

Overview of Ashburton Proposed District Plan

Introduction

What is the District Plan?

The District Plan affects everybody in the District whether you want to develop or change the use of your property or your neighbour proposes works close to the boundary. Some examples of development that may be affected by the District Plan include

- Construction of an extension to a house
- Subdivision of land into smaller parcels
- Setting up a business on a property
- Signage for a business
- Clearance of indigenous vegetation to allow for irrigation

The District Plan provides a framework of rules that any subdivision or development is required to comply with. Every property is within a Zone, which reflects the land uses sought in that area e.g. Residential, Rural, Business zone, and within each zone there are rules that determine whether someone needs resource consent to undertake an activity or development.

Why has the Council undertaken a review of the current District Plan?

The Council is required to review its District Plan every 10 years under the Resource Management Act. There is also a need to review the plan to ensure it remains up to date to deal with issues affecting the District. For example, areas surrounding Ashburton and Methven have been under pressure for residential development and the Council wants to ensure any future development is in the right areas.

What is the process for review of the District Plan and when will it have effect?

The Council has prepared a 'Proposed District Plan' for public consultation, which provides the public with the opportunity to submit comments (submissions) in support or opposition to specific parts of the proposed plan. When the period for submissions ends on the 18th June, the Council will summarise all the issues raised and the changes being sought to the Proposed District Plan.

The submissions received and a summary of the decisions sought by those who make submissions will then be made available for consultation over a period of 3 weeks, which will allow particular individuals and groups to make further submissions in support or opposition to the submissions received.

This will be followed by Hearings when a Panel of Councillors and/or an Independent Commissioner will hear from those that made submissions and advised that they wish to speak (be heard) at a public hearing.

Decisions will then follow on submissions at which time rules in the Proposed District Plan will begin to have legal effect unless stated otherwise in the Proposed District Plan. For example, rules protecting indigenous vegetation, heritage buildings and trees have legal effect from the 21st April, from which date the Council will consider both the current and proposed District Plan. If not stated as having legal effect on the 21st April, any proposed activity or land use subject to a resource consent application will only be considered against the current District Plan until decisions are made on the Proposed District Plan.

Where can someone find out more about the Proposed District Plan?

More information is available on the Proposed District Plan -

- On the Council's website at www.adc.govt.nz
- By sending an email to districtplanreview@adc.govt.nz
- Calling the Planning department on 03 3077700

The Proposed District Plan and a document, known as a s32 Analysis', explaining the options considered in preparing the plan will be available to view from the 21st April in the following places -

- Council's offices at 5 Baring Square West, Ashburton;
- Ashburton Library
- I-site centre in Methven
- Mobil service station in Rakaia and
- On the Council's website at www.ashburtondc.govt.nz

Submission forms to make your comments on the Proposed District Plan will also be available in the locations above.

Overview of the Sections in the Proposed District Plan

Rural areas

The Proposed District Plan identifies 3 rural zones, which cover different areas of the District. This reflects the current District Plan.

The '**Rural A**' zone adjoins the main settlements of the District; Ashburton, Rakaia and Methven as well as the small villages of Mayfield, Hinds, Mt Somers and Chertsey and provides for farming, cropping and associated buildings including dwellings. The Rural A zone has allotments of different sizes and acts as a 'buffer', separating residential areas and rural activities.

The '**Rural B**' zone covers the majority of the plains in the District and provides for agricultural and horticultural activities on a large scale, with large parcels of land.

The '**Rural C**' zone covers the 'High country' and is known for its vast landscapes, geology and unique biodiversity. To protect these features, large areas are defined as 'Outstanding Landscapes', 'Geoconservation sites' and 'Areas of Significant Nature Conservation Value'.

The Proposed District Plan allows subdivision of land into lots as small as 8 ha in the Rural A zone and 50 ha in the Rural B and C zones. While this is not a change from the current District Plan, there are areas zoned Rural A under the current Plan that are proposed to be zoned Rural B under the Proposed plan. This change reduces opportunities for the subdivision of large parcels of land and protects the productive use of the land for existing and future agricultural activities as well as retaining the rural character of these areas.

