



## **Section 32 Evaluation Report**

### **Large Lot Residential Zone**

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# Section 32 Evaluation Report: Large Lot Residential Zone

## 1. Strategic Context

Section 32(1)(a) of the Resource Management Act 1991 requires that a Section 32 evaluation report The purpose of the Act requires an integrated planning approach and direction, as reflected below:

### *5 Purpose*

*(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*

*(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

*(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

*(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

*(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The remaining provisions in Part 2 of the Act provide a framework within which objectives are required to achieve the purpose of the Act and provisions are required to achieve the relevant objectives. The assessment contained within this report considers the proposed provisions in the context of advancing the purpose of the Act to achieve the sustainable management of natural and physical resources.

The Large Lot Residential Zone comprises areas developed under the operative District Plan Rural Residential Zone, now located within the proposed urban growth boundary.

The Large Lot Residential Zone supports the Strategic Direction and Urban Development framework of the Proposed District Plan through allocating and retaining land for larger lot suburban housing while enabling smaller lots where this is possible in greenfield sites. Notwithstanding the legacy left by the operative District Plan enabling large suburban lots close proximity to the Wanaka town centre, the Zone forms part of the overall housing approach sought by the Proposed District Plan, which aims to achieve a compact and efficient urban form, achieved through enabling increased density in appropriate locations. The zone provides one of the mechanisms for managing urban growth in a way and at a rate which meets the purpose of section 5(2) of the Act.

Section 31 of the Act outlines the function of a territorial authority in giving effect to the purpose of the Act:

### *31 Functions of territorial authorities under this Act*

*(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

*(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district*

Section 31 provides the basis for objectives, policies, and methods within a District Plan, to manage the effects of development. With regard to the Large Lot Residential Zone, the provisions outlined in this report have been developed in accordance with QLDC's function under Section 31 to manage the potential adverse effects of urban growth and development.

Section 31 reinforces the multi-faceted approach to managing urban development, which is based upon the establishment of defined urban limits, integrating land use and infrastructure, and promoting density in strategic locations.

## Local Government Act 2002

Sections 14(c), (g) and (h) of the Local Government Act 2002 are also of relevance in terms of policy development and decision making:

- (c) *when making a decision, a local authority should take account of—*
  - (i) *the diversity of the community, and the community's interests, within its district or region; and*
  - (ii) *the interests of future as well as current communities; and*
  - (iii) *the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii):*
- (g) *a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and*
- (h) *in taking a sustainable development approach, a local authority should take into account—*
  - (i) *the social, economic, and cultural interests of people and communities; and*
  - (ii) *the need to maintain and enhance the quality of the environment; and*
  - (iii) *the reasonably foreseeable needs of future generations*

The provisions emphasise a strong intergenerational approach, considering not only current environments, communities and residents but also those of the future. They demand a future focussed policy approach, balanced with considering current needs and interests. The provisions also emphasise the need to take into account social, economic and cultural matters in addition to environmental ones.

## 2. Iwi Management Plans

When preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Council's must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

The following iwi management plans are relevant:

*The Cry of the People, Te Tangi a Taurira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (MNRMP 2008)*

Section 3.4, Takitimu Me Ona Uri: High Country and Foothills contain the following policies that have specific regard to subdivision and development:

### 3.4.14 Protecting Sites of Significance in High Country and Foothill Areas

*Policy 6. Avoid compromising unidentified, or unknown, sites of cultural significance as a consequence of ground disturbance associated with land use, subdivision and development.*

Section 3.5, Southland Plains: Te Rā a Takitimu contains the following policies that have specific regard to subdivision and development:

### 3.5.2 Wastewater

*9. Encourage creative, innovative and sustainable approaches to wastewater disposal that make use of the best technology available, and that adopt principles of waste reduction and cleaner production (e.g. recycling grey water for use on gardens, collecting stormwater for a pond that can then be used for recreation in a new subdivision).*

### 3.5.7 Subdivision and Development

Policies 1- 18 contain a range of policies that are relevant to the Subdivision and Development cover iwi involvement in planning processing and plan development, interaction with developers and iwi, particularly where there may be significant effects, long term planning and cumulative effects, avoiding adverse effects on the natural environment and advocating for the use of esplanades reserves.

*Kāi Tahu ki Otago Natural Resource Management Plan 2005 (KTKO NRMP 2005)*

Part 10: Clutha/Mata-au Catchments *Te Riu o Mata-au* outlines the issues, and policies for the Clutha/Mata-au Catchments. Included in this chapter is a description of some of the Kāi Tahu ki Otago values associated with the Clutha/Mata-au Catchments. Generic issues, objectives and policies for all catchments across the Otago Region are recorded in Chapter 5 Otago Region.

