

STAGE 3 - SECTION 32

CHAPTER 17

RURAL

ADDENDUM

## Section 32 Report Addendum (July 2015) Chapter 17 Rural

### Appendix 11: Assessment of Stage 3 provisions (Built Form Standards) relating to Rural Banks Peninsula Zone

#### 1.0 Introduction

The Stage 3 notification includes Chapter 9 Natural and Cultural Heritage and Chapter 19 Coastal Environment. The Rural Chapter contains provisions that rely upon the policy framework and the identification of features or values contained within these chapters. In particular this relates to the Rural Banks Peninsula Zone and its identification as a significant landscape through Chapter 9.

The provisions relating to the significant landscape values of Banks Peninsula are assessed in the Chapter 19 section 32 report with appendices containing the technical assessment identifying landscape values and the methods to retain these values. These section 32 reports should be referred to for the detailed analysis and assessment.

This addendum should be read together with the Section 32 Report - Chapter 17 Rural notified as part of the Stage 2 proposals.

#### 2.0 Rural Banks Peninsula Zone

The majority of Rural Banks Peninsula has been identified as a significant landscape (previously rural amenity landscape). The remainder is identified as either an Outstanding Natural Landscape, Area of Outstanding Natural Character in the Coastal Environment, or Area of at least High Natural Character in the Coastal Environment. These values have been identified through Chapter 9. Rural land use on Banks Peninsula is integral to and supportive of retention of the significant landscape values.

The approach of the operative Banks Peninsula District Plan integrates the significant landscape values into the rural zone with the rules contained in the rural chapter. The landscape values have had an influence on some activities, site size and built form standards. These all influence the rural character of Banks Peninsula. This approach is effective and is to be continued in the Replacement District Plan.

To recognise the significant landscape values additional built form standards are necessary to manage effects on them, the retention of rural character and the relationship of the built form with outstanding natural landscapes. These additional provisions include:

- Building reflectivity
- Identified important ridgelines – with rules requiring separation from these identified ridgelines (as identified on the planning maps)
- Landscape buffer – rules require separation from edge of any Outstanding Natural Landscape, Area of Outstanding Natural Character in the Coastal Environment, or Area of at least High Natural Character in the Coastal Environment
- Assessment matters relating to these provisions

#### 3.0 Assessment of additional built form provisions

The following provides additional assessment as part of section 5.5 from the main Section 32 Report for the provisions relating to Rural Banks Peninsula Zone which are part of the package of provisions in the Rural Chapter relating to retention of rural character and the

special values of Banks Peninsula. The parts relating to the Stage 2 notification have been greyed out with the relevant headings and any new additions relating to the provisions in Stage 3 contained in black.

## **5.5 RETENTION OF RURAL CHARACTER AND AMENITY VALUES THROUGH BUILT FORM STANDARDS**

- a. Policy 17.1.1.1 Rural activities
- b. Policy 17.1.1.2 General elements of rural character and amenity
- c. Policy 17.1.1.3 Function of rural areas
- d. Policy 17.1.1.4 Scale and intensity of rural related activities
- e. Policy 17.1.1.5 Density and distribution of rural dwellings
- f. Policy 17.1.1.6 Rural Banks Peninsula
- g. Rural Banks Peninsula Zone – Permitted activities, Activity Specific Standards and Built Form Standards
- h. Rural Urban Fringe Zone – Permitted activities, Activity Specific Standards and Built Form Standards
- i. Rural Waimakariri Zone – Permitted activities, Activity Specific Standards and Built Form Standards
- j. Rural Port Hills Zone – Permitted activities, Activity Specific Standards and Built Form Standards
- k. Rural Quarry Zone – Permitted activities, Activity Specific Standards and Built Form Standards
- l. Rural Templeton Zone – Permitted activities, Activity Specific Standards and Built Form Standards
- m. Rules that manage non-rural activities and residential activities in all zones

### **5.5.1 Identification of Options**

- a. The CRPS provides some high level policy direction on maintaining the character and amenity of rural areas through *Policy 5.3.12* in relation to enabling tourism, employment and recreational activities consistent with rural character and *Objective 6.2.1* in relation to land use and infrastructure framework for Greater Christchurch that maintains the character and amenity of rural areas and settlements. The District Plan policy approach must give effect to the CRPS as well as be the most appropriate way to achieve the proposed Rural Chapter objectives.
- b. Policy options for the District Plan can consider whether the direction under CRPS *Policy 5.3.12* and *Objective 6.2.1* needs to be expanded upon or needs to provide more detailed or localised guidance for the Christchurch and Banks Peninsula locations. Other options are whether to retain the existing set of policies (should they give appropriate effect to higher level objectives and policies) or whether a new or amended policy framework is more appropriate.
- c. Rural character is managed at different levels including: city wide, catchment/ neighbourhood and site. Rural character can be distinctly identified from urban character and management of rural character is one of the key aspects of establishing the range of activities and their form, scale and intensity. The existence of rural character also contributes to the desirability of some activities wanting a rural location - openness, low density of built form, dominance of the natural environment and a contrast to urban areas.

