

APPENDIX 1

PROPOSED AMENDMENTS TO DISTRICT PLAN

PROPOSED AMENDMENTS TO THE SELWYN DISTRICT PLAN VOLUME 2 RURAL

Explanation

Proposed PC6 is specifically concerned with the landscape related provisions of the District Plan in relation to the Port Hills. The Plan Change amends the zoning of the lowest slopes of the Port Hills i.e., the land between the 20m and 60 contours, by rezoning the majority of this area from Rural Inner Plains to Rural Port Hills, with the exception that parts of Early Valley Road, and subdivisions at Rocklands, Otahuna and Holmeswood Rise are excluded.

In addition, the Plan Change makes amendments to a number of provisions which are intended to remove inconsistencies between policies, rules and the planning maps as follows:

- identifying of the whole of the Port Hills as an Outstanding Landscape on the Planning Maps 9 and 14;
- amend the wording of Policy B1.4.6 so that shelterbelts, amenity planting and exotic plantations are avoided in the Summit Road Protection Area;
- adding a new clause to Policy B1.4.9 to ensure that buildings avoid or mitigate adverse effects on openness, visual coherence and legibility of the landscape;
- the introduction of a rule to provide for dwellings as a controlled activity on sites between 4ha and 40ha which were created on land now proposed to be rezoned from Inner Plains to Port Hills Area;
- clarifying the earthworks rule for the Port Hills is limited to 20m³ every five years within a site;
- the addition of new rules to clearly show that shelterbelts, amenity planting and plantations are not anticipated within the Summit Road Protection Area, achieving consistency with District Plan Policy B1.4.6;
- providing additional assessment matters for applications for plantations, subdivision and dwellings in Outstanding Landscapes;
- to remove reference to forestry guidelines that have not been developed;
- to up-date text under the Reasons for Rules for buildings and utilities in the Rural Zone;
- to show land as Rural Port Hills and Rural Inner Plains in Early Valley Road which was previously unzoned on the planning maps.

Rezoning the lowest slopes of the Port Hills i.e. land between the 20m and 60m contour, from Rural Inner Plains to Rural Port Hills is proposed on the basis that the 60m contour is not a defensible landscape boundary for the Port Hills. The majority of the land between the 20m and 60m contour is seen as part of the larger Port Hills environment and part of an Outstanding Natural Landscape. By fully including this area in the Rural Port Hills Zone and Outstanding Natural Landscape category the Council is fulfilling its statutory obligations under Section 6(b) of the RMA.

Not showing the Outstanding Natural Landscape notation on the Planning Maps for the Port Hills is inconsistent with the manner in which other Outstanding Natural Landscapes are identified in the DP. This results in an information gap on the maps, which many people use as a first point of reference when investigating the zoning and rules which may apply to a site.

The proposed amendment also has the effect of clarifying that the lowest slopes are part of an Outstanding Natural Landscape and triggering the rules that apply to the Lower Slopes of the Port Hills e.g., a dwelling density of 1:40ha and subdivision as a restricted discretionary activity.

In making this change, the Council acknowledges that there may be landowners who have lawfully subdivided allotments down to 4ha in accordance with the Inner Plains rules but not yet erected a dwelling. In this circumstance the Plan Change introduces a “grandfather” clause which enables a dwelling to be erected as a controlled activity on existing 4ha allotments created up until the date of notification of this plan change.

With respect to earthworks, the existing rule in the District Plan provides for earthworks in an Outstanding Landscape on the Port Hills for up to 20m³ in any one hectare in any five year period. This rule has the potential to be interpreted as a cumulative volume e.g., a 5ha property could be allowed 100m³ of earthworks. This was not the intention of the rule, which Council had intended to be more restrictive compared with other parts of the District. The purpose of maintaining a low threshold is to enable consideration of the landscape effects of earthworks on the Port Hills.

With respect to the Summit Road Protection Area the District Plan does not impose any rules or restrictions on amenity planting, shelterbelts or plantations in the Summit Road Protection Area. This outcome is inconsistent with intended policy and as a consequence, the policy is reworded to clearly include all tree planting and rules amended to ensure that a consent process is triggered for tree planting activities.