The following policies are of particular relevance;

#### 5.6.4 Cultural Landscapes General Policies

Subdivisions:

1. *To discourage subdivisions and buildings in culturally significant and highly visible landscapes.*
2. *To encourage a holistic planning approach to subdivisions between the Local Government Agencies that takes into account the following:*
  - i. *All consents related to the subdivision to be sought at the same time.*
  - ii. *Protection of Kāi Tahu ki Otago cultural values.*
  - iii. *Visual amenity.*
  - iv. *Water requirements.*
  - v. *Wastewater and storm water treatment and disposal.*
  - vi. *Landscaping.*
  - vii. *Location of building platforms.*
3. *To require that where any earthworks are proposed as part of a subdivision activity, an accidental discovery protocol is to be signed between the affected papatipu Rūnaka and the Company .*
4. *To require applicants, prior to applying for subdivision consents, to contact Kāi Tahu ki Otago to determine the proximity of the proposed subdivision to sites of significance identified in the resource inventory.*
5. *To require public foot access along lakeshores and riverbanks within subdivisions.*

#### Land Use 10.2.3 Wai Māori Policies in the Clutha/Mata-au Catchment

9. *To encourage the adoption of sound environmental practices, adopted where land use intensification occurs.*
10. *To promote sustainable land use in the Clutha/Mata-au Catchment.*
11. *To encourage all consents related to subdivision and lifestyle blocks are applied for at the same time including, land use consents, water consents, and discharge consents.*
12. *To require reticulated community sewerage schemes that have the capacity to accommodate future population growth.*

### 3. Otago Regional Policy Statement 1998 (RPS, 1998)

Section 74 of the Act requires that a district plan prepared by a territorial authority must “give effect to” any operative Regional Policy Statement. The operative *Otago Regional Policy Statement 1998* (RPS, 1998), is the relevant regional policy statement to be given effect to within the District Plan.

The operative RPS 1998 contains a number of objectives and policies that are relevant to this review, namely:

Objective	Objectives	Policies	Relevance to the LLR Zone
To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development	5.4.3	5.5.6	Encouraging urban growth within the identified urban growth boundary will help maintain the District's landscapes.
Sustainable land use and minimising the effects of development on the land and water	5.4.1	5.5.3 to 5.5.5	The concentration or urban growth within an identified urban growth boundary promotes the sustainable use of resource.
To promote sustainable management of the built environment and infrastructure, as well as avoiding or mitigating against adverse effects on natural and physical resources.	9.4.1 to 9.4.3	9.5.1 to 9.5.5	The concentration or urban growth within an identified urban growth boundary promotes the sustainable use of infrastructure..

The zone maintains its traditional role in providing for housing on large urban allotments. Where reticulated servicing is available, there are more efficient density options available. However the majority of the zone is developed and the intent of the zone in most areas is to maintain the established form of housing.

### **Proposed Otago Regional Policy Statement 2015**

Section 74 of the Act requires that a District Plan must “*have regard to*” any proposed regional policy statement.

The Proposed RPS was released for formal public notification on the 23 May 2015, and contains the following objectives and policies relevant to the Large Lot Residential Zone:

<b>Objective</b>	<b>Objectives</b>	<b>Policies</b>	<b>Relevance to the LLR Zone</b>
Otago's significant and highly-valued natural resources are identified, and protected or enhanced	2.2	2.2.4	Encouraging urban growth within the identified urban growth boundary will help maintain the District's landscapes.
Good quality infrastructure and services meets community needs	3.4	3.4.1	Encouraging urban growth within the identified urban growth boundary promotes the efficient use of, and provision of quality infrastructure.
Urban areas are well designed, sustainable and reflect local character	3.7	3.7.1, 3.7.2	The functionality, coherence and quality of the zone is dependent on good urban design.
Urban growth is well designed and integrates effectively with adjoining urban and rural environments	3.8	3.8.1, 3.8.2, 3.8.3	The functionality, coherence and quality of the zone is dependent on good urban design.
Sufficient land is managed and protected for economic production	4.3	4.3.1	Encouraging urban development within the identified urban growth boundary helps protect the rural land resource for economic production/

The proposed Large Lot Residential Zone provisions have regard to the Proposed RPS by ensuring urban areas are well designed, sustainable and reflect local character.

The zone departs from some the policy however, because the zone provisions seek to maintain the established large urban allotment size of 4000m<sup>2</sup> and do not contribute towards achieving a more compact and efficient urban form through urban intensification.

## **4. Resource Management Issues**

For the most part, the proposed Large Lot Residential Zone maintains the established pattern of development created by the Operative District Plan Rural Residential Zone, where these areas are located within the proposed Urban Growth Boundary.

