

How is our Plan working?

The Ashburton District Plan review was concluded with the second generation District Plan being made operative in late August 2014.

In 2016 the Council embarked on Plan Change 1 to the operative Plan. This process was concluded in 2017 and work has since commenced on Plan Change 2.

What is our strategy?

The Second Generation District Plan was undertaken by Planning Consultants Boffa Miskell commencing in 2008. The resultant document was one of the first completed second generation plans in New Zealand and has proved to be a well written and structured document. However this came at the cost of a large loan which is still being paid off. Partly as a result of this and also as part of a more general move to bring services in-house. Planning Policy functions are now generally undertaken by staff. This does however limit capacity somewhat.

The strategy at this point is for issues that arise to be dealt with by plan changes, approximately every year in a compendium. As stated above, Plan Change 1 has been completed and Plan Change 2 is at an early stage.

What have we uncovered?

As above, generally, the District Plan works well. However a number of items have come to our attention:

Tension in Residential C zone between site coverage, minimum lot size and market demand.

Particularly in 2016-7 during a boom in residential subdivisions, it emerged that there was a tension emerging between the 360sqm minimum net lot size in the District Plan Residential C (suburban) zone, the 35% site coverage within the zone and the desire for larger three bedroom houses in the market (often around 180sqm).

This resulted in a number of applications for increased site coverage over and above the District Plan limits.

While a plan change may have been one solution. Investigation resulted in confirmation that existing rules would give grounds to justify refusal in appropriate situations. Experience has shown that requiring resource consent for the non compliances, including often seeking neighbours approval and measuring compliance with other performance standards has appeared to address the issue of intensity greater than that expected in the zone.

Ease of use of indigenous vegetation rules (particularly in Rural C zones).

Problem Definition

Through the enforcement process related to clearance of vegetation in the high country it has become apparent that there is a lack of understanding regarding the vegetation removal standards in our District Plan. The rules utilise both zone boundaries and an altitudinal line to

determine different areas with different level of permissible vegetation removal. The locations of these is often hard to determine on the ground. Making the rules difficult to comply with.

Outcome

It was concluded that a method other than a Plan Change would be best to address this matter. The problem was not with the rules, but how to interpret those rule in practice. With the assistance of our GIS team we developed a new layer which shows which of the sometimes overlapping vegetation clearance rule apply in any given location. At this stage the COuncils online version

Relocatable dwellings and performance with permitted activity standards

The District Plan provides for the relocation of dwellings as a permitted activity within the District Plan subject to certain criteria. Annual monitoring of Building Consents for relocated buildings.

Temporary Holding of Animals

Problem Definition

The issue is how to assess the holding of animals (livestock) for a short period while the stock is in transit, as an activity does not meet the definition of a farming activity because the stock are not on site to be raised for the protection of commercial livestock.

We have assessed the activity as best fitting the definition of a rural service activity, however this is also unclear in the current definition.

Conclusion

Upon review it was concluded that the frequency of this sort of application did not warrant the cost involved with a Plan Change. Furthermore, rural service activities are classified as a Discretionary Activity under the Plan. Under the 'do nothing' option the Temporary holding of animals would remain undefined in the Plan and would therefore default to a Discretionary Activity under the Act. So while a Plan change may provide some clarity, it would not change the requirement for consent.

Plains Museum Boundary at Tinwald Domain

Problem Definition

Under the current District Plan the area of the Plains Historic Village scheduled item does reflect the portion of the Tinwald Domain which the Domain Board wishes to see dedicated to the Plains Museum. In June 2010 The Tinwald Domain Future Resource Document was created. This piece of work redefined the Plains Village Precinct boundary and some of the standards for development in the area. The Development Plan was completed after the consideration of the scheduled items were reviewed as part of the second generation District Plan. This Plan change was proposed to bring the two in line with each other. Some of the developments that have considered relocating to the Plains Museum site have not been able to fit within the area shown on the District Plan. The Plains Museum Trust is keen to expand their area to avoid the requirement for resource consents for developments that wish to establish outside of the existing Plains Museum boundary.

Outcome

The development Plan that was prepared in 2010 is a useful guidance document but is no longer a definitive depiction of the future development desired by the Plains Museum Trust. The Trusts desire to expand its boundaries has been a reaction to the enquiries made by various parties to establish in the area. It has been concluded that a review to the Tinwald development Plan is required to define how the area will develop into the future. This would then be used to justify a Plan Change for the Plains Trust boundary.

