sequence development, unless it provides significant development capacity and contributes to a well-functioning urban environment;

¹ This is a list of some examples of District Plan Strategic Direction provisions that provide direction in terms of (i) Avoidance of activities or effects; Rezoning guidance / criteria (including plan changes); or Incompatible activities. This list is of examples has been compiled by Ben Farrell, is not exhaustive, and did not consider all district plans in NZ.

3.3.6 Objective Natural Hazards: a. New subdivision, use and development (other than new critical infrastructure or strategic infrastructure to which paragraph b. applies): i. *is to be avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable;* and...

3.3.13 Objective Infrastructure: ... b. *Strategic infrastructure, including its role and function, is protected from incompatible development and activities by avoiding adverse effects from them, including reverse sensitivity effects. This includes:* i. *avoiding noise sensitive activities* within the Lyttelton Port Influences Overlay area; and ii. *managing activities to avoid adverse effects on the National Grid*, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for; and iii. *avoiding new noise sensitive activities* within the 50dB Ldn Air Noise Contour and the 50dB Ldn Engine Testing Contour for Christchurch International Airport, except: A. within an existing residentially zoned urban area; or B. within a Residential Greenfield Priority Area identified in the Canterbury Regional Policy Statement Chapter 6, Map A; or C. for permitted activities within the Specific Purpose (Golf Resort) Zone of the District Plan, or activities authorised by a resource consent granted on or before 6 December 2013; and D. for permitted, controlled, restricted discretionary and discretionary activities within the Specific Purpose (Tertiary Education) Zone at the University of Canterbury; and iv. *managing the risk of birdstrike to aircraft using Christchurch International Airport;* and v. *managing activities to avoid adverse effects on the identified 66kV and 33kV electricity distribution lines and the Heathcote to Lyttelton 11kV electricity distribution line, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for; and...*

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

QLDC Proposed District Plan (operative provisions)

3.3.4 *Avoid new commercial zoning* of land that is likely to undermine the role of the Queenstown and Wānaka town centres as the primary focus for the District's economic activity.

3.3.7 *Avoid additional commercial zoning* that is likely to undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will undermine increasing integration between those areas and the industrial and residential areas of Frankton.

3.3.9 *Avoid non-industrial activities* not ancillary to industrial activities occurring within areas zoned for industrial activities.

3.3.11 *Avoid commercial rezoning* that is likely to undermine the key local service and employment function role that the centres outside of the Queenstown and Wānaka town centres, Frankton and Three Parks fulfil.

3.3.15 Apply provisions that enable urban development within the UGBs and *avoid* urban development outside of the UGBs.

3.3.31 *Avoid* adverse effects on the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes from residential subdivision, use and development where there is little capacity to absorb change.

3.3.49 *Avoid* significant adverse effects on wāhi tūpuna within the District.

4.2.2 A Objective - A compact, integrated and well designed urban form within the Urban Growth Boundaries that: i. is coordinated with the efficient provision, use and operation of infrastructure and services; and ii. *is managed to ensure that the Queenstown Airport is not significantly compromised by the adverse effects of incompatible activities.*

4.2.2.10 Ensure lighting standards for urban development *avoid* unnecessary adverse effects on views of the night sky.

4.2.2.13 Define the Urban Growth Boundaries for the balance of the Wakatipu Basin, as shown on the District Plan web mapping application that: ... e) *avoid* sprawling and sporadic urban development across the rural areas of the Wakatipu Basin.

6.3.2.1 *Avoid urban development and subdivision to urban densities in the rural zones.*

6.3.2.5 *Avoid* indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.

6.3.3.7 In cases where it is demonstrated that regionally significant infrastructure cannot *avoid* adverse effects on Outstanding Natural Landscapes and Outstanding Natural Features, *avoid significant adverse effects* and minimise other adverse effects on those landscapes and features.

6.3.4.8 *Avoid* adverse effects on visual amenity from subdivision, use and development that: a) is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); or b) forms the foreground for an Outstanding Natural Feature or Outstanding Natural Landscape when viewed from public roads

6.3.4.9 In the Wakatipu Basin, *avoid* planting and screening, particularly along roads and boundaries that would degrade openness where such openness is an important part of its landscape character.

3.3.4 *Avoid new commercial zoning of land* that is likely to undermine the role of the Queenstown and Wānaka town centres as the primary focus for the District's economic activity.

3.3.7 *Avoid additional commercial zoning* that is likely to undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will undermine increasing integration between those areas and the industrial and residential areas of Frankton.

3.3.46 The Landscape Assessment Methodology required by SP3.3.45 is to be implemented when assessing... a) *a proposed plan change* affecting the rural environment;

4.2.2.16 Protect the airport from reverse sensitivity effects of any Activity Sensitive to Aircraft Noise via a range of *zoning methods*.