A further change proposed that affects development in Rural zones is the minimum size a site needs to be for a dwelling. The current District Plan currently allows a dwelling on a site of 2 or more ha in the Rural zones. It is proposed to change this only allowing a dwelling (without resource consent) on a site of 8 ha or more in the Rural A zone and a site of 50 ha or more in the Rural B and C zones.

Given there has already been the subdivision of land to smaller parcels in the Rural A zone, the Proposed plan does allow a house on a site of between 2 and 8 ha in the Rural A zone if the lot legally exists at the time decisions are made on the Proposed District Plan. This 'exception' will apply

for 12 months from the date decisions are released, providing a window of opportunity for land owners with lots of between 2 and 8 ha.

In the Rural B zone under the Proposed District Plan, land owners will be able to develop a dwelling on a site of 4 ha or more if the parcel of land was created after the 1st January 2000.

Residential areas

The Proposed District Plan identifies 4 different residential zones, A – D, a change from the current District Plan, which identifies a single Residential Zone. What differentiates each residential zone is the density of development allowed, which is summarised below.

The Proposed District Plan also identifies land for future residential growth in Ashburton, Rakaia and Methven giving effect to a Development Plan, adopted by the Council in 2005 and in the villages of Mt Somers, Mayfield, and Hinds giving effect to a Small Villages Development Plan adopted in 2008.

- **Residential A - High Density**

The Residential A zone is around the centre of Ashburton's commercial area. This zone allows for a maximum ratio of net floor area to net site area of 1. For example, on a site of 500 m², a building of 2 stories with 250 m² per floor could be built or alternatively, a building of 3 stories, with 166 m² per floor.

Any development in the Residential A zone requires resource consent so the Council can maintain control of the design and appearance of buildings. This supports a high standard of design in the area closest to the commercial area of Ashburton.

- **Residential B – Medium High Density**

The Residential B zone covers the area bordered by the 3 avenues of Ashburton, between the suburban area and the high density area zoned Residential A. There is also an area zoned Residential B in Rakaia. Proposed rules allow the subdivision of land into 280m² lots.

- **Residential C – Medium Low Density**

The Residential C zone covers the suburban areas of Ashburton, Methven and Rakaia, along with the small villages of Mt Somers, Hinds, Chertsey, Mayfield, Fairton, Lauriston and Barrhill, and the residential areas through the Aquatic Park Zone (Lake Hood). Proposed rules allow the subdivision of land into 360m² lots if connected to a public or community sewerage system, otherwise the minimum size that land can be subdivided to is 1,000 m².

- **Residential D – Low Density**

The Residential D zone covers areas adjoining Ashburton, Methven and Rakaia and a number of the smaller villages. The zone provides for very low density residential development as an alternative to suburban living. Proposed rules allow for the subdivision of land into lots of 4,000m² if connected to a public or community sewerage system, otherwise the minimum lot size is 1 ha.

The current District Plan allows for subdivision in the Residential zone down to a minimum lot size of 500m² (where there is a connection to a public or community sewerage system). This can be reduced if there is a 'building commitment', either when a Building consent is issued at the same time as resource consent to subdivide, or if there is an existing dwelling on a lot being created as part of a subdivision. In either situation, the minimum lot size is 280 m² if within the 3 avenues of Ashburton and 360m² in other areas of Ashburton, Methven and Rakaia.

It is therefore a change to allow for higher density residential development regardless of whether there is a 'building commitment'. The introduction of the Residential A zone in particular could provide

for apartment style living in central Ashburton. This approach is one of encouraging new housing in built up areas to avoid the spread of residential development into rural land.

Business areas

The Proposed District Plan identifies 5 Business zones, reflecting existing land uses while encouraging new businesses to appropriate locations in the future. These zones comprise –

- **Business A**

The Business A zone provides for small scale shops with the Proposed District Plan setting a maximum floor space limit for any unit of 300 m². There is not currently a limit on the floorspace of an individual unit, the proposed plan therefore limiting the potential for large scale shops in the Business A zone. This zone covers the inner commercial area of Ashburton including the area between East Street and Cass Street, off West Street between Tancred Street and Willis Street as well as Allenton and other suburban shops in Ashburton and Tinwald. The retail areas of Rakaia, Methven, Mt Somers, Hinds, Mayfield and Chertsey are also zoned Business A.

