

Queenstown Lakes District Proposed District Plan
Section 32 Evaluation
Stage 3 Components

For:
TOWNSHIPS

And consequential Variations to the following Proposed District Plan Chapters:

Chapter 7 – Lower Density Suburban Residential Zone

Chapter 25 - Earthworks

Chapter 27 – Subdivision and Development

Chapter 29 - Transport

Chapter 31 - Signs

Chapter 36 - Noise

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1. EXECUTIVE SUMMARY

- 1.1. The Operative District Plan (**ODP**) Townships comprise the settlements of Makarora, Hāwea, Luggate, Albert Town, Glenorchy, Kinloch and Kingston. The townships are scattered throughout the District, generally located in rural areas and are geographically separate from the main urban parts of the District (Albert Town being the exception). The predominant activity provided for in the ODP Townships Zone is residential activity, comprising predominantly detached, single storey dwellings located on spacious sites with low building coverage. Community activities are provided for, as well as limited provision for commercial activities to serve the needs of residents, visitors, and the surrounding rural population.
- 1.2. Significant residential growth has occurred at Albert Town and Hāwea (and to a lesser extent Luggate) in the life of the Operative District Plan (**ODP**), however rates of growth in the remaining Townships has been comparatively slow. This in part is due to infrastructure capacity constraints. The Kingston Township is adjoined by the ODP Kingston Village Special Zone (KVSZ), which provides for 900 residential allotments as well as non-residential activity areas, and will serve as an extension to the Kingston Township, albeit via a separate zone with a separate planning framework. Although the exact content of the next stage of the District Plan review is yet to be confirmed by Council the KVSZ is intended to be reviewed as part of Stage 4 of the District Plan review.
- 1.3. The Albert Town and Hāwea Townships are located within urban growth boundaries (**UGBs**) which were introduced in Stage 1 of the District Plan review. Hāwea has its own distinct UGB, which encircles the ODP Township Zone land as well as land zoned Lower Density Suburban Residential Zone, Large Lot Residential 'A' Zone, Local Shopping Centre Zone and Open Space and Recreation Zone. Albert Town is located within the edge of the Wānaka UGB which also encircles urban land of various zones and comprises Wānaka's main urban area. Various components of Stage 1 of the District Plan review (including the Hāwea UGB) are currently subject to appeal.
- 1.4. As detailed in the s32 report for the Rural Visitor Zone (which also forms part of Stage 3 of the Plan review), Cardrona is proposed to be rezoned from ODP Rural Visitor Zone to Settlement Zone. For completeness, proposed Chapter 20 – Settlement Zone and variations, attached as **Appendix 1**, includes provisions that relate specifically to Cardrona, however Cardrona is addressed in the Rural Visitor Zone s32 Report.
- 1.5. The Operative District Plan Chapter 9 - Townships (**ODP Townships chapter**) has been used as a basis for this review. Consideration has also been given to the Government's recently-released National Planning Standards 2019 (**planning standards**). Although the Queenstown

Lakes District Council (**the Council**) is not required to implement the standards at the present time, opportunities to implement elements of the planning standards have been considered, within the scope of this proposal. This proposal also assists with implementing the strategic directions of the Proposed District Plan (**PDP**), as set out in PDP Chapter 3: Strategic Directions, Chapter 4: Urban Development, Chapter 5: Tangata Whenua, and Chapter 6: Landscapes and Rural Character.

1.6. The key changes that are recommended, compared against the operative provisions and maps, are as follows:

- a) That the ODP Township zone is renamed Settlement zone in order to implement a component of the planning standards;
- b) That land at Albert Town that is currently zoned ODP Townships Zone is rezoned to Lower Density Suburban Residential Zone;
- c) That land at Hāwea that is currently zoned ODP Townships zone is rezoned to Lower Density Suburban Residential Zone, and that a portion of the land zoned Large Lot Residential 'A' (within the Sentinel Park subdivision) is also zoned Lower Density Suburban Residential Zone;
- d) That the ODP non-complying activity status for residential flats (ODP Rule 9.2.3.4vi) is discontinued and instead is provided for as a restricted discretionary activity with discretion restricted to matters relating to on-site servicing;
- e) That the ODP height recession planes for buildings (ODP rules 9.2.5.2ii(a) and 9.2.5.2ii(b)(i)), which currently prescribe a 25 degree plane at all boundaries, is discontinued and replaced with revised height recession planes that apply to individual boundaries.
- f) That the ODP Visitor Accommodation Sub-zones are retained and an additional Visitor Accommodation Sub-zone is added to Kinloch;
- g) That the ODP Commercial Precincts are retained, with additional precincts added for Kingston to formalise existing commercial activities at Kingston;
- h) That limits are placed on the gross floor area of individual retail and office activities to encourage a diverse range of small scale activities to establish within Commercial Precincts, limit the impacts on town centres and commercial zones which provide for large scale retailing, and to encourage the safe and efficient operation of the transport network.
- i) That minor amendments are made to the extent of the zone for Glenorchy and Makarora to adjust the zone boundaries in order to address known mapping anomalies;
- j) That building heights within the Commercial Precincts are amended to allow for additional 1.5m building height (above the prescribed maximum building height for each Settlement) within the Commercial Precincts. The exception being at Cardrona which has a 12m building height.
- k) That variations are made to various District-wide chapters of the PDP, in order for relevant district-wide provisions to apply to the Settlement Zone;

- l) That the structure and format of the ODP Township Zone chapter is discontinued and is replaced by the chapter structure and conventions established in the PDP via Stages 1 & 2 of the District Plan review.

1.7. These proposals and consequential variations to PDP provisions will assist the Council to fulfil its statutory functions and responsibilities as required by the Resource Management Act 1991 (**'the Act'** or **'the RMA'**).

2. INTRODUCTION

2.1. Section 32 of the Act requires objectives in proposals to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives.

2.2. The purpose of this proposal is to review the ODP Townships Chapter and to introduce a revised framework that addresses the known resource management issues affecting Townships to the PDP. This proposal also recommends associated variations to the following PDP Chapters¹:

- a) Chapter 7 – Lower Density Suburban residential Zone
- b) Chapter 25 - Earthworks
- c) Chapter 27 – Subdivision and Development
- d) Chapter 29 - Transport
- e) Chapter 31 - Signs
- f) Chapter 36 - Noise

2.3. The ODP Townships Zone has been used as the basis for this review, as well as assessment against/consideration of the objectives and policies of the PDP Strategic Directions and Urban Development chapters (contained within the Decisions version of Chapters 3 and 4 of the PDP). A Monitoring Report for each Township (with Glenorchy and Kinloch combined into one report) was prepared in 2011². Subsequently, using the 2011 reports as a template, the monitoring data was updated in a 2018 series of Monitoring Reports³. The results of these Monitoring Reports have been considered through the course of this assessment.

2.4. The following Community Plans have also been considered in this assessment⁴:

¹ Variations are also proposed to the Cardrona Village Character Guideline in respect of Cardrona only. These are included in Appendix 1 for completeness, however the s32 analysis is contained within the Rural Visitor Zone s32 Report.

² <https://www.qldc.govt.nz/planning/other-planning-information/monitoring/>

³ <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-3/stage-3-township-reports>

⁴ <https://www.qldc.govt.nz/council-online/council-documents/small-community-plans/>

- a) Makarora 2020 Community Plan (2004)
- b) Hāwea 2020 Community Plan (2003)
- c) Luggate 2020 Community Plan (2003)
- d) Kingston 2020 Community Plan (2003)
- e) Glenorchy – Head of the Lake Community Plan (2001), including the Glenorchy Community Visioning Report, November 2016.

3. RESOURCE MANAGEMENT ISSUES

- 3.1. The evaluation of the appropriateness of the proposal is based upon addressing a number of resource management issues.
- 3.2. The following key resource management issues have been identified:
 - a) Residential character and amenity
 - b) Economic diversification to support the local economy
 - c) Servicing
 - d) Natural hazards
 - e) Rural living opportunities (Makarora, Luggate, Glenorchy, Kinloch and Kingston only)
 - f) Residential intensification within UGBs (Hāwea and Albert Town only)
- 3.3. Addressing the resource management issues set out above will result in a more appropriate regime of managing the effects of activities in these settlements (compared to the planning regime that currently applies) and is consistent with achieving the purpose of the Act.
- 3.4. This review of the ODP Township Zones applies to land notified in Stage 3 of the Proposed District Plan review and is shown on the Planning Maps notified with the Stage 3 bundle.

4. DISTRICT PLAN REVIEW

- 4.1. The review of the Operative District Plan is being undertaken in stages. Stage 1 commenced in April 2014 and was publicly notified on 26 August 2015. Hearings on Stage 1 components comprising ten individual hearing streams for 33 chapters, 1 variation⁵ and three separate hearing streams for rezoning requests and mapping annotations⁶ were held from March 2016 to September 2017.
- 4.2. On 29 September 2016 the Council approved the commencement of Stage 2. As part of the these resolutions, the Council addressed what the plan outcome would be at the end of the partial

⁵ Variation 1 – Arrowtown Design Guidelines 2016

⁶ Ski Area Sub Zones, Upper Clutha Area and the Queenstown Area (excluding the Wakatipu Basin).

review, and approved the separation of the District Plan into two volumes, Volume A and Volume B.

- 4.3. Volume A (at the point in time of notification of Stage 3) consists of the Proposed District Plan chapters notified in Stages 1 and 2 of the proposed District Plan.
- 4.4. Stage 3 of the District Plan Review comprises the following topics :
- Mapping sites of significance to Wāhi Tūpuna
 - Townships
 - Design Guidelines to assist with the implementation of the Residential and Business Mixed Use Zones (PDP Chapters 7, 8, 9 and 16)
 - Industrial A & B Zones
 - Rural Visitor Zones
 - Ballantyne Road Mixed Use Zone
 - Three Parks Special Zone
 - Various discrete variations
- 4.5. The Stage 3 maps show the land that is subject to Stage 3 of the District Plan Review.
- 4.6. All land that is not subject to Stages 1 – 3 of the District Plan Review currently forms Volume B of the District Plan. This includes zones that have not yet been reviewed and notified, land that has been withdrawn from the district plan review (i.e. parts of the land subject to Plan Changes 46 - Ballantyne Road Industrial and Residential extensions, 50 - Queenstown Town Centre extension and 51 – Peninsula Bay North) and the Frankton Flats B Special Zone and the Remarkables Park Special Zone. All Volume B land is subject to the Operative District Plan.
- 4.7. At the time of notification of Stage 3, decisions have been made on Stages 1 & 2, and the subsequent appeal process is in train.

5. PURPOSE OF THE REPORT

- 5.1. Section 32 of the Resource Management Act 1991 (**‘the Act’** or **‘the RMA’**) requires objectives in proposals to amend a District Plan to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their efficiency, effectiveness and risk in achieving the objectives (MFE, 2014). This report fulfils the obligations of the Council under section 32 of the Act. The analysis set out in this report should be read together with the text of the proposed Settlement zone and accompanying variations (**Appendix 1**).

- 5.2. This report provides an analysis of the key resource management issues, objectives and the policy response in reviewing the ODP Townships Zone under the following headings;
- a) The **Consultation** undertaken, including engagement with iwi authorities on the draft proposal (Section 6);
 - b) An overview of the applicable **Statutory Policy Context** (Section 7);
 - c) Description of the **Non-Statutory Context** (strategies, studies and community plans), which have informed the proposed provisions (Section 7);
 - d) A description of the **Resource Management Issues**, which provide the driver for the proposed provisions (Sections 3 & 8);
 - e) A **level of detail** that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal (Section 32(1)(c)) (Section 11);
 - f) An **Evaluation** against Section 32(1)(a) and Section 32(1)(b) of the Act (Sections 12 and 13), that is
 - A. Whether the objectives are the most appropriate way to achieve the RMA's purpose (Section 32(1)(a)).
 - B. Whether the provisions (policies and methods) are the most appropriate way to achieve the objectives (Section 32(1)(b)), including:
 - i. identifying other reasonably practicable options for achieving the objectives
 - ii. assessing the efficiency and effectiveness of the provisions in achieving the objectives, and
 - iii. summarising the reasons for deciding on the provisions; and
 - g) Consideration of **Risk** (Section 15).

6. CONSULTATION

- 6.1. In March 2019 the Council undertook a series of 'My Place' community consultation evenings, which included a session in each of the Townships (with Glenorchy and Kinloch combined into one session). Participants were asked key questions in relation to their Township. The questions were framed in the following ways:
- a) *What do you like about your Township?*
 - b) *What makes your Township special/unique?*
 - c) *What would you like to change?*
 - d) *What would you like to stay the same?*
- 6.2. The sessions had considerable variability in attendance (ranging from approximately 15 attendees in Makarora, to approximately 60 attendees in Hāwea), and the topics discussed were wide-ranging and not always core to District Plan functions. The sessions were, however, a useful

vehicle for discussion about the issues that were 'live' to the attendees. In the absence of updated Community Plans⁷, the sessions also provided insights into how community sentiment has evolved or remained the same since the Community Plans were adopted. Reports summarising the views expressed by attendees of the My Place consultation regarding the topics of Townships and Housing have been compiled and have been considered⁸.

- 6.3. Consultation with Iwi authorities, required pursuant to Schedule 1, clause 4A of the RMA, was also undertaken between 9 July and 28 July 2019, whereby a set of draft provisions were provided to iwi representatives for consideration and comment. The iwi authorities did not request any changes to the draft provisions and did not provide specific comment.

7. STATUTORY POLICY CONTEXT

Resource Management Act 1991

- 7.1. Section 5 sets out the purpose of the RMA, which requires an integrated planning approach and direction to promote the sustainable management of natural and physical resources. Guidance as to how the overall sustainable management purpose is to be achieved is provided in the other sections, including sections 6, 7 and 8 of Part 2 of the Act:

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.*

- 7.2. **Section 6** of the RMA sets out a number of matters of national importance that are to be recognised and provided for. The following section 6 matters are applicable to this proposal:

⁷ Noting that the Glenorchy Community Plan was updated in 2016.

⁸ <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-3/stage-3-township-reports>

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development: [...]*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga: [...]*
- (h) *the management of significant risks from natural hazards.*

7.3. **Section 7** lists “other matters” that Council shall have particular regard to and those most relevant to this proposal are underlined:

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship:*
- (b) *the efficient use and development of natural and physical resources:*
- (ba) *the efficiency of the end use of energy:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (e) *[repealed]*
- (f) *maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon:*
- (i) *the effects of climate change:*
- (j) *the benefits to be derived from the use and development of renewable energy.*

7.4. **Section 8** requires that Council take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The principles as they relate to resource management derive from Te Tiriti o Waitangi itself and from resource management case law and practice. They can be summarised as follows:

- a) That there must be active protection of the partnership between the two parties;
- b) That there is an obligation to act with reasonableness and good faith, with both parties being prepared to compromise; and
- c) That dialogue and consultation will be the main way in which to give effect to the three principles outlined above.

- 7.5. **Section 31** of the RMA prescribes the following Council functions pursuant to the RMA (most relevant functions in the context of this proposal are underlined). It is noted that s31 was amended in September 2017⁹ to include the new (aa) below:

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:

(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(i) the avoidance or mitigation of natural hazards; and

(ii) [Repealed]

(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:

(iii) the maintenance of indigenous biological diversity:

(c) [Repealed]

(d) the control of the emission of noise and the mitigation of the effects of noise:

(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:

(f) any other functions specified in this Act.

(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision.

- 7.6. The proposal will assist with achieving the integrated management of natural and physical resources by identifying the resource management issues and objectives for the Townships and providing provisions that address the issues and implement the objectives.

- 7.7. **Section 32** of the RMA sets out the requirements for preparing this evaluation report. An evaluation prepared under this section requires objectives in plan change proposals to be

⁹ Resource Management Amendment Act (2017)

examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives. This evaluation is undertaken throughout this report.

- 7.8. Section 32 was amended in September 2017 to include changes to Maori participation, to require that Councils must engage with iwi authorities on draft plans and policy statements prior to notification (schedule 1, clause 4A), and must consider iwi authority advice in section 32 evaluation reports. The draft proposal (provisions and mapping) was provided to iwi on 9 July 2019, whereby a set of draft provisions were provided to iwi representatives for consideration and comment. The iwi authorities did not request any changes to the draft provisions and did not provide specific comment in their response dated 28 July 2019.

Other National Legislation or Policy Statements

- 7.9. When preparing district plans, district councils must give effect to any National Policy Statement (NPS) or National Environmental Standard (NES). Recently, the National Planning Standards 2019 have also been released and must be implemented within prescribed timeframes (discussed in more detail below).

- 7.10. The following NPS are currently in effect:

- (a) NPS on Urban Development Capacity (NPS-UDC)
- (b) NPS for Freshwater Management (NPS-FW)
- (c) NPS for Renewable Electricity Generation (NPS-REG)
- (d) NPS on Electricity Transmission (NPS-ET)
- (e) New Zealand Coastal Policy Statement

- 7.11. Work is currently underway on a proposed National Policy Statement for Indigenous Biodiversity.

- 7.12. The NES that are currently in effect are:

- (a) NES for Air Quality;
- (b) NES for Sources of Drinking Water;
- (c) NES for Telecommunication Facilities;
- (d) NES for Electricity Transmission Activities;
- (e) NES for Assessing and Managing Contaminants in Soil to Protect Human Health; and
- (f) NES for Plantation Forestry.

- 7.13. The proposal does not seek to change the overall policy direction of the PDP and does not introduce provisions that would be inconsistent with any of the NES or NPS. The NPS-UDC is discussed in detail below.

NPS on Urban Development Capacity 2016 (NPS-UDC)

7.14. The Council prepared a Housing Development Capacity Assessment 2017¹⁰ (**HDCA**) in order to satisfy Policy B1 of the NPS-UDC, which requires all local authorities with a medium or high growth urban area to carry out a housing and business development capacity assessment on at least a three-yearly basis¹¹. The HDCA provides the required capacity assessment for housing in the urban areas of the District, with a separate assessment addressing urban capacity in relation to business land¹².

7.15. The NPS-UDC applies to any “urban environment” that is expected to experience growth, and the urban environment of the District has been defined for the purpose of the HDCA:

“In the Wānaka Ward [the urban environment] encompasses the area within the Wānaka urban growth boundary (UGB), as well as the Hāwea and Luggate townships, and the Rural Industrial sub-zone in Luggate. In the south of the district (referred to here as the Wakatipu Ward, which combines both the Queenstown and Arrowtown Wards), the urban environment includes the area within the Queenstown and Arrowtown UGBs plus the small area of Low Density Residential zone adjacent to Lake Hayes [...].

The rest of the district – the rural environment – therefore captures the rural zone, Wakatipu Basin, Gibbston Valley, Cardrona, Hāwea Flat and the more remote townships of Makarora, Glenorchy and Kingston. Several of the District’s special zones sit within the rural environment. It is accepted that within the rural environment there are some development areas that are urban in nature and in future, those areas may be included in the defined urban environment.”^{13 14}

7.16. For the purposes of the HDCA, the townships of Hāwea, Luggate and Albert Town therefore form part of the ‘urban environment’, and the NPS-UDC applies to these areas. It is noteworthy, however that, whilst the NPS-UDC requires capacity to be provided in the urban environment, it does not dictate *where* capacity is required to be provided. Rather, the NPS-UDC directs the Council to prepare a HDCA that ...“*estimates the demand for dwellings, including the demand*

¹⁰ Housing Development Capacity Assessment 2017 (**HDCA 2017**), report dated 15 March 2018, which is available at the following link: <https://www.qldc.govt.nz/assets/Uploads/Council-Documents/Committees/Planning-and-Strategy-Committee/10-May-2018/Item-1-Attachment-B-Housing-Capacity-Assessment-2017-FINAL-1.5.2018.pdf>

¹¹ NPS-UDC, Policy PB1

¹² Business Development Capacity Assessment 2017, report dated 15 March 2018, which is available at the following link: <https://www.qldc.govt.nz/assets/Uploads/Council-Documents/Committees/Planning-and-Strategy-Committee/10-May-2018/Item-1-Attachment-A-Business-Capacity-Assessment-2017-Final-1.5.2018.pdf>

¹³ HDCA 2017, p2.