Both the Operative and Proposed District Plan policy for the Rural Residential zone do not accord with the respective policy frameworks for the Rural Residential Zone.

The established Rural Residential Zoned developments located amidst the Rural Zone generally have a different character and feel to the established Rural Residential Zoned developments located adjacent to and within the residential and town centres.

There is also a difference in the landscape and rural amenity sensitivity of these areas and it is considered that a different approach to management of these areas and those located within the Proposed Urban Growth Boundary is appropriate.

For comparisons sake, the Rural Residential Zone at Hawea Flat, Lakeshore Drive or John's Creek are quite different in terms of landscape sensitivity, servicing constraints or opportunities and location. To the established Rural Residential Zoned developments located close to Wanaka and within the proposed Urban Growth Boundary, such as Far Horizon Drive, Aubrey Road and Golf Course Road.

The proposed zone generally provides for a density of one residence every 4000m<sup>2</sup>. Identified areas have a residential density of one residence every 2000m<sup>2</sup> to provide for a more efficient development pattern to utilise the Council's water and wastewater services while maintaining opportunities for a variety of housing options landscaping and open space.

Being located within the Urban Growth Boundaries, a higher density of allotments could be appropriate in some areas where it would not degrade the established pattern of development or amenity values within established streets, or exceed infrastructure capacity.

The resource management issues set out in this section have been identified from the following sources:

- Wanaka Land Demands – Review of the Wanaka Structure Plan (2007)
- Plan Change 20 – Wanaka Urban Boundary
- Plan Change 21 - Queenstown Urban Boundary
- Plan Change 33 – Non-Residential Activities in the Residential, Rural Living and Township Zones
- Hawea Community Plan 2003
- Luggate Community Plan 2003
- Tomorrows Queenstown
- Wanaka 2020
- Wanaka Structure Plan 2007
- Rural General Zone Monitoring Report 2009
- Rural Living Zones Monitoring report 2009
- Informal Airports Research Report 2012
- QLDC Liquefaction Hazard 2013, prepared by Tonkin and Taylor Limited
- Otago regional Council Natural hazard reports
- Relevant legislative changes enacted since the Plan became operative

### **Consultation**

Consultation on the District Plan Review and management of the rural zones was initiated in 2010, specific consultation on the proposed Large Lot Residential Zone was part of the following:

- January 9 – February 10 2015 Draft rural provisions and Section 32 reports placed on the Council's website and circulated to persons on the Council's District Plan Review distribution list, persons with an interest in the changes and statutory consultation parties required by the RMA.
- Written feedback from in the order of 40 persons/groups including feedback on the use of land zoned Rural Lifestyle and Rural Residential located within the Wanaka Structure Plan 2007: Inner Growth Boundary.
- Attended and spoke at the Hawea Community Association Meeting 10 January 2015 at Lake Hawea.
- Drop in sessions associated with the proposed residential medium density zone were held from February 2015. The information included a draft map of the proposed Wanaka Urban Growth Boundary and the identification of land that may be suitable for the Large Lot Residential Zone, identified at the time as 'Large Lot Urban'. Specific provisions were made available at the time, however it was conveyed that the zone for the most would be continuation of the development pattern established by the Rural Residential Zone.
  - Feedback from person who attended the drop in sessions, or provided written feedback included:
    - The potential to undertake infill subdivision of the existing and developed Rural Residential Zone lots from 4000m<sup>2</sup> to 2000m<sup>2</sup> lots.
    - The potential to re-zone existing larger allotments zoned Rural Lifestyle or Rural Residential that had not been subdivide to the Low Density Residential Zone.

The key issues are:

**Issue 1: Recognise the different landscape sensitivity, rural amenity, location and servicing opportunities and constraints between the existing Rural Lifestyle and Rural Residential Zoned areas located within and outside the Proposed Urban Growth Boundary.**

Generally, the Rural Residential Zone provides for a density of one dwelling per 4000m<sup>2</sup>, and the Rural Lifestyle Zone provides for an average of one dwelling per two hectares with sites up to one hectare.

Many of the zones, some of which remain undeveloped, are located within the District's visually sensitive and valued landscapes, including Glenorchy, Bob's Cove, Lake Hayes, Mt Iron, Mt Barker, Makarora and Hawea.

Land zoned Rural Residential and Rural Lifestyle located near the urban centres and within the proposed Urban Growth Boundary requires a different management approach to recognise these differences.

### **Issue 2: Effective and efficient resource management.**

Generally, anticipated residential development in the Rural Residential and Rural Lifestyle zones require resource consent as a controlled activity. Consequently, the alteration of buildings also require a resource consent, as do changes in colour or changes to previously approved site and landscape plans. Where existing buildings are to be altered, more often than not they require resource consent under section 127 of the RMA to change the conditions of the 'original' resource consent.

