

## Appendix 2: District Plan Amendments

### Plan Change 11: Rolleston Living 1B deferred zone structure plan

In this section, text added to the Plan by Plan Change 11 is underlined and text removed is ~~striketrough~~. Underlined text in yellow was added by the commissioner as a result of the hearing. ~~Strikethrough~~ text in yellow was removed from the plan change by the commissioner.

#### Amend Part B Issues, Objectives and Policies as follows:

- 1 Insert a new policy under Subdivision of Land – Policies and Methods:

##### Policy B.4.2.9

To ensure development in the Rolleston Lowes Road Structure Outline Development Plan area is in accordance with the Structure Outline Development Plan (Appendix 33 34) so that development proceeds in a logical and coherent manner that provides for internal and through connections and a high standard of public amenity by:

- a) Providing for pedestrian, cycle and vehicle movement within and through the area in accordance with the structure outline development plan map (Appendix 33 34), with such land to be vested in Council at the time of subdivision.
- b) Providing reserves and public amenity within the zone as identified in Appendix 33 34.

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##### Explanation and Reasons

The Structure Outline Development Plan will promote integrated development by providing a logical road and walkway/cycleway network and providing direct street access for a larger proportion of allotments. Land required for structure plan connections will be obtained at the time of subdivision. New buildings should not be positioned in a way that would frustrate the ability of Council to obtain connections in future.

The road and walkway/cycleway connections in the structure plan have been designed to provide for permeability and for through movement. They serve the wider needs of Rolleston as well as those of the residents of the zone. Without them the area is likely to be a barrier to movement for surrounding residents.

The Structure Outline Development Plan aims to provide for reserves within the area on a logical basis, taking advantage of significant features such as trees and water-races. Council will buy the land required using reserves contributions from development in the area.

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##### Methods

## District Plan Rules

- Subdivision: General
- Structure Outline Development Plan

## LTCCP

- Development Contributions Policy

## Non-Statutory Guidance

- (Good Solutions Guide for Subdividing Large Rural Style Sections)

### **Amend Part C (Rules) as follows:**

- 2 ~~Insert new rules to give restricted discretionary status to new buildings when positioned on or near structure plan elements and introduce increased setbacks for buildings in the new L1C zone~~

#### Under 4.9 Buildings:

#### Permitted Activities – Buildings and Building Position

~~4.9.19 Within the Lowes Road Structure Plan area, any building shall be positioned at least 4m away from the indicated route of any proposed road; or 1m from any proposed walkway/cycleway; routes as shown in Appendix 33.~~

- 2 Add a new restricted discretionary assessment matter under 4.6.4 to allow for assessing whether a second house would frustrate the structure plan:

#### **Restricted Discretionary Activities – Buildings and Building Density**

~~4.6.4.7 Within the Lowes Road Structure Plan Area, that the siting of the dwelling does not preclude the establishment of any roads or indicative walkways as shown in Appendix 34.~~

#### **Restricted Discretionary Activities – Buildings and Building Position**

~~4.9.26 Any activity which does not comply with 4.9.19 shall be a restricted discretionary activity—~~

~~4.9.27 Under rule 4.9.26 the Council shall restrict the use of its discretion to consideration of whether the erection of the building would frustrate the ability for the movement connections and reserves shown on the structure Outline Development Plan connections and reserves in Appendix 33-34 to be obtained at future subdivision. In assessing this, regard shall be given to:~~

- ~~a) The location of the building with regard to whether it would obstruct prevent the implementation of the structure Outline Development Plan.~~
- ~~b) The location of the building and its impact on the amenity of proposed public space~~

- e) The permanence of the building
- d) Whether structure Outline Development Plan elements could otherwise be provided through the site:
  - i) in such a way that a logical pattern of development for the area as a whole will result;
  - ii) without compromising the ability of adjoining landowners to develop their land whilst providing for the indicated reserves and linkages;
  - iii) whilst resulting in public space of equal or better quality than the structure Outline Development Plan without excessive additional costs in the construction of roads or paths.

4.9.28 Any activity which does not comply with 4.9.20 or 4.9.21 shall be a restricted discretionary activity

4.9.29 Under rule 4.9.28 the Council shall restrict the use of its discretion to consideration of:

- a) the unique spacious character of the area and its sensitivity to incongruous or closely spaced buildings

*Renumber subsequent points and update references to them.*

3 Insert new section on buildings and streetscene \*

#### **4.13 BUILDINGS AND STREETSCENE**

##### **Permitted Activities — Buildings and Streetscene**

For all residential development located within the Lowes Road **structure Outline Development** Plan Area

4.13.1 The maximum height of any fence between the front building façade and the street or a private Right of Way or shared access over which the allotment has legal access, shall be 1m. For allotments with frontage to more than one road, this rule shall only apply to the façade that includes the front entrance to the allotment, with fencing on the other road frontage to be no higher than 1.8m.