¹⁴ This approach to defining the ‘urban environment’ is also confirmed at paragraphs 5.13 and 5.14 of Mr Fairgray’s EIC, attached as **Appendix 5**.

for different types of dwellings, locations and price points, and the supply of development capacity to meet that demand, in the short, medium and long-terms¹⁵...

7.17. As the HDCA was prepared in 2017, it predates the Decisions version of the PDP provisions prepared in Stage 1 of the District Plan review (Stage 1)¹⁶. Stage 1 included the residential zones which are the key providers of residential capacity¹⁷ (due to their location within the UGBs, and the significant land area included within the respective zones) and, albeit to a comparatively lesser extent in terms of their role, the Town Centre zones¹⁸, Business Mixed Use Zone and the Local Shopping Centre Zone. Subsequently, the findings of the HDCA have been updated in evidence provided by Mr Douglas Fairgray as part of the Stage 1 appeals process, and therefore require consideration. It is also noteworthy that components of the Stage 1 Decisions version chapters are subject to live appeals and may be subject to further amendments as a result. Mr Fairgray's Evidence in Chief (EIC) is attached in **Appendix 5**.

7.18. Mr Fairgray makes the following observations regarding the requirements of the NPS-UDC, which in my view are relevant to the Townships review in the context of the range of minimum lot sizes and density enabled by the PDP residential zones considered as a whole:

*"While its requirements apply to all local authorities, the NPS-UDC does not require any particular authority to provide for sufficient capacity of different dwelling types and at different price points and for every location within any one district. This means that the different aspects of demand may be met in aggregate within a district or part of a district, with plan provisions enabling a mix of options through a range of locations and enabling a range of dwelling types (typically from apartments to stand-alone houses). This is important because apart from instances where a certain percentage of affordable dwellings may be required within a wider development (such as through the HASHAA legislation), district plans do not require new dwellings to be provided at specific price points, or in particular locations. District plans are generally enabling, not directing, and the price points of new dwellings may be influenced only indirectly by providing for a range of locations, site sizes and/or densities, and dwelling typologies. [...]"*¹⁹

7.19. Overall, Mr Fairgray summarises the following conclusions at paragraphs 3.4 and 3.5 of his EIC:

¹⁵ NPS-UDC, Policy PB1.

¹⁶ Decisions on the matters heard in stage 1 of the district plan review were notified on 7 May 2018.

¹⁷ Specifically the Lower Density Suburban Residential Zone, Medium Density Residential Zone, High Density Residential Zone and the Arrowtown Residential Historic Management Zone.

¹⁸ Specifically the Queenstown, Wanaka and Arrowtown Town Centres.

¹⁹ ENV-2018-331-000019 Evidence in chief of James Douglas Marshall Fairgray, 23 October 2018, paragraph 4.6, attached as **Appendix 5**.

“The key findings of the HDCA, and the updated findings for the PDP Decisions version, show that QLD has sufficient feasible capacity in the urban environment for expected dwelling growth within the District until at least 2046.

The outcomes of my assessment of rural demand and capacity also indicates that QLD has sufficient feasible capacity in the rural environment for expected dwelling growth within the District until at least 2046.” ²⁰

7.20. As outlined in Mr Fairgray's evidence²¹, in total the HDCA established the following key findings:

- a) The District has a long-term urban growth demand of an additional 7,500 (low) to 15,200 (high) dwellings by 2046.
- b) The estimated feasibility capacity for 27,500 dwellings (excluding redevelopment) and 37,300 dwellings (including redevelopment) is far above this projected demand.
- c) A substantial amount of this capacity is located in greenfield areas.

7.21. Mr Fairgray discusses the impact of the Decisions version of the PDP and other changes on the outcomes of the HDCA in terms of plan-enabled capacity. Of direct relevance to this proposal is that the amended provisions in the Decisions version will mean an additional plan-enabled capacity of 354 dwellings within Hāwea Township. This additional plan-enabled capacity is a result of the up-zoning of land within the Hāwea UGB from Rural Residential Zone to Lower Density Suburban Residential Zone and Large Lot Residential 'A' Zone.

7.22. In total, Mr Fairgray states that the PDP Decisions version enables more housing capacity than the Notified PDP, primarily through additional development capacity, and in total an additional 1,554 dwellings are enabled through potential redevelopment on lots from zone changes²². As a result, the changes resulting from the Decisions version of the PDP are generally positive in relation to the outcomes of the HDCA.

National Planning Standards 2019

7.23. In April 2019 the Government released a set of National Planning Standards²³ (**planning standards**) that require all regional policy statements, regional plans and district plans to have a consistent structure and format. The planning standards also prescribe certain definitions, noise and vibration metrics and requirements for electronic functionality and accessibility. The planning

²⁰ Ibid, paragraphs 3.4 – 3.5.

²¹ Ibid, paragraphs 8.5 – 8.7.

²² Ibid paragraph 9.20.

²³ <https://www.mfe.govt.nz/sites/default/files/media/RMA/national-planning-standards.pdf>

standards have been introduced to improve the efficiency and effectiveness of the planning system, rather than seeking to alter the outcomes of policy statements or plans²⁴.

7.24. The planning standards prescribe various timeframes for implementation²⁵, and QLDC is required²⁶ to comply with specified planning standards within 7 years (by April 2026), by either making amendments to the PDP or by notifying an entirely new proposed plan within this timeframe. As the provisions being reviewed in Stage 3 (including the ODP Townships Zone) are a series of plan change proposals, rather than a full proposed district plan, the planning standards are not required to be implemented at the present time.

7.25. The planning standards that are required to be implemented by April 2026 are the following:

- a) Standard 1: Foundation
- b) Standard 4: District Plan Structure
- c) Standard 6: Introduction and general provisions
- d) Standard 7: District-wide matters
- e) Standard 8: Zone Framework
- f) Standard 9: Designations
- g) Standard 10: Format
- h) Standard 12: District spatial layers
- i) Standard 13: Mapping
- j) Standard 15: Noise and vibration metrics

7.26. Notably, the above list does not include Standard 14 – Definitions Standard, which is required to be implemented by QLDC within 9 years (by April 2028).

7.27. When reviewing the ODP Townships provisions, the appropriateness of utilising provisions the initial planning standards have been considered. The most notable of these recommendations, is the proposal to re-cast the ODP Townships zone as the Settlement Zone, and to continue the ODP regime of precincts identified on planning maps which comprise the Visitor Accommodation Sub-zones and the Commercial Precincts which function as activity overlays (providing flexibility for activities in addition to the activities enabled by the underlying Settlement Zone). These overlay/precinct mechanisms are provided for by the planning standards.

7.28. It would be inefficient to implement all planning standards at this time, particularly those standards that apply to the entire District Plan (such as the standard definitions and mapping conventions). To implement such standards in an iterative way would be inefficient and unnecessarily complex,

²⁴ National Planning Standards 2019; part 1: Foundation Standard.

²⁵ Ibid, part 17: Implementation Standard.

²⁶ Ibid, part 17: Implementation Standard; directive 5

particularly in the context of the staged review of the Plan. Noting that this is not strictly a requirement at the present time, planning standards have been implemented where possible.

Iwi Management Plans

7.29. When preparing or changing a District Plan, Section 74(2A)(a) of the RMA states that Councils 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.

7.30. Two Iwi Management Plans are relevant and these are discussed in turn below.

The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008²⁷

7.31. The following table highlights the provisions of the Iwi Management Plan that are relevant to this proposal, and briefly discusses how the provisions are taken into account.

Table 1

Provision	Discussion
3.1 Huringa Ahua a Te Rangi/ Climate Change	<p>Although the suite of policies in this section of the management plan generally have a broader application than the District Plan (and relate to coastal issues which are not relevant to this District), policy 12 seeks to... <i>“Support further development and improvement of contingency measures to recognise for increased natural hazards risk as a result of sea level rise and unpredictable weather patterns ...”</i>.</p> <p>This policy is taken into account through proposed provisions and mapping annotations pertaining to known natural hazard risk from flooding.</p>
3.2 Au Te Pu Hau / Air	<p>Section 3.2.1 focusses on discharges to air and also highlights the issue of visual intrusion of light pollution. Policy 15 seeks the encouragement of... <i>“techniques to eliminate the effects of light pollution. Techniques should be introduced during</i></p>

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<https://www.es.govt.nz/Document%20Library/Plans,%20policies%20and%20strategies/Regional%20plans/Iwi%20Management%20Plan/Te%20Tangi%20a%20Tauira%20-%20The%20Cry%20of%20the%20People.pdf>

Provision	Discussion
	<p><i>planning phases for new suburban and coastal subdivisions...".</i></p> <p>Section 3.2.2 also highlights issues relating to 'visual amenity and intrusion'. The following policies are considered to be relevant:</p> <p>Policy 2: <i>"Ensure where avoidable that impacts from activities that create effects such as glare, shading, or electrical disturbance do not interfere with the amenity values associated with a place, environment or neighbouring property."</i></p> <p>Policy 3: <i>"Ngai Tahu ki Murihiku shall actively participate in interagency and cross boundary decision making in respect to development, design and placement of structures and where appropriate may provide qualified recommendations for the protection of amenity values."</i></p> <p>Policy 4: <i>"Ngai Tahu ki Murihiku shall provide qualified recommendations with respect to concerns raised related to odour and offensive discharge, from rural, urban and industrial activities."</i></p> <p>Policy 6: <i>"Where there may be visual impacts on the natural and cultural landscapes as a result of development, encourage the integration of landscaping techniques which utilise reserve planting or vegetation screens to soften intrusion."</i></p> <p>It is considered that the issues highlighted in these policies (where relevant) are addressed in the proposed provisions that pertain to adverse effects of glare, shading, non-residential activities, and maintenance of residential amenity.</p>
3.4 Takitimu Me Ona Uri / High Country and Foothills	<p>This section of the Iwi Management Plan includes the upper Queenstown/Wānaka catchment including lakes and mountains between Whakatipu Waitai (Lake McKerrow) across to the eastern boundary of the Mata-au (Clutha) River²⁸. The section</p>

²⁸ *The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008*, Page 112.

Provision	Discussion
	<p>focusses most closely on rural issues, however the following policies, which relate to 'access and tourism' (section 3.4.8) are considered to have relevance to this proposal:</p> <p>Policy 2: “Development that includes building activity should consider specific landscape and geographical features and the significance of these to Ngai Tahu Whanui. Activity whereby buildings will protrude above ridgelines or displace sites of cultural significance should be avoided.”</p> <p>This policy is addressed via consideration of appropriate locations for (and extent of) the Townships, in particular where they adjoin sensitive landscapes.</p>

Kāi Tahu ki Otago Natural Resource Management Plan 2005²⁹

- 7.32. The following table highlights the provisions of the Iwi Management Plan that are relevant to this proposal, and briefly discusses how the provisions are taken into account.

Table 2

Provision	Discussion
Section 5 sets out issues, objectives and policies for the entire Otago Region, including the Clutha Mata-au catchment	The issues, objectives and policies in this section generally relate to rural activities, however, they have been taken into account when determining the proposed physical extent of the Townships.
Section 10 sets out issues, objectives and policies specifically relating to the Clutha/Mata-au catchment.	<p>The following policies, which relate to landuse (within the Wai Maori policies section 10.2.3), are directly relevant to this proposal:</p> <p>Policy 9: To encourage the adoption of sound environmental practices, adopted where land use intensification occurs.</p>

²⁹ <https://www.waitaki.govt.nz/our-services/planning-and-resource-consents/Documents/RMA/Useful/Kai%20Kahu%20Ki%20Otago%20Natural%20Resources%20Management%20Plan%202005.pdf>

Provision	Discussion
	<p>Policy 10: To promote sustainable land use in the Clutha/Mata-Au catchment.</p> <p>Policy 12: To require reticulated community sewerage schemes that have the capacity to accommodate future population growth.</p> <p>The above policies have been taken into account when formulating the proposed provisions.</p>

- 7.33. In accordance with the above, the relevant provisions of the Iwi Management Plans have been taken into account in this s32 analysis.

Regional Policy Statements

- 7.34. Section 74 of the Act requires that a District Plan prepared by a territorial authority must “give effect to” any operative Regional Policy Statement and “have regard to” any proposed Regional Policy Statement.
- 7.35. The Proposed Otago Regional Policy Statement (**PRPS**) was notified for public submissions on 23 May 2015, with decisions on submissions released on 1 October 2016. A number of provisions were appealed. Consent orders have now been issued for most appeals and these now form the Partially Operative Otago Regional Policy Statement 2019 (**PORPS 19**). The provisions that have not been superseded by the PORPS 19 remain in the Partially Operative Otago Regional Policy Statement 1998 (**PORPS 98**).
- 7.36. There remains one chapter of relevance that has yet to be made operative (*Chapter 3: Otago has high quality natural resources and ecosystems*), however as a consent order has been issued the appeal process is all but resolved and significant weight can be given to these provisions.

Table 3: Partially Operative Regional Policy Statement 2019 (PORPS 2019)³⁰

Provision	Detail
Objective 1.1³¹	Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities
Policy 1.1.1 Economic wellbeing ³²	Provide for the economic wellbeing of Otago's people and communities by enabling the resilient and sustainable use and development of natural and physical resources.
Policy 1.1.2 Social and cultural wellbeing and health and safety ³³	Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following: <ul style="list-style-type: none"> a) Recognising and providing for Kāi Tahu values; b) Taking into account the values of other cultures; c) Taking into account the diverse needs of Otago's people and communities; d) Avoiding significant adverse effects of activities on human health; e) Promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing;
Objective 1.2³⁴	Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago
Policy 1.2.1 Integrated resource management ³⁵	Achieve integrated management of Otago's natural and physical resources, by all of the following: <ul style="list-style-type: none"> a) Coordinating the management of interconnected natural and physical resources; b) Taking into account the impacts of management of one natural or physical resource on the values of another, or on the environment; c) Recognising that the value and function of a natural or physical resource may extend beyond the immediate, or directly adjacent, area of interest; d) Ensuring that resource management approaches across administrative boundaries are consistent and complementary; e) Ensuring that effects of activities on the whole of a natural or physical resource are considered when that resource is managed as subunits. f) Managing adverse effects of activities to give effect to the objectives and policies of the Regional Policy Statement. g) Promoting healthy ecosystems and ecosystem services; h) Promoting methods that reduce or negate the risk of exceeding sustainable resource limits.
Objective 2.1	The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions

³⁰ <https://www.orc.govt.nz/plans-policies-reports/regional-plans-and-polices/regional-policy-statement>

³¹ Changed by Environment Court consent order – 28 June 2018

³² Changed by Environment Court consent order – 28 June 2018

³³ Changed by Environment Court consent order – 28 June 2018

³⁴ Changed by Environment Court consent order – 28 June 2018

³⁵ Changed by Environment Court consent order – 28 June 2018

Provision	Detail
Policy 2.1.1 Treaty obligations	Promote awareness and understanding of the obligations of local authorities in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.
Policy 2.1.2 Treaty principles	Ensure that local authorities exercise their functions and powers, by: <ul style="list-style-type: none"> a) Recognising Kāi Tahu's status as a Treaty partner; and b) Involving Kāi Tahu in resource management processes implementation; c) Taking into account Kāi Tahu values in resource management decision-making processes and implementation; d) Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka; e) Ensuring Kāi Tahu have the ability to: <ul style="list-style-type: none"> i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; ii. Determine how best to express that relationship; f) Having particular regard to the exercise of kaitiakitaka; g) Ensuring that district and regional plans: <ul style="list-style-type: none"> i. Give effect to the Ngāi Tahu Claims Settlement Act 1998; ii. Recognise and provide for statutory acknowledgement areas in Schedule 2; iii. Provide for other areas in Otago that are recognised as significant to Kāi Tahu; h) Taking into account iwi management plans.
Objective 2.2	Kāi Tahu values, interests and customary resources are recognised and provided for
Policy 2.2.1 Kāi Tahu wellbeing ³⁶	Manage the natural environment to support Kāi Tahu wellbeing by all of the following: <ul style="list-style-type: none"> a) Recognising and providing for their customary uses and cultural values in Schedules 1A and B; and; b) Safe-guarding the life-supporting capacity of natural resources.
Policy 2.2.2 Recognising sites of cultural significance ³⁷	Recognise and provide for the protection of wāhi tūpuna, by all of the following: <ul style="list-style-type: none"> a) Avoiding significant adverse effects on those values that contribute to the identified wāhi tūpuna being significant; b) Avoiding, remedying, or mitigating other adverse effects on the identified wāhi tūpuna; c) Managing the identified wāhi tūpuna sites in a culturally appropriate manner.
Objective 4.1	Risks that natural hazards pose to Otago's communities are minimised
Policy 4.1.1 Identifying natural hazards	Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence by considering all of the following: <ul style="list-style-type: none"> a) Hazard type and characteristics; b) Multiple and cascading hazards; c) Cumulative effects, including from multiple hazards with different risks; d) Effects of climate change;

³⁶ Changed by Environment Court consent order – 28 June 2018

³⁷ Changed by Environment Court consent order – 28 June 2018

Provision	Detail
	<ul style="list-style-type: none"> e) Using the best available information for calculating likelihood; f) Exacerbating factors.
Policy 4.1.3 Natural hazard consequence	<p>Assess the consequences of natural hazard events, by considering all of the following:</p> <ul style="list-style-type: none"> a) The nature of activities in the area; b) Individual and community vulnerability; c) Impacts on individual and community health and safety; d) Impacts on social, cultural and economic wellbeing; e) Impacts on infrastructure and property, including access and services; f) Risk reduction and hazard mitigation measures; g) Lifeline utilities, essential and emergency services, and their co-dependence; h) Implications for civil defence agencies and emergency services; i) Cumulative effects; j) Factors that may exacerbate a hazard event.
Policy 4.1.4 Assessing activities for natural hazard risk ³⁸	<p>Assess activities for natural hazard risk to people, property and communities, by considering all of the following:</p> <ul style="list-style-type: none"> a) The natural hazard risk identified, including residual risk; b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods; c) The long-term viability and affordability of those measures; d) Flow-on effects of the risk to other activities, individuals and communities; e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.
Policy 4.1.5 Natural hazard risk ³⁹	<p>Manage natural hazard risk to people, property and communities, with particular regard to all of the following:</p> <ul style="list-style-type: none"> a) The risk posed, considering the likelihood and consequences of natural hazard events; b) The implications of residual risk; c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event; d) Sensitivity of activities to risk; e) The need to encourage system resilience; f) The social costs of recovery.
Policy 4.1.6 Minimising increase in natural hazard risk ⁴⁰	<p>Minimise natural hazard risk to people, communities, property and other aspects of the environment by:</p> <ul style="list-style-type: none"> a) Avoiding activities that result in significant risk from natural hazard; b) Enabling activities that result in no or low residual risk from natural hazard; c) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years;