In the period from January 2011 to June 2014, 505 resource consents were granted in the Rural Residential and Rural Lifestyle zones (363 Rural Residential zone and 142 Rural Lifestyle zone). Of these, 331 (65%) were identified as a resource consent for a 'controlled activity', with relatively straightforward design and appearance related resource consents. Averaged over a five year period, these resource consents constitute approximately 18% of the resource consents issued by the Council per year.

Standards can be introduced that enable residential buildings as a permitted activity subject to performance standards controlling colour and the bulk and location of buildings. It is acknowledged that to date, the existing buildings were subject to controls and the Council's discretion to reduce the visual prominence of buildings. As part of the management of the existing character of these areas it is considered appropriate to manage the colour of buildings.

Through the formation of a new zone it is considered appropriate to address this issue.

### **Issue 3: Protecting amenity values for inhabitants**

There is a lack of specificity in the objectives and policies relating to non-residential activities in the Rural Residential and Rural Lifestyle zones. The maintenance of amenity values and a pattern of development consistent with the expectations of inhabitants is an important determinant of the character and amenity of the zones.

Furthermore, the existing objective and policy framework does not identify existing rules relating to specific activities identified such as visitor accommodation within a visitor accommodation subzone.

Through this review, there is also considered an opportunity to specify community activities<sup>1</sup> which may be beneficial to proposed Large Lot Residential Zone. Through the formation of a new zone it is considered appropriate to address this issue.

The issues, costs and benefits of changes to the visitor accommodation provisions are set out in the Low Density Residential Section 32 Analysis.

## **5. Purpose and Options**

The Large Lot Residential Zone provides low density living opportunities within defined Urban Growth Boundaries. The zone also serves as a buffer between higher density residential areas and rural areas that are located outside of Urban Growth Boundaries.

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<sup>1</sup> The District Plan definition of Community Activity means: Means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well being. Excludes recreational activities. A community activity includes schools, hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police stations, fire stations, courthouses, probation and detention centres, government and local government offices.

The zone generally provides for a density of one residence every 4000m<sup>2</sup>. Identified areas have a residential density of one residence every 2000m<sup>2</sup> to provide for a more efficient development pattern to utilise the Council's water and wastewater services while maintaining opportunities for a variety of housing options landscaping and open space.

Being located within the Urban Growth Boundaries, a higher density of allotments could be appropriate in some areas where it would not degrade the established pattern of development or amenity values within established streets, or exceed infrastructure capacity.

The potential adverse effects of buildings are controlled by bulk and location, colour and lighting standards and, where required, design and landscaping controls imposed at the time of subdivision.

Community activities and low intensity forms of visitor accommodation may be appropriate provided the low density development character and amenity for residents is maintained and there is a demonstrated need to locate in the zone.

While development is anticipated in the zone, some areas are subject to natural hazards and, where applicable, it is anticipated that development will recognise and manage the risks of natural hazards at the time of subdivision.

### **Strategic Directions**

The following goals, objectives and policies from the Strategic Directions chapter of the draft Plan are relevant to this assessment:

- 3.2.2.1      *Objective - Ensure urban development occurs in a logical manner:*
- *to promote a compact, well designed and integrated urban form;*
  - *to manage the cost of Council infrastructure; and*
  - *to protect the District's rural landscapes from sporadic and sprawling development.* Goal
- 3.2.3.1      *Objective - Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.*

In general terms, and within the context of this review, these goals and objectives are met by:

- Providing an appropriate policy framework for existing Rural Residential and Rural Lifestyle zoned land within the proposed Urban Growth Boundaries.
- Creating efficiencies in the administration of the District Plan and reducing costs for the community;
- Avoiding commercial activities that have the potential to undermine the amenity of the zone and the role of commercial centres;

Determining the most appropriate methods to resolve the issues highlighted for these areas will enable the provisions to give effect to relevant parts of the Strategic Directions chapter, and ultimately meet the purpose of the RMA.

As required by section 32(1)(b) RMA, the following section considers various broad options considered to address each issue, and makes recommendations as to the most appropriate course of action in each case.

### **Broad options considered to address issues**

As required by section 32(1)(b) RMA, the following section considers various broad options considered to address each issue and makes recommendations as to the most appropriate course of action in each case.

#### ***Option 1: Retain the operative provisions (status quo)***

Option 1 would involve retaining the operative provisions in entirety.

#### ***Option 2: (Recommended) – Refine and improve***



Notwithstanding the change in the name of the zone, Option 2 involves a review of the operative provisions to implement structure and policy framework improvements. Overall, the intent of the proposed Large Lot Residential Zone is to maintain the established character of the Rural Residential Zone. Changes such as up-zoning to a higher density are limited to specific areas.