- d. Options for retention of rural character and amenity values were considered in relation to density and the range of activities, which are key determinants of rural character, previously under section 5.1, managing rural dwellings in Greater Christchurch (section 5.2) and Banks Peninsula (section 5.4). Options include whether regulatory intervention through the district plan is appropriate to achieve the objectives and if so what level of intervention. Other methods may include, for example, non-regulatory incentives and design guidelines such as the Banks Peninsula Rural Landscape Guidelines.
- e. Generally within rural areas, rules relating to Built Form Standards are minimal focusing on maximum building height, site coverage and boundary setbacks. Additional standards may be imposed in areas with landscape values e.g. Banks Peninsula. The built form provisions relating to maintaining rural character have been reviewed and have been retained largely unchanged as no significant effectiveness and efficiency issues have been identified with the rules, with the exception of providing clarity within the policy framework around what rural character is and where it differs.
- f. Some standards currently in the City Plan are Critical Standards where non-compliance results in assessment as a non-complying activity. The activity status for non-compliance with Built Form Standards is being reduced to restricted discretionary, where Matters of Discretion can be specified.
- g. The Built Form Standards for Rural Banks Peninsula have been carried over from the Operative Plan as they are still considered appropriate to achieve the objective and objectives in Chapter 9 Natural and Cultural Heritage. These standards were developed to integrate landscape values into the Built Form Standards, e.g. lower maximum height, which may be different to the rest of District. They also include additional rules related to the significant landscape values that have been identified for Banks Peninsula as part of Chapter 9. These include restricting buildings locating near important identified ridgelines and landscape buffers, and require reflectivity of buildings to be a certain value. The standards rely heavily upon landscape assessments (Banks Peninsula Landscape Study Final Report (May 2007), Boffa Miskell), particularly the significant landscapes, and additional analysis contained in the Chapter 9 Section 32 report. The Built Form Standards that apply to Rural Banks Peninsula are integrated with rural land use to retain the landscape values and are dependent on the assessments undertaken as part of Chapter 9 Natural and Cultural Heritage and the policy framework of that chapter. As a result of that policy framework it is necessary to retain the provisions to protect and manage landscape values.
- h. The only change proposed is to the road boundary setback to retain the rural character. The Operative Plan has set it at 7.5m which is not dissimilar to the Akaroa Hillslopes Zone in Banks Peninsula and is not considered to be appropriate to retain rural character in terms of the expectation of rural dwellings set back from the road. It is proposed that this is increased to 15m with provision for existing buildings within 15m to undertake additions and alterations.

## 5.5.2 Policy and Rule Evaluation

PROVISIONS (POLICY, RULE, METHOD) <u>MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES</u>	
<b>Relevant objectives:</b>	
<p><b>17.1.1. Objective - A productive and diverse rural environment</b></p> <p>a. <i>Christchurch District has a productive and diverse rural environment where:</i></p> <ol style="list-style-type: none"> <li>i. <i>the range of activities supports and maintains the rural working environment, including the potential productive capacity of the land;</i></li> <li>ii. <i>subdivision and development does not create reverse sensitivity effects on rural activities, strategic infrastructure, access to high quality gravel resources and natural hazard mitigation works; and</i></li> <li>iii. <i>rural character is maintained and enhanced, including the distinctive character of Banks Peninsula and the Port Hills.</i></li> </ol> <p><b>Chapter 9 Natural and Cultural Heritage</b></p> <p><b>9.2.1.2 Objective - Significant features and Landscapes</b></p> <p>a. <i>The district's following significant landscapes are maintained and enhanced:</i></p> <ol style="list-style-type: none"> <li>i. <i>Banks Peninsula / Te Pātaka o Rākaihautū</i></li> <li>ii. <i>The Port Hills / Ngā Kohatu Whakarakarakao Tamatea Pōkai Whenua</i></li> <li>iii. <i>Christchurch Coast/ Te Tai o Mahaanui</i></li> </ol> <p>b. <i>The district's following significant features are maintained and enhanced:</i></p> <ol style="list-style-type: none"> <li>i. <i>West Melton / Ōkakea Dry Plains</i></li> <li>ii. <i>Heathcote River/ Ōpāwaho</i></li> <li>iii. <i>Ōtākaro / Avon River</i></li> <li>iv. <i>Waikākāriki / Horseshoe Lake</i></li> <li>v. <i>Styx River / Pūharakekenui</i></li> <li>vi. <i>Styx Mill Reserve</i></li> <li>vii. <i>Ōtūkaikino Creek</i></li> </ol>	
Provision(s) most appropriate	Effectiveness and Efficiency
<p><b>Option 2 (Strengthened policies and rules)</b></p> <ol style="list-style-type: none"> <li>1. <i>Policies 17.1.1.1 Rural activities, 17.1.1.2 General elements of rural character and amenity, and 17.1.1.3 Function of rural areas, 17.1.1.4 Scale and intensity of rural related activities and 17.1.1.6 Rural Banks Peninsula outline the elements of rural character generally and where there are additional elements to be maintained. Activity tables and Built Form Standards are applied along with minimum site size to maintain the character and function of each zone.</i></li> <li>2. <i>17.1.1.5 Policy – Density and distribution of rural dwellings provides support for rural character in relation to rural dwellings.</i></li> </ol>	<p><b>1. Effectiveness</b></p> <p><i>Policies</i></p> <p>The proposed package of policies and supporting rules are considered appropriate to ensure that rural development is consistent with the context, character and function of the rural area into which it will be located. The majority of current plan provisions have been carried over and integrated into the new plan format with stronger policy support.</p> <p>Policy 17.1.1.2 outlines the key characteristics that contribute to rural character. This policy will be effective in achieving the objective as it states the character elements against which provisions have been developed and resource consents will be assessed. This improves on the Operative Plan where there is no policy specifying the elements of character.</p>