Fairton Township Zoning

Problem Definition

Through community engagement with rural sector leaders undertaken in the preparation for Plan Change 2 the zoning of the Fairton Township was raised as an issue. This Township is zoned Residential C, but directly adjoin Rural B land on all sides without Residential D or Rural A to buffer the residential area; smaller townships within the District normally enjoy this buffering. Of particular note was the shape of the zoning which resulted in a horseshoe of Residential C land around a Rural B zoned property. The Area is further complicated, as the rural zone land surrounding Fairton is wedged between the Railway line and Business F land.

Open Space Rezoning

Problem Definition

There are inconsistencies in the way that areas of Open Space areas are zoned throughout the District.

Outcome

After some investigation it was concluded that a comprehensive review of the land administered by ADC to determine its use (ie open spaces v utility) was required prior to considering the appropriate zoning. This part of the Plan change has been deferred at this time.

Solid Waste

Problem Definition

The solid waste manger raised the definitions of solid waste within the District Plan as a potential issue. Solid waste is defined but there is no provision for recycling depot or green waste disposal areas.

Outcome

The storage, collection and disposal of waste products is not an activity that the Community would expect to be permitted in any zone. It is a discreet activity that is best addressed through a designation. While we are in agreement that the terminology in the District Plan could be updated we do not believe that it warrants a Plan Change at this stage. The site specific activities can be addressed through a designation process.

Strobe Lights on Irrigators

Problem Definition

Strobe lights on irrigators can cause distraction to drivers and light pollution in the normally dark rural night sky.

Outcome

Under 3.10.0 of the District Plan all exterior lighting shall be directed away from adjacent properties, roads, and railways and angled below the horizontal.

Gravel Pits

Problem Definition

There are numerous small parcels of land throughout the District which have been set aside for gravel pits. The resource within these is often unknown and sometimes not of a good quality.

Outcome

Upon investigation it was determined that a quantity and quality survey should be undertaken to determine the need for the gravel pits. Once this was quantified the designation processes was deemed to be the best planning method for providing for the gravel pits as there was not an appropriate zone in the Plan to allow for their specific needs, and as a Requiring Authority the Council had the ability to designate the gravel pits.

Mobile Shops

Problem Definition

Without rules governing the siting and activities of mobile shops and hawkers in the District.

Right of Way width and Building proximity Plan Change

Problem Definition

Current plan rules do not allow consideration of doors and windows on reduced setbacks between houses and adjoining rights of way which leads to possible safety issues.

Outcome

Following discussion with the building manager Michael Wong it was concluded that the provision of this separation distance was covered by the Building Act. You can't have a fire rated building with an opening so building with openings have to be setback from the boundary.

Rural Land Fragmentation (Almagamations)

Problem Definition

Under the current District Plan allotments within the District can be amalgamated even when they are remotely located from each other. This can result in fragmentation of rural land and a disjointed development pattern. It can also result in dwellings being placed on undersized titles, with the area requirement made up on a balance lot located remotely from the dwelling. This does not support the principle that dwellings are incidental to the primary use of rural land.

Outcome

Staff have legal advice which confirms that applications for lots remotely located from each other cannot be amalgamated to the same title under the current rules in the District Plan.

Business A Zone Setback From Streets

Problem Definition

Under the current District Plan site standard 5.9.2 requires that any building in the Business A Zone must not be setback from the road boundary. This is required to maintain the traditional appearance of the District's main shopping areas (Ashburton, Methven and Rakaia town centres) and a continuous vista along its main streets. It also ensures continuous veranda coverage for pedestrians in these areas as it would trigger site standard 5.9.5.

Site Standard 5.9.2 causes issues because there are Business A zoned properties throughout the Ashburton District and many of these are outside the District's main pedestrian shopping areas. The implementation of site standard 5.9.2 can therefore result in out of context developments. Example: Requiring Burnett Street style shopping parades in Mount Somers.

Outcome

On further investigation, it appears that a wider review of the way that the Business A zone functions may be required. This would be out of scale with the intentions of this "tidy-up" plan change.

No Maximum width of vehicle crossings

Problem Definition

Under the current District Plan there is no maximum vehicle width for crossings on rural zoned land. This has led to uncertainty for the Council's asset department and farmers when they are trying to establish crossings to serve tankers. There is also nothing to differentiate crossings serving dairy sheds and farm worker accommodation.

Outcome

While there are no rule in the Plan it was concluded that the price of an accessway would mean that it was not formed to a standard greater than it needed to be. Furthermore, dairy companies require a certain level of accessway to be used to gain access onto the road, so access to Dairy shed is already regulated via a different method.