

# Hurunui District Plan Proposed Plan Change Extension to Residential Area

## Explanation

The purpose of the proposed Plan Change is to extend the urban boundary of the Hanmer Springs Management Area, and to include an approximately 5.0ha area of Lot 2 DP 351105 which is no longer subject to flood hazard in a Residential F Zone. The land concerned lies to the west of the existing Residential and rural Lifestyle areas.

The Proposed Plan Change seeks to:

1. Extend the Hanmer Springs Management area to the west, up to the line of the stopbank and its approved extension toward the western boundary of Lot 1 DP 351105, CT 209487.
2. Include this land in an extended Residential Management Area to be zoned Residential F (Map H).

## The Amendments Proposed by Way of the Plan Change

*Note: For the purpose of this Plan Change, any text proposed to be added by this change is shown as **bold underlined** and text to be deleted as ~~**bold single strikethrough**~~.*

Amend the Hurunui District Plan as follows:

1. **Section A3 Subdivision –**  
**A3.6 Non-Complying Activities**  
Add a new non-complying activity to section A3.6  
**(g) Any subdivision in the area zoned Residential F and shown as being in a flood hazard area on Planning Map H, until such time as flood protection work authorised by the Canterbury Regional Council in Consent No. CRC 030532 is completed to its satisfaction.**

2. Add new Rule A9.2(a) Permitted Activities in Natural Hazard Areas
  - **Building on sites within the Residential F zone in Hanmer Springs on completion of flood protection works authorized by Canterbury Regional Council CRC030532.**
  
3. **Section B4.1.2 Residential Zone**

Alter title to read as follows:

B4.1.2 Residential Zone (including terrace residential and old town areas, ~~and rural~~ lifestyle **and Residential F**).
  
4. **Section B4.5 – Non- Complying Activities**
  - (c) In the Residential F Zone on Planning Map H, any building activity within 10m of the toe of any stopbank on its landward side.**
  - (d) In the Residential F Zone on Planning Map H, any building or subdivision activity in the land zoned Residential F and shown as being in a flood hazard area on Planning Map H, until such time as flood protection work authorised by the Canterbury Regional Council in Consent No. CRC030532 is completed to its satisfaction.**
  - (e) In the Residential F Zone on Planning Map H, any building activity within 5m of the 60m long northern boundary of the zone.**
  
5. **Planning Map H – Hanmer Springs**
  - Show the land that is the subject of this Plan Change as Residential F and include this land within the Hanmer Urban Area (see attached map).
  - Show the land where Rules B4.5(c) and (d) shall apply.

## ASSESSMENT

This report assesses the proposed Plan Change in terms of the Resource Management Act 1991. It should be read in conjunction with a copy of the change and the explanation contained within that document.

### **Existing Plan Provisions**

The operative Hurunui District Plan places the land that is the subject of the plan change within the Hanmer Basin management area, wedged between the Hanmer Springs Urban Area to the east and the Chatterton River to the west. In addition, part of the land is shown as a flood hazard area. The adjoining land in the Hanmer Springs Urban area consists of Residential land to the east and north-east, the golf course to the east, and the Rural Lifestyle area to the east and south-east. This Rural lifestyle land consists of two developments, Woodbank Estates and Glenlea Estates, both of which are near complete.

The land identified as subject to flood hazard includes that of Woodbank Estates, which obtained resource consent for a stopbank in order to protect its land. The stopbank was designed by R J Hall of R J Hall Consulting Ltd. Environment Canterbury granted two consents for two stages of the stopbank: CRC 041841 for the Woodbank Estates land and CRC 030532 for the land owned by Ripponvale Developments Ltd which is the subject of this plan change. The stopbank has been partly constructed and design work is now being undertaken to complete the project in accord with the consent. This will enable the stopbank to be completed up to some cattle yards parallel with Mr and Mrs Beattie's house. The presence of the stopbank has fundamentally altered the area that would be subject to ponding or flooding. Building would not be appropriate to the west of the stopbank, and this area is not included in the extended Residential area.

The Hanmer Basin management area contains rules limiting subdivision to 5ha with parallel land use rules for dwelling house density at 1 house per 5ha. The equivalent minimum areas in the adjoining residential area are a minimum allotment area of 400m<sup>2</sup> and a minimum average allotment area of 500m<sup>2</sup>.

It is understood that there is little vacant land available for subdivision and residential development within the boundaries of the existing Hanmer Springs Residential Area.

