

13 November 2019

Ashburton District Council  
PO Box 94  
Ashburton 7740

C/- Mary Clay, Consultant Planner

Via Email – mary@avanzar.co.nz

Dear Mary

**Re: Private Plan Change 3 – Farmers Corner – Response to Request for Further Information**

I am writing in response to your request for further information under clause 23(1) of the First Schedule to the RMA, received 11<sup>th</sup> September 2019.

The response is set out below and for ease of reference has been ordered using the paragraphs numbers set out in the further information request.

As part of the response to various matters raised, changes have been proposed to the plan change application, including both changes to the proposed Rural Tourism Zone Chapter (Appendix 1 to the original application) and to the proposed consequential changes to other chapters within the Ashburton District Plan (Appendix 2 to the original application). The servicing report (Appendix 8 to the original application) has also been updated. The changes proposed in response to the request for further information are attached to this response, and essentially replace the previous versions of these appendices.

**Concept Plan**

1. As noted in the request for further information, the concept plan referred to in the application and by some of the technical experts does not form part of the application, albeit some elements of it are reflected in both the proposed Outline Development Plan and the proposed rule package for the Rural Tourism Zone.

The concept plan demonstrates a layout and form of development that would be permitted under the plan change. However, it does not (and was not intended to) demonstrate the maximum allowable development that would be provided for under the plan change. By way of example, the permitted site coverage proposed for Area 2 under the plan change is 10%, and the concept plan would equate to a lesser site coverage of approximately 7.3% in Area 2.

In order to assist with assessing the effects on the environment of the proposed plan change, two further concept plans have been prepared which demonstrate a more intensive form of development that 'maximises' the level of development permitted.

The first plan (contained in Attachment A to this response) is based on the original concept plan, but includes additional buildings (staff accommodation buildings) and larger visitor accommodation units, to demonstrate a site coverage of 10% in Area 2. Indicative areas of

impervious surfaces are also shown around the visitor accommodation units. Similarly, the Attachment A concept plan shows a potential building and associated hard stand areas in Area 1, which demonstrate a site coverage (buildings and impervious surfaces) of the maximum permitted coverage of 25%.

The second plan (contained in Attachment B) shows an alternate layout that would meet the proposed bulk and location requirements in the proposed Plan Change application, and shows:

- Additional buildings and impervious surfaces in Area 1 which would result in a site coverage of 25% (Rule 3A.9.6(b))
- Buildings within Area 2 which would result in building coverage of 10% (Rule 3A.9.6(c))
- Indicative impervious surfaces within Area 2 (noting that the plan change does not proposed a limit on these)
- Reducing the areas of planting around the two main sets of visitor accommodation units to demonstrate the minimum amounts required to meet Rule 3A.9.1(a) and 3A.10.2
- Buildings that are at, or closer to the minimum setback distances from road and internal boundaries (3A.9.4 and 3A.9.5(c))

For completeness, it is noted that the technical assessment submitted with the plan change are based on the plan change proposal, and their conclusions do not rely on the implementation of the original concept plan.

### **Traffic**

Nick Fuller from Novo Group has provided a response in relation to the three matters raised in the further information request relating to traffic. This is contained in Attachment C to this response. It includes:

2. An updated crash analysis.
3. Consideration of options for the inclusion of rules relating to coach parking on the site. To align with this, a change is proposed to the minimum car parking space requirements (Table 10-1) which requires a coach park to be provided where there are 40 guests beds or more. The rule provides flexibility as to how the coach park is provided, which can either be through temporary use of 5 car parking spaces, or a permanent space being provided instead of 5 car parking spaces (refer to Attachment F of this response).
4. Further justification for Rule 3A10.1, including confirmation that the upgrade requirement has been discussed with NZTA.