Residential development is permitted in the Business A zone subject to being above ground floor, therefore encouraging apartment style living.

- **Business B**

The Business B zone provides for large scale shops, for example, Bunnings and Mega Mitre 10. The zone supports the large areas of land required and car parking, reflecting the reliance on a private vehicle for goods purchased from these stores. To retain large scale shops in the areas zoned Business B and to avoid trade being taken away from the Business A zone, particularly the core area on East Street, a minimum floorspace requirement of 500 m² for single retail outlets is proposed. This is not a change from the current District Plan.

- **Business C**

The Business C zone provides for a mix of uses including commercial (e.g. offices), retail, service (e.g. storage and maintenance of goods) and community activities and is located adjacent or close to Business A and B Zones. While not replicating the types of shops the Business A zone provides for, the Business C zone sets a maximum floorspace limit for each unit of 500 m².

- **Business D**

The Business D zone is intended for light industrial, service and commercial activities. The zone covers existing industrial areas including the Riverside Industrial Estate, land off South Street in Ashburton, and the area between Methven Chertsey Road and Line Road in Methven. New areas are also identified including land to the west of the Riverside Industrial Estate between the Ashburton River and residential properties on Alford Forest Road, a section of land off Tramway Road in Mt Somers, and land between Nugent Street, Chisnall Road and Isleworth Road in Hinds.

Due to the proximity of residential areas, the areas identified for new industrial development will need to be developed in line with Outline Development Plans which identify access routes and minimum distances for buildings to be setback from the boundary.

- **Business E**

The Business E zone is for medium to heavy industrial uses that have adverse effects including noise, dust and heavy vehicle movements if located too close to more sensitive uses such as housing. The Ashburton Business Estate currently under development is zoned Business E as is land either side of the State Highway and adjacent to the railway line on approach to Rakaia from Ashburton. Again, any development is to be in line with Outline Development Plans for these areas with a minimum distance for buildings to be setback from boundaries.

The Proposed District Plan includes changes to rules for the Ashburton Business Estate including but not limited to the removal of limits on heavy vehicle movements and scope for a greater range of uses within a part of the estate where only offices, commercial and service activities are allowed without resource consent at present.

- **Business F**

This zone provides for existing activities including meat processing plants and other food processing while allowing for future development of these activities without impacting on more sensitive uses. The sites include the meat processing plant at Seafield as well as land at Northpark Road and Bridge Street.

Open Space

The District Plan introduces two open space zones A and B, which replace the existing open space zone. The Open Space A zone provide for passive activities such as walking and there are strict controls on buildings to maintain the openness of these spaces. The Open Space B zone cover areas intended for recreational activities where there are a number of buildings e.g club rooms, within which buildings are permitted without resource consent but are subject to limitations.

Under the Proposed District Plan, the following parks and open spaces are zoned Open Space A and B - Ashburton Domain, Robilliard Park, Digby Park, Argyle Park and George Glassey Park and cemeteries. Under the current District Plan these parks and cemeteries are 'designated', which in practice means any works require approval from the Council as property manager but may not need resource consent. With these open spaces now being zoned, any works are subject to rules and those activities not identified as permitted require resource consent.

Domains in Methven, Rakaia, Mt Somers and other villages continue to be designated in the proposed plan, allowing activities beyond recreational uses e.g. grazing, without the need for resource consent. Approval is still required from the Council as Property manager.

Aquatic Park zone

The Aquatic Park zone covers the area of Lake Hood and existing development, as well as areas identified for expansion of the Lake and additional residential and commercial development in the future. This reflects the current District Plan, with any development to be in line with an Outline Development Plan for the area.

Upon completion, the Lake will comprise an area of 180 ha, with potential for up to 500 residential units in a high density residential area, residential area centered around canals, and a low density zone of rural-residential living.

Note, the Aquatic Park zone does not include land recently approved for residential development on the corner of Huntingdon Ave and Stranges Road.

Scheduled activities

Scheduled activities are those activities or uses established in an area, where the rules for the zone that would otherwise apply, do not permit the use or its development without resource consent. By including an activity or use as a 'Scheduled activity' there are specific rules for the site until such time that the activity ceases to operate. Examples of Scheduled Activities include the following –

- Community facilities e.g. St Joseph's School
- Private Recreation facilities e.g. Ashburton racecourse
- Hotel facilities e.g. Ashburton Hotel
- Other facilities including Winchmore Research station, Five Star Beef and the storage park at Lake Hood.