³⁸ Changed by Environment Court consent order – 28 June 2018

³⁹ Changed by Environment Court consent order – 28 June 2018

⁴⁰ Changed by Environment Court consent order – 28 June 2018

Provision	Detail
	<ul style="list-style-type: none"> d) Encouraging the location of infrastructure away from areas of hazard risk where practicable; e) Minimising any other risk from natural hazard.
Policy 4.1.7 Reducing existing natural hazard risk ⁴¹	<p>Reduce existing natural hazard risk to people and communities, including by all of the following:</p> <ul style="list-style-type: none"> a) Encouraging activities that: <ul style="list-style-type: none"> i. Reduce risk; or ii. Reduce community vulnerability; b) Discouraging activities that: <ul style="list-style-type: none"> i. Increase risk; or ii. Increase community vulnerability; c) Considering the use of exit strategies for areas of significant risk to people and communities; d) Encouraging design that facilitates: <ul style="list-style-type: none"> i. Recovery from natural hazard events; or ii. Relocation to areas of lower risk; or iii. Mitigation of risk; e) Relocating lifeline utilities, and facilities for essential and emergency service, to areas of reduced risk, where appropriate and practicable; f) Enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services; g) Reassessing natural hazard risk to people and communities, and community tolerance of that risk, following significant natural hazard events.
Policy 4.1.8 Precautionary approach to natural hazard risk	Where natural hazard risk to people and communities is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk.
Policy 4.1.10 Mitigating natural hazards ⁴²	<p>Give preference to risk management approaches that reduce the need for hard protection structures or similar engineering interventions, and provide for hard protection structures only when all of the following apply:</p> <ul style="list-style-type: none"> a) Those measures are essential to reduce risk to a level the community is able to tolerate; b) There are no reasonable alternatives that result in reducing the risk exposure; c) It would not result in an increase in risk to people and communities, including displacement of risk off-site; d) The adverse effects can be adequately managed; e) The mitigation is viable in the reasonably foreseeable long term.
Objective 4.3	Infrastructure is managed and developed in a sustainable way
Policy 4.3.1 Managing infrastructure activities ⁴³	<p>Recognise and provide for infrastructure by all of the following:</p> <ul style="list-style-type: none"> a) Protecting and providing for the functional needs of lifeline utilities and essential or emergency services;

⁴¹ Changed by Environment Court consent order – 28 June 2018

⁴² Changed by Environment Court consent order – 28 June 2018

⁴³ Changed by Environment Court consent order – 6 July 2018

Provision	Detail
	<ul style="list-style-type: none"> b) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; c) Improving efficiency of natural and physical resource use; d) Minimising adverse effects on existing land uses, and natural and physical resources; e) Managing other activities to ensure the functional needs of infrastructure are not compromised.
Objective 4.4	Energy resources and supplies are secure, reliable and sustainable
Policy 4.4.6 Energy efficient transport ⁴⁴	<p>Enable energy efficient and sustainable transport for Otago's communities, by all of the following:</p> <ul style="list-style-type: none"> a) Encouraging the development of compact and well integrated urban areas, to reduce travel needs within those areas; b) Ensuring that transport infrastructure in urban areas has good connectivity, both within new urban areas and between new and existing urban areas, by all of the following: <ul style="list-style-type: none"> i. Placing a high priority on walking, cycling, and public transport, where appropriate; ii. Maximising pedestrian and cycling networks connectivity, and integration with public transport; iii. Having high design standards for pedestrian and cyclist safety and amenity; c) Enabling the development or upgrade of transport infrastructure and associated facilities that both: <ul style="list-style-type: none"> i. Increase freight efficiency; and ii. Foster the uptake of new technologies for more efficient energy uses, and renewable or lower emission transport fuels. d) Fostering uptake of public transportation through provision of safe, reliable and well sheltered alternatives to private transport.
Objective 4.5	Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments
Policy 4.5.1 Providing for urban growth and development ⁴⁵	<p>Provide for urban growth and development in a strategic and co-ordinated way, including by:</p> <ul style="list-style-type: none"> a) Ensuring future urban growth areas are in accordance with any future development strategy for that district. b) Monitoring supply and demand of residential, commercial and industrial zoned land. c) Ensuring that there is sufficient housing and business land development capacity available in Otago; d) Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6. e) Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way. f) Having particular regard to: <ul style="list-style-type: none"> i. Providing for rural production activities by minimising adverse effects on significant soils and activities which sustain food production;

⁴⁴ Changed by Environment Court consent order – 28 June 2018

⁴⁵ Changed by Environment Court consent order – 28 June 2018

Provision	Detail
	<ul style="list-style-type: none"> ii. Minimising competing demands for natural resources; iii. Maintaining high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of significant indigenous vegetation and significant habitats of indigenous fauna; iv. Maintaining important cultural or historic heritage values; v. Avoiding land with significant risk from natural hazards; g) Ensuring efficient use of land; h) Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed; i) Requiring the use of low or no emission heating systems where ambient air quality is: <ul style="list-style-type: none"> i. Below standards for human health; or ii. Vulnerable to degradation given the local climatic and geographical context; j) Consolidating existing coastal settlements and coastal urban areas where this will contribute to avoiding or mitigating sprawling or sporadic patterns of settlement and urban growth.
Policy 4.5.2 Integrating infrastructure with land use	<p>Achieve the strategic integration of infrastructure with land use, by undertaking all of the following:</p> <ul style="list-style-type: none"> a) Recognising and providing for the functional needs of infrastructure; b) Locating and designing infrastructure to take into account all of the following: <ul style="list-style-type: none"> i. Actual and reasonably foreseeable land use change; ii. The current population and projected demographic changes; iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services; iv. Natural and physical resource constraints; v. Effects on the values of natural and physical resources; vi. Co-dependence with other infrastructure; vii. The effects of climate change on the long-term viability of that infrastructure; viii. Natural hazard risk. c) Coordinating the design and development of infrastructure with land use change in growth and redevelopment planning.
Policy 4.5.3 Urban design	<p>Design new urban development with regard to:</p> <ul style="list-style-type: none"> a) A resilient, safe and healthy community; b) A built form that relates well to its surrounding environment; c) Reducing risk from natural hazards; d) Good access and connectivity within and between communities; e) A sense of cohesion and recognition of community values; f) Recognition and celebration of physical and cultural identity, and the historic heritage values of a place; g) Areas where people can live, work and play; h) A diverse range of housing, commercial, industrial and service activities; i) A diverse range of social and cultural opportunities.
Policy 4.5.4 Low impact design	<p>Encourage the use of low impact design techniques in subdivision and development to reduce demand on stormwater, water and wastewater infrastructure and reduce potential adverse environmental effects.</p>

Provision	Detail
Policy 4.5.5 Warmer buildings	Encourage the design of subdivision and development to reduce the adverse effects of the region's colder climate, and higher demand and costs for energy, including maximising passive solar gain.
Policy 4.5.6 Designing for public access	Design and maintain public spaces, including streets and open spaces, to meet the reasonable access and mobility needs of all sectors.
Objective 5.3	Sufficient land is managed and protected for economic production
Policy 5.3.1 Rural activities ⁴⁶	Manage activities in rural areas, to support the region's economy and communities, by: <ul style="list-style-type: none"> a) Enabling primary production and other rural activities that support that production; b) Providing for mineral exploration, extraction and processing; c) Minimising the loss of significant soils; d) Restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects; e) Minimising the subdivision of productive rural land into smaller lots that may result in a loss of its productive capacity or productive efficiency; f) Providing for other activities that have a functional need to locate in rural areas.
Policy 5.3.2 Distribution of commercial activities	Manage the distribution of commercial activities by: <ul style="list-style-type: none"> a) Enabling a wide variety of commercial, social and cultural activities in central business districts, and town and commercial centres; b) Enabling smaller commercial centres to service local community needs; c) Restricting commercial activities outside of a) and b) when such activities are likely to undermine the vibrancy and viability of those centres; d) Encouraging the adaptive reuse of existing buildings.
Policy 5.3.5 Tourism and outdoor recreation ⁴⁷	Recognise the social and economic value of some forms of outdoor recreation and tourism having access to, and being located within, outstanding natural features and landscapes.

Table 4: Regional Policy Statement for Otago 1998: Partially Operative as of 14 January 2019 (PORPS 1998)⁴⁸

Provision	Detail
Objective 5.4.1	To promote the sustainable management of Otago's land resources in order: <ul style="list-style-type: none"> (a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and (b) To meet the present and reasonably foreseeable needs of Otago's people and communities.
Objective 5.4.2	To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.

⁴⁶ Changed by Environment Court consent order – 5 September 2018

⁴⁷ Changed by Environment Court consent order – 28 June 2018

⁴⁸ <https://www.orc.govt.nz/media/6355/orc-1998-rps-revoked-provisions.pdf>

Provision	Detail
Objective 5.4.3	To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.
Policy 5.5.4	To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.
Policy 5.5.5	To minimise the adverse effects of landuse activities on the quality and quantity of Otago's water resource through promoting and encouraging the: <ul style="list-style-type: none"> (a) Creation, retention and where practicable enhancement of riparian margins; and (b) Maintaining and where practicable enhancing, vegetation cover, upland bogs and wetlands to safeguard land and water values; and (c) Avoiding, remedying or mitigating the degradation of groundwater and surface water resources caused by the introduction of contaminants in the form of chemicals, nutrients and sediments resulting from landuse activities.
Policy 5.5.6	Otago's outstanding natural features and landscapes which: <ul style="list-style-type: none"> (a) Are unique to or characteristic of the region; or (b) Are representative of a particular landform or land cover occurring in the Otago region or of the collective characteristics which give Otago its particular character; or (c) Represent areas of cultural or historic significance in Otago; or (d) Contain visually or scientifically significant geological features; or
Objective 6.4.2	To maintain and enhance the quality of Otago's water resources in order to meet the present and reasonably foreseeable needs of Otago's communities.

Proposed District Plan

7.37. The following objectives and policies (or parts thereof) of the PDP (Part 2 Strategic) are relevant to this proposal, which takes into account and gives effect to these provisions.

Table 5: Relevant Objectives and Policies of PDP Strategic Direction Chapter 3

Reference	Detail
Strategic Objective 3.2.1	The development of a prosperous, resilient and equitable economy in the District. (addresses Issue 1)
Policy 3.2.1.1	The significant socio-economic benefits of well designed and appropriately located visitor industry facilities and services are realised across the District.
Policy 3.2.1.5	Local service and employment functions served by commercial centres and industrial areas outside the Queenstown and Wānaka town centres ⁴⁹ , Frankton and Three Parks, are sustained.
Policy 3.2.1.6	Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.

⁴⁹ Defined by the extent of the Town Centre Zone in each case.

Reference	Detail
Policy 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 S.O.3.2.4 and 3.2.4 following)
Policy 3.2.1.9	Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment. (also elaborates on S.O.3.2.2 following)
Strategic Objective 3.2.2	Urban growth is managed in a strategic and integrated manner. (addresses Issue 2)
Policy 3.2.2.1	Urban development occurs in a logical manner so as to: <ul style="list-style-type: none"> a. promote a compact, well-designed and integrated urban form; b. build on historical urban settlement patterns; c. achieve a built environment that provides desirable, healthy and safe places to live, work and play; d. minimise the natural hazard risk, taking into account the predicted effects of climate change; e. protect the District's rural landscapes from sporadic and sprawling development; f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in; g. contain a high quality network of open spaces and community facilities; and h. be integrated with existing, and planned future, infrastructure. (also elaborates on S.O. 3.2.3, 3.2.5 and 3.2.6 following)
Strategic Objective 3.2.3	A quality built environment taking into account the character of individual communities. (addresses Issues 3 and 5)
Strategic Objective 3.2.4	The distinctive natural environments and ecosystems of the District are protected. (addresses Issue 4)
Policy 3.2.4.1	Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.
Policy 3.2.4.5	Public access to the natural environment is maintained or enhanced.
Strategic Objective 3.2.5	The retention of the District's distinctive landscapes. (addresses issues 2 and 4)
Policy 3.2.5.1	The landscape and visual amenity values and the natural character of Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.

Reference	Detail
Policy 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.
Strategic Objective 3.2.6	The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety. (addresses Issues 1 and 6)
Strategic Policy 3.3.1 (Visitor Industry)	Make provision for the visitor industry to maintain and enhance attractions, facilities and services within the Queenstown and Wānaka town centre areas and elsewhere within the District's urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone. (relevant to S.O. 3.2.1.1 and 3.2.1.2)
Strategic Policy 3.3.3 (Town Centres and other Commercial and Industrial Areas)	Avoid commercial zoning that could undermine the role of the Queenstown and Wānaka town centres as the primary focus for the District's economic activity. (relevant to S.O. 3.2.1.2)
Strategic Policy 3.3.9 (Town Centres and other Commercial and Industrial Areas)	Support the role of township commercial precincts and local shopping centres fulfil in serving local needs by enabling commercial development that is appropriately sized for that purpose. (relevant to S.O. 3.2.1.5)
Strategic Policy 3.3.10 (Town Centres and other Commercial and Industrial Areas)	Avoid commercial rezoning that would undermine the key local service and employment function role that centres outside of the Queenstown and Wānaka town centres, Frankton and Three Parks fulfil. (relevant to S.O. 3.2.1.5)
Strategic Policy 3.3.11 (Town Centres and other Commercial and Industrial Areas)	Provide for a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification. (relevant to S.O 3.2.1.1, 3.2.1.2, 3.2.1.5, 3.2.1.6 and 3.2.1.9)
Strategic Policy 3.3.13	Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack's Point), Wānaka and Lake Hawea Township. (relevant to S.O 3.2.2.1)

Reference	Detail
(urban development)	
Strategic Policy 3.3.14 (urban development)	Apply provisions that enable development within UGBs and avoid urban development outside of the UGBs. (relevant to S.O. 3.2.1.8, 3.2.2.1, 3.2.3.1, 3.2.5.1 and 3.2.5.2)
Strategic Policy 3.3.15 (Urban Development)	Locate urban development of the settlements where no UGB is provided within the land zoned for that purpose. (relevant to S.O. 3.2.1.8, 3.2.2.1, 3.2.3.1, 3.2.5.1 and 3.2.5.2)
Strategic Policy 3.3.19 (Natural Environment)	Manage subdivision and/or development that may have adverse effects on the natural character and nature conservation values of the District's lakes, rivers, wetlands and their beds and margins so that their life-supporting capacity and natural character is maintained or enhanced. (relevant to S.O. 3.2.1.8, 3.2.4.1, 3.2.4.3, 3.2.4.4, 3.2.5.1 and 3.2.5.2)
Strategic Policy 3.3.30 (Landscapes)	Avoid adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes and Outstanding Natural Features that are no more than minor and or not temporary in duration. (relevant to S.O. 3.2.5.1)
Strategic Policy 3.3.32 (Landscapes)	Only allow further land use changes 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 not materially degraded. (relevant to S.O. 3.2.19 and 3.2.5.2)

7.38. The Strategic Directions seek to provide for development while protecting the valued natural and physical resources of the District. The proposal is required to give effect to these obligations.

Table 6: Relevant Objectives and Policies of Urban Development Chapter 4:

Reference	Detail
Objective 4.2.1	Urban Growth Boundaries used as a tool to manage the growth of larger urban areas within distinct and defensible urban edges. (from Policies 3.3.12 and 3.3.13)
Policy 4.2.1.1	Define Urban Growth Boundaries to identify the areas that are available for the growth of the main urban settlements.
Policy 4.2.1.2	Focus urban development on land within and at selected locations adjacent to the existing larger urban settlements and to a lesser extent, accommodate urban development within smaller rural settlements.
Policy 4.2.1.4	Ensure Urban Growth Boundaries encompass a sufficient area consistent with:

Reference	Detail
	<ul style="list-style-type: none"> a. the anticipated demand for urban development within the Wakatipu and Upper Clutha Basins over the planning period assuming a mix of housing densities and form; b. ensuring the ongoing availability of a competitive land supply for urban purposes; c. the constraints on development of the land such as its topography, its ecological, heritage, cultural or landscape significance; or the risk of natural hazards limiting the ability of the land to accommodate growth; d. the need to make provision for the location and efficient operation of infrastructure, commercial and industrial uses, and a range of community activities and facilities; e. a compact and efficient urban form; f. avoiding sporadic urban development in rural areas; g. minimising the loss of the productive potential and soil resource of rural land.
Policy 4.2.1.5	When locating Urban Growth Boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise degradation of the values derived from open rural landscapes.
Policy 4.2.1.6	Review and amend Urban Growth Boundaries over time, as required to address changing community needs.
Policy 4.2.1.7	Contain urban development of existing rural settlements that have no defined Urban Growth Boundary within land zoned for that purpose.
Objective 4.2.2A	A compact and integrated urban form within the Urban Growth Boundaries that is coordinated with the efficient provision and operation of infrastructure and services.
Objective 4.2.2B	Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna. (From Policy 3.3.13, 3.3.17, 3.3.29)
Policy 4.2.2.1	Integrate urban development with the capacity of existing or planned infrastructure so that the capacity of that infrastructure is not exceeded and reverse sensitivity effects on regionally significant infrastructure are minimised.
Policy 4.2.2.2	<p>Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to:</p> <ul style="list-style-type: none"> a. its topography; b. its ecological, heritage, cultural or landscape significance if any; c. any risk of natural hazards, taking into account the effects of climate change; d. connectivity and integration with existing urban development;

Reference	Detail
	<ul style="list-style-type: none"> e. convenient linkages with public transport; f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment; g. the need to make provision for the location and efficient operation of regionally significant infrastructure; h. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible; i. the function and role of the town centres and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2 - 3.2.1.5 and associated policies; and j. the need to locate emergency services at strategic locations.
Policy 4.2.2.3	Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.
Policy 4.2.2.4	Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.
Policy 4.2.2.5	Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.
Policy 4.2.2.6	Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.
Policy 4.2.2.7	Explore and encourage innovative approaches to design to assist provision of quality affordable housing.
Policy 4.2.2.8	In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.
Policy 4.2.2.9	Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting "Crime Prevention Through Environmental Design".
Policy 4.2.2.10	Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky.
Policy 4.2.2.11	Ensure that the location of building platforms in areas of low density development within Urban Growth Boundaries and the capacity of infrastructure servicing such development does not unnecessarily compromise opportunities for future urban development.
Policy 4.2.2.12	Ensure that any transition to rural areas is contained within the relevant Urban Growth Boundary.
4.2.2.22 (Upper Clutha Basin)	<p>Define the Urban Growth Boundaries for Wānaka and Lake Hawea Township, as shown on the District Plan Maps that:</p> <ul style="list-style-type: none"> a. are based on existing urbanised areas;

Reference	Detail
specific policies)	<ul style="list-style-type: none"> b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases in the Upper Clutha Basin over the planning period; c. have community support as expressed through strategic community planning processes; d. utilise the Clutha and Cardrona Rivers and the lower slopes of Mt. Alpha as natural boundaries to the growth of Wānaka; and e. avoid sprawling and sporadic urban development across the rural areas of the Upper Clutha Basin.
4.2.2.23	Rural land outside of the Urban Growth Boundaries is not used for urban development until further investigations indicate that more land is needed to meet demand for urban development in the Upper Clutha Basin and a change to the Plan amends the Urban Growth Boundary and zones additional land for urban development purposes.

7.39. The Urban Development objectives and policies are part of the strategic intentions of the PDP, specifically seeking to manage the spatial layout of urban development in the District. The objectives and policies seek to provide a managed approach to urban development that utilises land resources in an efficient manner, and preserves and enhances natural amenity values⁵⁰. The objectives and policies encourage consolidation of urban growth within UGBs (this is of particular relevance to Hāwea and Albert Town), with the review of the location of UGBs provided for over time to respond to changing community needs.

Table 7: Relevant Objectives and Policies of PDP Tangata Whenua Chapter 5:

Reference	Detail
Objective 5.3.1	Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan policies.
Policy 5.3.1.1	Ensure that Ngai Tahu Papatipu Runanga are engaged in resource management decision-making and implementation on matters that affect Ngai Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.
Policy 5.3.1.3	When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account iwi management plans.

7.40. The proposal gives effect to the Tangata Whenua Chapter 5 objectives and policies as it takes into account the relevant iwi management plans, and statutory consultation with iwi has occurred and no changes were requested.

⁵⁰ Provision 4.1 (Purpose), paragraph 2.

