

OVERVIEW

The Small Settlement Zone includes all those settlements in the District other than Akaroa, Cass Bay, Corsair Bay, Duvauchelle, Diamond Harbour and Lyttelton, all of which included in the Residential Zone. The small settlements are different in scale and character from those areas within the Residential Zone and, therefore, a different emphasis in planning controls is required. The small settlement areas are predominantly devoted to residential activities. However, in the past many of these areas were characterised by farming, market gardening and orcharding. The number of dwellings which are used as holiday homes only is a distinctive feature of the Zone.

In the outer bays, recent residential development has predominantly been for holiday accommodation. These settlements are isolated by topography and access to them is often limited. However, they are all served by formed roads of varying standards.

The resource management issues for the Small Settlement Zone relate to the impact of residential and other development on the surrounding environment and the ability to service future development. The majority of the small settlements are in coastal environments, both in the outer bays and the inner harbour areas, where there are a number of natural landscape features worthy of protection. With the exception of Governors and Tikao Bays, there is lack of general urban infrastructure in the small settlement areas. However, properties at Governors Bay, although serviced by sewerage and high pressure water reticulations, are more akin in size and intensity of development to those in other small settlements.

When providing for future development, it will be necessary to protect the valued environmental and amenity standards of the settlement areas and their surrounds. Thus the future development of the small settlements will be influenced by the services available, and improvements on sewage disposal systems, both reticulated or on site. Other factors influencing their development are the potential impact on natural landscapes and the existing amenity and character of the areas. Areas of significant landscape value and significant coastal landscapes have been identified during the preparation of the District Plan. These areas are shown as Interim Outstanding Natural Features and Landscapes Protection Areas and shown as Interim Outstanding Coastal Protection Areas on the Planning Maps. Expansion of settlement areas of the District should ensure that the character of these areas is maintained.

ISSUE 1	Expansion of the small settlement areas can adversely affect Interim Outstanding Natural Features and Landscapes Protection Areas and Interim Coastal Protection areas identified within the District.
OBJECTIVE 1	To protect Interim Outstanding Natural Features and Landscapes Protection Areas and Interim Coastal Protection Areas at the fringe of existing settlements from the adverse effects of residential expansion.

POLICY

- 1A** Any new residential development at the edge of the settlement areas should not be established in Interim Outstanding Natural Features and Landscape Protection Areas or Interim Coastal Protection Areas.

EXPLANATION AND REASONS

Banks Peninsula possesses distinctive landscapes and coastal environments. These contribute greatly to the amenity of the Peninsula. In some locations, outward growth of small settlement areas has the potential to adversely affect these landscapes and the coastal environment.

The objective and policy are intended to ensure that areas identified which contain distinctive landscapes and coastal environments are not adversely affected by residential expansion.

ISSUE 2	Activities on steep slopes can have adverse effects on water bodies and on soil and slope stability.
OBJECTIVE 2	To avoid, remedy or mitigate adverse effects on water quality and soil and slope instability.

POLICIES

- 2A** Activities requiring earthworks, such as site preparation for construction of new residential buildings and associated access, should not be undertaken in locations which are identified as being prone to soil and slope instability without an appropriate engineering/geotechnical investigation.
- 2B** Earthworks and stormwater disposal shall be managed so as to avoid the creation or exacerbation of soil or slope stability problems and to avoid the siltation of water bodies.

EXPLANATION AND REASONS

Residential expansion and associated activities may have physical impacts on the natural environment such as pollution of water bodies resulting from the on-site disposal of sewage and soil and slope instability as a result of earthworks and increased stormwater run-off. Many of the settlements are located in the coastal environment which is particularly sensitive to such effects of residential development.

Steeper land both within and at the fringe of the settlements is prone to soil and slope instability which can result in land slips, scarring and siltation of water bodies. In these areas it is intended that earthworks should be controlled in order to avoid, remedy or mitigate any adverse effects on stability and water bodies. Activities requiring earthworks should not be undertaken where slopes are prone to stability problems.

ISSUE 3	The unavailability of effective sewage and stormwater disposal systems may constrain future expansion.
OBJECTIVE 3	To ensure that additional residential buildings and activity occurs only where adequate provision can be made for stormwater disposal and sewage treatment and disposal.