3.3.27 Seek opportunities to provide public access to the natural environment *at the time of plan change*, subdivision or development.

Dunedin City 2GP

Policy 2.2.4.4 *Avoid* subdivision that provides for residential activity of a fundamentally different type than provided for in the various zones, through: a. rules that prevent rural residential or urban scale residential living in rural zones; b. rules that prevent urban scale residential living in a rural residential zone; and c. rules in urban environments that require the density of residential activity to reflect the existing or intended future character of the residential area.

Policy 2.3.1.3 In order to *avoid* cumulative effects on rural productivity and rural character values set and strictly enforce a minimum site size standard for subdivision in the rural zones...

Policy 2.4.1.6 Across the whole city, *avoid* visual clutter from signage through rules that: a. restrict the size, number and design of signs ancillary to activities; b. restrict the size, number, location and design of temporary signs; and c. *do not allow* new commercial advertising (hoarding) sites.

Policy 2.4.3.3 Manage the number and design of signs to *avoid* visual clutter, protect pedestrian safety, and maintain the attractiveness and architectural features of buildings.

Policy 2.6.1.5 *Use the following criteria to assess the appropriateness of rural residential zoning when considering any proposal for rezoning* under Policy 2.6.1.4:

- a. the land is unlikely to be suitable for future residential zoning in line with Policy 2.6.2.1;
- b. *rezoning* is unlikely to lead to pressure for unfunded public infrastructure upgrades including road sealing, unless an agreement between the infrastructure provider and the developer on the method, timing, and funding of any necessary public infrastructure provision is in place; and
- c. considering the rules and potential level of development provided for, the proposed rural residential zoning is the most appropriate to achieve the objectives of the Plan, in particular
 - i. Objective 2.4.6:
 - ii. Objective 2.3.1. Achieving this includes generally *avoiding areas* that are highly productive land or may create conflict with rural water resource requirements;
 - iii. Objective 2.4.4. Achieving this includes: 1. *avoiding the application of new rural residential zoning in the ONF Overlay Zone*; and 2. in the ONL Overlay Zone, *avoiding the application of Rural Residential 1 zoning*; and *avoiding the application of Rural Residential 2 zoning*, unless rules (such as rules that restrict the scale and location of development activities) can ensure that Objective 2.4.4 will be achieved; and 3. *avoiding the application of new rural residential zoning in the SNL Overlay Zone*, unless rules (such as rules that restrict the scale and location of development activities) can ensure that Objective 2.4.4 will be achieved;
 - iv. Objective 2.4.5. Achieving this includes: 1. *avoiding the application of new rural residential zoning in the ONCC and HNCC overlay zones*; and 2. *avoiding the application of new rural residential zoning in the NCC Overlay Zone*, unless rules (such as rules that restrict the scale and location of development activities) can ensure that Objective 2.4.5 will be achieved;
 - v. Objective 2.2.3. Achieving this includes *avoiding the application of new rural residential zoning in ASBV and UBMA*, unless rules (such as rules that restrict the scale and location of development activities) can ensure that Objective 2.2.3 will be achieved;
 - vi. Objective 10.2.2;
 - vii. Objective 10.2.4;
 - viii. Objective 14.2.1;
 - ix. Objective 2.4.1; and
 - x. Objective 11.2.1.

Policy 2.7.1.3 *Avoid* future pressure for unplanned expansion of public infrastructure through rules that restrict the density of activity outside of areas reticulated for wastewater, water supply, or stormwater to ensure these are able to be self sufficient where public infrastructure is not provided.

Policy 2.3.1.4 Identify land strategically important for industrial activities, including near the Harbour and key transport routes, and *use industrial zoning and rules to protect industrial activities from incompatible or competing land uses in these areas*, in particular retail (other than yard based retail) and residential activities.

Policy 2.3.2.4 Manage the other existing low amenity mixed commercial/industrial areas around Andersons Bay Road, Hillside Road and the outer edges of the central city *through zones that only provide for commercial activities that are likely to be incompatible with the amenity expectations of the CBD and centres*, or require larger sites than are available in the CBD and centres, including...

Policy 2.4.4.3 Protect the values in identified Outstanding Natural Feature (ONF), Outstanding Natural Landscape (ONL) and Significant Natural Landscape (SNL) overlay zones by listing these values in Appendix A3 and using rules that: a. *prohibit certain activities in ONFs*; b. *require resource consent for activities in ONFs, ONLs and SNLs, where they may be incompatible with the values of the area*; and c.

restrict the scale of development in ONFs, ONLs and SNLs and ensure the design of development is appropriate.