Table 8: Relevant Policies of PDP Landscapes and Rural Character Chapter 6:

Reference	Detail
Policy 6.3.4	Avoid urban development and subdivision to urban densities in the rural zones. (3.2.2.1, 3.2.5.1, 3.2.5.2, 3.3.13-15, 3.3.23, 3.3.30, 3.3.32).
Policy 6.3.10	Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes adjacent to Outstanding Natural Features does not have more than minor adverse effects on the landscape quality, character and visual amenity of the relevant Outstanding Natural Feature(s). (3.2.5.1, 3.3.30).
Policy 6.3.12	Recognise that subdivision and development is inappropriate in almost all locations in Outstanding Natural Landscapes and on Outstanding Natural Features, meaning successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site the subject of application. (3.2.1.1, 3.2.5.1, 3.3.21, 3.3.30).
Policy 6.3.16	Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present. (3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.5.1, 3.3.20-21, 3.3.30).
Policy 6.3.19	Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan. (3.2.1.1, 3.2.1.7, 3.2.5.2, 3.3.20-24, 3.3.32).
Policy 6.3.22	Have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads. (3.2.1.1, 3.2.1.7, 3.2.5.2, 3.3.21, 3.3.24-25, 3.3.32).
Policy 6.3.28	In the upper Clutha Basin, have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present. (3.2.1.1, 3.2.1.8, 3.2.5.2, 3.3.20-21, 3.3.24-26, 3.3.32).

7.41. From an implementation perspective the landscape categories and policies in Chapter 6 on the ONL and RCL only apply to land zoned Rural. However, landscapes values can still be outstanding under section 6 of the Act without a mapping annotation and the Townships land falls within section 6 as identified in Section 7.2 above.

7.42. The proposal includes objectives, policies and methods to manage landscape values independently of Chapter 6.

Other Council Documents Considered

7.43. The following Council documents and projects have informed this Section 32 evaluation.

- (a) [Townships Monitoring Reports 2011](#)
- (b) [Townships Monitoring Reports 2018](#)
- (c) [My Place 2019 consultation summary reports for the Townships and Housing topics](#)
- (d) [Long Term Plan](#) – Volume A
- (e) [Long Term Plan](#) – Volume B
- (f) [Population Projections \(December 2018\)](#)⁵¹
- (g) [Housing Development Capacity Assessment 2017](#)
- (h) [Wānaka Network Operating Framework Report \(August 2018\)](#)
- (i) [Learning to Live with Flooding: A Flood Risk Management Strategy for the communities of Lakes Wakatipu and Wānaka, October 2006](#)
- (j) [Small Community Plans](#)

7.44. Other documents:

- (a) [CPTED](#)
- (b) Proposed Residential Design Guide 2019⁵²

8. EVALUATION INTRODUCTION

8.1. The following resource management issues have been synthesised from the issues outlined in the ODP Townships Zone. Whilst the ODP Township Zone applies to seven Townships, which each are unique and have their own individual sense of place and community, there are issues that broadly apply to each Township, and issues that are applicable to certain Townships.

8.2. The following key issues have been identified as the central themes associated with the proposal.

Issue: Residential character and amenity

8.3. The Townships provide predominantly for low density residential development with high levels of residential amenity. Maintenance of the low density nature can be achieved by the use of minimum lot sizes, maximum permitted coverage of buildings on sites, limits on the height and bulk of buildings, as well as setbacks from boundaries.

8.4. The landscape surrounding Townships is an important part of their amenity and character, as is the size of each Township.

⁵¹ <https://www.qldc.govt.nz/our-community/population-projections/>

⁵² The proposed Residential Design Guide 2019 also forms part of the Stage 3 notification bundle.

Issue: Economic diversification to support the local economy

- 8.5. Many of the Townships are located considerable distances from the District's main urban centres, and provision for commercial activities within each Township assists with supporting the local economy, reducing the need to travel significant distances for employment and to provide access to local conveniences. As Townships provide predominantly for residential activities, consideration should be given to the scale and effects of non-residential activities to ensure that residential amenity is maintained.

Issue: Servicing

- 8.6. The provision of reticulated infrastructure and planned upgrades for each Township is briefly summarised in the below table.

Table 9: Summary of Council Reticulated Infrastructure and Planned Upgrades to Townships Infrastructure

Makarora	No network infrastructure. No planned upgrades.
Hāwea	Serviced by Council reticulated infrastructure, with limited spare capacity. Planned upgrades in the LTP (short term 2018 – 2021 ⁵³) wastewater connection to Project Pure.
Albert Town	Fully serviced by Council reticulated infrastructure.
Luggate	Currently partially serviced with Council reticulated infrastructure. Planned upgrades in LTP (short term 2018 – 2023 ⁵⁴): new wastewater pump station and pipeline to connect to Project Pure, and reticulation extension. Planned upgrades in LTP (short term 2018 – 2020 ⁵⁵): water treatment upgrade (comprising upgraded water supply, intake, treatment and storage service).

⁵³ <https://www.qldc.govt.nz/assets/Uploads/Council-Documents/Ten-Year-Plans/2018-28/QLDC-10-Year-Plan-2018-2028-Volume-1-28Jun18-ADOPTED.pdf> Ten Year Plan 2018 – 2028 He Mahere Kahurutaka 2018 – 2028, p82.

⁵⁴ Ibid, p82.

⁵⁵ Ibid, p71.

Glenorchy	<p>Partial. Supplied by QLDC water supply, but not wastewater or stormwater.</p> <p>Long term infrastructure strategy to implement a new wastewater treatment plant and reticulated network, however this is beyond the time horizon of the current LTP⁵⁶.</p>
Kinloch	No network infrastructure. No planned upgrades.
Kingston	<p>New housing area (Kingston Village Special Zone) to be serviced by reticulated infrastructure, funded through the Government's Housing Infrastructure Fund (HIF)⁵⁷.</p> <p>Existing properties in the Kingston Township will gradually be connected to new reticulated networks and the trunk infrastructure being installed under the HIF work (set out in the LTP to occur in the medium term (between 2021 and 2024⁵⁸).</p>

8.7. As per the above table, Makarora, Glenorchy and Kinloch are constrained by limited or no reticulated infrastructure. Kingston, Luggate and Hāwea have planned upgrades that will provide additional capacity and provide the opportunity for existing properties to connect over time. In the case of Kingston, the Kingston Village Special Zone provides significant plan-enabled capacity (900 residential units) that is currently in the early stages of development⁵⁹. Albert Town is fully serviced by the network infrastructure for Wānaka.

8.8. These servicing constraints and opportunities are a key factor in recommending the planning framework for each township.

Issue: Natural Hazards

8.9. The Townships are subject to known natural hazard risk, with the most significant hazard affecting the land within the operative zone extent being flood hazard risk. The ODP Townships Zone provisions contain rules that require new buildings exceeding 20m² to be raised above the flood hazard level which is identified in the ODP provisions and on Planning Maps.

⁵⁶ Ibid, p19,

⁵⁷ Ibid, pp63 & 70

⁵⁸ Ibid, pp70 & 82.

Issue: Rural living opportunities (Makarora, Luggate, Glenorchy, Kinloch and Kingston only)

- 8.10. The Townships that this issue is relevant to are located outside UGBs, amidst the Rural Zone. Whilst development is provided for at an urban density within the zone, these Townships provide the opportunity for people to live amidst a rural setting with high landscape values. Townships add diversity to the living options provided for in the District, and they also serve as a gateway to the National Parks, and can provide unique visitor experiences.

Issue: Residential intensification within UGBs (Hāwea and Albert Town only)

- 8.11. Hāwea and Albert Town are both located within UGBs and have experienced significant growth in the life of the ODP. The PDP includes strategic objectives and policies that apply specifically to land within UGBs, including policy that encourages residential intensification. Hāwea and Albert Town have a more urban character compared to the balance of the Townships. Albert Town is part of the Wānaka urban area, and Hāwea is transitioning towards developing into a small town.

Approach to reviewing the ODP Township Zone

- 8.12. Through this review, whilst evaluating the issues for each Township it became apparent that the two largest Townships, being Hāwea and Albert Town, have some similar characteristics that set them apart from the smaller Townships. Most notably they are both located within UGBs and as a result the strategic policy that relates to land within UGBs applies, including policy that encourages intensification of existing urban areas within UGBs.
- 8.13. As a consequence, the Townships have been separated out into two groups, being those located within UGBs, and those located outside UGBs. They are addressed in turn below.

9. EVALUATION GROUP 1: TOWNSHIPS LOCATED WITHIN UGBS

Hāwea

- 9.1. Hāwea is located adjoining the southern edge of Lake Hāwea, approximately 11km from the Albert Town Bridge, and 17km from Wānaka Town Centre. Hāwea has a UGB, applied in Stage 1 of the Plan review, which is subject to live environment court appeals.

- 9.2. The most recent population figures produced by QLDC⁶⁰ state that Hāwea has a current population of 2,880 residents and 1,630 houses. These figures are projected to grow to 4,150 residents and 2,280 houses by 2028, and 4,700 residents and 2,630 houses by 2038. These figures include the wider Hāwea area, including Hāwea Flat.
- 9.3. In Stage 1 of the Plan review the Hāwea Community Association submission⁶¹ requested that the UGB be applied around the urban area of Hāwea. This submission was subsequently supported in Independent Hearing Panel (IHP) Decision Reports 03⁶² (Chapters 3, 4 & 6) and 16.2⁶³ (Upper Clutha Planning Maps – Urban Wānaka and Lake Hāwea). Part 16⁶⁴ of the latter report considered submissions seeking mapping changes relating to Hāwea.
- 9.4. The IHP at para 16.1 of its report, recommended application of a UGB around Hāwea, as shown on Decisions version of Planning Map 17⁶⁵, and applying the Large Lot Residential Area 'A' Zone to land east of Grandview Road that was previously zoned Rural Residential (thereby doubling the density from 4000m² to 2000m² minimum lot size), and zoning the Willowridge Developments Ltd land located to the west of Grandview Road, to Lower Density Suburban Residential Zone. The layout of these zones is shown on Decisions Version of Planning Map 17.
- 9.5. At section 16.13 of Report 16.2, the IHP provided the following observations when considering the HCA submission seeking the UGB (summarised):
- a) Hāwea's character is influenced by its small-scale and contained extent;
 - b) Hāwea is an urban village surrounded by an immense, open space;
 - c) The hard transition from rural to urban contributes significantly to its character and amenity values, these would be weakened if there wasn't a hard edge;
 - d) Any strategic decisions such as providing for urban density development to 'jump' the town edge of Cemetery Road should be taken with care and only in a well-planned coordinated fashion and the UGB would provide this protection, which would be able to be shifted as necessary through a future plan change premised on the settlement's resource management need and opportunities at that time; and

⁶⁰ Queenstown Lake District Population Projections (December 2018): <https://www.qldc.govt.nz/our-community/population-projections/>

⁶¹ Submission 771. At paragraph 557 of IHP Decision Report 03 (Chapters 3, 4, & 6), the IHP also noted the submission of A Brown (289) which also sought the introduction of an urban town boundary at Hāwea in order to avoid housing spreading sporadically across farmland adjoining the Township.

⁶² <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-03-Stream-1B-Chapter-3-4-6.pdf>

⁶³ <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-16.2-Stream-12-Upper-Clutha-Mapping-Urban-Wanaka-and-Lake-Haweia.pdf>

⁶⁴ Ibid, commencing at page 69.

⁶⁵ <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-11-Stream-8-Chapters-12-13-14-15-16-17.pdf>

- e) The UGB would reinforce the zone pattern, as well as send a clear message to the community that Hāwea was a contained and purposefully planned community.
- 9.6. There were two appeals made to the Environment Court that are relevant to Hāwea and the UGB. These are:
- a) Clarke Fortune McDonald limited (**CFMA**), with Universal Developments Limited and the Hāwea Community Association Incorporated (**HCA**) joining as an interested party. The CFMA appeal⁶⁶ seeks that the Hāwea UGB is deleted or moved to the south.
 - b) The other appeal is from Streat Developments Limited⁶⁷ who seek that the land zoned Rural Residential located on the southern side of Cemetery Road is zoned to an urban zone.
- 9.7. During Environment Commissioner-assisted mediation, the Council did not accept the relief to remove or amend the Hāwea UGB, or rezone the Rural Residential zoned site, and parties agreed to place proceedings on hold until after the notification of Stage 3 of the Plan review.
- 9.8. A letter outlining the HCA's position regarding the UGB has been made publicly-available and is attached as **Appendix 3**. The HCA seeks that the UGB remains in its current location and that intensification within the UGB is provided for.

Universal Developments Hāwea Special Housing Area Proposal

- 9.9. In May 2018 the Council received an expression of interest from Universal Developments Hāwea Ltd for a Special Housing Area (SHA) on land adjacent to the southern edge of the urban area of the Hāwea Township (on the south side of Cemetery Road), immediately outside of the UGB⁶⁸.
- 9.10. As summarised on the Council's website⁶⁹, SHAs provide a process to fast-track housing development via the consenting powers provided by the Housing Accords and Special Housing Areas Act 2013 (HASHAA). The fast-track process is a tool that aims to assist with boosting the District's housing supply and improving housing affordability. The Lead Policy (most recently reviewed in June 2018⁷⁰) outlines the Council's objectives in recommending expressions of interest for SHAs to the Minister for Building and Housing (the Minister). The Lead Policy also sets out the matters to be considered when assessing resource consents for development

⁶⁶ ENV-2018-CHC-065

⁶⁷ ENV-2018-CHC-086

⁶⁸ <https://www.qldc.govt.nz/your-council/your-views/expression-of-interest/>

⁶⁹ <https://www.qldc.govt.nz/planning/special-housing-areas/>

⁷⁰ <https://www.qldc.govt.nz/assets/Uploads/Planning/SHA/LEAD-POLICY-as-updated-for-28-June-2018-Haweia-SHA-Full-Council-meeting.pdf>

proposals subsequently approved by the Minister. The amended lead policy⁷¹ includes the Hāwea SHA land (being that part of Lot 2 DP 343855 contained within the Universal Developments Hāwea Ltd EOI).

- 9.11. Although any subsequent application for resource consent must not be publicly notified (pursuant to the consenting process set down by the HASHAA), informal public consultation on the Hāwea SHA proposal occurred in June 2018. The feedback received from consultees was summarised in a report to Council considered at a Council meeting on 28 June 2018.
- 9.12. The Hāwea SHA proposal was subsequently recommended to the Minister via Council resolution, and the Minister approved the SHA on 24 June 2019⁷², thereby enabling the SHA proposal to proceed to the fast-track consenting process set down by the HASHAA. As set out in section 7 of the Lead Policy, resource consent for a qualifying development in a special housing area must be received by Council on 16 September 2019 at the latest.
- 9.13. If approved in its current form, and as described in the EOI Executive Summary⁷³, the SHA development would comprise 32ha of currently undeveloped land, subdivided into approximately 400 residential lots. At least 10% of the residential lots would be gifted to the Queenstown Lakes Housing Trust. A Master Plan appended to the EOI⁷⁴ depicts areas for public reserves and a community/commercial area, as well as the proposed roading links to the existing Hāwea urban area (east/west via Cemetery Road and north/south via Capell Ave and Grandview Road).
- 9.14. At the time of writing no application for subdivision and development has been granted and no application has been received.

Housing Development Capacity – Hāwea Township

- 9.15. As previously mentioned, Hāwea (as well as Albert Town and Luggate) forms part of the 'urban environment' for the purposes of implementing the NPS-UDC. The Housing Development Capacity Assessment 2017⁷⁵, has been updated by Mr Fairgray's evidence for the Stage 1 appeals.

⁷¹ At p7: Attachment A, under *Category 2: May be suitable for the establishment of special housing areas*

⁷² <http://www.legislation.govt.nz/regulation/public/2019/0140/latest/whole.html>

⁷³ <https://www.qldc.govt.nz/assets/Uploads/Planning/SHA/Hawea-Universal-Developments/Hawea-SHA-Expression-of-Interest-Final.pdf> page 2

⁷⁴ Ibid, Appendix C

⁷⁵ Housing Development Capacity Assessment 2017, Queenstown Lakes District, 27 March 2018 – draft final, page 325: <https://www.qldc.govt.nz/assets/Uploads/Council-Documents/Committees/Planning-and-Strategy-Committee/10-May-2018/Item-1-Attachment-B-Housing-Capacity-Assessment-2017-FINAL-1.5.2018.pdf>

9.16. As outlined in Mr Fairgray's evidence⁷⁶, in total the HDCA established the following key findings:

- The District has a long-term urban growth demand of an additional 7,500 (low) to 15,200 (high) dwellings by 2046.
- The estimated feasibility capacity for 27,500 dwellings (excluding redevelopment) and 37,300 dwellings (including redevelopment) is far above this projected demand.
- A substantial amount of this capacity is located in greenfield areas.

9.17. Mr Fairgray discusses the impact of the Decisions version of the PDP and other changes on the outcomes of the HDCA in terms of plan-enabled capacity. Of direct relevance to this proposal is that the amended provisions in the Decisions version resulted in an additional plan-enabled capacity of 354 dwellings within Hāwea, in addition to the capacity enabled in the Stage 1 Notified version of the provisions. This additional plan-enabled capacity is a result of the up-zoning of land within the Hāwea UGB from Rural Residential Zone to Lower Density Suburban Residential Zone and Large Lot Residential 'A' Zone.

9.18. Overall, Mr Fairgray summarises the following conclusions at paragraphs 3.4 and 3.5 of his EIC:

"The key findings of the HDCA, and the updated findings for the PDP Decisions version, show that QLD has sufficient feasible capacity in the urban environment for expected dwelling growth within the District until at least 2046.

*The outcomes of my assessment of rural demand and capacity also indicates that QLD has sufficient feasible capacity in the rural environment for expected dwelling growth within the District until at least 2046.*⁷⁷

9.19. It is also noteworthy that, if consented, the SHA would provide considerable additional residential capacity for Hāwea. In terms of plan-enabled capacity, Mr Fairgray's evidence does not consider the additional capacity which may be provided by the SHA when confirming that there is sufficient plan-enabled capacity to meet forecast demand with the District's urban and rural areas.

Strategic implications of UGBs

9.20. The PDP contains specific strategic policy regarding UGBs, notably the following:

<i>Strategic Objective</i> 3.2.2	<i>Urban growth is managed in a strategic and integrated manner. (addresses Issue 2)</i>
<i>Policy</i> 3.2.2.1	<i>Urban development occurs in a logical manner so as to:</i> <i>a. promote a compact, well-designed and integrated urban form;</i>

⁷⁶ Ibid, paragraphs 8.5 – 8.7.

⁷⁷ Ibid, paragraph 3.4.

