

Appendix 4

Section 32AA Assessment

Note: The relevant provisions from the revised chapter are set out below, showing additions to the notified text in underlining and deletions in ~~strike through~~ text (ie as per the revised chapter). The section 32AA assessment then follows in a separate table underneath each of the provisions.

Recommended Amendments to Objective 22.2.1
22.2.1 Objective - Maintain and enhance <u>The district's landscape quality, character and visual amenity values are maintained and enhanced</u> while enabling rural living opportunities in areas that can <u>absorb development</u> avoid detracting from those landscapes .

Appropriateness (s32(1)(a))
<p>The proposed changes seek to ensure the objective reads as an objective rather than a policy. It now better articulates the outcome that is sought to be achieved, specifically that landscape quality, character and amenity values are maintained and enhanced.</p> <p>Rural living is enabled in areas that can 'absorb development'. This is considered to be more appropriate than enabling rural living in areas that can avoid detracting from those landscapes, as it was unclear what 'those landscapes' referred to. The original objective was somewhat cumbersome and unwieldy.</p> <p>The application of the policies could ascertain whether the area in question is able to absorb development.</p>

Recommended New Policy 22.2.1.1
22.2.1.1 Ensure the visual prominence of buildings is avoided, <u>remedied or mitigated</u> particularly development and associated earthworks on prominent slopes, ridges and skylines.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Could be perceived as weakening protection for development on prominent slopes, ridges and skylines by adopting a more flexible approach. 	<ul style="list-style-type: none"> • Enables remediation and mitigation of the environmental effects of visually prominent buildings rather than the blanket 'avoid'. • More flexible approach recognises effects can be remedied and mitigated successfully, and do not need to be avoided in all cases. 	<ul style="list-style-type: none"> • The revised policy is effective and efficient because it recognises effects can be remedied and mitigated successfully, and do not need to be avoided in all cases. • Having just 'avoided' would not be efficient because it could preclude large areas from development where effects can be successfully

		remedied and mitigated.
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Recommended Amendments to Policy 22.2.1.2
22.2.1.2 Set minimum density and building coverage standards <u>in order to maintain</u> so the open space, natural and rural qualities of the District's distinctive rural living character, amenity and landscapes <u>values are not reduced</u> .

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No significant costs identified. 	<ul style="list-style-type: none"> • The term 'maintain' is better than 'are not reduced' and is more consistent with RMA terminology. • The revision removes reference to the natural and rural qualities of the District's distinctive landscapes, instead focusing on rural living character, amenity and landscape values, providing greater clarity and focus to the policy. 	<ul style="list-style-type: none"> • The policy is more efficient and effective because it is more focused on the rural living character, landscape and amenity values. • The policy is better aligned with s7(c) of the RMA for rural living zones.

Recommended Amendments to Policy 22.2.1.8
22.2.1.8 <u>Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No specific costs. As the s.42A report notes, there is a longstanding practice in the district of imposing consent conditions requiring a fire fighting water supply be provided. This new policy reflects that practice. • The new policy provides a 	<ul style="list-style-type: none"> • The new policy better addresses rural living opportunities that are now provided for as a permitted activity. • Reflects longstanding practice to impose conditions in relation to firefighting water supply and fire service vehicle 	<ul style="list-style-type: none"> • The new policy is effective because it better addresses rural living opportunities than having a policy in the Strategic Direction chapter. • The policy is efficient in that it supports current practice which is widely accepted.

direct link for the corresponding proposed new rule for firefighting water supply in the Rural Residential Zone.	access.	
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Recommended Amendments to Objective 22.2.2
22.2.22 Objective - Ensure <u>Within the Rural Residential and Rural Lifestyle Zones</u> predominant land uses are rural, residential and <u>where appropriate</u> , visitor and community activities.

Appropriateness (s32(1)(a))
<p>The proposed changes seek to ensure the objective reads as an objective rather than a policy. It now better articulates the outcome that is sought to be achieved, specifically that predominant uses are rural, residential and occasionally visitor and community activities.</p> <p>The objective provides a clearer statement of the outcome sought (ie the predominant land use activities), and establishes a basis for provisions to directly address the use, development and protection of natural and physical resources in the context of the Rural Residential and Rural Lifestyle zones</p>