### **Entertainment Noise**

5. Rule 3A.8.3 Controlled activities provides for any centralised services or facilities for visitor accommodation, which meets the noise limits in Rule 11.8.1 and which are located within the identified 'Visitor Accommodation Central Hub' area as a controlled activity. Such activities located outside this area are intended to be fully discretionary activities under Rule 3A.8.5(b), as they fall within the definition of 'Visitor Accommodation' but would not meet the type of visitor accommodation activities specified in the permitted, controlled or non-complying activities. As a fully discretionary activity, an assessment matter for noise is not required. However, for the avoidance of doubt, it is proposed to add additional wording to Rule 3A.8.5(b) to make it clear that such activities, outside the identified area on the ODP, are fully discretionary.

### **Traffic Noise**

6. The request notes that there is likely to be a technical non-compliance with the applicable boundary daytime noise limits at the site entrance as the road reserve is also zoned Rural and can be considered a site boundary under the District Plan. To address the potential for this to result in any activity in the proposed Rural Tourism Zone becoming a restricted discretionary activity, it is proposed to further amend Standard 11.8.1 to add this scenario as a specific exemption to the noise limits (refer to Attachment F to this response).

### **Rules Package**

7. - 9. In response to the comments regarding the drafting of proposed clause 3A.1. Introduction, 3A.2.1 Rural Amenity Values and 3A.2.2 Tourism Activities, it is proposed to amend these sections of the proposed Rural Tourism Zone to address the concerns identified. These are set out in the revised Appendix 1 (contained in Attachments D and E to this response).

Subsequent to consideration of these comments, minor changes have also been made to other sections, including: 3A.3 Zone Description; Policy 3A.1B; the 'Explanation and Reasons' sections within 3A.4 Objectives and Policies; Reasons for Rules 3A.7.4 (revised numbering) Building Coverage, Built Form and Impervious Surfaces; Reasons for Rules 3A.7.6 (revised numbering) Product Storage; Reasons for Rules 3A.7.11 (revised numbering) Outline Development Plan; and Reasons for Rules 3A.7.14 (revised numbering) Visitor Accommodation.

10. The request notes that non-compliance with a number of rules results in a restricted discretionary activity status. Consideration has been given to whether a fully discretionary or non-complying activity status is more appropriate for some rule breaches. In response, it is proposed to amend the 'Internal Landscaping' (previously Rule 3A.9.1, now 3A.10.2), 'Setback from Neighbours' (previously Rule 3A.9.4, now 3A.10.8), and parts of the 'Building Coverage, Built Form and Impervious Surfaces' standards (previously Rule 3A.9.6, now 3A.10.7) from Site Standards to Zone Standards. The result of this is that a breach of those standards would be non-complying instead of restricted discretionary.

A consequence of this is that the assessment matters pertaining to these rules have been deleted (previously 3A.11.1, 3A.11.4) or amended (previously 3A.11.5, now 3A.11.4).

A breach of Rule 3A.9.4(b) (revised numbering) has also been amended to be expressly listed as a discretionary activity. This reflects that the rule is intended to manage both visual effects resulting from scale of built form as well as potential traffic effects, and the amended activity status better allows for consideration of all possible effects. Corresponding changes have also been made to the 'Reasons for Rules' subsection 3A.7.4 (revised numbering) to better reflect the rationale for this rule.

To align with the various changes made to activity status, the 'Reason for Rules' section has been reordered and renumbered.

As a consequence of changes made, it has also been identified that the "Setback within Zone" Site Standard (now 3A.9.3) did not have a corresponding explanation in the 'Reasons for Rules' or set of assessment criteria for rule breaches in the 'Assessment Matters' section. This

oversight has been corrected with inclusion of a sub-section relating to this rule in Sections 3A.7 and 3A.11.

All proposed changes are included in the revised version of Appendix 1 to the Plan Change application, contained in Attachments D and E to this response.

### Servicing

11. The servicing report contained in Appendix 8 to the Plan Change application has been updated to assess a more worst case scenario of the potential type and form of development. This is contained in Attachment G to this response. The conclusion remains that there are multiple wastewater treatment and disposal options that can be considered for this site. If the plan change is approved, any specific development that is subsequently proposed would require a resource consent from the regional council for any wastewater disposal, at which time the specific details of the development and proposed treatment and disposal system will be assessed in full by the regional council. However, the report demonstrates that there are no major constraints to the implementation of the type of development that would be enabled by the district plan, from a servicing point of view.