	<p><i>b. build on historical urban settlement patterns;</i></p> <p><i>c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;</i></p> <p><i>d. minimise the natural hazard risk, taking into account the predicted effects of climate change;</i></p> <p><i>e. protect the District's rural landscapes from sporadic and sprawling development;</i></p> <p><i>f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;</i></p> <p><i>g. contain a high quality network of open spaces and community facilities; and</i></p> <p><i>h. be integrated with existing, and planned future, infrastructure. (also elaborates on S.O. 3.2.3, 3.2.5 and 3.2.6 following)</i></p>
Strategic Objective 3.2.3	<i>A quality built environment taking into account the character of individual communities. (addresses Issues 3 and 5)</i>
Strategic Policy 3.3.14	<i>Apply provisions that enable development within UGBs and avoid urban development outside of the UGBs. (relevant to S.O. 3.2.1.8, 3.2.2.1, 3.2.3.1, 3.2.5.1 and 3.2.5.2)</i>
Objective 4.2.1	<i>Urban Growth Boundaries used as a tool to manage the growth of larger urban areas within distinct and defensible urban edges. (from Policies 3.3.12 and 3.3.13)</i>
Policy 4.2.1.1	<i>Define Urban Growth Boundaries to identify the areas that are available for the growth of the main urban settlements.</i>
Policy 4.2.1.2	<i>Focus urban development on land within and at selected locations adjacent to the existing larger urban settlements and to a lesser extent, accommodate urban development within smaller rural settlements.</i>
Policy 4.2.1.4	<p><i>Ensure Urban Growth Boundaries encompass a sufficient area consistent with:</i></p> <ul style="list-style-type: none"> <i>a. the anticipated demand for urban development within the Wakatipu and Upper Clutha Basins over the planning period assuming a mix of housing densities and form;</i> <i>b. ensuring the ongoing availability of a competitive land supply for urban purposes;</i> <i>c. the constraints on development of the land such as its topography, its ecological, heritage, cultural or landscape significance; or the risk of natural hazards limiting the ability of the land to accommodate growth;</i>

	<ul style="list-style-type: none"> d. <i>the need to make provision for the location and efficient operation of infrastructure, commercial and industrial uses, and a range of community activities and facilities;</i> e. <i>a compact and efficient urban form;</i> f. <i>avoiding sporadic urban development in rural areas;</i> g. <i>minimising the loss of the productive potential and soil resource of rural land.</i>
Policy 4.2.1.6	<i>Review and amend Urban Growth Boundaries over time, as required to address changing community needs.</i>
Objective 4.2.2A	<i>A compact and integrated urban form within the Urban Growth Boundaries that is coordinated with the efficient provision and operation of infrastructure and services.</i>
Policy 4.2.2.2	<p><i>Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to:</i></p> <ul style="list-style-type: none"> a. <i>its topography;</i> b. <i>its ecological, heritage, cultural or landscape significance if any;</i> c. <i>any risk of natural hazards, taking into account the effects of climate change;</i> d. <i>connectivity and integration with existing urban development;</i> e. <i>convenient linkages with public transport;</i> f. <i>the need to provide a mix of housing densities and forms within a compact and integrated urban environment;</i> g. <i>the need to make provision for the location and efficient operation of regionally significant infrastructure;</i> h. <i>the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;</i> i. <i>the function and role of the town centres and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2 - 3.2.1.5 and associated policies; and</i> j. <i>the need to locate emergency services at strategic locations.</i>
Policy 4.2.2.11	<i>Ensure that the location of building platforms in areas of low density development within Urban Growth Boundaries and the capacity of infrastructure servicing such development does not unnecessarily compromise opportunities for future urban development.</i>
4.2.2.22 (Upper Clutha	<i>Define the Urban Growth Boundaries for Wānaka and Lake Hawea Township, as shown on the District Plan Maps that:</i>

- Basin specific policies)*
- a. *are based on existing urbanised areas;*
 - b. *identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases in the Upper Clutha Basin over the planning period;*
 - c. *have community support as expressed through strategic community planning processes;*
 - d. *utilise the Clutha and Cardrona Rivers and the lower slopes of Mt. Alpha as natural boundaries to the growth of Wānaka; and*
 - e. *avoid sprawling and sporadic urban development across the rural areas of the Upper Clutha Basin.*
- 4.2.2.23 *Rural land outside of the Urban Growth Boundaries is not used for urban development until further investigations indicate that more land is needed to meet demand for urban development in the Upper Clutha Basin and a change to the Plan amends the Urban Growth Boundary and zones additional land for urban development purposes.*

9.21. In addition to the above, the following PDP policy is also relevant:

- 6.3.4 *Avoid urban development and subdivision to urban densities in the rural zones.*

9.22. In event that the Hāwea SHA is granted resource consent under the HASHAA it would result in a significant development located outside the Hāwea UGB. At the time of writing, no consent has been lodged with or approved by Council and as such the SHA development does not form part of the existing environment. To up-zone the SHA land (currently zoned PDP Rural Zone) to an urban zone (and shift the location of the UGB to include the extended urban land) would be presumptive, and would result in uncertainty regarding the SHA process because an urban zone would result in the ability for urban development to occur without the affordability measures that are a key consideration for the SHA process. To extend the UGB around the SHA and not amend the zone would result in a substantial area of Rural-zoned land within the UGB, which would be at odds with the purpose of the UGB, which is to provide a clear distinction between urban and rural land.

Hāwea UGB Landscape Considerations

9.23. Bridget Gilbert of Bridget Gilbert Landscape Architecture Limited has provided landscape analysis (**Appendix 2**) with respect to the location of the UGB at Hāwea. Notably, Ms Gilbert's assessment states the following⁷⁸:

⁷⁸ Hāwea Urban Growth Boundary – Landscape Report, July 2019, Bridget Gilbert Landscape Architecture; paragraph 4.2.

“Typically, defensible urban growth boundaries favour strong natural boundaries that are clearly legible and serve to limit ‘development creep’. Such boundaries typically comprise ridgelines, escarpments, river corridors, large wetland features, substantial areas of mature bush and the like.

In some instances, strong natural boundaries are not available to delineate urban areas and other devices such as natural hazard constraints and landuse based patterning must be relied on.

Whilst the former are not especially legible, they tend to be relatively defensible due to the significant practical limitations they place on development.

UGBs based on landuse patterns tend to rank the lowest in terms of defensibility, although there is some variance evident. For example, a motorway corridor can form a legible and defensible urban edge while a local road tends to be a weak boundary.[...]”

- 9.24. Ms Gilbert is of the view that the southern edge of the Hāwea UGB is problematic because of the relatively small scale of Cemetery Road, which is a Collector Road⁷⁹, along with the absence of a landscape buffer along the north side of Cemetery Road. In Ms Gilbert’s view, any development located on the southern side of Cemetery Road (outside the UGB) would further erode the strength of the UGB, from a landscape perspective⁸⁰.
- 9.25. Ms Gilbert’s comments have been considered, however it is considered that the absence of landscape features at the Cemetery Road boundary that might otherwise influence the expansion of the Hāwea urban area to the south, means that having a UGB becomes all the more important. UGBs are a tool to manage growth, encourage a compact urban form, to provide a high degree of certainty regarding where and when growth may occur, and to ensure that any expansion into rural areas is undertaken in a planned manner, rather than occurring through ad-hoc development or through urban sprawl.

Albert Town

- 9.26. Albert Town is located within the north-eastern edge of the Wānaka UGB, and has experienced significant growth during the life of the ODP; in particular, through development of Riverside Stage 6 (which was incorporated into the ODP Townships Zone via Plan Change 12⁸¹ which

⁷⁹ Chapter 29: Transport; 29.13 Schedule 29.1 – Road Classification. Collector Road indicates that the road has a key network function, compared to a Local Road.

⁸⁰ Ibid, paragraph 3.11.

⁸¹ <https://www.qldc.govt.nz/planning/district-plan/district-plan-changes/plan-change-12-riverside-stage-6/>

became operative in 2008). Riverside includes a range of residential densities, including a small number of 400m² lots.

- 9.27. The older parts of Albert Town have retained the relatively large site sizes provided for by the ODP Township Zone, particularly in 'Old Albert Town' which is located on the eastern side of the State Highway and adjoins the Clutha River.
- 9.28. Two flood hazard areas affect Albert Town, as shown in the natural hazard database. The 'Dam-burst hazard' relates to flooding of the Hāwea River in the event that the Hāwea earth dam fails or is over-topped. The rainfall hazard relates to flooding caused by the Clutha/Mata-au River. Mapping of the hazards shown in the QLDC hazards database is informed by the *Queenstown Lakes District Floodplain Report, Otago Regional Council, 1999*, which in turn has informed the joint QLDC/ORC flooding strategy *Learning to Live with Flooding: A Flood Risk Management Strategy for the communities of Lakes Wakatipu and Wānaka (2006)*. The Strategy provides a comprehensive overview of the flood hazard present in the District, and includes methods to manage and mitigate flood risk to acceptable levels, rather than advocating a strict avoidance approach. The strategy promotes a suite of both regulatory and non-regulatory methods to address the flood hazard.

Hāwea and Albert Town - Residential Density

- 9.29. Hāwea and Albert Town are located within UGBs, and PDP strategic policy provides for the potential intensification of existing urban areas urban within UGBs, and the avoidance of sprawling and sporadic urban development across the rural areas of the Upper Clutha Basin⁸².
- 9.30. **Table 10** below outlines a brief summary of the PDP residential zones in terms of each zone's key purpose and objectives, and the respective minimum net site areas provided for. The minimum net site areas and density of residential units are key factors that distinguish the zones from one another. The table serves to illustrate the range of residential densities enabled by the PDP in these key residential zones. The ODP Township Zone is included for comparison's sake only, as it does not form part of the PDP.

Table 10: Key PDP Residential Zones - Summary of Minimum Lot Size and Residential Unit Density

Zone⁸³	Minimum net site area and density	Zone purpose (summarised)
Chapter 11 - Large Lot Residential	LLR 'A' zone: 2,000m ² LLR 'B' zone: 4000m ² ⁸⁴	<ul style="list-style-type: none"> • Low density living opportunities within UGBs • In many locations the zone provides a visual transition from urban to rural densities, also

⁸² Urban Development Policy 4.2.2.22.

⁸³ Decisions version of PDP zones, unless stated otherwise.

⁸⁴ Rule 11.5.9

Zone ⁸³	Minimum net site area and density	Zone purpose (summarised)
Zone (LLR)	1 residential unit per site (this includes a dwelling and residential flat as defined in Chapter 2 Definitions).	<p>provides some visual relief when adjoining landscape features (eg Mt Iron ONF in Albert Town)</p> <ul style="list-style-type: none"> Provides for detached residential unit, landscaping and open space within the site Residential flat enabled in conjunction with a dwelling
ODP Chapter 9 - Townships Zone	<p>800m², with the following exceptions:</p> <ul style="list-style-type: none"> Makarora: 10000m²⁸⁵ Riverside Stage 6, subzone 'A': 400m²⁸⁶; Riverside Stage 6, Subzone 'B': one residential unit per allotment (this subdivision has been completed and resultant allotment sizes range between 800m² and 400m²⁸⁷. 	<ul style="list-style-type: none"> Maintain low density residential character interspersed with a number of non-residential activities⁸⁸. Residential flats are a non-complying activity⁸⁹.
Chapter 7 - Low Density Suburban Residential Zone (LDSRZ)	<p>Permitted density of one residential unit per 450m²⁹⁰, and per 300m² net area as a restricted discretionary activity⁹¹.</p> <p>1 residential unit per site (this includes a dwelling and residential flat as defined in Chapter 2 Definitions).</p> <p>Minimum lot area 450 m², or 600 m² if located within the Queenstown Airport Air Noise Boundary and Outer Control Boundary⁹², and flexibility for lot areas to be smaller than 450m² in cases where the residential units are not established⁹³.</p>	<ul style="list-style-type: none"> Predominant residential zone in the District Provides for both traditional and modern suburban densities and housing forms Houses will typically be 1 or 2 storey, detached dwellings Residential flat enabled in conjunction with a dwelling The range of net household densities enabled (including residential flats) could be as high as 1 per 150m² or as low as one unit per 1,000m² (or lower), thereby providing flexibility for diverse housing stock VA provided for in mapped VA subzones

⁸⁵ ODP rule 9.2.5.1i(a)

⁸⁶ ODP rule 9.2.5.1i(b)

⁸⁷ ODP rule 9.2.5.1i

⁸⁸ ODP provision 9.2.1.

⁸⁹ ODP rule 9.2.3.4vi

⁹⁰ Rule 7.4.3

⁹¹ Rule 7.4.7

⁹² Rule 27.6

⁹³ Rule 27.7.14.1.

Zone ⁸³	Minimum net site area and density	Zone purpose (summarised)
Chapter 8 - Medium Density Residential Zone (MDR)	<p>Prescribed minimum lot area 250m² ⁹⁴.</p> <p>Maximum of three residential units per site as a permitted activity, with the exception of the MDR in Arrowtown, which is limited to one residential unit per site as a permitted activity⁹⁵.</p> <p>Restricted Discretionary activity consent required to exceed these limits.</p>	<ul style="list-style-type: none"> • In conjunction with the LDSRZ and HDR, the zone plays a key role in minimising urban sprawl and increasing housing supply • Predominantly provides for terrace housing, semi-detached housing and detached townhouses • Provides for greater diversity of housing options for smaller households. • Buildings generally anticipated to be 2-storey • Development required to achieve a high standard of urban design. • VA provided for in mapped VA subzones
(PDP) Chapter 9 - High Density Residential Zone (HDR)	<p>Up to 3 residential units per site⁹⁶, subject to standards.</p> <p>Four or more units per site provided for as a restricted discretionary activity⁹⁷.</p> <p>Prescribed minimum lot area 450m² ⁹⁸.</p>	<ul style="list-style-type: none"> • Provides for efficient use of land in close proximity to town centres by consolidating growth • Enables taller buildings compared to the other residential zones • Relatively flexible framework for VA and commercial activities, compared to the LDSRZ and MDR

9.31. The above table illustrates that the PDP provides for a range of densities within its current offering of the key residential zones. In my view this is an important factor when considering the broad options for Hāwea and Albert Town.

Hāwea and Albert Town - Broad Options Considered

9.32. It is appropriate that consideration is given to a number of broad options for the review of the ODP Township Zone at Hāwea and Albert Town, including the option of retaining the current location of the UGBs and providing opportunities to intensify residential development within the existing urban areas.

9.33. The broad options are identified and considered in the table below.

⁹⁴ Rule 8.5.5; Rule 27.6.

⁹⁵ Rule 8.4.6

⁹⁶ Activity Rule 9.4.3.

⁹⁷ Activity Rule 9.4.5.

⁹⁸ Rule 27.6.

Table 11: Group 1 - Townships located within UGBs - Broad Options Considered

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
Costs	<ul style="list-style-type: none"> • Would not achieve the PDP strategic policy seeking intensification within UGBs. • Would not enable the opportunity for greater diversity in housing, including the opportunity for residential units on smaller sites as an affordable option (both in terms of land value and decreased maintenance costs for smaller lots). • Owners of large lots that would otherwise be able to subdivide under the up-zoning options would not receive the financial benefits. • May create uncertainty regarding the efficacy of applying the UGB and result in inconsistencies in the application of PDP strategic policy. • Would not enable the increased capacity that would otherwise be enabled by other options. 	<ul style="list-style-type: none"> • Settlement Zone provides for a density of 800m² per residential unit, which is sufficient land area to enable on-site servicing where required. To provide for a smaller net site area would require significant carve-out provisions that are location-specific to Hāwea and Albert Town, and would likely require the provisions pertaining to the bulk and location of buildings to be tailored to the revised minimum net site area. These carve-outs would add significant complexity to the Settlement Zone provisions, and would require a bespoke policy framework for Hāwea and Albert Town that would not be consistent with that for the balance of the zone. As the balance of the zone is not located within UGBs, 	<ul style="list-style-type: none"> • There may be a perception that applying the LDSRZ (instead of the ODP Township zone or the proposed Settlement Zone) would result in a loss of identity for Hāwea and Albert Town because they would no longer be 'Townships'. This is particularly pertinent for Hāwea, which is physically distinct from any other urban area. However, irrespective of the name of District Plan zone that applies, Hāwea will continue to be 'Hāwea' due to the strong community values, and by virtue of its location adjoining Lake Hāwea. Albert Town, however in my view already 'reads' as part of the Wānaka urban area, in terms of its location and strong connectivity to Wānaka. In the past it has been a physically separate urban area, but its physical isolation has diminished over time, as 	<ul style="list-style-type: none"> • The 800m² minimum net site area is inefficient compared to the option of up-zoning to a lower minimum site size. • Would not provide for or encourage diversification of housing choices. • Redevelopment of older housing stock could only be developed to the current density – opportunity for site redevelopment resulting higher density housing would be missed. • Would not achieve the PDP Strategic policies regarding intensification within UGBs. • Extension of the UGB would not be consistent with the Hāwea Community Plan (2003). • Extension of the UGB at Albert Town may result

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
	<ul style="list-style-type: none"> Renewal of older existing development would occur at the existing density (replacing 'like with like'), this scenario would not provide flexibility for additional residential capacity to be provided incrementally as the older housing stock is renewed. 	<p>the PDP Strategic policy for land within UGBs would not apply to the other Townships, therefore creating a disconnect within the Settlement Zone provisions under this option.</p> <ul style="list-style-type: none"> As Albert Town is fully serviced with reticulated infrastructure (and significant upgrades for Hāwea are planned for wastewater), the large site areas required historically are no longer a necessity. Significant additional work would be required to determine an appropriate density and bulk and location settings, which otherwise would not need to be undertaken under the LDSRZ option. 	<p>Wānaka has grown. I note that Wānaka does not have a unique residential zone applied to it, and the LDSRZ is the predominant residential zone applied throughout the urban environment in the District. Having one low density zone, rather than a number of bespoke zones that are location-specific, is the more efficient option.</p> <ul style="list-style-type: none"> Infill development opportunities may be constrained due to existing land covenants restricting further intensification. In newer subdivisions in particular, site layout may not facilitate infill. Infill development would occur incrementally, and would not necessarily provide significant additional capacity in the short term (I note, however that Hāwea, does have green-field sites within the urban area, which could be more efficiently developed under this option). 	<p>in green-field development within the Clutha River flood hazard area, however the flood hazard may be able to be mitigated by raising sites.</p> <ul style="list-style-type: none"> Would not provide intensification opportunities within walking distance of the Local Shopping Centre Zones and the Hāwea Community Centre and library. Would promote less efficient use of the land resource compared with the up-zoning options.

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<ul style="list-style-type: none"> Infill development can place pressure on the existing roading network. 	
Benefits	<ul style="list-style-type: none"> This options comprises a continuation of the status quo approach, which may be perceived as providing certainty for current residents. If the Hāwea SHA resource consent is approved it will provide significant additional capacity for Hāwea, and additional capacity through the up-zoning option may be perceived by the current Hāwea community as promoting significant change in the planning period. Albert Town is subject to flood hazards from rainfall events and dam-burst of the Hāwea earth dam. Applying this option would result in the existing residential density being retained (including for the flood risk areas). Rather than addressing flooding through s106 (subdivision) and through 	<ul style="list-style-type: none"> Maintaining the Township Zone or applying the proposed Settlement Zone may reinforce a perception that Hāwea and Albert Town are still 'Townships' – it may be perceived that applying a different zone would change how these communities are perceived. Albert Town is subject to flood hazards from rainfall events and dam-burst of the Hāwea earth dam. Applying this option may enable a bespoke density to be applied to the flood risk areas, rather than addressing flooding through s106 (subdivision) and through Plan standards that maintain discretion over natural hazards. This approach would have significant costs to Council, however, in formulating the 	<ul style="list-style-type: none"> More efficient and sustainable use of land compared to other lower density options. Opportunity for greater diversity of housing typologies, including higher density typologies compared to that enabled by the ODP Township Zone or the proposed Settlement Zone. Hāwea and Albert Town do not contain Commercial Precincts, which are the key providers of commercial activities in the ODP Township Zone and the proposed Settlement Zone. Rather, Local Shopping Centre Zones were introduced to both Hāwea and Albert Town in Stage 1 of the Plan review. As a result, under this option there would be no need to amend or 	<ul style="list-style-type: none"> Retaining relatively large lot sizes may be the density desired by the community as it would be a continuation of the status quo density. Continuation of the status quo density may be perceived as being more certain, in terms of continuing the established pattern of the development. Less pressure on the existing roading network, however this benefit may be partially offset if the extent of the urban areas is increased. Existing large sites would retain their open character under this option.

