



Proposed Rangitikei District Plan Changes 2016

**Report prepared in accordance with Section 32 of the Resource Management
Act 1991**

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Introduction

Rangitikei District Council recently completed a full review of its District Plan, which became fully operative on 3 October 2013. Since that time staff have been working under this new Plan, and in doing so have identified a number of minor issues with some of the Plan's provisions that are impacting upon on the Plan's implementation. Accordingly, Council has embarked upon a plan change process to rectify these issues. This report sets out the issues, the options considered to address the issues, and an assessment of the costs/benefits of the options.

Plan change processes are common over the life of a District Plan. It is considered a best practice approach for addressing issues in a timely manner, and to ensure the Plan remains responsive to changes in Council priorities, community attitudes and emerging trends.

Report structure

This report is presented in three key parts:

- Legislative and regulatory requirements, including discussion of Rangitikei District Council priorities.
- The proposed plan changes presented in three separate sections – built, cultural and natural environments. Each section provides context for the issues identified in each environment, presents the issues, describes options available for addressing the issues, assesses the cost/benefit of each option, and concludes with the preferred option for moving forward with the plan change processes.
- Summary.

Legislative and regulatory requirements

As part of plan review and plan change processes, Council is required to undertake an evaluation of the appropriateness of the objectives, policies, rules and other methods in accordance with s32 of the Resource Management Act. The Resource Management Act specifies the matters for consideration by territorial authorities as part of the plan review/change process.

Further, plan changes and reviews must give effect to National Environmental Standards and National Policy Statements, and be consistent with relevant regional policy statements and regional plans (in Rangitikei District's case this includes both Horizons Regional Council and Hawkes Bay Regional Council plans), and various Council documents (e.g. bylaws, Long Term Plan etc).

The Plan review process gave effect to the above legislative and regulatory requirements. The proposed plan changes affect only a small part of the plan and are relatively narrow in their scope and as such will not impact upon the Plan's consistency with, and giving effect to, the above legislative and regulatory requirements.

Council's strategic priorities

Rangitikei District Council's Long Term Plan 2015-2025 sets out Council's priority issues for the next 10 years.

- Infrastructure service levels
- **Economic development**
- Unused facilities/rationalisation
- **Earthquake-prone buildings**
- Communication/engagement and collaboration

The priorities of significance to sustainable management of the District's natural cultural and amenity resource and values, and this plan change process, are highlighted. Unsurprisingly, the Council has a strong focus on local economic development, which is a priority common amongst most provincial councils given their common issues of declining and aging populations, a heavy reliance on primary production activities, and limited development pressure.

Council's desire to increase economic development and remove real/perceived barriers to this occurring in a sustainable way is the primary driver for many of the changes proposed through this process.

Evaluation of Proposed District Plan Changes

The following sections of this report have been arranged according to the chapters set out in the operative Rangitikei District Plan 2013 which are relevant to the proposed changes.

Built Environment

Context

Rangitikei district has two distinct types of built environment - towns (e.g. Bulls, Marton, Hunterville and Taihape) and villages (e.g. Turakina and Mangaweka). The District Plan aims to protect amenity values within these towns/villages and reduce conflicts between differing built environment land uses (e.g. residential, commercial and industrial). There is minimal development pressure in the built environment, reflecting the district's declining population and associated reduction in commercial and industrial activity.

The low level of development pressure means the District Plan has a reasonably permissive approach to management of the built environment. Such an approach is consistent with Council's priority of supporting local economic development.

Issue

A number of issues associated with the built environment have arisen over the past two years including:

- Restrictions on living in commercial buildings
- Restrictions on the establishment of retail/commercial activities in villages
- Daylight setback issues with accessory buildings
- Activity setback provisions within commercial zone e.g. front boundary setback requirements for residential and commercial activities within the retail shopping core and landscaped setbacks between commercial and residential properties.
- Restrictions on relocating buildings into the Industrial zone.

These issues are considered barriers to economic activity in the district as they are imposing costs and time delays through requirements for resource consents and placing restrictions on development.

Objectives

The operative District Plan objectives are considered still relevant and suitable for achieving the purposes of the RMA, therefore are not proposed to be amended as part of the plan change process.

Options considered

Two options were identified for resolution of the above issues:

Status Quo

Retention of the current objectives, policies and rules i.e. make no changes to the District Plan.

Enhanced Status Quo

Retention of the current objectives and policies, and make a number of minor changes to the built environment rules to address the identified issues, as follows:

Proposed changes
Residential Zone
Removal of the exemption for accessory buildings in complying with daylight setback provisions.
Removal of the requirement for all buildings (including dwellings) to be setback 20 metres from a Rural Zone boundary.