POLICIES

3A All sites within the unserviced settlements must be able to accommodate the effects of on-site sewage.

3B That the 'plume of influence' be retained on the property.

NOTE: Plume of influence is a technical term describing an area affected by seepage from a septic tank.

EXPLANATION AND REASONS

The settlements are generally not served by reticulated sewage systems and have to employ on-site treatment and disposal systems. This is a limiting factor on the density and quantity of development that can take place.

Where the environment is not capable of accommodating the sewage generated by additional buildings and activity, the environment and health and safety of people may suffer. All effluent from sites within unserviced settlements must be disposed of so that any adverse effects on the environment are avoided, remedied or mitigated.

ISSUE 4	The scale, intensity and location of buildings and other residential activities can have an adverse effect on the character and amenity values of the settlements.
OBJECTIVE 4	To ensure that buildings are of a size, intensity and character which maintains residential amenity values, and, for hillside locations, which enables views to be protected as far as is practicable.

POLICIES

- 4A** In order to preserve the character and amenity values of the settlements, buildings should be of a scale-which complements surrounding buildings.
- 4B** The height, bulk and location of buildings should not visually dominate surrounding views or properties or prevent adjacent properties having access to daylight and sunlight.
- 4C** Buildings in hillside locations should particularly recognise and maintain the existing scale of development and be sited to avoid visual domination of the hillside landscape and, where practicable, to protect views from other properties.
- 4D** That development within the Takamatua Comprehensive Development Area and the Robinsons Bay Comprehensive Development Area shall be subject to particular controls to ensure that the amenity of the Takamatua Bay, and Robinsons Bay and existing small settlement area is maintained and enhanced.

EXPLANATION AND REASONS

The small settlement areas are distinct from the other residential areas of the District in that they have lower density of development and few non-residential activities have been established. This distinctive character could be compromised if appropriate performance standards are not in place.

The objective and polices are intended to ensure that buildings and activities in the settlement areas are compatible with and do not detract from the character and amenity values which are currently enjoyed in these areas.

The views enjoyed by many residents are one of the amenity values of this Zone. The objective and policies recognise this amenity value, but also recognise that views cannot be completely protected because of the need to consider competing wants and needs, such as being able to have more living space, and the need for housing. Many factors contribute to whether views can reasonably be protected, in particular, the gradient of the land plays a large part in

determining whether any degree of view sharing can occur. On a flat site where one dwelling is built in front of another, the zero gradient means that views cannot be protected at all. Property owners can only reasonably expect views to be protected to some extent when certain circumstances are favourable, for example, by virtue of a steep gradient or a low dwelling density.

The Takamatua and Robinsons Bay Comprehensive Development Sites are to be developed in such a manner so as to create an attractive living environment for future residents and to maintain and enhance the environment for future residents and to maintain and enhance the environment in relation to existing residents of Takamatua Bay and Robinsons Bay respectively.

ISSUE 5	The greater intensity and scale of some non-residential activities can have an adverse effect on amenity values in the small settlement areas.
OBJECTIVE 5	To ensure that non-residential activities are compatible with the amenity of small settlement areas and the health and safety of residents.

POLICIES

- 5A** Any adverse effects of non-residential activities should be controlled in order to protect those general amenity values of the areas which result from the majority of properties being used for residential purposes.
- 5B** Buildings intended for non-residential purposes should be of a scale, size, height, density and intensity, which complements residential buildings in the locality.
- 5C** Non-residential activities should make adequate provision for parking and vehicle manoeuvring without causing congestion or detracting from the amenity of the surrounding area.
- 5D** On site parking for non-residential activities should not produce adverse aural and visual effects on adjacent properties.
- 5E** The Council may require a financial contribution where traffic generated by activities has an adverse effect on the capacity of the existing roading network.

EXPLANATION AND REASONS

An important amenity value of the Zone arises from the expectation of residents that the majority of surrounding properties will be used mainly for residential purposes. Specifically, the small settlements enjoy a level of amenity, which is

based on the low intensity, and scale of buildings and a general absence of non-residential activity. This low intensity of activity and size of buildings and activities creates a particular environment and high level of amenity in terms of visual character and appearance, background noise, and traffic.