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
	Plan standards that maintain discretion over natural hazards under option 3, this option would continue the ODP density, as a method to limit risk.	planning framework, including hazard mapping.	<p>remove existing Commercial Precincts.</p> <ul style="list-style-type: none"> Facilitating and encouraging increased residential density within the existing urban areas would assist with achieving the PDP strategic policies that encourage intensification within UGBs, and would support the rationale for applying the UGB. Would reduce potential pressure to extend the UGBs during the life of the PDP (ten years from operative date). To a minor degree would promote the continuation of an existing zone at Hāwea, being the existing LDSRZ which was applied to an area of land in Stage 1 of the Plan review. At Albert Town, the completed Riverside Stage 6 subdivision includes a small number of lots that have been developed to a density of 400m². There is therefore existing variance in the minimum lot sizes provided 	

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<p>for in the Hāwea and Albert Town urban areas.</p> <ul style="list-style-type: none"> • This option promotes a continuation of a general strategic approach taken through the Plan review, to enable opportunities for intensification within established urban areas. • Greenfield subdivision opportunities remain within Hāwea (within the UGB) and up-zoning to LDSRZ would increase the development opportunity on these sites, compared to that enabled if the 800m² minimum net site area is continued. • The LDSRZ is a PDP zone, which was introduced in Stage 1 of the Plan review and is the key provider of residential activity in the District. The zone was thoroughly scrutinised and through the Stage 1 hearings process⁹⁹ and the 	

⁹⁹ Hearing Stream 06 Held between 10 – 27 October 2016. <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-1/proposed-district-plan-hearings/06-residential-chapters-7-8-9-10-and-11/>

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<p>Independent Hearings Panel Recommendation Report¹⁰⁰. The zone is fit-for-purpose to provide a high quality residential environment commensurate with the high levels of amenity enjoyed currently. Compared to the other key PDP residential zones (being the Medium Density Residential Zone and the High Density Residential Zone), the LDSRZ provides the lowest density, and is the closest equivalent to the ODP Township Zone and proposed Settlement Zone.</p> <ul style="list-style-type: none"> • To draft bespoke residential zones for Hāwea and Albert Town would be inefficient, add unnecessarily complexity to the PDP, and would be at odds with the intent of the National Planning Standards which 	

¹⁰⁰ Report 9A – Report and Recommendations of Independent Commissioners Regarding Chapter 7, Chapter 8, Chapter 9, Chapter 10 and Chapter 11.
<https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-09A-Stream-6-Chapters-7-8-9-10-11.pdf>

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<p>seek to encourage standardised approaches and discourage the use of special zones. It is not considered that Hāwea and Albert Town have unique characteristics such that special zones are warranted. Applying the LDSRZ is the most efficient up-zoning option.</p> <ul style="list-style-type: none"> • Significant additional residential capacity¹⁰¹ would be enabled, whilst retaining the existing well-defined and compact urban form. • Would provide the opportunity for the proposed Residential Design Guide 2019¹⁰² to be implemented in conjunction with the LDSRZ. The proposed Design Guide provides best-practice examples of development sought by the LDSRZ to 	

¹⁰¹ Plan Enabled Capacity in Hāwea and Albert Town, Market Economics, August 2019, attached in **Appendix 4**.

¹⁰² The Residential Design Guide 2019 is also a component of the Stage 3 package of work and is proposed to be incorporated by reference into the LDSRZ, meaning that it would become a statutory document that would require consideration when resource consent is required. The variations to the LDSRZ which show the specific LDSRZ provisions that would be varied to include consideration of the Design Guide are detailed in the s32 and accompanying variations for the Design Guide. *Section 32 Report: Residential Zone Design Guide (August 2019)*

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<p>achieve a high quality residential environment. As the Design Guide is proposed to be incorporated by reference into the LDSRZ provisions, it would be applied in instances where resource consent is required. In contrast, the Settlement Zone does not include design guidance (with the exception of Cardrona), and relies on the bulk and location provisions of the zone to achieve residential amenity.</p> <ul style="list-style-type: none"> • The LDSRZ provisions provide flexibility for small-scale commercial developments within the residential environment, commensurate with the flexibility provided by the Settlement Zone. This flexibility would provide for commercial opportunities that will assist with diversification of the commercial offering, and coupled with an enabling framework for home occupation activities, would 	

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<p>assist with reducing travel-dependence for employment. This would supplement the commercial capacity provided by the Local Shopping Centre Zones. Any increase in resident population resulting from up-zoning to LDSRZ would support the local economy through the opportunity for increased patronage of local business.</p> <ul style="list-style-type: none"> Up-zoning from ODP Township density to LDSRZ density, would not achieve the LDSRZ density on every site, as not all infill opportunities would necessarily be realised. As such, applying the LDSRZ would result in a range of lot sizes. Albert Town is fully reticulated and does not have servicing constraints, however Hāwea is in the process of being upgraded to connect with Project Pure, which will remove the current constraints on wastewater 	

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<p>servicing capacity. Under this option, LDSRZ policy 7.2.1.1 would apply... <i>“Ensure the zone and any development within it is located in areas that are well serviced by public infrastructure, and is designed in a manner consistent with the capacity of infrastructure networks.”</i> LDSRZ Policy 7.2.6.2 is also relevant for servicing... <i>“Ensure development is designed consistent with the capacity of existing infrastructure networks and, where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.”</i> Servicing will be a consideration through subdivision consent.</p> <ul style="list-style-type: none"> • Under this option, s106 (subdivision) and matters of discretion for hazards in the LDSRZ rule framework would apply. This is a regime to manage risk rather than one of strict avoidance. A 	

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<p>variation to the LDSRZ in respect of the known flood hazard at Hāwea is considered appropriate under this option, to 'carry over' the ODP flood hazard rule from the ODP Townships Zone provisions, to the LDSRZ. This rule comprises a continuation of the current approach to the flood hazard, with a requirement for buildings greater than 20m² to be sited above the specified hazard level. This is the approach in the '<i>Learning to Live with Flooding: A Flood Risk Management Strategy for the communities of Lakes Wakatipu and Wānaka (2006)</i>' a joint flood risk management strategy between QLDC and ORC. The same approach has been applied to the QT and Wānaka Town Centres.</p> <ul style="list-style-type: none"> • Natural hazards are a matter of discretion when the following LDSRZ rules are triggered: 	

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<ul style="list-style-type: none"> • Rule 7.4.6: Commercial activities not exceeding 100m² GFA; • Rule 7.4.7: Residential units where the density of development exceeds one residential unit per 450m² net area but does not exceed one residential unit per 300m² net area; and • Rule 7.5.14 Setback of buildings from waterbodies. • Natural hazards are also able to be considered through subdivision consent (s106 RMA) • The increased density enabled by the LDSRZ would be most apparent when the green-field sites at Hāwea are developed, and otherwise incremental change will occur through the gradual uptake of infill opportunities. Hāwea and Albert Town will still maintain a predominantly residential character, and the up-zoning will result in a mix of housing densities. 	

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<ul style="list-style-type: none"> The following LDSRZ rules in particular would assist with maintaining residential amenity: <ul style="list-style-type: none"> Low permitted building height of 7m max (rule 7.5.1) Low permitted building coverage of 40% (rule 7.5.5) Height recession planes to ensure sunlight access to adjoining sites (rule 7.5.7) Limited lighting glare by requiring lighting to be directed downward, away from adjacent sites and roads, max 3 lux light spill onto any other site (rule 7.5.13) Noise thresholds that maintain residential amenity (District-wide chapter 36 Noise) Restrictions on non-residential activities will also assist with maintaining a residential character. 	

	Option 1: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; retain the UGB in its current location.	Option 2: Apply the Settlement Zone with a specific density for Hāwea and/or Albert Town that is higher than 800m ² ; retain the UGB in its current location.	Option 3: Apply the Lower Density Residential Zone to Hāwea and Albert Town; retain the UGB in its current location. (Recommended option)	Option 4: Apply the Settlement Zone and retain the ODP Township 800m ² minimum net site area density; extend the UGB and the Settlement Zone.
			<ul style="list-style-type: none"> • Small format commercial activities are provided for at Hāwea and Albert Town in the Local Shopping Centre Zones implemented in Stage 1. Hāwea and Albert Town are also located within easy access to the Wānaka Town Centre and Three Parks commercial area, which are providers of significant commercial capacity. • Commercial activities that are small-scale and residential-compatible are provided for in the LDSRZ (rule 7.4.6) as a restricted discretionary activity. • Existing VA Sub-zones at Hāwea would be continued and overlaid across the LDSRZ, and the LDSRZ rules regarding VA (rules 7.4.5A & 7.4.13) residential VA (rule 7.4.5), homestays (rule 7.4.4) and home occupations (rules 7.4.1 & 7.5.17) will apply. 	
Ranking	3	2	1	4

- 9.34. Overall, following a review of the four options above, Option 3: *Apply the Lower Density Suburban Residential Zone to Hāwea and Albert Town and retain the UGB in its current location* has been identified as the most appropriate solution in meeting the purpose of the RMA, to address the resource management issues relevant to the ODP Townships of Hāwea and Albert Town.
- 9.35. The LDSRZ is the largest residential zone in the District and provides for a range of low and medium density suburban housing forms. A high level of residential amenity is expected within this zone, and it is the intention through Stage 3 of the District Plan review to introduce a set of guidelines that will further assist with maintaining high levels of amenity. As the LDSRZ would be applied to areas that comprise existing development at Hāwea and Albert Town, it would provide opportunities for redevelopment at a higher density than would be enabled under the 800m² density that would otherwise have been enabled if the current 800m² minimum density was continued. It is expected that the resultant change in density would occur incrementally over time, as the existing housing stock is renewed, and as individual landowners seek to intensify development on individual sites. For currently undeveloped green-field sites, such as those at Hāwea, the LDSRZ would enable these sites to be developed more efficiently than would otherwise have been achieved under the ODP Township Zone (or the proposed Settlement Zone discussed below).
- 9.36. The Plan Enabled Capacity Assessment (**Capacity Assessment**) attached in **Appendix 4** models the maximum yields that may result from the up-zoning recommended by option 3. In doing so, the Capacity Assessment considers the baseline scenario (800m² sites) as well as up-zoning to 450m² sites, and applying the gentle density scenario (300m²). The results of the Capacity Assessment reflect the maximum potential residential yields, and the results do not attempt to model the likely residential take-up of the capacity.
- 9.37. Under Option 3, the resultant pattern of settlement at Hāwea and Albert Town will become a mixture of densities, with some landowners electing to retain their large site areas unchanged, whilst others may choose to intensify development on their site. The LDSRZ would promote greater diversity in housing options than would have been enabled if the 800m² minimum site size were retained. The LDSRZ provides a suite of standards that are fit-for-purpose to maintain a high quality residential environment, albeit one which would incrementally intensify over time.
- 9.38. Option 3 would also result in the UGBs remaining in their existing locations, without extending the existing urban areas of Hāwea and Albert Town. This option will achieve intensification within UGBs, which in turn assist with implementing the relevant strategic policies of the PDP. Further consideration of the location of the UGBs is able to be considered in subsequent Plan reviews, in response to residential demand.

9.39. The LDSRZ has been implemented relatively recently through Stage 1 of the Plan Review. As such, the provisions have been recently assessed against s32(1)(a) and 32(1)(b)¹⁰³, with further amendments through the course of the hearing and in the IHP Decisions assessed against s32aa^{104 105} and it is not considered necessary to repeat this analysis in this report. The focus in this s32 is location-specific, and the LDSRZ effectively and efficiently addresses the key issues identified for Hāwea and Albert Town, as discussed in **Table 11** above.

10. EVALUATION GROUP 2: TOWNSHIPS LOCATED OUTSIDE UGBS

Luggate

10.1. The Luggate Township is located approximately 15km from Wānaka via State Highway 6, and 20km from Hāwea. As shown on the PDP Planning Maps the Township is adjoined by land zoned Rural Residential Zone and Rural Zone. As shown on ODP Planning Map 11¹⁰⁶, a Commercial Precinct applies to land within the ODP Townships zone that is a mixture of commercial activity (including the Luggate pub), residential activity, and undeveloped land.

10.2. A Building Restriction Area adjoins the south-western edge of the Township, and restricts development due to natural hazard risk. Luggate is adjoined by the Rural Residential Zone and the Rural Zone. In term of landscape categories, the Township is adjoined by the ONL to the south, and is otherwise adjoined by the RCL.

Makarora

10.3. Makarora comprises three nodes of Township adjoining the State Highway in the Makarora Valley, located approximately 65km north of Wānaka. Makarora South comprises a cluster of houses and undeveloped township sites surrounded by an open rural landscape. Makarora North includes a Visitor Accommodation Sub-zone shown on ODP Planning Map 16¹⁰⁷ across the site containing an existing campsite and visitor centre. The small rural school is also located in Makarora North, adjoined by large undeveloped lots within the ODP Township Zone. The ODP Township land is surrounded by Rural-zoned land and the ONL. The Makarora Valley is subject

¹⁰³ Low Density Residential s32 Evaluation Report <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Section-32s/Low-Density-Residential-s32.pdf>

¹⁰⁴ Stream 06 Hearing evidence: <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-1/proposed-district-plan-hearings/06-residential-chapters-7-8-9-10-and-11/>

¹⁰⁵ Report and Recommendations of Independent Commissioners Regarding Chapters 7 – 11: <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-09A-Stream-6-Chapters-7-8-9-10-11.pdf>

¹⁰⁶ https://www.qldc.govt.nz/assets/OldImages/Files/District_Plan/District_Plan_Volume_3/Map11.pdf

¹⁰⁷ https://www.qldc.govt.nz/assets/OldImages/Files/District_Plan/District_Plan_Volume_3/Map16.pdf

to multiple natural hazards shown in the natural hazards database, notably alluvial fan hazard and flooding.

Glenorchy & Kinloch

- 10.4. Glenorchy is located approximately 45km from Queenstown, and Kinloch is a further 25kms by road, and is also accessible by a regular boat service from Glenorchy.
- 10.5. Glenorchy has a mapped Commercial Precinct shown on ODP Planning Map 25¹⁰⁸ which contains a mixture of commercial, commercial recreation, visitor accommodation and residential activities. Visitor Accommodation Sub-zones overlap with the Commercial Precinct and extend along Oban Street, which serves as the key entrance to the Township. A small primary school is centrally-located, adjacent to the Commercial Precinct.
- 10.6. Kinloch does not have any mapped Visitor Accommodation Sub-zones or Commercial Precincts currently, however it has an existing visitor lodge and a small cluster of dwellings. It is understood that two families currently reside permanently in Kinloch, and the remainder of dwellings are currently used as holiday homes, residential visitor accommodation and to house seasonal employees working at the lodge.
- 10.7. Kinloch and Glenorchy are both subject to flood hazards which are mapped on the ODP Planning Maps, and development within the flood extent is subject to a regulatory regime to manage the flood risk. Kinloch and Glenorchy are both surrounded by the Rural Zone and the ONL.

Kingston

- 10.8. Kingston is located 40kms south of Frankton, at the southern edge of Lake Wakatipu. As shown on ODP Planning Map 39¹⁰⁹, the Township does not currently contain any Commercial Precincts or Visitor Accommodation Sub-zones. A small store/restaurant/pub and service station are located at the entrance to the Township off the State Highway, and a café operates from the Kingston Flyer site, which is a local tourist attraction.
- 10.9. The Township adjoins the operative Kingston Village Special Zone (KVSZ), which provides for 900 residential allotments and non-residential activity areas (including for employment and community activities), and will serve as an extension to the Township, albeit via a separate zone with a separate planning framework. Although the exact content of the next stage of the District Plan review is yet to be confirmed by Council the KVSZ is intended to be reviewed as part of Stage 4 of the District Plan review. The KVSZ is in the early stages of development.

¹⁰⁸ https://www.qldc.govt.nz/assets/OldImages/Files/District_Plan/District_Plan_Volume_3/Map25.pdf

¹⁰⁹ https://www.qldc.govt.nz/assets/OldImages/Files/District_Plan/District_Plan_Volume_3/Map39.pdf

10.10. Kingston is subject to flood hazards which are mapped on the ODP Planning Maps, and development within the flood extent is subject to a regulatory regime to manage the flood risk. The Township is adjoined by the KVSZ and the Rural Zone, which is within the ONL.

Broad options considered to address issues

10.11. The following section considers various broad options considered to address the identified resource management issues, and makes recommendations as to the most appropriate course of action with regard to advancing the purpose of the Act in the context of addressing the issues for these Townships.

Option 1: Retain the operative provisions (status quo)

Option 2: Refine and improve (provisions to be examined in light of the issues highlighted, those that are working well would be retained and improved if necessary)

Option 3: Comprehensive review (provisions completely overhauled)

Table 12: Group 2 - Townships located outside UGBs - Broad options considered

	Option 1: Retain the ODP provisions unchanged	Option 2: Refine and amend the ODP provisions (Recommended)	Option 3: Discontinue the Township Zone and replace with another urban residential zone.
Costs	<ul style="list-style-type: none"> Provisions would not be structured in the PDP format, resulting in inconsistent drafting. The ODP provisions provide limited opportunities for diverse housing options. Whilst servicing is a constraint, relaxation of the current restrictions on residential flats would assist with addressing this issue. Retaining the ODP provisions would not address this issue. Compared to Option 3, would not provide significant additional residential capacity. However, this is not strictly a requirement, as the PDP strategic directions and NPS-UDC place a focus on providing for growth in the main urban areas. Would not provide the opportunity for additional Commercial Precincts and Visitor Accommodation Sub-zones. 	<ul style="list-style-type: none"> Compared to Option 3, would not provide significant additional residential capacity, as it would not promote significant changes to the ODP regime, such as reducing minimum permitted lot sizes and promoting significant expansions to the physical extent of the Townships. Small resident populations on low density sites are likely to be impractical to service with reticulated wastewater and water services. 	<ul style="list-style-type: none"> Uncertainty for Plan users if the review results in significant change to the status quo provisions. An urban residential zone (such as the LDSRZ) would result in greater intensification, would change the established character and amenity of the townships, and would place pressure on infrastructure servicing, resulting in costly upgrades. Intensification outside of UGBs is not a strategic objective of the PDP, and rather intensification of residential development within UGBs is encouraged. Significant changes to residential density may result in a change to

	Option 1: Retain the ODP provisions unchanged	Option 2: Refine and amend the ODP provisions (Recommended)	Option 3: Discontinue the Township Zone and replace with another urban residential zone.
	<ul style="list-style-type: none"> • Would not provide the opportunity for revised height recession planes to be introduced. • Would not achieve the goal of a more succinct District Plan, drafted in a style that is more accessible to all Plan users, compared with the ODP. 		<p>the visual amenity and character of the Townships, which is strongly influenced by their small size and 'village feel'. The 'village feel' may be diluted if the Townships are subject to significant change in density and/or expansion.</p> <ul style="list-style-type: none"> • The ODP Township Zone provides diversity to the District's offering, in terms of enabling the choice to live on relatively low density sites located in small, close knit communities in outlying parts of the District. Significant changes to the density and size of Townships may threaten the unique character of these communities, and may restrict the diversity of living opportunities that could otherwise be offered.

	Option 1: Retain the ODP provisions unchanged	Option 2: Refine and amend the ODP provisions (Recommended)	Option 3: Discontinue the Township Zone and replace with another urban residential zone.
			<ul style="list-style-type: none"> With the exception of Luggate, these settlements are located in outlying parts of the District and have a limited range of employment, services and amenities, which would mean long commuting distances for residents.
Benefits	<ul style="list-style-type: none"> ODP provisions are familiar to Plan users, less uncertainty compared to other options. The ODP provisions provide for low-scale, low-intensity development, which is characteristic of these Townships. The issues identified in the ODP remain largely valid in respect of this group of Townships, which suggests that the ODP provisions are already addressing the key resource management issues. 	<ul style="list-style-type: none"> This approach enables the ODP provisions to be retained, as appropriate. ODP provisions are familiar to Plan users, less uncertainty compared to option 3. Would enable the ODP policy framework to be critically assessed and revised as necessary to address the identified resource management issues. 	<ul style="list-style-type: none"> Would fulfil the Council's statutory obligation to review the Plan every ten years. Would enable the ODP policy framework to be critically assessed. Opportunity to further encourage the efficient use of land in existing urban areas (including providing the opportunity to provide for smaller housing forms).

	Option 1: Retain the ODP provisions unchanged	Option 2: Refine and amend the ODP provisions (Recommended)	Option 3: Discontinue the Township Zone and replace with another urban residential zone.
		<ul style="list-style-type: none"> • Would enable consideration of the PDP strategic policy, which differs to that of the ODP. • Would ensure that development occurs in a manner consistent with the capacity of infrastructure and servicing, including planned upgrades. • Opportunity to support the efficient use of land in existing urban areas (including providing the opportunity to provide for smaller housing forms by considering the relaxation of the ODP restrictions on residential flats), whilst maintaining the existing amenity values, to which the large lot sizes, compact zone area, and small 'village feel', are significant contributors. 	<ul style="list-style-type: none"> • Would implement the ODP drafting style, which is simpler and more accessible to Plan users, compared to the ODP drafting and chapter structure. • May treat Townships as the providers of significant growth, which would increase residential capacity, and may assist with housing affordability through providing residential capacity.