### **Hanmer Springs Growth Management Strategy**

This document places the land covered in Area 14, reading as a logical extension to the urban form. It observes that development here would have minimal visual impact to the entry to Hanmer Springs.

### **The Proposed Plan Change**

The proposed Plan Change removes the flood hazard notation from the developable part of the subject land and includes it in the Hanmer Springs Urban area as a Residential F zone. It is proposed that the existing Plan's rules and standards for the Residential area apply to the land.

No changes are necessary to any of the Plan's existing objectives, policies or other provisions as this small adjustment to Hanmer Springs Urban area is in accord with the relevant provisions – see attached analysis of Plan objectives and policies. The Plan Change brings in new rules making buildings and subdivision within the existing flood hazard area in the subject land are a non-complying activity until the flood protection work authorized by the Canterbury Regional Council consent CRC 030532 is completed. After that time building within the existing flood protection area will be permitted apart from buildings within 10m of the stopbank which are identified as a non-complying activity.

### **SECTION 32 ANALYSIS**

Section 32 of the Resource Management Act requires the Council to prepare an evaluation of the proposed change before adopting any objective, policy, rule or other method within a proposed plan change.

The evaluation must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act;
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives;

The above evaluation must take into account:

- (i) the benefits and costs of policies, rules, or other methods; and
- (ii) the risk of not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

### **Need for the Proposed Plan Change**

This plan change does not alter any objectives or policies of the Hurunui District Plan, as no alteration is considered necessary. This S32 evaluation examines the extent to which the existing Hanmer Basin Management Area provisions are necessary to achieve the purpose of the Act as found in the relevant objectives and policies of the Hurunui District Plan. The original S32 assessment relating to the Hanmer Basin and Hanmer Springs Urban area, plus other relevant objectives such as those for Landscapes, Public Access, Environmental Health, Infrastructure and Management of Development and Natural Hazards are still relevant. These assessments can be inspected at the Hurunui District Council's Amberley office.

### **Objectives and Policies**

The key objectives and policies are included in Attachment 1. These are discussed below, with reference to the relevant policies, in terms of the Proposed Plan Change.

#### ***Infrastructure and Development***

Objective 12 seeks to provide environmentally sensitive infrastructure and patterns of development to meet both the needs of current and future generations. As the subject land is readily serviced for sewer, water supply, stormwater and other services, those parts of the objective and its accompanying policies that concern infrastructure are not relevant. On the other hand there is very little vacant land within Hanmer Springs and thus extending the

urban boundary is necessary to meet the reasonably foreseeable needs of future generations (policy 12.2). Similarly, it is more efficient for this piece of land to be developed into smaller allotments than those which could be created under the Plan's current Rural or Lifestyle rules as it will enable more allotments to be created thus adding to the supply of land available for development. Given the proximity of the existing residential area, and the topography of the land, its development into standard residential allotments will not generate adverse effects on the environment, including amenity values. The proposal is therefore in accord with Policy 12.3.

### ***Natural Hazards***

Objective 14 concerns natural hazards. As the new stopbank will deal with the potential for flooding that previously applied, the new Residential F area does not compromise policies 14.3 and 14.4 which require subdivision and new development to be controlled in areas subject to high potential risk.

### ***Urban Areas***

Objective 16 relates to the management of urban areas with policy 16.1 seeking to identify urban areas which provide for the present and future urban development needs of the District. A flood hazard will no longer relate to the subject land, its inclusion in the Hanmer Springs Urban Area is logical in terms of the policy and the high demand for land in the township. This Plan Change is in accord with both these two policies in that it provides for additional residential opportunities in Hanmer Springs. In particular, it is noted that the methods and explanation to policies 16.1 and 16.2 states that urban boundaries are not fixed permanently, and that plan change requests to change urban boundaries are possible (as is the case with this proposed plan change). The plan change process therefore is a method anticipated by the District Plan through which changes to urban limits will be managed. It is considered, however, that the proposed rules will enable more efficient initial use of the land than occurs under the Plan's standard rural-lifestyle rules.

## **Hanmer Basin**

Objective 19 provides for the protection and enhancement of Hanmer Basin's special qualities. Policies 19.1 and 19.2 seek further urban development at Hanmer Springs within a consolidated area and to manage subdivision, land development and use of Hanmer Springs to protect and enhance the township's special character and qualities. As it is considered that the Chatterton River is the natural western boundary of the town, the proposed Plan Change does not compromise the objective of consolidation. The existing rules developed in the Plan will apply to protect and enhance the special character qualities of Hanmer while the proposed subdivision and dwelling density rules will allow development that is relatively consolidated and less wasteful of the land resource than would occur if the rural lifestyle provisions applied.