Additional assessment matters are also proposed to provide more certainty and guidance on the potential effects that Council is concerned are addressed in resource consent applications for development on the Port Hills. An additional assessment matter is also proposed for subdivision.

Amendments

Amend Part B Issues, Objectives and Policies as follows:

- 1 Amend Policy B1.4.6 (page B1-041) to read as follows (new wording underlined):

“Avoid locating any dwelling, any other large structure or building, or any exotic plantation, shelterbelt or amenity planting in the area from 30.46m below the Summit Road to the summit of the Port Hills unless it must be located in that area and cannot be reasonably located elsewhere.”

- 2 Amend Policy B1.4.9 (page B1-041) to read as follows (new wording underlined):

“Ensure any building or structure erected on the Port Hills and any associated access, utilities or other infrastructure, is designed, sited, landscaped and finished in exterior materials which:

*-Blend in with the surrounding landscape; and
 -Maintain the visibility of prominent landforms listed in Policy B1.4.5, as viewed from any public road; and
 -Avoid or mitigate any adverse effects on openness, visual coherence or legibility of the landscape.*

Amend Part C Rules as follows:

- 3 Amend **1.4 Earthworks and Outstanding Landscape Areas**, Rule 1.4.2.5 (pages C1-003 and 004) by deleting the words “one hectare” so that the rule reads as follows:

“Any other earthworks which shall not exceed 20m³ in any five year period within a site.

- 4 Amend **2.1 Shelterbelts and Amenity Planting Permitted Activities** by adding the following new clause 2.1.1.10 (page C2-002) under the list of Permitted Activities:

“In the area shown on the Planning Maps as the Port Hills, the tree(s) are not located within the Summit Road Protection Area as defined in Appendix 24.”

- 5 Amend **2.1 Shelterbelts and Amenity Planting Non-Complying Activities** by deleting standards 2.1.12, 2.1.13 and 2.1.14 and replacing with a new standard 2.1.12 (page C2-004) as follows:

“Any activity which does not comply with Rule 2.1.1.6, 2.1.1.7, 2.1.1.10 or 2.1.10 shall be a non-complying activity.”

- 6 Amend **2.2 Plantations Restricted Discretionary Activities** (page C2-006) by adding the following new wording (as underlined) to Rule 2.2.2.1:

“The plantation is not located within any area shown on the Planning Maps as an Area of Outstanding Landscape, excluding the Port Hills, or a Forestry Exclusion Area in the High Country; and”

- 7 Amend **2.2 Plantations Restricted Discretionary Activities** (page C2-006) so that the assessment matters listed under 2.2.3.1 read as follows (new wording underlined)

*(a) Maintain the uninterrupted skyline of the summit of the Port Hills as viewed from the Summit Road or any road on the Plains;
 (b) Avoid screening views of existing landforms and natural features, including Gibraltar Road and Cooper’s Knob from the Summit Road or any road on the Plains;
 (c) Avoid screening views from the Summit Road;
 (d) Reflect and complement the landform patterns and shapes of the landscape and the avoidance of artificial or unnatural lines;
 (e) Maintain diversity in the vegetation cover on the Port Hills, by encouraging plantations to be interspersed with other land uses, where practical;
 (f) Avoid, remedy or mitigate the potential for scarring of the landscape from earthworks and harvesting activities;
 (g) Avoid or mitigate any potential effects on indigenous vegetation and waterways;
 (h) Provide for the re-vegetation of any earthworks;
 (i) Avoid, remedy or mitigate the scale and extent of the proposed plantation where there are effects on amenity values, including any cumulative effects taking into consideration existing or consented plantations on an adjoining site;*

(i) To avoid, remedy or mitigate the visibility of any tracks or roads required for the management or harvesting of the plantation, having regard to existing contours.

- 8 Delete the three paragraphs under the **“Note”** on page C2-007 beginning *“To assist both applicants and the consent authority....”* And ending *“that do not conform to the guidelines”*.

- 9 Amend **2.2 Plantations Non-Complying Activities** (page C2-008 to 009) by adding the following new wording (as underlined) to Rule 2.2.14:

“Any plantation located within an area of Outstanding Landscape, excluding the Port Hills, or a Forestry Exclusion Area in the High Country which does not comply with Rule 2.2.10 shall be a non-complying activity.”