3. The Built Form Standards have been carried through from the current plan provisions with some reduction in activity status for non-compliance. **Including provisions to maintain the significant landscape values of Banks Peninsula.**
4. The separation to the road boundary in Rural Banks Peninsula has been increased from 7.5m to 15m to provide a better outcome for rural character.

### **Zoning**

- a. Rural Urban Fringe Zone (currently Rural 2, 3, 7 and part of Rural 5)
- b. Rural Waimakariri (currently Rural 1, 4 and 6)
- c. Rural Port Hills (currently Rural Hills)
- d. Rural Quarries (currently Rural Quarries and part Open Space 3D (Isaac Conservation Park) Zone)
- e. Rural Templeton (currently Templeton Special Rural)
- f. Rural Banks Peninsula (currently Rural)

### **Main rules relating to rural character and amenity**

In the Rural zones, the proposed package of Built Form Standards comprise rules that are primarily aimed at:

#### *Rural catchment/zone character*

- Minimum site size
- Site coverage
- Building height
- Scale of activities for rural tourist, rural produce manufacturing, rural produce stall, farm stays quarrying and related activities and recreation
- In Banks Peninsula additional rules relating to Identified important ridgelines, landscape buffer and reflectivity of buildings.

#### *On-site amenity and for adjoining sites*

- Minimum setback from internal boundaries
- Outdoor storage areas for non-rural activities
- Minimum separation from plantation forestry, quarrying activities or intensive farming activity

Other policies relating to activities on rural land outline the need to ensure that such activities are compatible with the character and do not detract from it. On Banks Peninsula additional provisions are necessary to retain the high qualities of visual amenity within the rural character and amenity.

#### *Rural catchment/zone character:*

##### All rural zones

A range of activities related to rural land have been enabled in all rural zones as permitted activities with limits on the scale and intensity of the operation to retain rural character and amenity. These include Rural produce manufacturing, Rural tourist activity and Recreation activities. A limit of 100m<sup>2</sup> has been provided for any buildings or area dedicated to the activity. This limit has been aligned with the current City Plan provision for non-rural related activities. It will be effective in ensuring that activities remain small scale, ancillary to the main rural activity and compatible with rural character. Above this limit effects will be assessed as a restricted discretionary activity.

A lower maximum building height of 7.5m has been retained for Rural Banks Peninsula, compared with the 9m maximum for the remaining rural zones. The lower height limit is considered appropriate to maintain the character and quality of Banks Peninsula, to ensure that the built form is not visually dominant or detract from views of natural landforms or features. Increasing the height across the zone may result in long term effects on maintaining the quality of the environment.

An overall maximum building footprint for individual buildings has been retained for Rural Banks Peninsula only. This is intended to work with site coverage to limit the overall size of buildings when considered in an 'in-plan' view and their impacts on rural character of Banks Peninsula. The limits on the footprint at 300m<sup>2</sup> still enable multi-storey buildings with an overall floor limit that exceeds 300m<sup>2</sup>.

