
POST ENGAGEMENT PREFERRED OPTION UPDATE REPORT TO DISTRICT PLAN COMMITTEE

DATE: 28 November 2018

TOPIC NAME: Rural

SCOPE DESCRIPTION: Rural Density, Character, and Amenity

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EXECUTIVE SUMMARY

*Summary of Preferred
Option Endorsed by
DPC for Further
Engagement:*

The following approach was endorsed by DPC:

Port Hills Area:

- Realign the boundary between the Port Hills and the Inner Plains to follow the lowest landscape line reflecting the ONL / VAL boundary;
- Remove reference to the upper and lower slopes and retain the base minimum allotment areas in the operative Plan in relation to the VAL/ONL areas. This would mean that the VAL area would have a density of 1 dwelling per 40ha, and the ONL area would have a density of 1 dwelling per 100ha; and
- Apply the grandfather clause.

Inner Plains Area:

- Retain a minimum 4ha density; and
- Change the boundary between the Inner Plains and Outer Plains Areas to incorporate the more developed land where rural character has been compromised in the Outer Plains as a result of recent developments.



	<p>Outer Plains Area:</p> <ul style="list-style-type: none"> - Split the Outer Plains Area into two parts: an upper (western) part and lower (eastern) part. The lower area would retain the current density of 20ha and the upper area would have a density of 40ha to reflect the more open rural character (highly productive landscape) of the upper area; - Apply the grandfather clause in the Upper Outer Plains; and - Apply the Open Space Covenants / Balance Lots and Clustering in the Upper Outer Plains. <p>Malvern Hills Area:</p> <ul style="list-style-type: none"> - Increase the minimum density from 20 to 40ha; - Apply the grandfather clause; and - Apply the Open Space Covenants / Balance Lots and Clustering in the Malvern Hills areas. <p>High Country Area:</p> <p>Retain operative provisions.</p>
<i>Summary of Feedback Received:</i>	Feedback received was both for and against the preferred options, with parties seeking a reduction and increase in densities throughout the Rural Zone.
<i>Recommended Option Post Engagement:</i>	The Preferred Option previously endorsed by DPC progresses to the 'Drafting and Section 32 Evaluation Phase'.
<i>DPC Decision:</i>	<p><i>"That the Committee notes the report."</i></p> <p><i>"That the Preferred Option previously endorsed by DPC progresses to the 'Drafting and Section 32 Evaluation Phase.'"</i></p> <p><i>"That the Committee notes the updated summary plan."</i></p>

1.0 Introduction

1.1 Overview of Preferred Option Endorsed by DPC

Port Hills Area:

- Realign the boundary between the Port Hills and the Inner Plains to follow the lowest landscape line reflecting the ONL / VAL boundary;
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- Apply the grandfather clause.

Inner Plains Area:

- Retain a minimum 4ha density; and
- Change the boundary between the Inner Plains and Outer Plains Areas to incorporate the more developed land where rural character has been compromised in the Outer Plains as a result of recent developments.

Outer Plains Area:

- Split the Outer Plains Area into two parts: an upper (western) part and lower (eastern) part. The lower area would retain the current density of 20ha and the upper area would have a density of 40ha to reflect the more open rural character (highly productive landscape) of the upper area;
- Apply the grandfather clause in the Upper Outer Plains; and
- Apply the Open Space Covenants / Balance Lots and Clustering in the Upper Outer Plains.

Malvern Hills Area:

- Increase the minimum density from 20 to 40ha;
- Apply the grandfather clause; and
- Apply the Open Space Covenants / Balance Lots and Clustering in the Malvern Hills areas.

High Country Area:

- Retain operative provisions.

2.0 Summary of Feedback Received

2.1 Landowner/ Public Feedback

In summary, the following feedback was received:

- Development and density provisions should be tied to the quality of the underlying soils;
- Provide adequate provision for rural residential lots (less than 1:4 ha), to avoid further fragmentation into 4 ha lots, and subsequently wasted land;