- 10 Amend **2.2 Plantations**, by adding a new Rule 2.2.15 under Non-Complying Activities (page C2-009):

“Any plantation located within the Summit Road Protection Areas defined in Appendix 24 shall be a Non-Complying Activity.”

- 11 Amend **2.2 Plantations – Reasons for Rules**, pages C02-010 and C2-011, by adding the following as the fourth paragraph under the heading:

“With respect to the Summit Road Protection Area of the Port Hills, the rules do not encourage any tree planting, for amenity, shelter-belt or plantation purposes. This Protection Area is recognised for its high scenic values and views which may be lost through the planting of trees.”

- 12 Amend **3 Rural Rules – Buildings, 3.2 Buildings and Outstanding Landscape Areas 3.2.3** (page C3-003) by deleting clauses 3.2.3.1 to 3.2.3.6 and replacing and renumbering the following new clauses as follows:

3.2.3.1 The design of the building including height, size/scale, external finish, colour and reflectance value;

3.2.3.2 The appropriateness of the building site having regard to geotechnical conditions and site stability.

3.2.3.3 The visibility of the building from public viewing points, having regard to the accessibility of the viewing point;

3.2.3.4 The extent to which the building, and if a dwelling, any associated curtilage may:

- (a) dominate or detract from openness, visual coherence, legibility or integrity of the landscape;
- (b) include earthworks or new planting to assist in mitigation of any adverse landscape effects;
- (c) use topography or vegetation to assist in mitigation or containment of visual effects;
- (d) break the skyline or interrupt the form of any ridges, hills or prominent slopes;
- (e) be visually prominent in an area characterised by high natural values;
- (f) affect the amenity values of adjoining properties.

3.2.3.5 Whether the landscape has further capacity to absorb change having regard to existing and consented development on adjoining sites and in the locality, and any benefits that can be obtained from clustering buildings.

3.2.3.6 Whether the proposal creates opportunities to protect open space, indigenous vegetation or nature conservation values.

3.2.3.7 The design and siting of any access to the building, and the visibility of that access, including any contrast with natural contours and the proposed re-vegetation of any earthworks.

3.2.3.8 The siting of any utilities installed to serve the building, including whether any water storage tanks, cables or pipes are to be placed underground.

3.2.3.9 Any monitoring or review conditions.

- 13 Amend **3 Rural Rules – Buildings, 3.10 Buildings and Residential Density** by adding a new heading and rules 3.10.3 and 3.10.4 (page C3-012) as follows. Renumber all following clauses accordingly and ensure all references to those rule numbers throughout the District Plan (e.g., Reasons for Rules) are also changed as a consequential amendment.

Controlled Activities – Buildings and Residential Density

“3.10.3 Any dwelling on a separately saleable allotment with a continuous area of not less than 4 hectares, located within the Lower Slopes of the Port Hills and created by subdivision prior to the (insert date at which this plan change is notified).

3.10.4 Under Rule 3.10.3 the Council shall restrict its consideration to:

3.10.4.1 The design of the dwelling including height, size/scale, external finish, colour and reflectance value;

3.10.4.2 The appropriateness of the building site having regard to geotechnical conditions and site stability;

3.10.4.3 The visibility of the dwelling and its curtilage from public viewing points;

3.10.4.4 The design and siting of any access to the dwelling, including the visibility of the access, any contrast with natural contours and the proposed re-vegetation of any earthworks;

3.10.4.5 The siting of the dwelling in relation to the natural landform, and in particular whether the dwelling would break the skyline or the form of any ridges, hills or prominent slopes;

3.10.4.6 The visibility of any utilities required to service the dwelling;

3.10.4.7 Landscape planting and earthworks that assist in mitigation of any adverse landscape effects.”

- 14 Amend **3 Rural Rules – Buildings Reasons for Rules**, page C3-022, by replacing the third paragraph with the following new text:

“The provisions are slightly different for the Port Hills The area defined as Outstanding Landscape on the Port Hills excludes those areas at the base of the hills where existing and intensive built development has occurred. With the exception of these limited areas, any residential development on the Port Hills requires resource consent where density is reduced below 40ha on the Lower Slopes and 100ha on the Upper Slopes. The purpose of

establishing these relatively stringent thresholds for residential density is to trigger resource consents for the siting and design of houses to reduce potential adverse visual effects, whilst recognising that there may be some sites within the Port Hills where a dwelling could be erected with only minor visual effects. The more liberal density standard for the Lower Slopes is however intended to encourage development to locate in this area. The Plan provisions aim to protect the area located between the summit and a distance of 30.46m vertically below the Summit Road. This approach is similar to the existing protection given under the Summit Road (Canterbury) Protection Act 2001.