Policy 2.4.5.3 Protect and enhance the natural character values in Outstanding Natural Coastal Character (ONCC), High Natural Coastal Character (HNCC) and Natural Coastal Character (NCC) overlay zones *through* listing natural character values in Appendix A5 and *using rules that:* a. *prohibit certain activities in ONCCs and HNCCs;* b. *require resource consent for activities in ONCCs, HNCCs and NCCs, where they may be incompatible with the values of the area;* c. restrict the scale of development in ONCCs, HNCCs and NCCs and ensure the design of development is appropriate; and d. promote restoration of natural character.

Policy 2.6.2.1 Identify areas for new residential *zoning* based on the following criteria:

a. rezoning is necessary to ensure provision of at least sufficient housing capacity to meet expected demand over the short and medium term; and

b. rezoning is unlikely to lead to pressure for unfunded public infrastructure upgrades, unless either an agreement between the infrastructure provider and the developer on the method, timing, and funding of any necessary public infrastructure provision is in place, or a Residential Transition overlay zone is applied and a future agreement is considered feasible; and

c. the area is suitable for residential development by having all or a majority of the following characteristics:

i. a topography that is not too steep;

ii. being close to the main urban area or townships that have a shortage of capacity;

iii. currently serviced, or likely to be easily serviced, by frequent public transport services;

iv. close to centres; and

v. close to other existing community facilities such as schools, public green space and recreational facilities, health services, and libraries or other community centres;

d. considering the zoning, rules, and potential level of development provided for, the zoning is the most appropriate in terms of the objectives of the Plan, in particular:

i. the character and visual amenity of Dunedin's rural environment is maintained or enhanced (Objective 2.4.6);

ii. land, facilities and infrastructure that are important for economic productivity and social wellbeing, which include industrial areas, major facilities, key transportation routes, network utilities and productive rural land: 1. are protected from less productive competing uses or *incompatible uses*, including activities that may give rise to reverse sensitivity; and 2. in the case of facilities and infrastructure, are able to be operated, maintained, upgraded and, where appropriate, developed efficiently and effectively (Objective 2.3.1). Achieving this includes generally avoiding areas that are highly productive land or may create conflict with rural water resource requirements;

iii. Dunedin's significant indigenous biodiversity is protected or enhanced, and restored; and other indigenous biodiversity is maintained or enhanced, and restored; with all indigenous biodiversity having improved connections and improved resilience (Objective 2.2.3). Achieving this includes *generally avoiding the application of new residential zoning in ASBV and UBMA*;

iv. Dunedin's outstanding and significant natural landscapes and natural features are protected (Objective 2.4.4). Achieving this includes *generally avoiding the application of new residential zoning in ONF, ONL and SNL overlay zones*;

- v. the natural character of the coastal environment is, preserved or enhanced (Objective 2.4.5). *Achieving this includes generally avoiding the application of new residential zoning in ONCC, HNCC and NCC overlay zones;*
- vi subdivision and development activities maintain and enhance access to coastlines, water bodies and other parts of the natural environment, including for the purposes of gathering of food and mahika kai (Objective 10.2.4);
- vii. the elements of the environment that contribute to residents' and visitors' aesthetic appreciation for and enjoyment of the city are protected or enhanced. These include: 1. important green and other open spaces, including green breaks between coastal settlements; 2. trees that make a significant contribution to the visual landscape and history of neighbourhoods; 3. built heritage, including nationally recognised built heritage; 4. important visual landscapes and vistas; 5. the amenity and aesthetic coherence of different environments; and 6. the compact and accessible form of Dunedin (Objective 2.4.1);
- viii. the potential risk from natural hazards, and from the potential effects of climate change on natural hazards, is no more than low, in the short to long term (Objective 11.2.1);
- ix public infrastructure networks operate efficiently and effectively and have the least possible long term cost burden on the public (Objective 2.7.1);
- x. the multimodal land transport network, including connections between land air and sea transport networks, operates safely and efficiently (Objective 2.7.2); and
- xi. Dunedin stays a compact and accessible city with resilient townships based on sustainably managed urban expansion. Urban expansion only occurs if required and in the most appropriate form and locations (Objective 2.2.4).

Policy 2.6.2.8 *Ensure that any plan change that proposes a new residential zoning area* (in accordance with Policy 2.6.2.1) *or a new rural residential zoning area* (in accordance with policies 2.6.1.4 to 2.6.1.5) best achieves the objectives of this Plan by application of any necessary overlay zones or mapped areas (including structure plan mapped areas and/or new development mapped areas) and related provisions as part of the plan change, including where necessary to: a. manage risks or effects (for example relating to natural hazards or network utilities); b. manage constraints within or beyond the area (for example relating to reverse sensitivity); or c. protect values (for example relating to coastal character, landscape, or biodiversity).