- Apply open space, balance lots, and clusters throughout the district to minimise farm fragmentation to enable the release of funds for further development;
- Enable a system to allow for the transfer of development rights from undeveloped areas further away from existing townships, to developed areas near townships. This would reduce the fragmentation of agricultural land by preventing the spread of subdivisions, while still providing additional development potentially in already compromised areas;
- To retain all of the Outer Plains area near Darfield at a density of 1:20 ha;
- To have a 1 km area around existing townships with a density of 1:4 ha, with a density of 1:20 ha around this, to reflect that the land immediately around a township is rural lifestyle rather than productive farming lots;
- Retain a 1:20 ha density for sites which are not irrigated or not part of an irrigation scheme;
- Include a grandfather clause to allow development on titles that existed at the date of notification;
- Remove the 1:120 ha density for the High Country Area, and allow for dwellings to be erected within a node on a farm as a controlled activity, with the matters of control being design, location, and access;
- Farm buildings should be permitted everywhere in the High Country Area, with only large scale buildings needing consent as a controlled activity, with the matters of control being limited to the location and colour;
- Opposed to the proposed density changes of the Port Hills Area, especially where the ONL is proposed to come down to the toe of the hill;
- Changes in the Port Hills Area need to consider the proximity to Christchurch, and the densities of the neighbouring zones to ensure alignment and consistency;
- Development in the Port Hills Area should be able to occur if the surrounding neighbouring properties have already developed to a 1:4 ha density;
- Any densities should provide a clear delineation between town and country, with a strong theme arising out of the consultation being the want to reduce sprawl into the rural area and to safeguard this land for primary production;
- Support for the Port Hills Area options;
- Would prefer to see the Inner Plains density reduce from 1:4 ha to 1:2 ha on existing 4 ha sites, to preserve productive land from further subdivision, and to better utilise already developed land which has little agricultural productivity value;
- Support for and against the realignment of the Inner Plains/Outer Plains Area boundary.
- Support for and against any spilt in the Outer Plains Area;
- As already noted, a theme that was commented on frequently was the need to protect the Rural Zone for primary production, and any residential encroachment needs to be restricted;
- Request for the Outer Plains Area to increase to 1:50 ha density, don't allow a grandfather clause, and to ensure that a no complaints covenant towards agricultural production exists on new titles;
- Rural character is lost when many houses, on small lots, are built close together;
- Allow for land near Christchurch to be developed at a density of 1:2 ha;
- To make all of the Outer Plains Area have a density of 1:40 ha;
- That the planning areas within the Port Hills be formed along contour lines;

In regard to the proposed realignment of the Inner Plains and Outer Plains the following requests were made:

- Area bounded by Gilmours Road, MacArthneys Road, Greenpark Road, and the Halswell River:
 - o The submitter's property is approximately 20 ha, and is an uneconomic farming unit, and wished to develop it for residential use.
 - o Believes the proposed change, and use of a river as an area boundary is a better planning outcome.
- Property located at 431 Kerrs Road:
 - o This property already has two boundaries with the Inner Plains Area and is a short distance from Rolleston and IZone. Considered a logical area of growth given its close proximity to amenities and the neighbouring Inner Plains Area.
- All of the area surrounding West Melton.
- In all areas within 5 km of where a township is expected to grow within the next 10 years.

2.2 Partner/Stakeholder Feedback

Canterbury Regional Council:

This Partner had no further comments in addition to the feedback already received through the baseline and preferred options report, other than showing support for protecting the existing character of the rural environment by managing density.

Mahaanui Kurataiao Limited:

No comment was received from this Partner.

Christchurch International Airport Limited:

This Stakeholder stated that they support the retention of at least a 1:4 ha density within the Inner Plains area, and would oppose any intensification of sensitive activities within the existing noise contour lines.

Canterbury District Health Board:

This Stakeholder supports the draft changes seeking to protect the existing character of the Rural Zone, and to maintain it for primary production. Furthermore, they support reducing densities in areas that are less developed.

Ellesmere Sustainable Agriculture Incorporated

This Stakeholder stated that they would not like to see any part of the Outer Plains Area east of State High 1 having a density lower than 1:20 ha, as this would be detrimental to the social, economic, and physical character of the Ellesmere area. Additionally, they do not support any part of a potential Outer Plains boundary line being east of State Highway 1, and if a line is required then it should follow the state highway between the Selwyn River and the Rakaia River.

Horticulture New Zealand

This Stakeholder stated that they would like to see highly productive land be kept in primary production, and consider the current plan provisions do not achieve this desired outcome. The plan should clearly

articulate the character of each area within the Rural Zone, so the benchmark for each area is clearly known.

3.0 Analysis of Feedback Received

3.1 Protecting Primary Production:

Analysis

There was overwhelming support across the board to protect the Rural Zone's primary production capability, which was suggested to be achieved through the raising of minimum lot densities, and tying development potential with the underlying soil quality.

This sentiment is supported by the Canterbury Regional Policy Statement which states through its objectives and policies that rural production should be protected within the Rural Zone. As pointed out through the feedback received, one of the easiest ways of achieving this objective is to raise the minimum density of an area to reduce the residential/ subdivision development of an area. This helps to achieve the objective in two ways, firstly it reduces residential encroachment and subsequently lowers the risk of reverse sensitivity, and secondly it attempts to prevent the fragmentation of rural land into units which are uneconomic to produce from, with them becoming underutilised as a result.

An additional strategy raised within the feedback to reduce the use of productive land for residential purposes, was to allow for existing 4 ha lots to be subdivided further, this being the land usually in close proximity to townships, in order to take the development pressure off the undeveloped land being used for primary production. While this may reduce the overall demand for residential properties within the Rural Zone, it would substantially alter the character and amenity of the area where increased development is authorised. Additionally, it may not actually protect land being used for primary production, as in the case where the land is located in the Inner Plains Area subdivision is still provided for at a 1:4 ha density.