- 15 Amend 5 Rural Rules – Utilities, 5.6 Outstanding Landscape Areas – Utility Buildings, Restricted Discretionary Activities – Outstanding Landscape Areas – Utility Buildings, Rule 5.6.3 by replacing 5.6.3.1 to 5.6.3.7 (page C5-007) with the following:

- 5.6.3.1 The design of the building including height, size/scale, external finish, colour and reflectance value;
- 5.6.3.2 The appropriateness of the building site having regard to geotechnical conditions and site stability.
- 5.6.3.3 The visibility of the building from public viewing points, having regard to the accessibility of the viewing point;
- 5.6.3.4 The extent to which the building or structure may:
 - a. dominate or detract from openness, visual coherence, legibility or integrity of the landscape;
 - b. include earthworks or new planting to assist in mitigation of any adverse landscape effects;
 - c. use topography or vegetation to assist in mitigation or containment of visual effects;
 - d. break the skyline or interrupt the form of any ridges, hills or prominent slopes;
 - e. be visually prominent in an area characterised by high natural values;
 - f. affect the amenity values of adjoining properties.

3.2.3.6 Whether the landscape has further capacity to absorb change having regard to existing and consented development on adjoining sites and in the locality, and any benefits that can be obtained from clustering buildings or structures.

3.2.3.6 Whether the proposal creates opportunities to protect open space, indigenous vegetation or nature conservation values.

3.2.3.10 The design and siting of any access to the building or structure, and the visibility of that access, including any contrast with natural contours and the proposed re-vegetation of any earthworks.

3.2.3.11 The siting of any utilities installed to serve the building, including whether any water storage tanks, cables or pipes are to be placed underground.

3.2.3.12 Any monitoring or review conditions.

- 16 Amend 5 Rural Rules – Utilities Reasons for Rules, page C5-017, by replacing the third paragraph with the following new text.