#### Rural Banks Peninsula Zone

<p><i>Street scene amenity and safety</i></p> <ul style="list-style-type: none"> <li>- Minimum setback from road boundaries</li> <li>- Specific standards for quarrying activities</li> </ul>	<p>A series of important ridgelines have been identified on the planning maps and are visually important parts of the landscape where buildings can have adverse effects on their visibility and sensitivity to change. The existing rule has been carried over that requires separation to these identified ridgelines. It is effective in managing effects related to these identified ridgelines. A buffer from the boundaries of outstanding natural landscapes and features and Areas of outstanding natural character in the coastal environment has been retained to limit development of buildings within the buffer area which has a higher level of sensitivity to development due to its proximity to the ONL. It is effective in managing effects on these areas. Reflectivity of buildings has been retained as part of the package of rules to manage the visibility of buildings within the significant landscape as it is a simple and effective rule.</p> <p>These provisions will also achieve the objectives for Chapter 9, specifically 9.2.1.2 Significant features and landscapes.</p> <p><i>On-site amenity and for adjoining sites</i>  <u>All rural zones</u>          The current provisions that provide for on-site amenity have been carried through as they are effective in managing on site amenity and separation from adjoining sites or activities.</p> <p>The minimum separation for a residential unit from the Rural Quarry Zone boundary has been expanded to apply to any operating quarrying activity to maintain a higher level of on-site amenity and improved health and safety for residents.</p> <p><i>Street scene amenity and safety:</i>          Overall the current plan provisions are effective in maintaining street scene amenity and safety through minimum setback rules from road boundaries. The setback distance is larger than residential zones to maintain rural character.</p> <p>Rural Banks Peninsula</p>
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In aligning the two current plans the provisions for the minimum setback from the road boundaries in Banks Peninsula are 7.5m compared with 15m for the City Plan. The additional distance that could be provided by a 15m setback would be more effective in maintaining rural character as distinct from an urban character. This would provide a greater difference between Small Settlements and Residential zones on Banks Peninsula which also apply a 7.5m setback.

## **2. Efficiency**

The combination of activities and Built Form Standards provide an efficient method to maintain rural character and amenity. Where provisions cannot be met a case by case assessment can be undertaken to determine the effects.

### **Benefits**

#### *Environmental*

- a. The Built Form standards provide for a minimum that enables activities to establish whilst retaining rural character.
- b. The additional standards for Rural Banks Peninsula will manage the built form to ensure buildings fit in with the significant landscape values identified for Banks Peninsula.

#### *Economic*

- c. Retention of rural character enables tourism and recreation activities to maximise economic benefits of visitors experience the rural environment
- d. Small scale rural related activities can be undertaken without the need for resource consent where standards are met.
- e. Activities that are larger in scale or may have effects are managed through the resource consent process where conditions can be set to manage effects on a site by site basis.
- f. Retention of standards such as setbacks will provide separation to rural activities to ensure that they can continue to operate.

#### *Social*

- g. Elements of rural character such as tranquillity, natural features and privacy continue to be valued by residents and the benefits it provides for social wellbeing.
- h. Protects health and safety of residents.

	<p><i>Cultural</i> No benefits identified.</p> <p><b>Costs</b></p> <ul style="list-style-type: none"> <li>a. The Built Form Standards and Activity Specific Standards are not set at the right level and generate the need for resource consents at a cost to the applicant reducing economic viability for some activities.</li> <li>b. The minimum thresholds for scale are set at a level that undermines rural character or fails to recognise the practicalities of building locations for rural activities.</li> <li>c. Additional standards in Rural Banks Peninsula will limit the scale and location of buildings which may require additional consents and add to costs.</li> </ul>
<p><b>Options less or not as appropriate to achieve the Objectives and policies:</b></p>	
<p><b>Option 1 (Status quo – current policies and rules)</b></p> <p>Current approach in both the City Plan and Banks Peninsula District Plan revolves around rules establishing minimum standards for setbacks, height, site coverage</p>	<p><b>Appropriateness</b></p> <p>The current City Plan approach is not appropriate to achieve the proposed objective as the effects based approach does not always result in retention of rural character.</p>
<p><b>Risk of Acting or Not Acting</b></p>	
<p>Managing rural character and amenity has been assessed as being important in higher order documents such as the CRPS. The Response Planning 2011 reports (refer to Bibliography) that evaluated the effectiveness and efficiency of the Christchurch City Plan and Banks Peninsula District Plan provide an adequate level of assessment of the existing provisions and where improvements should be considered. Further consideration to these recommended improvements have been considered during development of this Section 32 Report. On this basis it is considered that sufficient information exists about the proposed provisions without the need to take account of the risk or acting or not acting (s32 (4)(b) of the Act).</p>	