Recommended Amendments to Policy 22.2.2.3
22.2.2.3 Discourage commercial and non-residential activities, including restaurants, visitor accommodation and industrial activities, so that <u>would diminish the amenity, rural living quality and character of the Rural Residential and Rural Lifestyle zones are not diminished and the vitality of the District's commercial zones is not undermined.</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> Removes reference to discouraging commercial and non-residential activities that would undermine the vitality of the Districts commercial zones. Could be perceived as a weakening of policy support for the vitality of the Districts commercial zones. 	<ul style="list-style-type: none"> Improved clarity, the previous policy tried to achieve two matters in one policy. The changes recognise that some commercial and non-residential activities could be possible in areas that are not already diminished. Undermining of the vitality of 	<ul style="list-style-type: none"> The policy is more efficient because it provides opportunities to have commercial and non-residential activities in certain circumstances.

	the Districts commercial zones is covered in the Strategic Direction chapter.	
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Recommended Amendments to Policy 22.2.2.4
22.2.2.4 Encourage <u>intensive</u> visitor accommodation only within the specified visitor accommodation subzone areas and control the scale and intensity of these activities.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Potential for non-intensive visitor accommodation to occur outside of the specified VA subzones, whereas previously the policy sought to encourage VA only within the VA subzones. Could be perceived as a weakening of protection from VA activities. 	<ul style="list-style-type: none"> • Clarifies the type of visitor accommodation anticipated in the VA sub zones. • Recognises less intensive VA could occur outside of the VA subzones. • Removes strong direction to discourage VA outside of the VA subzones. 	<ul style="list-style-type: none"> • The policy can be applied in a broader context and is more effective and efficient. • Is effective and efficient in recognising that less intense VA could occur outside of the VA subzones without significant adverse environmental effects.

Recommended Amendments to Objective 22.2.5
Objective - Manage situations where <u>Sensitive activities conflicting</u> with existing and anticipated rural activities <u>are managed</u> .

Appropriateness (s32(1)(a))
<p>The proposed changes seek to ensure the objective reads as an objective rather than a policy. It now better articulates the outcome that is sought to be achieved, specifically that conflict between sensitive activities and rural activities are managed.</p> <p>The objective provides a clearer statement of the outcome sought, and establishes a basis for provisions to directly address the use, development and protection of natural and physical resources in the context of the Rural Residential and Rural Lifestyle zones</p>

Recommended Amendments to Rule 22.4.3.3
22.4.3.3 The identification of a building platform for the purposes of a residential unit <u>except where</u>

identified by Rule 27.5.1.1.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • Provides clarification in response to submissions rejecting this rule. Links the rule to the relevant provision in the subdivision chapter. 	<ul style="list-style-type: none"> • Will aid the efficient and effective implementation of the District Plan by cross referencing to the subdivision chapter.

Recommended Amendments to Rule 22.4.17

Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

Except commercial fish or meat processing where undertaken as part of a permitted home occupation in terms of Rule 22.5.7.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Possibility of adverse environmental effects arising from commercial fish or meat processing undertaken as part of a home occupation, but subject to strict conditions. 	<ul style="list-style-type: none"> • Enables home occupations for certain activities (commercial fish or meat processing) that are otherwise prohibited, provided strict conditions for the home occupations are complied with. 	<ul style="list-style-type: none"> • The rule is more effective and efficient as it enables home occupations that include commercial fish and meat processing, and which are unlikely.

Recommended Amendments to Rule 22.5.1

22.5.1. Building Materials and Colours

All buildings, including any structure larger than 5m², new, relocated, altered, reclad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape:

Exterior colours of buildings:

33.1.1.1 All exterior surfaces* shall be coloured in the range of black, browns, greens or greys;

33.1.1.2 Pre-painted steel, and all roofs shall have a light reflectance value not greater than 20%;

33.1.1.3 Surface finishes** shall have a light reflectance value of not greater than 30%.

Discretion is restricted to all of the following:

- Whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties.
- Whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building.
- The size and height of the building where the subject colours would be applied.

* Excludes soffits, windows and skylights (but not glass balustrades).

** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No specific costs arising from the change as the changes are largely clarifications or exclusions. 	<ul style="list-style-type: none"> • Provides clarification by excluding soffits, windows and skylights (but not glass balustrades) when previously the rule was silent on these. I consider it important that glass balustrades are not included where permitting this could conflict with a condition/consent notice instrument excluding these in sensitive landscapes. • Provides clarification for cladding and built landscaping that cannot be measured by 	<ul style="list-style-type: none"> • The rule is more efficient with the clarifications as it will assist the plan administrators (resource consent planners). • The rule is more effective as it targets the issues of concern (not soffits, windows and skylights).