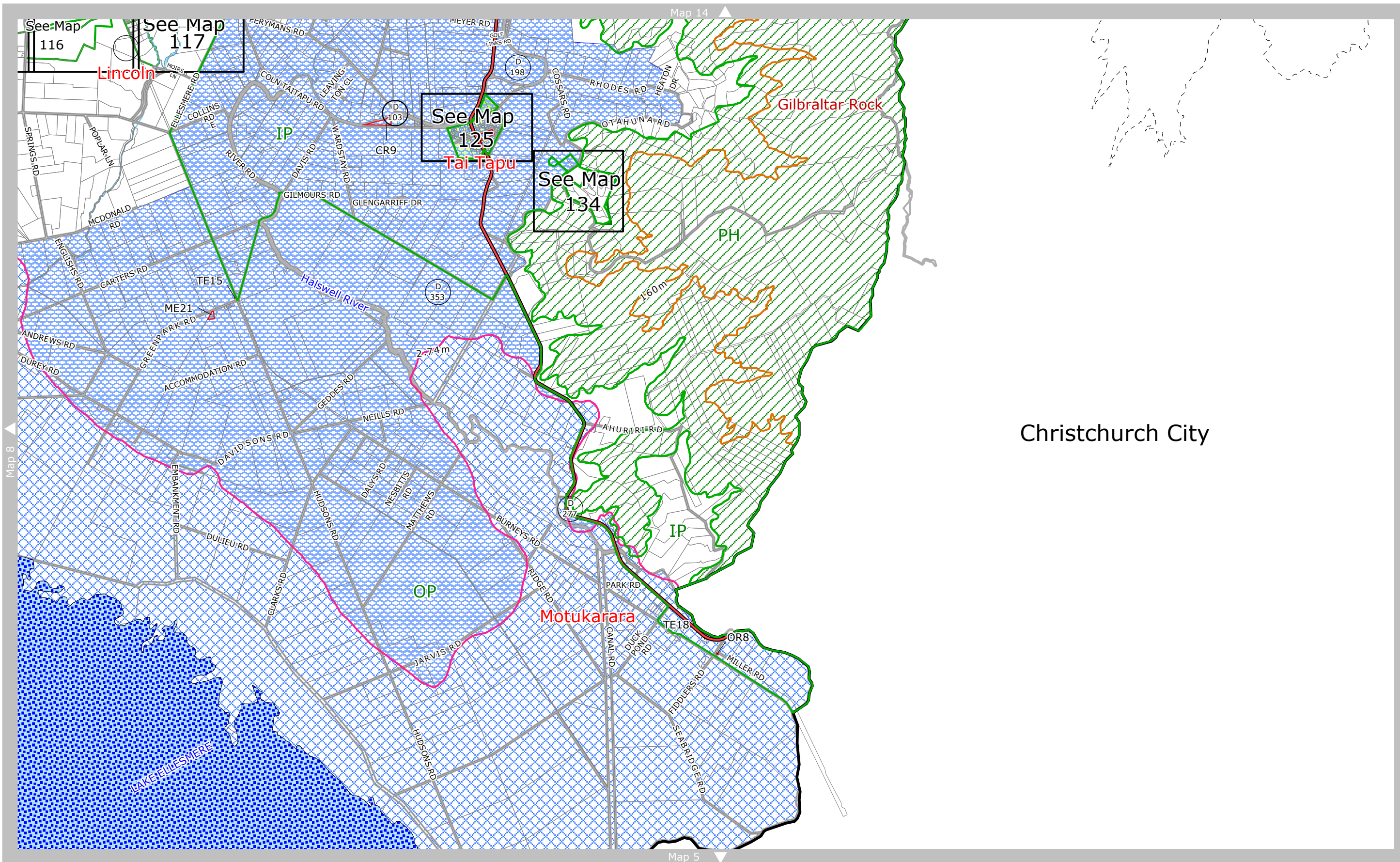
“The Outstanding Landscapes of the Port Hills, Malvern Hills and High Country are equally managed with only very small buildings and utility structures provided for as a permitted activity. In relation to the Port Hills, utilities are a restricted discretionary activity in the Lower Slopes of the Port Hills and a non-complying activity in the Upper Slopes. This is

consistent with the rule structure for dwellings, where the Plan provides for a more lenient housing density within the Lower Slopes to encourage development to this part of the Port Hills and to maintain relatively open Upper slopes.”

- 17 Amend **10 Rural Rules – Subdivision, 10.3 Subdivision in Outstanding Landscape Areas** (page C10-007), by adding a new clause as 10.3.2.2 and renumber the following clauses accordingly:

“The capacity of the landscape to absorb change having regard to existing geomorphologic features, building development and the landscape and amenity values in the locality.”

- 18 Amend **Planning Maps 9 and 14** by adjusting the zone boundary of the Port Hills as shown on the attached maps and include the notation for Outstanding Natural Landscape over the whole of the Port Hills Area.



