

Appendix A – Specific Relief Sought

Provision (PDP decision version)	Reason for appeal	Relief sought
Chapter 3 Strategic Direction		
3.2.1.7 Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled. (also elaborates on Strategic Objective (S.O) 3.2.4 and 3.2.5 following)	The Objective fails to recognise and provide for rural living activities in the rural zone	Amend objective 3.2.1.7 as follows: Agricultural and rural living land uses that maintain consistent with the maintenance of the districts outstanding natural landscape character of rural landscapes and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)
3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)	The Objective fails to recognise and provide for appropriate rural living opportunities in the rural zone. Given the amount of “protectionist” provisions in the plan there is no need to qualify the first part of this objective.	Amend Objective 3.2.1.8 as follows: 3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)
Strategic objective 3.2.5.2 The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.	The objective should be amended to ensure appropriate development in rural landscapes in enabled	Amend strategic objective 3.2.5.2 as follows: 3.2.5.2 The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by managing directing new subdivision, use or development or directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.
Strategic policy 3.3.32 Only allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any	The policy will inhibit appropriate development	3.3.32 Allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are

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change so that landscape character and visual amenity values are not materially degraded. (relevant to S.O. 3.2.19 and 3.2.5.2)		not materially degraded. (relevant to S.O. 3.2.19 and 3.2.5.2)
New Strategic Objectives and Polices	Without providing specific wording it is considered appropriate for the strategic provisions to be amended, or new provisions introduced, to ensure that rural living opportunities are provided for outside Outstanding Natural Landscapes and Features (ONLFs).	<p>Amend the objectives and policies in Chapter 3 or introduce new objectives and policies which:</p> <ul style="list-style-type: none"> i. Enables appropriate, non-urban, residential activity in rural areas. ii. Encourages subdivision, use or development to occur in those areas which have potential to absorb change. iii. Clarify that subdivision, use and development of the rural environment outside ONLFs should occur in a way that maintains or enhances amenity values and landscape quality – not “protect” significant amenity values. iv. Recognise that the Rural Landscape is a resource with significant economic and social value. v. Recognise that different parts of the Rural Landscape have different characteristics, different amenity values and variable ability to absorb further development. vi. Enable subdivision and development which avoids, remedies or mitigates adverse effects on the visual amenity values of the surrounding Rural Landscape. vii. Mitigate adverse effects from subdivision and

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		<p>development that are: Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and visible from public formed roads.</p> <p>viii. Encourage any landscaping to be sustainable and consistent with the established character of the area; and provide for planting and screening to reduce visual effects of domestication, but avoid plantings that would obstruct significant views or significantly adversely affect visual amenity values.</p>
Chapter 6 Landscapes and Rural Character		
Whole Chapter 6	<p>As set out in the submission the RMA correctly anticipates that a legitimate outcome of a Plan Review is to find that there is no need to amend existing provisions (Section 79(3)). The landscape objectives and policies were heavily scrutinised by submitters, Council and the Court over several years before the Operative Plan was settled. They set out clear principles for managing development which are appropriate to the local context and the weighting of matters set out in Part 2 of the RMA. They have been applied for many years with practitioners being familiar with how they should be applied. This aids consistent interpretation and raises the risk of inefficiencies if they are changed. M & C Burgess agree with the following statement from page 10 of the s32 assessment on the Strategic Directions Chapter (to the extent that it applies to Section</p>	<p>Delete all policies in proposed Section 6 and consider replacing with those that already exist in Section 4.2 of the Operative District Plan (while making minor wording amendments such as replacing “visual amenity landscapes” with “rural landscape category”).</p>

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	<p>4.2 of the Operative Plan):</p> <p><i>"Fundamentally, however the landscape provisions in the ODP are considered to function well."</i></p> <p>By comparison the proposed landscape chapter objectives suffer from the following issues: Long winded and excessive numbers of policies; Ambiguous wording and direction (environmental bottom lines are not transparent); Repetition of matters covered in objectives and policies in other chapters; Wording that inappropriately restricts development; Excessively elevating landscape matters in areas where they are but one of many valid considerations.</p> <p>Overall, it would be significantly more efficient and effective in achieving the purpose of the Act to continue to apply Section 4.2 of the Operative District Plan to Section 6 of the PDP with no more than minor and inconsequential amendments.</p>	
Chapter 27 Subdivision and Development		
Rule 27.5.8	<p>It is not necessary or efficient for subdivision to be a restricted discretionary activity. The controlled activity status is sufficient where allotment design and building bulk and location standards are prescribed by district plan rules and standards.</p>	<p>Change the activity status from Restricted Discretionary Activity to Controlled Activity.</p>