***Option 3: Comprehensive review – Enable greater density and development potential***

Option 3 would involve a comprehensive review to the zoning and anticipated environmental outcomes for the existing areas zoned Rural Residential within the Proposed Urban Growth Boundaries.

**Option 1: Retain the operative provisions (status quo)**

**Option 2: Refine (Recommended)**

**Option 3: Comprehensive review – Enable greater density and development potential within the established/developed Rural Residential Zone areas (e.g. apply the low density residential zone)**

	Option 1: Status quo	Option 2: Refine	Option 3: Enable greater density
<b>Costs</b>	<ul style="list-style-type: none"> <li>The existing areas zoned Rural Residential or Rural Lifestyle within the proposed Urban Growth Boundaries do not fit either the Operative or Proposed policy framework of these zones.</li> <li>The existing policies do not assist with the identification of community activities that may be appropriate.</li> <li>Opportunities for areas of higher density housing in the Rural Residential zone within areas located within the proposed Urban Growth Boundaries may be appropriate but would not accord with the Operative or Proposed Rural Residential zone policy.</li> <li>If applications were successful they may degrade the integrity of the Rural Residential Zone policy and invite opportunities for higher densities within Rural Residential land in more remote locations.</li> </ul>	<ul style="list-style-type: none"> <li>Costs associated with going through the District Plan Review process (but this is required by legislation).</li> <li>Creating a new zone to recognise what are for the most part established areas has the potential to add complexities to the proposed district plan. Noting that one of the important goals of the review is to simplify the District Plan.</li> <li>Costs to those that are familiar with or seek to retain the existing provisions.</li> <li>Costs to those seeking to retain the status quo, despite the land being located within the proposed urban growth boundaries.</li> <li>Cost associated with maintaining a pattern of development that is not very efficient in the context of roading and where reticulated services are available to large lots.</li> <li>Future cost associated with the land being developed to a low density and future constraints on the supply of land.</li> </ul>	<ul style="list-style-type: none"> <li>Would result in a significant change to the established neighbourhoods. The changes might not maintain the existing character and pattern of development.</li> <li>Would be a reduction in the amount of choice available to the community for housing options.</li> </ul>

<b>Benefits</b>	<ul style="list-style-type: none"> <li>• Retains the established approach which parties are familiar with.</li> <li>• Low cost for Council.</li> </ul>	<ul style="list-style-type: none"> <li>• Recognises the different setting and character between the Rural Residential and Rural Lifestyle areas within the proposed Urban Growth Boundary and more remote areas in the District.</li> <li>• Maintains the established pattern of development set by the Rural Residential Zones.</li> <li>• Provides opportunities for higher densities where appropriate without compromising the policy framework of the Rural Residential Zone.</li> <li>• Provides opportunities for higher densities while having regard to areas that have an established development pattern and amenity.</li> <li>• Recognises there are more opportunities than constraints associated with servicing, unlike the Operative Rural Residential and Rural Lifestyle Zones.</li> <li>• Provides the community with a diversity of housing.</li> <li>• Consistent with the Strategic Directions Chapter.</li> </ul>	<ul style="list-style-type: none"> <li>• Higher densities of housing are more appropriate for matters associated with efficiencies of servicing and roading.</li> <li>• Would be a more efficient use of land within the proposed Urban Growth Boundaries.</li> </ul>
<b>Ranking</b>	<b>3</b>	<b>1</b>	<b>2</b>

## **6. Scale and Significance Evaluation**

The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions. In making this assessment, regard has been had to the following, namely whether the objectives and provisions:

- Result in a significant variance from the existing baseline.
- Have effects on matters of national importance.
- Adversely affect those with specific interests, e.g., existing residents within the Rural Residential or Rural Lifestyle Zone proposed to be rezoned Large Lot Residential.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

The level of detail of analysis in this report is moderate. There are not significant changes proposed to the Large Lot Residential Zone, relative to its former name, the Rural Residential Zone.

Where changes are proposed the detail of analysis is high. The provisions are both high level and detailed in terms of the application and administration of the rules and assessment.