Addition of retail activities as a permitted activity in Scotts Ferry, Koitiata, Utiku, Ohingaiti, Mangaweka, Ratana, Turakina and Mataroa.
Inclusion of restricted discretionary standards for marae and community facilities
Commercial zone
Spot zoning of 'commercial' properties in Turakina, Mangaweka and Ohingaiti.
Inclusion of residential activities as permitted
Amendments to activity setback provisions
Amendment to signage provisions to increase flexibility
Industrial zone
Amendment to signage provisions to increase flexibility
Allow for relocated buildings as a permitted activity

Cost/Benefit analysis

The following table summarises the cost/benefit evaluation of the two options.

Options	Costs	Benefits
Status Quo	Does not address identified issue. Potentially impacts on economic development.	Retains an (unnecessarily) high level of control over development activities.
Enhanced Status Quo	Slightly reduces the level of control over certain development activities, but the level of development pressure is expected to be low in the short-medium term.	Addressees identified issues. Supports local economic development.

Conclusion

'Enhanced status quo' was evaluated to be the most appropriate option for addressing the identified issues. The proposed changes will support Council's of supporting local economic development, whilst protecting urban amenity.

Cultural Environment

Context

A lot of residential and commercial construction activity occurred in the District in the latter part of the 19th and first quarter of the 20th century. As a consequence, the commercial areas of many of the District's towns have retained buildings of this age and style. Further, scattered throughout the District are many grand homesteads built during this time.

Many of these buildings have heritage significance, and the collection of such buildings in towns has formed heritage precincts, notably in Marton. Council wishes to protect its heritage buildings and values, both because it is required to, but also because such buildings provide the District and its townships a unique look and feel. The District Plan reflects these shared aims.

Issue

A key issue associated with the cultural environment that has emerged over the past two years is:

- The uncertainty surrounding the heritage values of commercial buildings (particularly in Marton), how they apply to particular buildings, and the implications of these values on the development aspirations of current and future building owners.

This uncertainty is creating a barrier to investment in the heritage building stock of the District, which is at odds with Council's priority of supporting local economic development.

Objectives

The operative District Plan objective is considered largely still relevant and suitable for achieving the purposes of the RMA. A minor amendment is proposed to the existing objective to refer to the well-being of current and future communities. An additional objective is proposed to recognise and provide for the protection of heritage values at both a building and precinct scale. The proposed amendments will support Council's aims of protecting the District's unique heritage precincts and buildings, while supporting local economic development.

Options considered

Two options were identified for resolution of the above issues:

Status Quo

Retention of the current objectives, addition of a new objective, policies and rules i.e. make no changes to the District Plan.

Enhanced Status Quo

Retention of the current objective with minor amendment, addition of a further objective, and make a number of amendments to the policies and rules relating to heritage buildings to address the identified issue, as follows:

Proposed policy and rule changes
Addition of a schedule of heritage values for Marton CBD heritage buildings.
Inclusion of offsetting provisions to provide flexibility of development where effects cannot be avoided, remedied or mitigated.
Requirement to consider the overall precinct values when redeveloping buildings in Marton.

These amendments increase certainty about the heritage values of specified commercial buildings in Marton for the purposes of identifying the elements that need to be protected or be offset should developers seek to modify or demolish one of the scheduled buildings.

Cost/Benefit analysis

The following table summarises the cost/benefit evaluation of the two options.

Options	Costs	Benefits
Status Quo	Does not address identified issues. Potentially impacts on economic development.	Each development proposal involving a heritage building is negotiated on a case by case basis, allowing the heritage values that exist at the time to be quantified and managed accordingly.
Enhanced Status Quo	Allows someone to buy their way out of protecting a heritage building or its values, by opting for an offset approach. However, the risk of this is considered low given the low development pressure and the high cost of offsetting.	Addressees identified issue. Clearly identifies the heritage value features of listed buildings. Supports the retention of heritage buildings and values, while supporting local economic development. Offsetting offers flexibility to developers, while maintaining overall heritage values and consideration of matters in a transparent framework.

Conclusion

'Enhanced status quo' was evaluated to be the most appropriate option for addressing the identified issue. The proposed changes will support Council's aims of protecting the District's unique heritage precincts and buildings, while supporting local economic development.

Natural Environment

Context

The District and its economy are dominated by primary production activities. In recognition of this fact, the District Plan seeks to protect and support current and future primary production activities from incompatible development. Accordingly, the Plan is reasonably permissive with respect to primary production and supporting activities. At present, there is a low level of pressure from non-primary production activities.

The Natural Environment section of the District Plan covers the Rural and Rural Living zones and Natural Hazards, amongst other matters.