Non-residential activities, such as heli-landing areas, can have an adverse effect on the character and amenity values of the settlements. The objective and policies intend to ensure that there is limited ability to establish non-residential activities and that where those activities are established they are consistent with the existing character and amenity values of the settlement within which they are located.

METHODS TO ACHIEVE OBJECTIVES AND POLICIES

- Identifying areas of distinctive landscape and rural character at the fringe of the small settlement areas and imposing rules which restrict buildings and activities in these areas.
- Identifying areas prone to soil and slope instability and imposing rules which restrict buildings and activities in these areas.
- Plan rules relating to the density, intensity, size, bulk and location of buildings.
- Controls over non-residential activities which have the potential to result in adverse effects on residential amenity values.

RULES

1. Permitted Activities

The following are permitted activities where they meet the conditions set out in Rule 3 (below):

- a) The erection of dwellings.
- b) Home Enterprises.
- c) Creation and maintenance of reserves.

2. Controlled Activities

2.1 Relocated Buildings

For relocated building activity compliance with the following standards and terms is required for the activity to be a controlled activity

- Compliance with all other relevant rules in this Plan.

Resource Consent Conditions

In considering an application for a controlled activity for a relocated building the Council may impose conditions in relation to the following matters:

- The likely appearance of the building upon restoration or alteration, and its compatibility with buildings on adjoining properties and in the vicinity.
- The exterior materials used, and their condition and quality.
- The period required for restoration work to be undertaken.
- Any requirements to impose a bond or other condition to ensure completion of restoration work to an acceptable standard.

- 2.2 The erection of buildings on sites within the Takamatua Comprehensive Development Area or the Robinsons Bay Comprehensive Development Area is a controlled activity.

Matters Over Which Control May be Exercised

In considering any application for a controlled activity for the creation of buildings within the Takamatua Comprehensive Development Area or the Robinsons Bay Comprehensive Development Area, the Council may exercise control over the form, design, sitting and appearance of buildings in relation to impacts on areas of indigenous vegetation, ridgelines and other features in the natural landscape, and existing development. Development shall generally take place in accordance with the design, site controls and comprehensive Development Plans for the respective areas, as set out in Appendix XVII for the Takamatua Comprehensive Development Area and the Robinsons Bay Comprehensive Development Area.

3. Conditions for Permitted and Controlled Activities

3.1 Dwelling Density

No more than one dwelling on any site 1000m² or less in area.

or

One dwelling per 1000m² on sites greater than 1000m² in area.

For that part of the Small Settlement Zone identified as SS Takamatua CDA on Planning Map S13

No more than one dwelling on any site

3.2 Height

Maximum height of buildings and structures – 7.0 metres.

Maximum height of accessory buildings and structures – 4.5 metres.

3.3 Building Height in Relation to Boundary

No part of any building shall project beyond a building envelope contained by a 45 degree recession plane from any point 2.0m above any adjoining site boundary.

3.4 Yards – Minimum

No building or part of a building shall be erected within the following yards:

- Front – 4.5 metres. Where a garage contains a vehicle entrance which generally faces the road, the garage shall be setback 6 metres.
- Side – 3.0 metres. (Except that accessory buildings may be located within any of the side setbacks provided that no wall within the required setback facing the boundary is longer than 6 metres).
- Rear – 3.0 metres.
- All buildings shall be at least 25 metres from the Mean High Water Spring Tide Mark.

3.5 Site Coverage

Maximum – 25% of net site area, or 250m² whichever is the lesser.

3.6 Earthworks

Earthworks, which extend outside the eaves of buildings, shall not exceed the following dimensions:

- 50m³ (volume)
- and
- shall not have a face height greater than 1.5m.

3.7 Outdoor Amenity Space

An outdoor space of not less than 35m² in area with a minimum dimension of 5 metres shall be provided for each residential unit on a site.

3.8 Light

Maximum lux spill from any artificial sources of light shall not exceed 10-lux spill (horizontal and vertical) at or within any adjoining property.

3.9 Relocated Buildings

Any relocated building must be clad, roofed and, if it is to be used as a dwelling, made habitable within six months of the issuing of a building consent.