## 7. Evaluation of proposed Objectives Section 32 (1) (a)

<i>Proposed Objective</i>	<i>Appropriateness</i>
<b>Objective 11.2.1</b>  <b>High levels of residential amenity within the Large Lot Residential Zone.</b>	<p>The objective is the best way to meet the purpose of the RMA because it recognises and provides for the maintenance of the established pattern of development of the Rural Residential Zones is important to the amenity of the zone.</p> <p>The objective provides a framework for policies to maintain the established pattern of density, while recognising opportunities for infill or higher density greenfield subdivision in locations that would not degrade the amenity of established neighbourhoods.</p> <p>Supports 5(2) of the RMA through ensuring development enables people and communities to provide for their social, economic and cultural wellbeing. Meets the intent of Section 7 (Other Matters) of the RMA which requires particular regard to “<i>the maintenance and enhancement of amenity values</i>”.</p> <p>Sets the rationale for bulk and location controls to maintain the existing neighbourhoods.</p> <p>Acknowledges the constraints or risks that might exist within these areas and to have regard to these while ensuring development maintain the high levels of amenity. Consistent with Goal 2 and 3 of the Strategic Directions chapter.</p> <p>Gives effect to RPS objectives 9.4.1 and 9.4.3  Has regard to Proposed RPS objectives 3.7 and 3.8; and policies 3.7.1, 3.7.2, 3.8.1, 3.8.2</p> <p>3.2.2.1      <i>Objective - Ensure urban development occurs in a logical manner:</i></p> <ul style="list-style-type: none"> <li>•                <i>to promote a compact, well designed and integrated urban form;</i></li> <li>•                <i>to manage the cost of Council infrastructure; and</i></li> <li>•                <i>to protect the District’s rural landscapes from sporadic and sprawling development.</i> Goal</li> </ul> <p>3.2.3.1      <i>Objective - Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.</i></p>
<b>Objective 11.2.2</b>  <b>Ensure the predominant land uses are residential and where appropriate, community and recreational activities.</b>	<p>The objective is the most appropriate way to meet the purpose of the RMA because it establishes the basis for a framework for residential activities to be the predominant land use, while recognising the potential for community based activities, subject to scale and intensity, where these activities benefit the community.</p> <p>Supports 5(2) of the RMA through ensuring development enables people and communities to provide for their social, economic and cultural wellbeing.</p>

	<p>Gives effect to RPS objective 9.4.1 Has regard to Proposed RPS objective 3.7</p> <p>Consistent with the following Strategic Directions objectives:</p> <p>3.2.2.1      Objective - Ensure urban development occurs in a logical manner:</p> <ul style="list-style-type: none"> <li>•                to promote a compact, well designed and integrated urban form;</li> <li>•                to manage the cost of Council infrastructure; and</li> <li>•                to protect the District's rural landscapes from sporadic and sprawling development.Goal</li> </ul> <p>3.2.3.1      Objective - Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.</p>
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The above objectives are considered to be the most appropriate methods of achieving the purpose of the Act, as they identify and give direction as to the how the specific issues that pertain to Large Lot Residential Zone are addressed.

## 8. Evaluation of the proposed provisions Section 32 (1) (b)

The following table considers whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions and whether they are effective and efficient.

(Also refer to the Table detailing broad options considered in Section 4, above)

**Issue 1:** Recognise the different landscape sensitivity, rural amenity, locations and servicing opportunities and constraints between the existing Rural Lifestyle and Rural Residential Zoned areas located within and outside the Proposed Urban Growth Boundary.

**Issue 2:** Effective and efficient resource management.

**Issue 3:** Protecting amenity values for inhabitants.

Objective 11.2.1: High levels of residential amenity within the Large Lot Residential Zone.

Objective 11.2.2: Ensure the predominant land uses are residential and where appropriate, community and recreational activities.

Summary of proposed provisions and broad evaluation of environmental, economic, social and cultural costs and benefits:

- To remove the requirement for a controlled activity resource consent and permit residential buildings subject to bulk, location and colour controls.
- The introduction of buildings as a permitted activity will result in a reduction in the matters of control that the Council has under the present regime where the construction and alteration of buildings requires resource consent as a controlled activity (location of buildings, external appearance, earthworks, servicing, landscaping). It is appropriate to introduce permitted standards relating to the colour of buildings, and location with regard to water bodies.
- Zoning identified areas within the proposed Urban Growth Boundaries currently zoned Rural General, Rural Residential or Rural Lifestyle, to Large Lot Residential.
- Maintaining the established pattern of development and amenity by retaining similar bulk and location rules as the existing Rural Residential Zone.
- Setting maximum residential density at 4000m<sup>2</sup> as a discretionary activity to recognise the existing development pattern created by the Rural Residential Zone, while recognising opportunities for higher densities in appropriate locations such as green field sites by making residential density higher than 2000m<sup>2</sup> a non-complying activity, recognising that development and subdivision at a higher density than this is not anticipated.
- Introducing new rules or specific rules and changes of zoning in the following circumstances:
  - Making Residential Flats a permitted activity.
  - Making Community Activities a discretionary activity, commercial activities that do not comply with the home occupation rule are a non-complying activity.
  - Locating a building within an identified 'building restriction area' a non-complying activity.
  - Introducing a continuous building length rule for buildings above two storeys.
  - Introducing a rule to control the location of buildings within 20 metres of water bodies.
  - Introducing a rule to control the light reflectance value (LRV) of buildings, recognising the regulatory framework within which the majority of the areas have been originally developed to, and to manage the balance between making building in this zone permitted and the relatively liberal bulk and location rules that anticipate a footprint of buildings up to 600m<sup>2</sup> (15% of 4000m<sup>2</sup>).
  - Set a more conservative LRV limit for permitted buildings located on Mt Iron, recognising the prominent location, the operative District Plan regulatory framework and landscape values of Mt Iron. The permitted colour standards are the same as those proposed for the Rural Residential Zone.
  - To protect the amenity for residents within the zone from adverse effects activities which are not anticipated such higher density subdivision, industrial or commercial activities.