	<p>way of Light Reflectance Value.</p> <ul style="list-style-type: none"> • Makes the rule easier to administer. 	
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<p>Recommended Amendments to Rule 22.5.3</p> <p>Building Size</p> <p>The maximum ground floor area size of any building shall be 500m². Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Visual dominance. • The effect on open space, rural <u>living</u> character and amenity. • Effects on views and outlook from neighbouring properties. • Building design and reasons for the size.
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No specific costs identified as the changes are clarifications of the proposed rule. 	<ul style="list-style-type: none"> • 'Ground floor area' is a better term that 'size' to clarify the intent of the rule. • Adding the word 'living' clarifies it is the rural living character and amenity that discretion is restricted to. 	<ul style="list-style-type: none"> • The rule is more efficient with the clarifications as it will assist the plan administrators (resource consent planners). • The rule is more effective as it targets the issues of concern (effects on rural living character and amenity, rather than rural character and amenity).

<p>Recommended Amendments to Rule 22.5.5</p> <p>Setback from roads</p> <p>The minimum setback of any building from a road boundary shall be: 40m, except in the Rural Residential zone at the north of Lake Hayes, the minimum setback from Speargrass Flat Road shall be 15m.</p> <p><u>22.5.5.1 Rural Lifestyle Zone: 20m</u></p> <p><u>22.5.5.2 Rural Residential Zone: 10m</u></p> <p><u>22.5.5.3 Rural Residential Zone where the road is a State Highway: 15m</u></p>
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Reduces the development potential for the Rural Lifestyle zone by increasing the setback from roads of 10m to 	<ul style="list-style-type: none"> • Ensures spaciousness from road boundaries in the Rural Lifestyle zone where sites can be as small as 1 hectare. 	<ul style="list-style-type: none"> • The rule is more efficient at achieving the objectives as it ensures spaciousness from road boundaries.

<p>20m.</p> <ul style="list-style-type: none"> • In the Rural Residential zone, for sites adjoining a State Highway, the development potential has been reduced slightly by the increase in setback from roads of 10m to 15m. • The 10m setback from roads in the Rural Lifestyle zone is well established in the Operative District Plan and this change departs from that practice. 	<ul style="list-style-type: none"> • Would better achieve the objectives for the zone relating to the district's landscape quality, character and visual amenity values being maintained and enhanced while enabling rural living opportunities. • Addresses some of the concerns of NZTA regarding noise. 	<ul style="list-style-type: none"> • The rule will more effectively ensure spaciousness from road boundaries. • The rule potentially reduces the ability to use land efficiently, by reducing the amount of land available for development by increasing setback requirements. However consents can be still be sought for dwellings closer to the road boundary, and mitigation may be possible.
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<p>33.1.2</p>	<p>Residential Density: Rural Residential Zone</p> <p>33.1.2.1 Not more than one residential unit per 4000m² net site area.</p> <p><u>In the Rural Residential zone at the north of Lake Hayes:</u></p> <p><u>22.5.11.2 for allotments less than 8000m² in size, there shall be only one residential unit;</u></p> <p><u>22.5.11.3 for allotments equal to or greater than 8000m² there shall be no more than 1 residential unit per 4000m², on average.</u></p>	<p>NC</p>
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Significant restriction on infill subdivision capacity. • Restriction on concentrating rural living development within existing zones that could have otherwise assisted with providing rural living options. 	<ul style="list-style-type: none"> • Acknowledges the existing environment and the regime that this area has developed to. • Will maintain existing standards of amenity and rural living character of this area. 	<ul style="list-style-type: none"> • The rule is a cost to efficiency in terms of concentrating rural living opportunities within existing Rural Residential Zones. • The rule is a effectiveness benefit in terms of maintaining the amenity and rural living character of this area and this, will maintain the wider landscape values in this part of the Wakatipu Basin.

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Recommended Amendments to Rule 22.5.X

Fire Fighting water and access: Rural Residential Zone

New buildings where there is no reticulated water supply or it is not sufficient for fire-fighting water supply shall provide the following provision for firefighting:

- 22.5.x.1 A water supply of 20,000 litres and any necessary couplings.
- 22.5.x.2 A hardstand area adjacent to the firefighting water supply capable of supporting fire service vehicles.
- 22.5.x.3 Firefighting water connection point within 6m of the hardstand, and 90m of the dwelling.
- 22.5.x.4 Access from the property boundary to the firefighting water connection capable of accommodating and supporting fire service vehicles.