	Option 1: <i>Retain the ODP provisions unchanged</i>	Option 2: <i>Refine and amend the ODP provisions</i> (Recommended)	Option 3: <i>Discontinue the Township Zone and replace with another urban residential zone.</i>
		<ul style="list-style-type: none"> • Would implement the PDP drafting style, which is simpler and more accessible to Plan users, compared to the ODP drafting and chapter structure. • Opportunity to implement any relevant parts of the Small Community Plans. • Continuing to limit the physical extent of Townships would limit threats to sensitive landscapes, such as Outstanding Natural Landscapes or Outstanding Natural Features and would minimise degradation of the values derived from open rural landscapes (implementing Urban Development Policies 4.2.1.5 and 4.2.2.23). • Would enable the continuation and refinement of the ODP 	

	Option 1: <i>Retain the ODP provisions unchanged</i>	Option 2: <i>Refine and amend the ODP provisions</i> (Recommended)	Option 3: <i>Discontinue the Township Zone and replace with another urban residential zone.</i>
		provisions which are working well, including those which provide the opportunity for commercial and visitor accommodation activities in identified overlays/precincts. Would also enable provision for small-scale commercial activities throughout the zone, subject to limits that ensure residential amenity and traffic safety are maintained.	
Ranking	3	1	2

- 10.12. Option 2 *Refine and amend* is the most appropriate option in meeting the purpose of the RMA, to address the resource management issues relevant to the Townships that are located outside UGBs. This approach does not propose a radical shift from the ODP provisions and provides an appropriate balance between providing for limited growth and protecting existing residential amenity values, and the natural amenity values of the wider rural setting within which these Townships are located.
- 10.13. In pursuing Option 2, specific issues with the ODP provisions that have been identified as needing to be addressed or requiring a different approach to that provided by the ODP provisions. These are discussed below.

The Settlement Zone

- 10.14. As previously mentioned, the review of the ODP Townships Zone presents an opportunity to begin implementing the National Planning Standards that came into effect in April this year. The proposed zone adopts the name Settlement Zone (**SETZ**) in order to implement a planning standards zone-naming convention.

Strategic fit of the Settlement Zone in the Structure of the PDP

- 10.15. The Group 2 Townships are located in areas surrounded by the Rural Zone, which have historically functioned as small rural service centres and holiday towns. The density of development enabled is at an urban density i.e. from 800m² to 1000m² (in the context of the densities enabled by the various PDP zones, they sit between the Arrowtown Residential Historic Management Zone (650m² minimum net site area) and the Large Lot Residential 'A' Zone (2,000m² minimum net site area). Residential activity is the predominant activity provided for, and rural activities (such as farming and primary production which require large land areas) are not anticipated. As such, it would be inappropriate to have the Settlement Zone in Part Four – Rural Environment.
- 10.16. Placing the Settlement Zone in Part 3: Urban Environment of the PDP (as is proposed) draws a clear distinction between the Settlements and their wider rural setting. The Rural Zone is subject to landscape classifications pursuant to Chapter 6 of the PDP. Therefore the landscape classifications and their associated mapping annotations generally 'wrap around' the zoned extent of the urban zones (including the Settlement Zone), and this approach is reflected on the Stage 3 Planning Maps for all seven Townships. Any extensions of the Settlement Zone into the Rural Zone would require consideration against the objectives and policies of Chapter 6, however it is not the strategic intention of the PDP that the landscape classifications apply to urban land.
- 10.17. As the Settlement Zone enables development at an urban density, and the predominant activity provided for by the zone is residential activity, it is appropriate that the Settlement Zone sits within Part Three of the PDP: Urban Environment.

Residential Flats

- 10.18. Whilst the proposed provisions are evaluated in **Tables 13 & 14**, below, it is appropriate to consider the limited flexibility for diverse housing typologies provided by the ODP provisions. Whilst detached, predominantly single – storey dwellings located on spacious sites contribute to the amenity and character of the zone, consideration must also be given to the benefits of providing greater flexibility for residential flats than that provided by the ODP provisions. Presently residential flats are a non-complying activity pursuant to ODP Rule 9.2.3.4.vi.
- 10.19. The Housing Development Capacity Assessment (**HDCA**) and Mr Farigray’s evidence discussed earlier in this report synthesise Statistics NZ (SNZ) data regarding *household growth*, and projects growth in the demand for *households* (which, in the context of district plan terminology, translates to dwellings and residential flats, which in turn are both captured by the PDP definition of *Residential Unit*¹¹⁰).
- 10.20. However, the HDCA plan-enabled capacity for multiple dwellings on one site does not include consideration of capacity provided by residential flats, despite residential flats being a permitted activity in the PDP zones where residential activities are permitted (by virtue of the PDP definition of *Residential Unit*¹¹¹ which includes a dwelling and a residential flat).
- 10.21. The HDCA provides the following reasons for this approach:

“[...]While residential flats do provide some additional capacity, and are considered an important housing choice, they have not been included in the plan enabled modelling because, whilst every residential unit can be assumed to contain at least a single residential unit, the development of residential flats is less common, and subject to many variables including the layout and position of the dwelling on the property. Also, residential flats cannot be sold separately from the principal dwelling, and in many instances, they are used on an intermittent basis for visitor accommodation, home offices, for family members or private guests (or a combination of these).

For these reasons, it is considered inappropriate to rely on this type of accommodation for additional capacity but acknowledging that it does form an important alternative residential accommodation.

¹¹⁰ The Decisions version of the PDP definition of *Residential Unit* is as follows: *Means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a residential flat, there shall be deemed to be more than one residential unit.*

¹¹¹ Chapter 2; also see the definition of *Residential Flat* in the same chapter, which also places limitations on the size and tenure of residential flats.

[...]However, a review of Council's rates database for the PDP review shows that there are approximately 63 registered residential flats in the Wānaka Ward and approximately 231 registered residential flats in the Wakatipu Ward, which equates to a district wide number of approximately 294. These numbers show that registered residential flats are a low-level supplier of overall housing capacity (or are under-recorded through current Council processes) and demonstrate why it is not appropriate to rely on residential flats to meet capacity requirements. It could also suggest that not all residential flats are being captured."

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- 10.22. One notable finding of the HDCA is an anticipated increase in demand for smaller dwellings, including terrace house and apartment style dwellings¹¹³. Using the ODP as a baseline, the ODP Township Zone has not placed emphasis on encouraging the development of smaller residential units, and rather has enabled spacious allotments with stand-alone, predominantly single-storey dwellings, and furthermore residential flats are restricted in the ODP Townships Zone¹¹⁴. The anticipated increase in demand for smaller units and the comparatively generous minimum lot size (800m² – 1000m²) for Townships provides an opportunity for the restrictions on residential flats to be eased (subject to meeting on-site servicing requirements). This proposed change from the ODP approach would provide opportunities for some additional diversity to the range of housing provided for in the Townships (bearing in mind also that a generous minimum lot size does not preclude the ability for the lot to be developed with a small dwelling). It also acknowledges and provides for the role of these Settlements in providing for low density holiday homes and informal or multipurpose buildings used for accommodation of visitors, bedrooms and home offices.

Non-residential activities

- 10.23. Commercial Precincts and VA Sub-zones are the key enablers of non-residential activities in the ODP Townships Zone. They have been successful in terms of encouraging the clustering of non-residential activities, and in Glenorchy and Luggate in particular the Commercial Precincts clearly signal the location of the small commercial 'heart' of the Township. To assist with ensuring that commercial activities remain at a small scale (commensurate to the scale of the settlements), it is proposed to introduce gross floor area (GFA) limits on individual retail and office activities, and to also limit commercial activities seeking to establish outside the Commercial Precincts to a small scale. The retail and office GFA limits would apply to individual activities, meaning that, if desired, more than one individual activity can be established on a site.

¹¹² HDCA 2017, p168, para 2.

¹¹³ HDCA, p8.

¹¹⁴ ODP rule 9.2.3.4vi lists Residential Flats as a non-complying activity.

10.24. Currently commercial activities within Commercial Precincts (including associated buildings) and Visitor Accommodation Activities within Visitor Accommodation Sub-zones (also including buildings) are controlled activities¹¹⁵. Whilst the operative regime imparts a high degree of certainty for applicants, it provides limited opportunity for a consent to be declined if it results in poor outcomes. In particular, poor building design is challenging to address through consent conditions. Consequently it is proposed that buildings for commercial and visitor accommodation activities are restricted discretionary activities, with discretion restricted to matters including design, scale and appearance of buildings, signs, lighting, landscaping, servicing and natural hazards. Limits on notification are proposed in conjunction with the restricted discretionary rules.

10.25. These proposed changes are further discussed in the s32(1)(B) evaluation in **Table 14** below.

11. SCALE AND SIGNIFICANCE EVALUATION

11.1. 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 proposed objectives and provisions:

- Result in a significant variance from the existing baseline in the ODP Townships Chapter.
- Have effects on matters of national importance.
- Adversely affect those with specific interests.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.
- Are more appropriate than the existing.

11.2. The ODP Townships Chapter has been used as a basis for the revised provisions for the Group 2 Townships (those located outside UGBs). The objectives and policies have been revised to provide greater clarity regarding the desired environmental outcomes. These outcomes align with those generally anticipated by the ODP Townships Chapter.

11.3. Rules in the operative chapter that have been identified as having uncertain application or being open to ambiguous interpretation have been reworded to ensure that they can be implemented and enforced more effectively and efficiently than the status quo.

11.4. The format and structure of the operative chapter has not been continued, and rather the chapter structure developed for the PDP has been used. This results in a departure from the ODP, as most notably the tables for activities have been re-ordered. Maintaining consistency

¹¹⁵ ODP Rules 9.2.3.2ii & 9.2.3.2iii.

with the PDP chapter structure is considered important to ensure that the PDP is implemented as a cohesive whole. Accordingly, the drafting style conventions that have been established in Stages 1 and 2 of the District Plan Review have been applied to this proposal.

- 11.5. The Group 2 Townships (Hāwea and Albert Town) are proposed to be up-zoned to Lower Density Residential Zone, which would result in the ability for development at a greater density than that provided for currently. Whilst the LDSRZ would continue to promote predominantly residential activity, over time infill development (and green-field development within the UGB, particularly at Hāwea) would result in incremental changes to the current density of residential development. The resultant change from the current baseline is expected to be greater for Hāwea and Albert Town, compared to the Townships located amidst rural areas outside the UGB.

12. EVALUATION OF PROPOSED OBJECTIVES SECTION 32(1)(A)

- 12.1. The identification and analysis of issues has helped define how Section 5 of the RMA should be applied. This has informed determination of the most appropriate objectives to give effect to Section 5 of the RMA in light of the issues.
- 12.2. Section 32(1)(a) requires an examination of the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act. The following objectives serve to address the key strategic issues in the District:

Table 13: Evaluation of proposed objectives (section 32(1)(a))

<i>Proposed Objective</i>	<i>Appropriateness</i>
<p>20.2.1</p> <p>Well designed, low intensity residential development is enabled within settlements located amidst the wider Rural Zone.</p>	<p>Sets the primary purpose of the zone to accommodate low density housing.</p> <p>The objective recognises and provides the basis for a policy framework to implement the Council's function required under s31 of the RMA, in particular through providing for residential housing which together with other residential zones, provides an integrated approach to managing urban development within the District; and avoiding, remedying or mitigating adverse effects of activities on the environment. The objective gives effect to the Strategic Direction, Urban Development and Landscapes objectives and policies identified in section 7 of this evaluation, including the following:</p> <p>Strategic Objective 3.2.1, 3.2.1.9, Strategic Objective 3.2.2, policy 3.2.2.1 Strategic Objective 3.2.3 Strategic Objective 3.2.6, policy 3.3.15</p> <p>Urban Development Policy 4.2.1.2 Urban Development Policy 4.2.1.5 Urban Development Policy 4.2.1.7 Urban Development Policy 4.2.2.1 Urban Development Policy 4.2.2.8 Urban Development Policy 4.2.2.23</p> <p>Landscape Policy 6.3.4 Landscape Policy 6.3.12 Landscape Policy 6.3.19</p>

	<p>Landscape Policy 6.2.8</p> <p>Gives effect to the following objectives and policies of the Partially Operative Regional Policy Statement 2019: Objective 1.1, policy 1.1.1, policy 1.1.2 Objective 1.2, policy 1.2.1 Objective 4.3, policy 4.3.1 Objective 4.4. policy 4.4.6 Objective 4.5, policy 4.5.1, policy 4.5.2, policy 4.5.3</p> <p>Gives effect to the following objectives and policies of the Partially Operative Regional Policy Statement 1998: Objective 5.4.1 Objective 5.4.2 Objective 9.4.1 Objective 9.4.2 Objective 9.4.3, policy 9.5.4, 9.5.5</p> <p>Recognises the interrelationship between part 5 of the Act and provides a framework for the effective management of resources as required by section 6, and in particular the matters listed in section 6 (a), (b), (d), and (f), and has regard to sections 7(b), (c) and (f) of the RMA.</p> <p>For the above reasons the objective is the most appropriate way to achieve the purpose of the RMA.</p>
<p>20.2.2</p> <p>High quality amenity values are maintained in the Settlement Zone.</p>	<p>Recognises that development within the zone shall maintain high levels of amenity and supports the purpose of the RMA by mitigating adverse effects of development. Meets the intent of s31(1) of the RMA through an integrated approach to managing the multiple effects of land development.</p> <p>Supports s5(2) of the RMA through ensuring development enables people and communities to provides for their social, economic and cultural wellbeing. Has regard to sections 7(c) and (f) of the RMA. The objective gives effect to the Strategic Direction and Urban Development objectives and policies identified in section 7 of this evaluation, including the following:</p> <p>Strategic Objective 3.2.1, Strategic Objective 3.2.2, policy 3.2.2.1 Strategic Objective 3.2.3 Strategic Objective 3.2.6, policy 3.3.15</p> <p>Urban Development Policy 4.2.2.4</p>

	<p>Urban Development Policy 4.2.2.5 Urban Development Policy 4.2.2.8 Urban Development Policy 4.2.2.10</p> <p>Gives effect to the following objectives and policies of the Partially Operative Regional Policy Statement 2019: Objective 1.1, policy 1.1.1, policy 1.1.2 Objective 1.2, policy 1.2.1 Objective 4.3, policy 4.3.1 Objective 4.4. policy 4.4.6 Objective 4.5, policy 4.5.1, policy 4.5.2, policy 4.5.3</p> <p>Gives effect to the following objectives and policies of the Partially Operative Regional Policy Statement 1998: Objective 5.4.1 Objective 5.4.2 Objective 9.4.1 Objective 9.4.2 Objective 9.4.3, policy 9.5.4, 9.5.5</p> <p>For the above reasons the objective is the most appropriate way to achieve the purpose of the RMA.</p>
<p>20.2.3</p> <p>Commercial, community and visitor accommodation activities are predominantly provided for within precincts and sub-zones, are limited in scale, provide for local and visitor convenience, and support the local economy.</p>	<p>Recognises that commercial, community and visitor accommodation activities may have adverse amenity effects within residential environments, however acknowledges that there is a demonstrated need and benefit from these activities, particularly given the distances of many of the settlements from urban centres. Small-scale commercial, community and visitor accommodation activities can have benefits on residential amenity, and may reduce the need for people to travel to access services and amenities. The objective recognises that potential adverse effects must be appropriately managed to maintain the character of the zone.</p> <p>Supports the purpose of the RMA through enabling people and communities to provide for their social, economic and cultural wellbeing, whilst managing the potential effects of development. Has regard to sections 7(c) and (f) of the RMA. The objective gives effect to the Strategic Direction and Urban Development objectives and policies identified in section 7 of this evaluation, including the following:</p> <p>Strategic Objective 3.2.1, policy 3.2.1.1, policy 3.2.1.5, 3.2.1.6,</p>

	<p>Strategic Objective 3.2.6, policy 3.3.1, policy 3.3.3, 3.3.9, 3.3.10</p> <p>Urban Development Policy 4.2.1.2 Urban Development Policy 4.2.1.7 Urban Development Policy 4.2.2.4 Urban Development Policy 4.2.2.5 Urban Development Policy 4.2.2.10</p> <p>Gives effect to the following objectives and policies of the Partially Operative Regional Policy Statement 2019: Objective 1.1, policy 1.1.1, policy 1.1.2 Objective 4.5, policy 4.5.1, 4.5.2, 4.5.3, Objective 5.3, policy 5.3.2, policy 5.3.5</p> <p>Gives effect to the following objectives and policies of the Partially Operative Regional Policy Statement 1998: Objective 5.4.1 Objective 9.4.1 Objective 9.4.2 Objective 9.4.3, policy 9.5.3, policy 9.5.4, policy 9.5.5</p>
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13. EVALUATION OF THE PROPOSED PROVISIONS SECTION 32(1)(B)

13.1. 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. For the purposes of this evaluation the proposed provisions are grouped by resource management issue.

Table 14: Evaluation of proposed provisions (section 32(1)(b))

Issue 1 – Residential character and amenity

Issue 5 - Rural Living Opportunities

A summary of proposed provisions and components of the Settlement Zone that address this issue and give effect to the objectives:

- **Objective 20.2.1** – Well designed, low intensity residential development is enabled within settlements located amidst the wider Rural Zone
- **Policy 20.2.1.1:** Enable low-intensity residential development that retains character and amenity through the use of minimum lot sizes.

- **Objective 20.2.2:** High quality amenity values are maintained in the Settlement Zone
- **Policy 20.2.2.1:** Ensure that the height, bulk and location of residential development maintains the low-intensity character, and residential amenity values of the zone, by maintaining privacy, setbacks and access to sunlight.
- **Policy 20.2.2.2:** Provide for spacious net site areas that accommodate low intensity development with low site coverage by buildings, spacious outdoor areas and sufficient land area for on-site wastewater systems.
- **Policy 20.2.2.3:** Ensure that development within the Settlement Zone is of low scale to complement the existing low scale of development.

- **Policy 20.2.2.4:** Include development controls that reflect key characteristics of development in Settlements, including through building height limits, encouraging gable roof forms in Glenorchy and Cardrona, and achieving consistency with the Cardrona Village Character Guideline 2012.
- **Policy 20.2.2.5:** Limit the impact of lighting glare on residential amenity and views of the night sky by way of standards that limit lighting glare and promote lighting design that mitigates adverse effects.
- **Policy 20.2.2.6:** Avoid activities that are not consistent with established amenity values, cause inappropriate adverse environmental effects.

- **Objective 20.2.3** Commercial, community and visitor accommodation activities are predominantly provided for within precincts and sub-zones, are limited in scale, provide for local and visitor convenience, and support the local economy.
- **Policy 20.2.3.4:** Control the height, scale, appearance and location of buildings within Commercial Precincts to achieve a built form that:
 - a. Complements the established pattern of development;
 - b. Positively contributes to the streetscape; and
 - c. Minimises adverse effects on neighbouring residential activities.
- **Policy 20.2.3.6:** Limit the establishment and scale of non-residential activities outside of Commercial Precincts to minimise effects on the residential amenity values and traffic safety and to maintain residential character.

- **Policy 20.2.3.7:** Identify Visitor Accommodation Sub-zones on the Planning Maps to provide for visitor accommodation activities in identified locations, and restrict the establishment of visitor accommodation activities in locations outside the Visitor Accommodation Sub-zones to ensure that the zone maintains a residential character.
- **Policy 20.2.3.8:** Ensure that the design of buildings for visitor accommodation, commercial and community activities contribute positively to the visual quality of the environment, including through building design, landscaping and response to site context.
- **Policy 20.2.3.10:** Enable home occupation activities throughout the Zone to provide work-from-home opportunities and reduce travel-dependence for employment, while ensuring that residential amenity is maintained.
- **Policy 20.2.3.11:** Enable residential visitor accommodation and homestays to establish throughout the Zone, ensuring that the scale and effects of these activities do not adversely affect residential amenity.