- Introducing a recession plane rule on sites that are less than 4000m<sup>2</sup> to maintain high levels of amenity, privacy and open space between neighbouring properties in recognition of the reduced yard setbacks.
- Existing land zoned Rural Lifestyle located on the elevated terrace faces and tops at the northern side of Studholme Road, Wanaka that has been identified in the Wanaka Structure Plan 2007 as 'urban/landscape protection area'. This land was identified in the review of the Wanaka Structure Plan 2007 as having landscape sensitivity, but capable of 5 dwelling per hectare. The elevated areas would be visible from established suburban areas such as Meadowstone/Stony Creek area.
- The land to the south of Studholme Road will remain zoned Rural General and these provisions will serve as a 'buffer' to protect the wider landscape values associated with the Outstanding Natural Landscape to the west and south. Through the District Plan Review, the land has been identified as being suitable for a lower urban allotment density, to provide ample space for garden and landscape plantings, and an urban density and development pattern of a lower intensity than the Low Density Residential Zone. An allotment size of 2000m<sup>2</sup> in this area, while retaining a 15% building coverage would result in much lower intensity of development over these elevated areas of 15% than the equivalent Low Density Residential Zoning of 40% building coverage.
- The Large Lot Residential Zone north of Studholme Road would have the following additional provisions:
  - A minimum density of one dwelling per 2000m<sup>2</sup>
  - A maximum building height of 7 meters
  - A reduced side and rear yard setback of 4 metres
  - A recession plane limit to control to maintain high levels of amenity, privacy and open space between neighbouring properties in recognition of the reduced yard setbacks.
- It is acknowledged that part of the land identified for Large Lot Residential zoning is identified on the Council's hazard information as comprising alluvial fan, debris flow and flooding (rainfall) hazards. There has also been remedial works associated with the Stony Creek catchment and more recent subdivision and development has involved mitigation works. The change in zoning from Rural Lifestyle to Large Lot Residential would increase the likelihood for housing and infrastructure to locate in the area. Prior to any further development, potential hazards would be required to be assessed and the hazard mitigated or avoided as required.
- It is not appropriate to rezone these area and remove any potential for development. The area is a 'greenfield' parcel of land and any future development should be given the opportunity to mitigate or avoid the hazard to an appropriate standard. In addition, the Proposed District Plan has a natural hazards chapter and any subdivision is subject to section 106 of the Act which would enable the council to refuse a subdivision consent in certain circumstances, including inundation from any source.
- Rezoning land at 361 Beacon Point Road from Rural General to Large Lot Residential. The site is located between Beacon Point Road / Lake Wanaka and Penrith Park Drive. The majority of the site will have a building restriction area overlay imposed over it to prevent development any further westward toward Lake Wanaka and the public access available on Beacon Point Road. An area would be made available at the southern end of the site for one additional residence. It is noted that the area is identified on the Council's hazard register as comprising a LIC 2 'Possibly Moderate' liquefaction risk and is within the flooding return period 75 – 150 year return period. These hazards are located within other urban areas and any future development should be entitled to the opportunity to undertake design and mitigation investigations. The permitted building height limit would be 5.0 meters from ground level, similar to the existing building on the site.