Rural and Rural Living Zone

Issue

Two issues associated with the Rural and Rural Living zones have arisen over the past two years:

- Building setbacks
- Signage on State Highways

Objectives

The operative District Plan objectives are considered still relevant and suitable for achieving the purposes of the RMA, therefore are not proposed to be amended as part of the plan change process.

Options Considered

Two options were identified for resolution of the above issues:

Status Quo

Retention of the current objectives, policies and rules i.e. make no changes to the District Plan.

Enhanced Status Quo

Retention of the current objectives, and make a number of minor amendments to the policies and rules relating to the Rural and Rural Living zones to address the issues identified above, as follows.

Proposed change
Reduction in the building setback from side and rear boundaries from 20 metres to 5 metres. Note: Dwelling setback remains at 20 metres.
Provide signage for local businesses as a controlled activity.
Signage for non-local businesses as a discretionary activity.

Cost/Benefit analysis

The following table summarises the cost/benefit evaluation of the two options.

Options	Costs	Benefits
Status Quo	Does not address identified issues. Potentially impacts on economic development.	Retains an (unnecessarily) high level of control over development activities.
Enhanced Status Quo	Slightly reduces the level of control over certain development activities. However, the level of development pressure is expected to be low in the short-medium term.	Addressees identified issues. Supports local economic development and primary production activities.

Conclusion

'Enhanced status quo' was evaluated to be the most appropriate option for addressing the identified issues. The proposed changes will support Council's aims of supporting local economic development, whilst protecting primary production activities and rural amenity values.

Natural Hazards

Context

The District is subject to a number of hazards including flooding, tsunami, earthquakes, and land instability. These hazards vary widely in their extent, probability and severity across the District. The District Plan contains a number of provisions to protect people and property from these hazards, as directed by the One Plan.

Issue

A number of issues associated with the natural hazard provisions have arisen over the past two years including:

- The accuracy of the underlying hazard information and its suitability when applying District Plan rules at the property-scale.
- The Taihape West Slip Zone provisions are inappropriately preventing all new development.

Objective

The operative District Plan objectives are considered still relevant and suitable for achieving the purposes of the RMA, therefore are not proposed to be amended as part of the plan change process.

Options

Two options were identified for resolution of the above issues:

Status Quo

Retention of the current objectives, policies and rules i.e. make no changes to the District Plan.

Enhanced Status Quo

Retention of the current objectives and amend the policies and rules relating hazards generally, and the West Taihape Slip zone specifically, to address the issues identified above, as follows:

Proposed change
<u>Flooding</u> Minimum floor height applies to habitable buildings only. Addition of buildings and structures to the rule requiring flood flow paths not be changed to the extent that they will exacerbate flooding on the site or any adjacent site. Refined flood mapping for Bulls alongside the Rangitikei River and in Hunterville township.

Remove stormwater flooding overlay from the flood maps

Taihape West Slip Zone

Amendment to the permitted activity standard to increase clarity on what is permitted e.g. additions to buildings not exceeding 40 square metres.

Addition of a non-complying activity status for the construction or relocation of dwellings.

Refine the provisions related to extensions.

Addition of a policy to support the strategy intent for the Taihape West Slip zone.

Liquefaction, ground shaking, landslide, active fault

Remove existing maps and associated provisions.

Include advisory note that there may be natural hazards affecting properties that are not identified in the District Plan.

Cost/Benefit analysis

The following table summarises the cost/benefit evaluation of the two options.

Options	Costs	Benefits
Status Quo	Does not address identified issues. Potentially impacts on economic development.	Retains an (unnecessarily) high level of control over development.
Enhanced Status Quo	Slightly reduces the level of control over certain development activities and potentially the protection of people and property - but the level of development pressure is expected to be low in the short-medium term.	Addressees identified issues. Supports local economic development, while still protecting people and property from hazards

Conclusion

'Enhanced status quo' was evaluated to be the most appropriate option for addressing the identified issues. The proposed changes will support Council's aims of supporting local economic development, whilst protecting people and property from hazards.

Summary

Council's stated priority is to support local economic development and primary production in particular. The operative District Plan largely supports this priority. However, in the time the District Plan has been operative, a number of issues have been identified with respect to specific policies and rules that are impacting upon the successful implementation of the Plan and are considered to be barriers to economic development. Accordingly, the District Council has embarked upon a Plan Change process to address the identified issues.

This report sets out the issues, and the process Council followed to evaluate the options for addressing the issues, and the option settled upon.

Council considers the proposed changes to the District Plan strike a good balance between the Council's priority for increased economic activity whilst protecting the amenity, cultural and natural values that make the District such a great place to live, work and play.