Conclusion

The desire to protect rural land for primary production has been taken into account in the preferred option, with the proposed option seeking to increase minimum lot densities in the Outer Plains Area that have yet to be developed to a 1:20 ha density. This option would see an increase from a 1:20 ha density, to a 1:40 ha density. No change to the density for residential development in the Inner Plains is recommended as it is not considered that the intensification of specific areas would achieve the desired outcome.

3.2 Preventing residential sprawl/increase residential densities near townships:

Analysis

Numerous respondents made the request that residential sprawl into the Rural Zone should be prevented. Competing with this approach, some parties requested that a ring of land around existing townships should be zoned to allow higher residential densities, effectively creating a staged progression from high density

townships to low density rural areas. One of the key issues identified throughout the baseline and preferred option assessments is the need to maintain the character and amenity of the Rural Zone. By allowing rings of higher density development over land currently zoned as low density simply because the land is next to a township would significantly alter the landscape of the Selwyn District, and would allow small contained townships to lose their coherent form. Additionally, this sprawl would potentially increase the area needed to be served by infrastructure, increasing the uncertainty of costs to Council.

The overarching strategic direction of the District Plan Review, which in turn gives effect to the Canterbury Regional Policy Statement, is that residential growth should be focused to within existing townships, and the rural zone should be protected from reverse sensitivity to enable primary production. The best way of achieving this is to further restrict densities in undeveloped areas, and maintain them in areas which are already developed.

Conclusion

That the area densities contained within the preferred option continue to be developed and used when drafting the section 32 report and plan provisions.

3.3 Realignment requests:

Analysis

The purpose behind the potential realignment of the Outer Plains/ Inner Plains Area boundary is to recognise that limited parts of the Outer Plains has historically been developed at a density of 1:4 ha, which is more closely aligned to the character and amenity of the Inner Plains. The purpose was not to allow for additional development potential, which would further compromise the rural zone through residential development spread.

On review of all of the requests for boundary realignments, they would all result in a significant amount of new residential/ subdivision development potential. This would significantly change the areas proposed from having an open space character, with residential development at a low level, and reasonably economic blocks, to a fragmented 1:4 ha density, which would see a proliferation of lifestyle blocks, and the underutilisation of potentially productive land.

Conclusion

It is not recommended that any of the realignment requests be further developed as part of the section 32 report or plan provisions.

3.4 Outer Plains Spilt:

Analysis

The actual location of this spilt has yet to have been developed at this stage, but will be subject to further consideration as part of the next phase.

There was a mixed reaction to the potential of an Outer Plains Area split, loosely northwest & west being one part and the southeast & east the other. The eastern part which has already been largely developed to a 1:20 ha density would maintain the existing density, and the western part would see an increase in

density to 1:40 ha to reflect the low levels of residential development, and the prescribed minimum economic unit of 40 ha within this area.

Some respondents sought either the maintenance or the lowering of these minimum allotment sizes within the western area to protect their subdivision potential, while others sought to increase them to protect the area for primary production.

Conclusion

In order to maintain the existing character and amenity of the Outer Plains Area, and to protect it for primary production it is recommended that the preferred option be progressed through to the drafting of the section 32 report and plan provisions.

3.5 Port Hills realignment:

Analysis

The current preferred option would see a change in how the Port Hills areas are defined, by moving from being contour based to landscape value based. This will mean that in some areas of high landscape value there will a reduction in development potential as a result of lower densities.

A number of landowners who would potentially be affected by the change lodged feedback in opposition to this approach. They do not wish to see a change in the density as they believe it will compromise their ability to farm, the economics of their property, and prevent family from residing on the family property.

While it is recognised that the removal of existing development rights will occur in some places, this is as a result of an area of land being defined as an outstanding natural landscape (ONL) or visual amenity landscape (VAL), with the former being protected under section 6 of the Resource Management Act 1991 (RMA). It is relevant to note that the boundaries of the ONL and VAL are still in draft form, and are currently being refined. As such, the feedback from these landowners will be taken into account as part of the ONL workstream.

A move from basing residential density on contour lines to landscape values is seen as moving from an arbitrary boundary to one defined by the actual values seeking to be protected. This is consistent with the effects based approach promoted in the RMA. However, it is acknowledged that some development rights will be restricted. Although in some instances a grandfather clause will still enable development on vacant lots of the required size at the point of plan notification. Therefore, the actual amount of affected parties as a result of this action are few.

Conclusion

It is recommended that the preferred option be progressed through to the drafting of section 32 report and plan provisions, including (in particular) integration with the ONL Chapter workstream.

4.0 Recommended Option Post Engagement

The Project Team recommends that:

- The Preferred Option previously endorsed by DPC progresses to the 'Drafting and Section 32 Evaluation Phase'.