### Landscape

12. We have reviewed the recommended mitigation measures in the landscape assessment, and identified two areas where there is not complete alignment between the proposed rule package and the recommendations, as follows:
  - a) Recommendation MM4: Internal Landscaping recommends that *"...a 15m deep buffer of planting with a minimum mature height of 6m be established along all boundaries..."* While the recommended 15m buffer area is shown on the proposed Outline Development Plan, and implemented through Rule 3A.10.2(a), there is no reference to or requirement for a minimum mature height. To better align the rule with the recommendation, amendments are proposed to Rule 3A.10.2(a).
  - b) Recommendation MM4: Internal Landscaping also recommends that:  
*The level of planting required around each accommodation unit shall be no less than 100m<sup>2</sup> per unit and no less than 200m<sup>2</sup> per adjoining-units. Accommodation units shall have a building / planting ratio of 1:2.5 to mitigate the visual effects of buildings by helping them blend them into the rural environment.*  
 The recommendation is written in such a way that it reads as recommending both a planting amount per unit/double units and a further requirement to undertake planting with a building/ planting ratio of 1:2.5. However, Robert Watson has confirmed that the way the recommendation is written within the body of the report (refer to Section 3.4 Internal Landscaping, 4<sup>th</sup> paragraph on page 6) is correct, whereby the recommendation is for either a minimum of 100m<sup>2</sup> of planting per unit or a building / planting ratio of 1:2.5. As currently drafted, the first option is reflected in Rule 3A.9.1. However, it is acknowledged that this is based on an assumed unit size of 40m<sup>2</sup>, and the rule package does not limit the size of individual units to this size. It is therefore proposed to amend the rule to implement the recommendation through the planting ratio instead.
13. The proposed height limit of up to 20m for a building for farm purposes was, as noted in the request, not explicitly considered in the landscape assessment. This is because the higher limit for farm buildings reflects the existing height limit for such buildings under the current Rural B zoning and the application proposes to 'roll over' the higher limit. Robert Watson has

confirmed that the higher limit for farm buildings is still appropriate for the site, given the area within which the site is located. However, given the intended focus of different areas of the site, it is proposed to amend Rule 3A.9.1 (revised numbering) to apply only within Area 3. This results in the built form anticipated in Area 3 remaining largely unchanged from that anticipated under the current Rural B zoning, with the same site coverage limits and height limit for farm buildings, and a slightly lower permitted height limit for non-farm buildings.

#### **Earthworks**

14. We are comfortable with amending the activity status for a breach of the proposed earthworks rule (previously Rule 3A.9.7) from restricted discretionary to fully discretionary, on the basis that this allows the Council to consider any effects resulting from such earthworks. The rule package has been amended to achieve this through changes to the way the Permitted activity rule (3A.8.2(g)) has been worded and insertion of a new discretionary activity rule (3A.8.5(c)).

#### **Summary of Updates to the Plan change Application**

In response to the request for further information, changes have been made to Appendices 1, 2 and 8 to the original application (contained as Attachments D, E, F and G to this response). This includes changes to the proposed zone chapter for the Rural Tourism Zone, as well as to the proposed consequential changes to other chapters, and an updated version of the servicing report.

In Attachment D, the changes proposed to the Rural Tourism Zone chapter (Appendix 1 to the original application) and in Attachment F, the proposed consequential changes to other chapters (Appendix 2 to the original application) are set out with changes from those submitted with the original application shown by the use of **green** lettering, with deletions ~~struck-through~~ and additions underlined. This is intended to clearly highlight the differences between the original application and any amendments now proposed. The exception to this is where changes have resulted in consequential re-ordering of the sub-sections of the 'Reasons for Rules' section and re-numbering being required. In those instances, only the revised numbering is shown in **green**.

In Attachment E, a clean version of the complete Rural Tourism Zone chapter including changes made in response to the request for further information is set out.

Yours sincerely

**Incite**

A handwritten signature in blue ink, appearing to read "Liz White", with a stylized flourish extending to the right.

Liz White  
Associate

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