Discretion is restricted to all of the following:

- The extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply.
- The accessibility of the firefighting water connection point for fire service vehicles.
- Whether and the extent to which the building is assessed as a low fire risk.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No specific new costs as established QLDC practice is always to impose consent conditions to achieve the same outcome as the new rule. • Potential inconsistency in that the rule requiring 20,000 litres is less than the 45,000 required in COP but consistent with the MOU and current practice. • There is the potential that aspects of the COP will not be addressed by the permitted activity status rule. 	<ul style="list-style-type: none"> • The rule allows other storage such as dams, pools, ponds, tanks with a hatch, and not just a water tank with a coupling. The rule is cost effective in that it addresses the issue of a fire fighting water supply in a way that retains flexibility in terms of how the supply can be provided. • The new rule (that can be complied with) for when a dwelling is proposed (rather than just a building platform) may save costs for applicants as there would be no need to impose consent notice 	<ul style="list-style-type: none"> • The rule will be effective at providing a usable fire fighting water supply in a way that is consistent with the existing practice and the MOU, while enabling reference to the COP for proposals not able to meet the permitted rule. • The rule will be efficient in that a permitted activity rule can be complied with, but where compliance is not possible, an individual assessment option remains through the resource consent process as a restricted discretionary activity.

	<p>requirements.</p> <ul style="list-style-type: none"> • Links to established approach through the resource consent process. • The Standard is referenced as a matter of discretion because assessing a resource consent is open to a broader/value based assessment than determining permitted activity status. • Third party involvement is not provided for. 	
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Track Changed version showing the formulation of the Rule and consideration of parameters.

21.5.X	<p><u>Fire Fighting water and access: Rural Residential Zone</u></p> <p><u>New buildings where there is no reticulated water supply or it is not sufficient for fire-fighting water supply shall provide the following provision for firefighting:</u></p> <p><u>22.5.x.1 A water supply of 20,000 litres and any necessary couplings.</u></p> <p><u>22.5.x.2 A hardstand area adjacent to the firefighting water supply capable of supporting fire service vehicles.</u></p> <p><u>22.5.x.3 Firefighting water connection point within 6m of the hardstand, and 90m of the dwelling.</u></p> <p><u>22.5.x.4 Access from the property boundary to the firefighting water connection capable of accommodating and supporting fire service vehicles.</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>The extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply.</u> • <u>The accessibility of the firefighting water connection point for fire service vehicles.</u> • <u>Whether and the extent to which the building is assessed as a low fire risk.</u>
	<p><u>supply or it is not sufficient for:</u></p> <p>There are locations in the District that have reticulated water but the flow is not adequate for Firefighting.</p>
	<p><u>A water supply of 20,000 litres</u></p> <p>This is less than the 45,000 required in COP but consistent with the MOU and current practice.</p>

	<p><u>any necessary couplings</u></p> <p>This is subjective but not to the point where it is deficient. It allows other storage such as dams, pools, ponds, tanks with a hatch, and not just a water tank with a coupling.</p>
	<p><u>Firefighting water connection point within 6m of the hardstand, and 90m of the dwelling.</u></p> <p>This is the distance set in the MOU.</p>
	<p><u>Access from the property boundary to the firefighting water connection capable of accommodating and supporting fire service vehicles.</u></p> <p>I initially had 'fire appliance' but have followed cue from NZFS submission.</p>

Recommended Amendments to Rule 22.6.1

22.6 Rules - Non-Notification of Applications

Any application for resource consent for the following matters shall not require the written consent of other persons and shall not be notified or limited-notified:

Controlled activity Home occupation (Rule 22.4.9) except where the access is onto a State Highway.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> Potentially controlled activity Home occupations could be processed on a limited notified or fully notified basis. Costs associated with a limited notified or fully notified process are often in the thousands or tens of thousands of dollars. However 'affected party approvals' may be able to be obtained from a directly affected person/part such as the NZTA. 	<ul style="list-style-type: none"> Allows other parties to comment on applications that have access onto a state highway. Ensures environmental effects on the State Highway can be considered by the NZTA. 	<ul style="list-style-type: none"> The amended rule is effective at ensuring potential effects on the State Highway can be considered by NZTA and other parties, whereas under the proposed rule they are excluded. The amended rule is less efficient in the sense that additional costs could be imposed on certain applicants compared to the rule as originally proposed, however this is necessary to recognise the key role NZTA play and the potential for effects on the State Highway network.