4. Restricted Discretionary Activities

An application must be made for a restricted discretionary activity for any activity included in the lists of permitted or controlled activities which does not comply with one or more of the conditions for permitted activities and standards for controlled activities.

4.1 Resource Consent Conditions

In granting a resource consent the Council shall restrict the exercise of its discretion to those conditions for permitted activities and standards for controlled activities with which the proposal fails to comply.

5. Discretionary Activities

The following are discretionary activities where they meet the standards set out in Rule 6 (below):

- a) Places of assembly.
- b) Visitor facilities.
- c) Health care services.
- d) Retailing.
- e) Emergency Service Facilities.

6. Standards for Listed Discretionary Activities

Refer to list of standards below:

- a) Places of assembly – 6.1, 6.2, 6.3, 6.5
- b) Visitor facilities – 6.1, 6.2, 6.5
- c) Health Care Services – 6.3, 6.4(a), 6.5,
- d) Retailing – 6.2, 6.3, 6.4(b), 6.5,
- e) Emergency Service Facilities – 6.2

6.1 Intensity Ratio

Minimum 50m² of site area per person the activity is designed to accommodate.

6.2 Screening of Outdoor Areas

All outdoor areas associated with the activity shall be screened with a 1.8 metre high fence or solid planting which ensures privacy for adjoining sites.

6.3 Hours of Operation

0700 to 2200 hours.

6.4 Floor Area

- Maximum floor area used for Health Care Services activities on any site shall not exceed 100m².
- Maximum floor area used for Retailing activities on any site shall not exceed 50m².

6.5 Use of Heavy Motor Vehicles

No use of heavy motor vehicles (as defined by the Traffic Regulations 1976, or any subsequent amendments) shall be associated with the activity.

7. Non-Complying Activities

7.1 Where properties adjoin the foreshore road between Governors Bay Jetty and Church Lane and also join another legal road, any vehicle access from the foreshore road is a non-complying activity.

7.2 Heli-landing areas, (Updated November 2010)

except that this rule shall not apply to heli-landing areas on sites greater than 3000m² where all of the following conditions are met:

- (g) The number of flights do not exceed 12 (24 movements) in any calendar year;
- (h) The flights (movements) do not take place on more than five days in any one month period;
- (i) The flights (movements) do not exceed three in any one week;
- (j) Any movements shall only occur between 8.00am and 6.00pm;
- (k) No movements shall take place within 25m of any dwelling unless that dwelling is owned or occupied by the applicant;
- (l) A log detailing the time and date of each helicopter movement shall be maintained and made available for inspection by the Christchurch City Council if requested.

7.3 Activities listed in Rule 5 which do not comply with the relevant standards in Rule 6 are non-complying activities.

7.4 Any activity not otherwise specified as a permitted, controlled, restricted discretionary, or discretionary activity is a non-complying activity.

ASSESSMENT OF APPLICATIONS

8. Restricted Discretionary Activities

Assessment of applications for restricted discretionary activities will be limited to those conditions for permitted activities with which the proposal fails to comply.

Applications for restricted discretionary activities will be assessed against the following:

- The relevant objectives and policies of the Small Settlement Zone.

- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).
- The extent to which any breach of the building height, dwelling density, site coverage, or setback standards would have an adverse effect on views from properties in the vicinity.

9. Discretionary Activities

Applications for discretionary activities will be assessed against the following:

- The relevant objectives and policies of the Small Settlement Zone.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).

In addition, the conditions for permitted activities will be used as a guide.

- The extent to which any breach of the building height, dwelling density, site coverage, or setback standards would have an adverse effect on views from properties in the vicinity.

ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results are anticipated from the implementation of the objectives and policies relating to the Small Settlement Zone:

- Protection of distinctive landscapes and the rural character of the areas.
- Buildings (both residential and non residential) of compatible scale, intensity and location.
- Effective management of adverse effects such as earthworks, stormwater and effluent disposal.
- New buildings and extensions to buildings are of a form, size and location which allows private views to be maintained as much as possible.

REFERENCE TO OTHER PROVISIONS

- 14 Cultural Heritage
- 15 Trees
- 16 Conservation Reserve
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