Christchurch City

MAP
009
SHEET 1

SELWYN DISTRICT PLAN

Scale: 1:50,000 at A3



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KEY

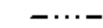
SDC Designated Sites



Other Designations



Chch International Airport Noise Contour



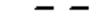
Transit Widening Designation



Fault Lines



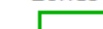
Coastal Hazard



Transpower Main Lines



Zones



Forestry Exclusions



Outstanding Landscape



West Melton Observatory Zone



Outstanding Natural Feature



Territorial Authority

Surrounding Districts

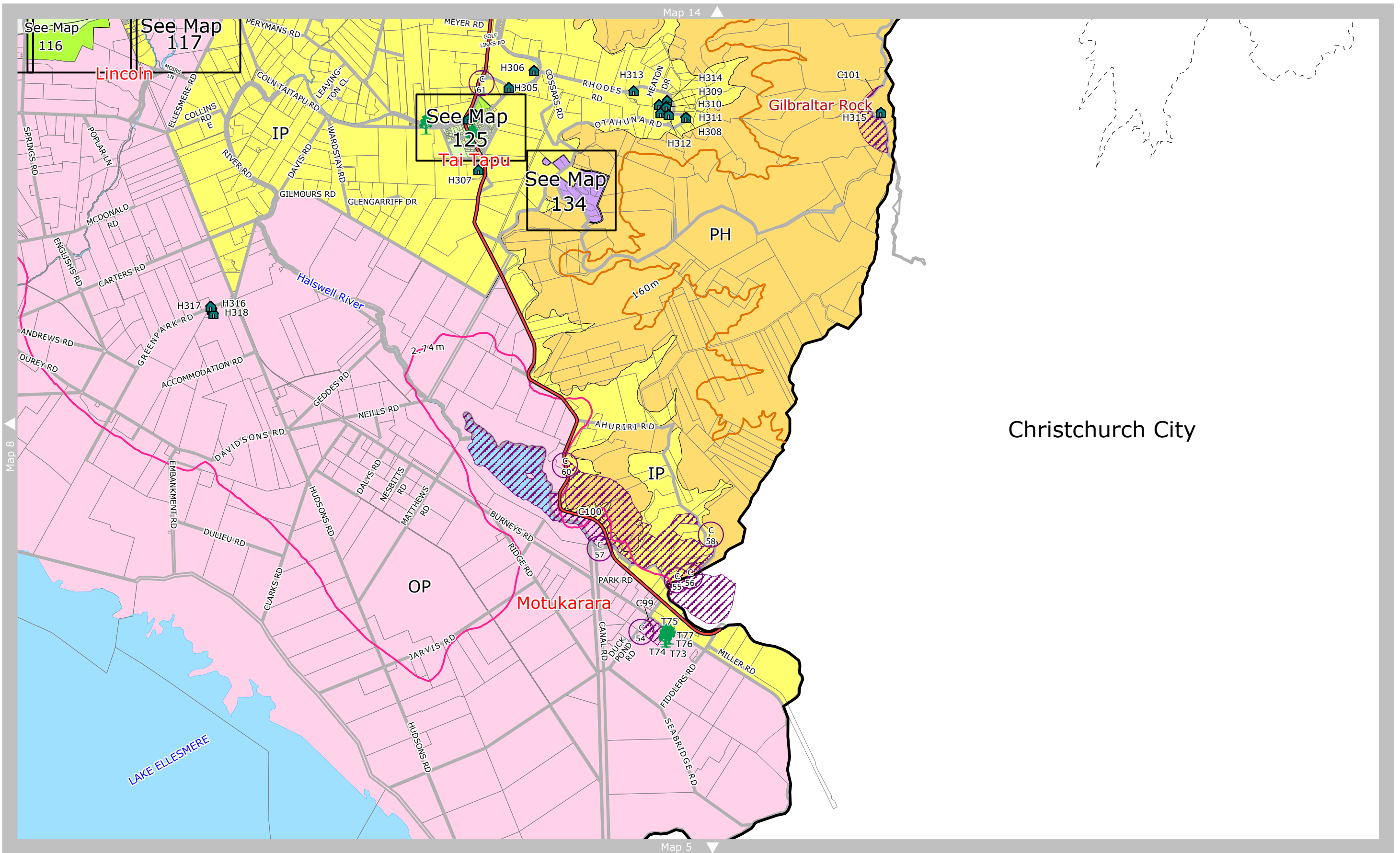
Selwyn District

Flood Zone

Waimakariri Flood Plain

Lower Plains Flood Area

Lake Ellesmere Flood Area



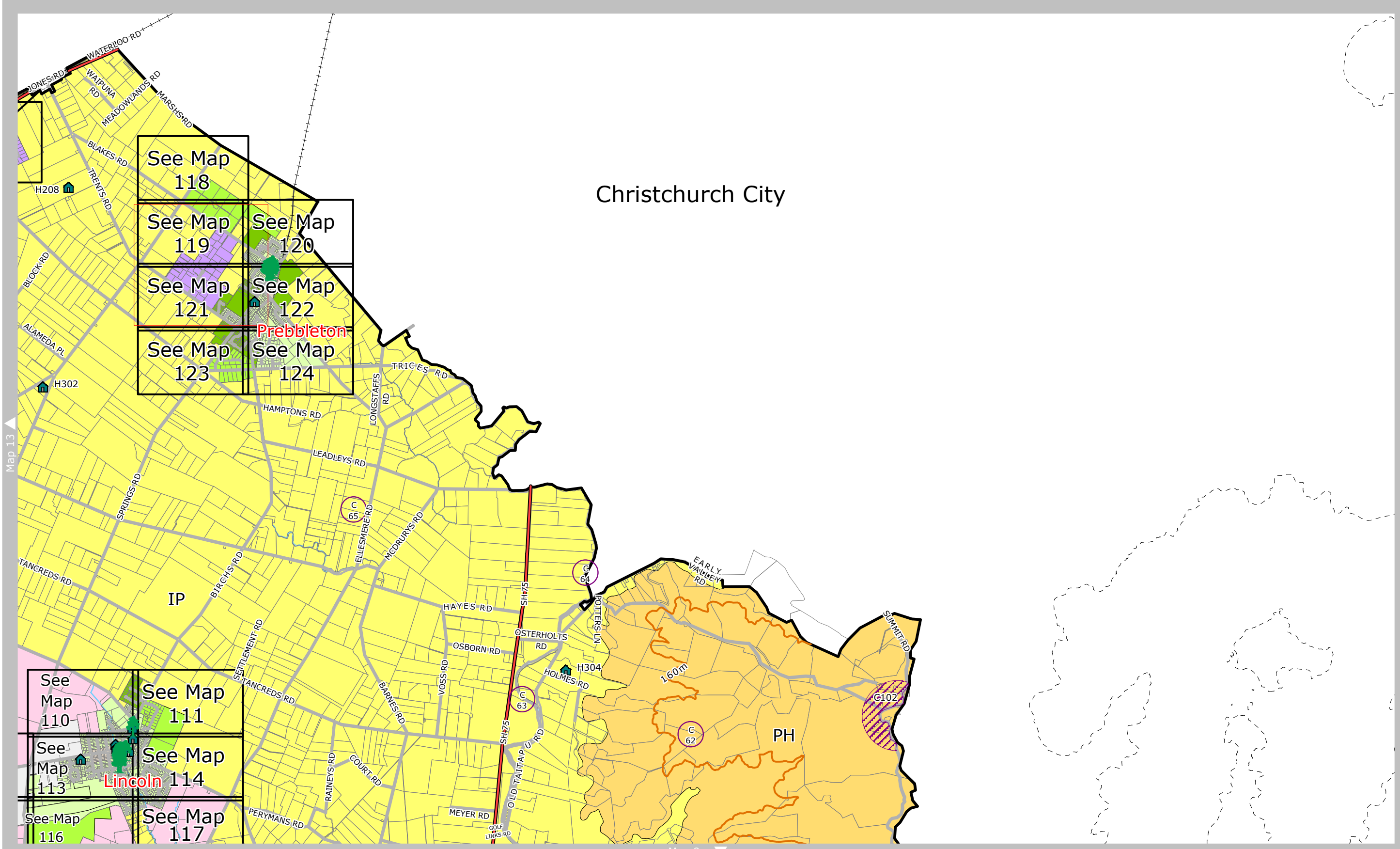
KEY

Heritage Building 	Heritage Tree 	Scheduled Site 	Statutory Acknowledgement Site 	State Highways 	Railway 	Road Parcel 	Land Parcel 	Water Body
Cultural Site 	Waahi Taonga Area 	Contours Above Sea level 160m 2.74m	Zones High Country Port Hills Existing Development Area	Living 1 Living 2 Living X Deferred Living	Business 1 Business 2 Business 3	Inner Plains Outer Plains Malvern Hills	Archaeological Site 	
Silent File Area 								



MAP
009
SHEET 2

Christchurch City



KEY

- | | | | | | | | | |
|-------------------|---------------|-------------------|--------------------------------|---------------------------|-----------------|-------------|---------------|---------------------|
| Heritage Building | Heritage Tree | Scheduled Site | Statutory Acknowledgement Site | State Highways | Railway | Road Parcel | Land Parcel | Water Body |
| Cultural Site | | Waahi Taonga Area | Contours Above Sea level | Zones | Living 1 | Business 1 | Inner Plains | Archaeological Site |
| Silent File Area | | | 160m | High Country | Living 2 | Business 2 | Outer Plains | |
| | | | 2.74m | Port Hills | Living X | Business 3 | Malvern Hills | |
| | | | | Existing Development Area | Deferred Living | | | |