## **Rules**

It is necessary to create a new Residential F Zone because the Plan Change proposes that two special rules apply to the land that is the subject of this application and these need not apply to other areas. These are:

- a 10m building setback from the toe of the stopbank; applications for a non-complying activity are necessary for building, or building works within that area;
- a 5m setback from the northern boundary of the zone parallel to the fault trace;
- a requirement that already authorised stopbank protection be completed prior to development occurring.

The above rules are necessary in order to mitigate against the potential for flood hazard which apply to parts of the land which is the subject of the plan change and to avoid any problems with movement on the fault. The rules therefore constitute sustainable management of resources as required by section 5(2) of the Act – in particular managing the resource so people can provide for their wellbeing and for their health and safety.

The attached report from R J Hall, Civil and Environmental Consulting Ltd, confirms that the extension of the approved stopbank will provide protection to the land which is the subject of the plan change (Attachment 2).



Extending the urban boundary to encompass the Ripponvale land and enabling its development in terms of the proposed Residential rules is a more effective and efficient method of achieving the Plan's objectives than the current resource management regime which applies to the land. In any case, much of the land between the existing urban boundary and the stopbank consists of land smaller than the 5 ha limit which applies in the Hanmer Basin.

The Chatterton River is a logical western boundary for Hanmer Springs. The land on the river side of the stopbank and flood hazard area will supplement the network of open space alongside the Chatterton River.

### **Risk of Uncertain or Insufficient Information**

It is acknowledged that the development facilitated by the proposed change is dependent on the removal of the flood hazard from the land. The flood risk will be avoided by the stopbank which is the subject of a resource consent from Environment Canterbury. Monitoring of the consent by that agency will ensure maintenance of the stop bank. This will ensure the continuation of the design standard of protection from a 1 in 500 year flood which is the generally accepted standard for residential protection from flood risk.

### **CONCLUSION**

It is concluded that the proposed Plan Change is the most appropriate way of achieving the objectives of the Hurunui District Plan and hence the purpose of the Resource Management Act. It is further concluded that the benefits of the proposed change outweigh the costs.

# **Attachment 1**

## **Hurunui District Plan**

### **Relevant Objectives and Policies**

#### **Objective 12**

*An environmentally sustainable infrastructure and pattern of development, meeting both the needs of today's community and the reasonably foreseeable needs of future generations.*

#### **Policies**

##### **Policy 12.1**

*To provide for essential utilities and services that meet environmental standards.*

##### **Policy 12.2**

*To promote an efficient pattern of land subdivision that protects environmental values and systems and the potential of resources to meet the reasonably foreseeable needs of future generations.*

##### **Policy 12.3**

*To recognise and provide for the different requirements for managing the subdivision of developed and undeveloped land to avoid, remedy or mitigate adverse effects on the environment.*

#### **Objective 14**

*The avoidance or mitigation of the adverse effects of natural hazards on the environment, with priority on community protection.*

##### **Policy 14.1**

*To promote an integrated management approach to avoid or mitigate any risks created by the adverse effects of natural hazards.*

##### **Policy 14.3**

*To ensure that new subdivision and development takes into account any risks from natural hazards.*

##### **Policy 14.4**

*To establish specialist standards for land use activities proposing to locate in areas of high potential risk.*

##### **Policy 14.5**

*To promote risk reduction measures where existing activities are located in areas of high existing or potential risk.*

**Policy 14.6**

*To encourage people to be prepared for the occurrence of hazardous events.*

**Objective 16**

*The sustainable management of urban areas which maintains and enhances both the character of each township and the environmental quality and attributes of neighbourhoods.*

**Policy 16.1**

*To identify urban areas which provide for the present and future urban development needs of the Hurunui District.*

**Policy 16.2**

*To encourage rural lifestyle developments which are able to be further developed and serviced for more intensive residential uses in the future and which avoid, remedy or mitigate adverse effects on the environmental quality of the area.*

**Objective 19**

*The protection and enhancement of the special qualities of the Hanmer Basin.*

**Policy 19.1**

*To provide for further urban development at Hanmer Springs within a consolidated area.*

**Policy 19.2**

*To manage subdivision, land development and use in the Hanmer Springs urban area in a manner that protects and enhances the special character and environmental qualities of the township.*

# **Attachment 2**