Subdivision

Key changes proposed to subdivision rules from the current District Plan include –

- Change to the status of a resource consent application for subdivision in the Residential and Rural zones such that the Council may grant or refuse resource consent. Under the current District Plan subdivision complying with standards must be granted resource consent. This has made it difficult for the Council in negotiating on matters such as the land provided for open space in new subdivisions
- The current District Plan allows for subdivision below the minimum lot sizes for a number of uses (if resource consent has been granted for the use) including recreational, community, industrial and service activities, mineral extraction and visitor accommodation. The Proposed District Plan removes the opportunity to subdivide below the minimum standards as the current rule is potentially ineffective and is not considered to be acceptable for protecting rural areas
- The current District Plan also allows subdivision below the minimum allotment size standards to separate heritage buildings/ items and areas of significant conservation value from surrounding land. This can have a negative effect on the setting of a heritage building/item or compromises the ecological values of a site and has therefore been removed from the proposed plan.
- A requirement is introduced for an indicative plan to show areas that a house could be built, sewerage treatment and disposal areas and stormwater treatment and disposal areas. This ensures that lots are not subdivided and it is then found that the lots cannot be developed without contaminating water supplies.
- Controls are proposed for earthworks in new subdivisions. There is currently no controls on earthworks which has led to negative effects on neighbouring properties e.g. increase in ground levels potentially affecting the amenity of neighbours

Transport

The Proposed District Plan does not plan for a second bridge nor the implications of a second bridge. In the future, the Council with financial responsibility for the implementation of a second bridge' will give notice to the Council as Planning Authority of a requirement for land and this will go through a process of consultation and hearings. Subject to being approved, land will be 'designated' or protected for the purpose of a bridge, giving the Council as 'Requiring Authority' decision making authority on any proposal within the area identified.

Noise

The noise limits are proposed to be increased for a number of different zones. This is because activities in these areas exceed the current noise standards and the noise is not considered to have a negative effect on the surrounding area.

Heritage Values and Protected Trees

The list of heritage buildings and items in the Proposed District Plan has been added to with heritage buildings/ items assigned to two categories, the first Group A being heritage buildings/ items of national or regional significance, and the second, Group B of significant value to the District. This better reflects the categories used by the New Zealand Historic Places Trust.

The rules give stronger protection to heritage buildings and items with the demolition of a Group A or B building being given a status subject to a tougher test than at present.

The schedule of protected trees is made more robust with criteria applied in determining those trees which are protected. The rules controlling works to and around trees is also amended to provide protection while being practical to allow maintenance trimming.

Signs

Rules are introduced to control signage in business zones. This means a business will require resource consent if it proposes advertising on more than 20% of the façade of the building or proposes more than 1 free standing sign or that sign is more than 5 m². In order to monitor signage in business areas an inventory is to be prepared to determine signs that have existing use rights.

The maximum area for temporary signs is increased from 2 m² to 3 m² to recognise that sign boards are normally more than 2 m².

Utilities, Energy and Designations

The Utilities rules in the current District Plan unless stated override other provisions in the plan. Under the Proposed District Plan the utilities rules are subject to rules for the Open Space zones, together with rules in the Transport, Noise, Heritage Values and Protected Trees, Signs and Hazardous Substances chapters.

Other key changes include

- All new lines are required to be placed underground in the Proposed District Plan. Under the current District Plan, lines may be above ground where additional poles are not required
- A requirement is introduced in the Proposed District Plan for storage ponds to be setback from roads and internal boundaries to protect adjoining properties and protect amenity values.

Relocated Buildings and Temporary activities

The Proposed District Plan is more restrictive in only allowing the relocation of a building less than 10m² without resource consent. The current plan allows the relocation of a building less than 30m². This is intended to provide for a greater control in ensuring the effects of a building being put in a new location are minimised.

If you have any questions please contact the Planning section

Email districtplanreview@adc.govt.nz

Telephone 03 3077700

In person Council offices, 5 Baring Square West, Ashburton