

# Partially Operative Selwyn District Plan

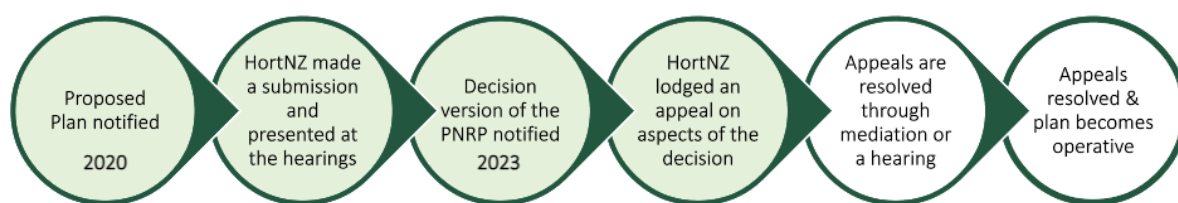
Canterbury Region | December 2023

## What is the partially operative Selwyn district plan?

The partially operative Selwyn district plan addresses all the matters on which the district council has jurisdiction including land use (including horticulture and buildings), noise, subdivision, infrastructure, biodiversity, natural hazards and earthworks.

The new plan uses the format that is required in the National Planning Standards and establishes a General Rural Zone (GRUZ) which includes most growing areas.

HortNZ has been involved in the development of the proposed district plan including early consultation in 2018 and 2019, telling the horticulture story and promoting outcomes that enable growing.



### Legal status of the plan

The provisions that haven't been appealed have legal effect now. Where provisions have been appealed, the provisions of the previous district plan will still apply.

The appeals version is available on the council website, showing all provisions that have legal effect and identifying the areas under appeal, where the previous operative district plan still applies.

Growers may have existing use rights for activities if an activity was lawfully established under the previous plan and the effects of the use are the same or similar in character, intensity, and scale to those which existed before a rule in the new plan became operative. Advice should be sought if existing use rights are to be relied on.

### Summary of HortNZ submission

HortNZ made a substantive submission across all sections of the plan, with many of the submissions points being accepted and changes made to the plan.

Examples are:

- Inclusion of a strategic direction for the rural environment
- Inclusion of a new chapter to manage biosecurity risks and actions to manage incursions of unwanted organisms
- Inclusion of new provisions for highly productive land

- Horticulture plantings exempt from vegetation clearance provisions
- Increased setback for residential activities from the boundary, to reduce potential reverse sensitivity complaints
- Stronger provisions for reverse sensitivity
- A clear focus on primary production in the GRUZ within other activities needing a functional or operational need to locate in the zone
- Changes to noise provisions to enable frost fans, bird scarers and agricultural aviation activities
- Inclusion of provisions for seasonal worker accommodation
- Inclusion of provisions for artificial crop protection structures.

## Key changes

The main requirements for growers are in the GRUZ chapter. These include:

- Artificial crop protection structures not subject to building standards
- Seasonal worker accommodation setback 30m (was 10m) from internal boundary and 20m (was 10m) from road boundary that borders state highway or arterial road
- New rules requiring landscape strips on all road boundaries
- Inclusion of seasonal worker accommodation provisions and code of practice
- Residential buildings setback 30m from a boundary
- Natural Hazard overlays ([refer to maps](#)) - activities could be restricted due to flood, earthquake or coastal hazards
- Changes to shelterbelt setback and height provisions under significant electricity distribution lines - planting shall be set back a minimum of 5m from the centreline of any of significant electricity distribution line or the species at full maturity will be a maximum of 3m in height ([refer to maps](#)).

## Appeals

There are some matters that HortNZ consider are not sufficient to provide for grower activities and these have been appealed:

- Artificial crop protection structures amendments for setbacks from boundaries
- Policy framework for infrastructure
- Inclusion of NZECP34:2001 Code of Practice for Electrical Safe Distances as a rule in the plan
- Setbacks for visitor accommodation from boundaries
- Hours of operation for rural industry
- Policy framework for rural production activities and noise
- Natural character setback requirements for horticultural plantings near specified waterbodies
- Requirement that accessways to residential units are setback 5m from boundaries to mitigate potential wildfire risk

- Exclude small shelterbelts (5m high by 3m wide) from shelterbelt provisions.

### **WHERE TO GO FOR MORE INFORMATION**

- [Partially Operative Selwyn District Plan](#)
- [Selwyn District Council District Plan web page](#)
- Contact Senior Policy Analyst, [sarah.cameron@hortnz.co.nz](mailto:sarah.cameron@hortnz.co.nz)