<b>Proposed provisions</b>	<b>Costs</b>	<b>Benefits</b>	<b>Effectiveness &amp; Efficiency</b>
<p><b>Policies:</b> 11.2.1.1 – 11.2.1.5 (inclusive)</p> <p>11.2.2.1 – 11.2.2.5 (inclusive)</p> <p><b>Rules:</b> All rules</p>	<p><b>Environmental</b> Council will no longer have control over aspects associated with the development such as 'nature conservation values', landscape plans and control on the 'external appearance' of buildings, only the colour to control the degree of visual prominence.</p> <p>Potential for increased visibility, particularly with large buildings.</p> <p>Potential for effects on neighbouring owners of some properties due to the reduction of control.</p> <p>Potential for infill development and subdivision to higher densities of 2000m<sup>2</sup> has the potential to reduce the open space and low density character.</p> <p><b>Economic</b> The provisions will have the potential to constrain industrial or commercial activities in the zones.</p> <p><b>Social &amp; Cultural</b> The permitted activities relating to Home Occupations has been widened, potentially increasing adverse effects on amenity, to a small degree on surrounding persons. Potential adverse social effects associated with perceived change in amenity due to intensification of buildings. However these effects are not unexpected given the development would be within the urban growth boundary as identified in the Wanaka Structure Plan 2007.</p>	<p><b>Environmental</b> Permitting a wide range of colours subject to a glare/hue control of 40% LRV will encourage applicants to utilise colours within this range to avoid resource consents.</p> <p>The proposed colour range is considered to provide a suitable balance to control the visual effects of buildings while providing for a range of colours.</p> <p>If required, any controls imposed on a site by a subdivision consent notice will still apply, thus ensuring location specific landscaping requirements are provided for.</p> <p>Discretionary activity resource consent status for a density between 4000m<sup>2</sup> and 2000m<sup>2</sup> and policies direction will ensure that regard is had to amenity and character of existing neighbourhoods and that only properties that are the exception to some of the established neighbourhoods created under the Rural Residential zone would be appropriate.</p> <p><b>Economic</b> The provisions provide more certainty for the Council and persons contemplating activities in the zones.</p> <p>The ability for some areas to have infill or higher densities will be an economic benefit.</p> <p>Reduced costs for applicants through resource consents and monitoring fees.</p>	<p>The proposed provisions introduce clearer parameters for permitting anticipated activities, while providing direct policies to gauge the appropriateness of non-residential or community activities, or activities that can have a significant impact on amenity.</p> <p>The proposed provisions will replace the need for a resource consent by permitting buildings within a range of controls to ensure that anticipated development would maintain amenity values within the established and developing neighbourhoods currently zoned Rural Residential.</p> <p>The ability to build as a permitted activity significantly increases efficiency while permitted activities will be effective at achieving objectives and policies to maintain landscape values.</p>

	<p>The effect can be mitigated through the inclusion of policies and rules within to mitigate amenity impacts (such as recession planes, setbacks, height limits and maximum site coverage).</p>	<p>Reduced cost for the Council through resource District Plan administration, including the requirement for development engineering staff to prepare RMA style reports on servicing related aspects.</p> <p>Less delays in the overall build time and cost and more certainty for anticipated development.</p> <p><b>Social &amp; Cultural</b>  Maintaining the District's landscapes within the Rural Residential and Rural Lifestyle zones will provide for peoples well-being by not degrading these landscapes.</p> <p>Protecting the residential based amenity of inhabitants from the effects associated with commercial activities.</p> <p>Hazards can be assessed at the time of subdivision and at this point any mitigation or avoidance of the hazard will provide for the social well being of any future end-resident.</p>	
<p><b>Alternative options considered less appropriate to achieve the relevant objectives and policies:</b></p>			
<p><i>Option 1: Make all the land within the proposed Urban Growth Boundary low density residential</i></p>	<ul style="list-style-type: none"> <li>Increasing the density would not maintain the established and anticipated character of these areas. Although large urban allotments are not efficient in terms of servicing and roading, much of the land within the zone has relatively recently been developed, and comprises large houses located centrally within the site. the opportunities for infill development or subdivision of established areas is relatively limited due to the location of houses and the age of them and relative value. In addition, there is sufficient land within the proposed Wanaka Urban Growth Boundary, coupled with infill of the Low Density Residential Zone to accommodate growth over the life of the Proposed District Plan.</li> </ul>		

## **9. Efficiency and effectiveness of the provisions**

The Large Lot Residential Zone provides for large urban allotment style living within the proposed Urban Growth Boundary. The Provisions will maintain the established pattern of development in these neighbourhoods. The removal of the controlled activity requirement for building consents will result in less intervention from the Council, however the level of control previously exercised is not required in the context of the zones urban character, and location within the Proposed Urban Growth Boundary.

The above provisions are drafted to specifically address the resource management issues identified with the current provisions, and to enhance those provisions that already function well. A number of areas of the existing chapter have been removed to aid the readability of the Plan by keeping the provisions at a minimum, whilst still retaining adequate protection for the resource.

By simplifying the objectives, policies and rules (the provisions), the subject matter becomes easier to understand for users of the Plan both as applicant and administrator (processing planner). Removal of technical or confusing wording, also encourages correct use. With easier understanding, the provisions create a more efficient consent process by reducing the number of consents required and by expediting the processing of those consents.

## **10. The risk of not acting**

Section 32(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is not considered that there is uncertain or insufficient information about the subject matter of the provisions.

The issues identified and options taken forward are the most appropriate way to achieve the purpose of the RMA. If these changes were not made there is a risk the District Plan would fall short of fulfilling its functions.