4.13.2 Garages are to occupy no more than 50% of the width of the building façade facing the road, or a private right of way

##### **Restricted Discretionary Activities - Buildings and Streetscene**

4.13.3 Any activity which does not comply with 4.13.1 or 4.13.2 shall be a restricted discretionary activity

4.13.4 Under Rule **4.13.3** the Council shall restrict the exercise of its discretion to consideration of:

**4.13.4.1** The degree to which an open streetscene is maintained and views between the dwelling and the public space, private Right of Way or shared accesses are retained.

**4.13.4.2** The extent to which the visual appearance of the site from the street, or private Right of Way or shared access over which the lot has legal use of any part, is dominated by garden planting and the dwelling, rather than front fencing.

**4.13.4.3** The extent to which the proposed fence is constructed out of the same materials as the dwelling and incorporates steps in plan, landscaping, and see-through materials such as railings or trellis.

4.13.5 Under Rule **4.13.3** the Council shall restrict the exercise of its discretion to consideration of:

5 ~~Exclude the Structure plan area from the indicative roading requirements in for Rolleston:~~

~~12.1.4.45 — Except in the Lowes Road structure Outline Development Plan Area (Appendix 33-34), the extent to which a failure to conform with the roading pattern identified in Appendix 23...~~

6 Add new assessment matters under 12.1 to require compliance with structure plan:

#### **Restricted Discretionary Activities – Subdivision - General**

##### **Rolleston**

12.1.4.48 **Except as provided by rule 12.1.4.49**, For allotments within or adjacent to the Lowes Road **structure Outline Development** Plan area, that the proposed layout is in general accordance with the **structure Outline Development** plan map in Appendix **33-34**.

In assessing whether the layout is in general accordance with the structure plan map the following will be considered:

- a) that the ability for Council to obtain the indicated linkages is not compromised.
- b) that the ability for Council to obtain the indicated reserves is not compromised.
- c) that the layout will result in a logical pattern of development for the area as a whole.
- d) that the ability of adjoining landowners to develop their land whilst providing for the indicated reserves and linkages is not unduly compromised.

- e) That the proposal will result in public space of equal or better quality than the structure Outline Development plan
- f) That the proposal will not involve excessive additional costs for Council in the construction of roads or paths funded by development contributions.

12.1.4.49 For Lot 32 DP76956 BLK III Leeston SD (35 Fairhurst Place), any subdivision need not provide connections shown on the Outline Development Plan provided that the average lot size is above 4000m<sup>2</sup> and the layout plan demonstrates that the connections can be provided in a logical fashion by future re-subdivision. This exception shall not apply to the connection to the adjacent school site (along the southern boundary of 35 Fairhurst Place) and shall not apply to any subsequent re-subdivision of the lots created.

7 Add new assessment matters for subdivision in special character areas:

#### **Rolleston Special Character Low Density Areas (Living 1C zoning)**

12.1.4.50 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision would not require the piping of a water-race or its relocation away from the path shown in the Lowes Road structure Outline Development plan unless:

- a) an alternative path of equal prominence is provided;
- b) the water-race is landscape to a standard equivalent to surrounding landholdings.

Except that the above shall not apply to any part of the water race which is greater than 12m from the legal road boundary.

In the assessment of this matter, consideration should be given to the likely size, shape and location of any dwellings to be built on the new lots.

12.1.4.51 In the Living 1C zoned area adjacent to Waterbridge Way, that the subdivision design minimizes the need for additional crossings of the water races by sharing accessways where possible. ~~Where this is not feasible, the water race should be crossed by a bridge of similar design, materials and colour to the existing bridges on Waterbridge Way.~~

Where new crossings are required, the assessment shall take into account:

- i) The extent to which the crossing would be of similar design, materials and colour to the existing bridges on Waterbridge Way.
- ii) The visibility within the streetscene of the crossing.
- iii) The extent to which the design would complement the special character of its surroundings.

**12.1.4.52** In Living 1C zoned areas in Fairhurst Place, that the subdivision would not require the removal of street trees in order to provide access.

*Renumber subsequent points and update references to them.*

- 8 Add a new non-complying activity to section 12.1.7:

**Non-Complying Activities – Subdivision - General**

12.1.7.4 Any subdivision in the Lowes Road **structure Outline Development** Plan area that is not in general accordance with the **structure Outline Development** Plan.

- 9 Insert Attachment 1 (Lowes Road **structure Outline Development** Plan) into appendices As Appendix 34.
- 10 Amend Planning map zoning in accordance with Attachment 2.