Matters addressed in Activity Table:

- **Activity Rule 20.4.1:** Permitted activity status for residential units
- **Activity Rules 20.4.5 to 20.4.7, 20.4.9, and 20.4.10:** Matters of control and discretion that enable consideration of adverse effects on residential amenity including the nature and scale of activities, traffic generation, noise, hours of operation, design, scale and appearance of buildings, location and screening of waste, consistency with the Cardrona Village Character Guidelines 2012.
- **Activity Rule 20.4.17:** Default non-complying activity status to capture activities that may adversely affect residential amenity (rather than permitted default activity status applied in other PDP zones).
- **Activity Rule 20.4.18:** Lists prohibited activities that are not consistent with residential amenity values.

Matters addressed in Standards Table:

- **Standards Rule 20.5.1 & 20.5.2:** Prescribed residential density maintains the established spacious minimum lot sizes.
- **Standards Rule 20.5.4:** Maximum building coverage maintains low intensity development.
- **Standards Rule 20.5.7:** Minimum boundary setbacks assist with maintaining low intensity development and separation of buildings from boundaries.
- **Standards Rule 20.5.8:** Maximum continuous building length assist with limiting building dominance.
- **Standards Rule 20.5.9:** Gable roof form (Glenorchy and Cardrona) assists with maintaining a design element that contributes to the established character of development.
- **Standards Rule 20.5.10:** Limits on heavy vehicle storage to limit the adverse effects on residential amenity.
- **Standards Rule 20.5.11:** Glare: to minimise adverse effects of lighting.
- **Standards Rule 20.5.12:** Maximum building height.
- **Standards Rule 20.5.13:** Maximum building height in the Commercial Precincts.
- **Standards Rule 20.5.14:** Recession planes – sunlight access for adjoining sites.
- **Standards Rule 20.5.18:** Building Restriction Area applies on Oban Street in Glenorchy to provide a wide entrance to the settlement that is not encroached on by buildings.

Other methods:

- Commercial Precincts and Visitor Accommodation Sub-zones mapped on the Planning Maps.
- Physical extent of the Settlement Zone.

- Various District-wide provisions, including those proposed to be varied to apply to the Settlement Zone.

	Costs	Benefits	Effectiveness & Efficiency
	<ul style="list-style-type: none"> • Maintaining current 800m² minimum density would not provide additional residential capacity that may otherwise be achieved through an up-zoning option. • Costs associated with resource consent process for breaches to standards that maintain amenity, including building bulk and location standards. • Amending the recession plane controls may result in some change to amenity associated with shading, when compared to the operative 25 degree plane applied at each boundary, triggered when a setback is breached. • Increasing the maximum permitted building heights in Commercial Precincts may impact on adjoining residential activities compared to applying the ODP heights, however height recession planes would apply, and all buildings within Commercial Precincts would automatically require restricted discretionary activity resource consent, enabling matters that may adversely affect residential amenity to be 	<ul style="list-style-type: none"> • Maintaining residential amenity values will assist with achieving the outcomes sought by the various Community Plans and is a continuation of the ODP approach, therefore has a high level of certainty for Plan users. • The revised height recession planes implement a more nuanced approach than the operative rule¹¹⁶, whereby sunlight access to adjoining sites can be maintained, with greater flexibility than the operative 25 degree standard. • Increasing permitted maximum building height within Commercial Precincts will provide greater flexibility for the built form within Precincts to have greater legibility than they do currently, particularly in the context of the existing low-scale of development throughout the balance of the zone, which is sought to be retained. • Liberalising the ODP rule for residential flats¹¹⁷ will provide the opportunity for the existing residential 	<p>The proposed provisions take a 'retain and amend' approach to reviewing the ODP provisions, rather than proposing significant wholesale changes. The revisions to provisions will increase their effectiveness and efficiency, including by using the PDP drafting conventions rather than continuing the ODP complex drafting style.</p>

¹¹⁶ ODP Rule 9.2.5.2ii(a)

¹¹⁷ ODP rule 9.2.3.4vi

	considered through the resource consent process.	<p>offering to be supplemented with minor (70m² or less) units¹¹⁸.</p> <ul style="list-style-type: none"> Continuation of ODP density acknowledges that spacious lots contribute to the character of these Settlements and contribute to the range of densities offered by the PDP, whilst also providing sufficient land area to accommodate on-site servicing if required. The discretionary activity status for breaches will enable proposals seeking greater density to be considered on their merits. The 40% maximum site coverage standard (proposed rule 20.5.4) would result in a slight relaxation from the current 35% standard¹¹⁹, which still promotes spacious lots with low site coverage by buildings. These factors contribute to the residential amenity and character of Settlements. This relaxation of site coverage has been considered in the context of the proposed relaxation of the ODP rules for residential flats. The site coverage rule for the Commercial Precincts rolls over the existing 80% maximum standard¹²⁰ and also applies it to the Visitor 	
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¹¹⁸ Pursuant to the PDP Chapter 2 definition of Residential Flat, the floor area will be limited to 70m² in the Settlement Zone. Exceedance of this limit would result in the flat being treated as a Residential Unit, for which the residential density rules (proposed rules 20.5.1 and 20.5.2) would be triggered.

¹¹⁹ ODP Rule 9.2.4ii(a) prescribes a maximum 35% coverage, whilst ODP Rule 9.2.5.2i(a) prescribes 40% - this appears to be either a drafting anomaly or a tiered approach to breaches (as different activity statuses apply to the respective breaches). For the purposes of this assessment I have taken it that the more restrictive 35% coverage was intended to apply.

¹²⁰ ODP Rule 9.2.5.2i(b).

		<p>Accommodation Sub-zones (which is a relaxation of the operative 70% coverage¹²¹, as well as a relaxation of the non-compliance status of breaches (from non-complying in the ODP to the proposed discretionary activity status). This relaxation is applied in the context of applying a restricted discretionary activity status for visitor accommodation activities (including buildings), rather than continuing the ODP controlled activity status. The proposed approach would enable discretion over a range of matters relevant to visitor accommodation activities, and would provide the opportunity for consent to be declined if the proposal would result in poor quality outcomes. Restrictions on notification would mean that the application would be assessed non-notified (pursuant to proposed rule 20.6.2(b).</p> <ul style="list-style-type: none"> • The proposed noise limits (variation to Chapter 36) are a continuation of the operative limits which are performing well. These limits are the same as for the urban residential zones. 	
<p>Alternative options considered less appropriate to achieve the objectives and policies (s32(1) (b)(i)):</p>			

¹²¹ ODP Rule 9.2.5.2i(c).

<p><i>Option 1: Retain the operative provisions</i></p>	<ul style="list-style-type: none"> • <i>Would not address the identified issues with the operative provisions</i> • <i>Would lead to inconsistency on drafting style in the PDP, and rather would result in a continuation of the complex drafting of the ODP.</i> • <i>Would not apply more sophisticated height recession planes, and rather would see a continuation of 25 degree angle applied when a setback is breached. The latter is considered to be a blunt approach that does not focus on maintaining sunlight access to adjoining sites.</i>
<p><i>Option 2: Relax the amenity controls and accept that a lower standard of residential amenity is appropriate</i></p>	<ul style="list-style-type: none"> • <i>Inconsistent with the desired outcomes of the various Community Plans, which seek to maintain residential amenity.</i> • <i>Inconsistent with the PDP's approach to urban residential areas elsewhere in the District.</i> • <i>May result in reduced compliance costs.</i>

Issue 2 – Economic diversification to support the local economy.

A summary of proposed provisions and components of the Settlement Zone that address this issue and give effect to the objectives:

- **Objective 20.2.3:** Commercial, community and visitor accommodation activities are predominantly provided for within precincts and sub-zones, are limited in scale, provide for local and visitor convenience, and support the local economy.
- **Policy 20.2.3.1:** Identify Commercial Precincts on the Planning Maps, within which commercial, visitor accommodation and community activities are provided for in order to meet the day-to-day needs of residents and visitors and support the local economy.
- **Policy 20.2.3.2:** Restrict individual retail activities exceeding 200m² gross floor area, and individual office activities exceeding 100m² gross floor area, that would adversely affect the:
 - a. Retention and establishment of a diverse range of activities within the Commercial Precinct;
 - b. Role and function of commercial zones that provide for large scale retailing; and
 - c. Safe and efficient operation of the transport network.
- **Policy 20.2.3.3:** Encourage development within Commercial Precincts to facilitate active transport and recreational opportunities, through design that ensures connectivity with reserves and pedestrian and cycling links.
- **Policy 20.2.3.4:** Control the height, scale, appearance and location of buildings within Commercial Precincts to achieve a built form that:
 - a. Complements the established pattern of development;

- b. Positively contributes to the streetscape; and
- c. Minimises adverse effects on neighbouring residential activities.

- **Policy 20.2.3.5:** Within Commercial Precincts ensure that recycling and waste storage areas are appropriately located and screened to limit adverse visual effects and to assist with maintaining amenity values.
- **Policy 20.2.3.6:** Limit the establishment and scale of non-residential activities outside of Commercial Precincts to minimise effects on the residential amenity values and traffic safety and to maintain residential character.
- **Policy 20.2.3.7:** Identify Visitor Accommodation Sub-zones on the Planning Maps to provide for visitor accommodation activities in identified locations, and restrict the establishment of visitor accommodation activities in locations outside the Visitor Accommodation Sub-zones to ensure that the Zone maintains a residential character.
- **Policy 20.2.3.8:** Ensure that the design of buildings for visitor accommodation, commercial and community activities contribute positively to the visual quality of the environment, including through building design, landscaping and response to site context.
- **Policy 20.2.3.9:** Ensure that visitor accommodation activities and development are appropriately serviced and minimise impacts on roading networks.
- **Policy 20.2.3.10:** Enable home occupation activities throughout the Zone to provide work-from-home opportunities and reduce travel-dependence for employment, while ensuring that residential amenity is maintained.
- **Policy 20.2.3.11:** Enable residential visitor accommodation and homestays to establish throughout the Zone, ensuring that the scale and effects of these activities do not adversely affect residential amenity.

Matters addressed in Activities Table:

- **Activity Rule 20.4.2:** Enables home occupations as a permitted activity.
- **Activity Rule 20.4.3:** Enables residential visitor accommodation and homestays as a permitted activity.
- **Activity Rule 20.4.5:** Controlled activity status for commercial, commercial recreation and community activities located in Commercial Precincts. Enabling regimes for a variety of activities.
- **Activity Rule 20.4.7:** Restricted discretionary activity status for visitor accommodation activities located in Commercial Precincts and Visitor Accommodation Sub-zones (limits on notification pursuant to rule 20.6.2). Generally an enabling regime, subject to specific considerations.
- **Activity Rule 20.4.9:** Commercial, commercial recreation and community activities located outside Commercial Precincts that do not exceed 100m² GFA. Generally an enabling regime, subject to specific considerations, including whether the activity functions to service the day-to-day needs of residents and visitors.
- **Activity Rule 20.4.10:** Licensed Premises located in Commercial Precincts or Visitor Accommodation Sub-zones – restricted discretionary activity status is generally enabling, subject to a discrete number of considerations.
- **Activity Rules 20.4.11 to 20.4.13:** Service activities within a Commercial Precinct and Retirement Villages and Communities located throughout the zone listed as discretionary activities – signalling that these activities are anticipated, subject to resource consent approval.
- **Activity Rules 20.4.14 to 20.4.17:** Non-complying activities that are not anticipated in the zone.

Matters addressed in the Standards Table:

- **Standards Rule 20.5.3:** Limits on the GFA of individual retail and office activities to encourage small format premises and encourage the establishment of a diverse range of commercial activities.
- **Standards Rule 20.5.6:** Enabling regime for home occupations to support work-from-home options and reduce the necessity for travel to employment.

- **Standards Rule 20.5.16:** Residential visitor accommodation enabled up to 90 nights in a 12 month period as a permitted activity, subject to other standards. Relatively enabling regime that acknowledges the presence of holiday homes in settlements, enables residents to supplement their income, enables flexible use of housing stock, particular during peak visitor periods. Supports provision of a diverse accommodation offering.
- **Standards Rule 20.5.17:** Enabling regime for Homestay activities, enables residents to supplement their income, enables flexible use of the housing stock, and supports the provision of a diverse accommodation offering.
- **Standards Rules 20.6.2:** limits on notification for buildings in Commercial Precincts, visitor accommodation in Visitor Accommodation Sub-zones, residential visitor accommodation and homestay activities.

Other methods:

- Commercial Precincts and Visitor Accommodation Sub-zones mapped on the Planning Maps.
- Physical extent of the Settlement Zone.
- Various District-wide provisions, including those proposed to be varied to apply to the Settlement Zone.

	Costs	Benefits	Effectiveness and efficiency
	<ul style="list-style-type: none"> • Enabling a diverse range of activities necessitates controls to ensure that the amenity values of nearby residential areas are maintained. Those controls may limit the nature and scale of activities, and compliances may incur additional development costs. • The restrictions on the gross floor area of office and retail activities may pose barriers to activities that exceed the prescribed limits. • Costs associated with the resource consent process for controlled activity consent for commercial activities, commercial recreation activities and community activities located in Commercial Precincts (Rule 20.4.5). However the controlled activity status has 	<ul style="list-style-type: none"> • Providing for a diverse range of commercial activities encourages a diverse range of businesses and activities to establish to meet the needs of residents and visitors. This is important as most Settlements are located significant distances from the District's main commercial centres. • Supports the economic viability of Commercial Precincts by enabling a range of activities. • The limited physical extent of Commercial Precincts encourages the clustering of commercial activity in each Settlement, and the increased building height aids legibility of the Precincts. 	<p>Provisions for commercial activities, commercial recreation activities, visitor accommodation activities, as well as community activities recognise the potential adverse effects of such uses, particularly on residential amenity, whilst acknowledging the benefit of enabling a wide range of activities to establish in Settlements to support the local economy. The provisions balance the costs and benefits associated with such activities, and acknowledge that small-scale, sensitively designed commercial activities located within residential areas can improve the efficiency of the urban environment and the experience of it by the community.</p>

	<p>high certainty that consent will be granted, subject to conditions.</p> <ul style="list-style-type: none"> • Costs associated with the restricted discretionary resource consent process for buildings located within Commercial Precincts (Rule 20.4.6). Consents subject to this activity status can be declined, however the discrete list of matters of discretion provides certainty regarding the matters to be considered through the consent process (more certainty compared to full discretionary activity status), and limits on notification (Rule 20.6.2a) would apply, meaning the resource consent would be assessed on a non-notified basis. • Prescribed noise standards would apply throughout the Settlement Zone, without less restrictive standards applying within Commercial Precincts. Given the proximity of the Precincts to residential areas, and that residential activities are enabled within the Precinct without a requirement for acoustic treatments for critical listening environments, it is considered that this approach is appropriate. If more permissive noise limits were applied to the Commercial Precinct, they may be difficult to achieve due to an established requirement that noise must comply with the limits in the receiving zone (which will include Settlement Zone land outside the Precinct). • Costs associated with the resource consent process for activities requiring 	<ul style="list-style-type: none"> • Commercial and community activities can add vibrancy to communities by providing local amenities, such as local meeting places, which assist with encouraging residential cohesion. This, however needs to be balanced with limiting the adverse effects on residential amenity, as the Settlements are predominantly residential in character. It is considered that the proposed zone framework (comprising the policy settings and rules that limit adverse effects on residential amenity) will achieve this balance. • Providing for visitor accommodation with mapped Visitor Accommodation Sub-zones and Commercial Precincts provides a degree of certainty regarding the location of VA in each Settlement and the opportunity for unique visitor experiences within the District's unique landscapes. • The VA offering in each Settlement would be supplemented by the relatively enabling framework for residential visitor accommodation and homestay activities. These activities may contribute to the diversity of accommodation offered in each Settlement, and enable income for residential visitor accommodation and homestay operators, as well as associated businesses such as cleaners, property managers etc. Providing for visitor accommodation in Settlements will have wider benefits for 	
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	<p>consent to exceed limits, such as bulk and location standards.</p> <ul style="list-style-type: none"> • Precludes some activities from establishing in the Settlement Zone (including the Commercial Precincts), which slightly decreases the ranges of activities that can establish. Non-complying activities can, however still be considered on their particular merits through the resource consent process. 	<p>the local economy and support the District's visitor industry.</p> <ul style="list-style-type: none"> • Reserving discretion for buildings within Commercial Precincts (Rule 20.4.6) will enable the identified matters to be considered through resource consent. Specific matters of discretion, including the design, scale and appearance of buildings, signage platforms, lighting and landscaping will assist with ensuring that high levels of amenity are maintained. Maintaining discretion for servicing enables consideration of on-site servicing requirements, which can be land-intensive, and needs to be balanced with building coverage and on-site car parking required on an activity-basis by Chapter 29: Transport. • Limiting the scale of individual retail and office activities will assist with promoting a diverse commercial offering within Commercial Precincts, rather than enabling larger format activities that may occupy large extents of the Precincts. These limits will support the goal to provide a "boutique" commercial offering sought in particular by the Glenorchy Community Plan. • The proposed provisions exclude inappropriate activities from establishing in the zone (including the Commercial Precincts). Such activities generally result in effects that are not 	
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		appropriate, and are provided for in other zones (such as the Industrial Zone and the Rural Industrial Zone).	
Alternative options considered less appropriate to achieve the objectives and policies (s32(1) (b)(i)):			
<i>Option 1: Retain the operative provisions</i>		<ul style="list-style-type: none"> • <i>Would not address the identified issues with the operative provisions</i> • <i>Would lead to inconsistency on drafting style in the PDP, and rather would result in a continuation of the complex drafting style of the ODP.</i> • <i>Would not provide the opportunity to place limits that encourage commercial activities to be small scale and provide for a 'boutique' small-scale format of commercial activities.</i> 	
<i>Option 2: Discontinue the use of mapped Commercial Precincts and instead provide for commercial activities of various scales throughout the zone</i>		<ul style="list-style-type: none"> • <i>Would not encourage the clustering of commercial activities in a centralised 'village centre' provided by the Precincts.</i> • <i>Would not build on the existing pattern of development at Glenorchy and Luggate, which have a legible centre and capacity for additional commercial activities to establish within the Precincts, adjoining existing commercial activities.</i> • <i>Would remove the opportunity for new Commercial Precincts to be applied to formalise existing commercial activities at Kingston.</i> 	
<i>Option 3: Discontinue the use of Commercial Precincts and instead apply the Local Shopping Centre Zone (LSCZ)</i>		<ul style="list-style-type: none"> • <i>The LSCZ restricts residential and VA activities located at ground floor level – which is a significant departure from the Commercial Precincts, which acknowledge that residential activities are occurring at ground floor level within the existing Commercial Precincts by not placing restrictions.</i> • <i>Restricting VA at ground floor level would limit the zoned capacity for VA, potentially resulting in greater pressure for additional Visitor Accommodation Sub-zones within the Settlements.</i> • <i>Varying the LSCZ to allow residential and VA activities at ground floor level in Settlements would create an inconsistency within the LSCZ zone purpose and policy framework, which focusses on providing primarily for small format commercial, with residential and VA activities provided for as a lesser activity. Such policy carve-outs would also add complexity to the LSCZ provisions.</i> • <i>The LSCZ has been applied to land for commercial activities at Hāwea and Albert Town, which are located within UGBs and are recommended to be up-zoned to LDRSZ. This proposal would result in Commercial Precincts being applied only in Settlements, reflecting that a more flexible approach to the</i> 	

	<p><i>distribution of commercial and residential activities is appropriate in Settlements, given the comparatively lesser growth pressure in Settlements. The rule framework for the Commercial Precincts also acknowledges the need for on-site servicing in Settlements, which is not a requirement of the LSCZ.</i></p> <ul style="list-style-type: none"> <i>The LSCZ includes a requirement for acoustic treatments for critical listening environments within the zone, in conjunction with more permissive noise limits applied within the zone. Applying this regime may be onerous in the context of the Settlements, which have residential activities interspersed with commercial activities in the Precincts. Existing residential units within Precincts would be required to undertake the acoustic treatment to undertake such work as minor additions, which would increase building costs.</i>
<p><i>Option 4: Increase the area of Commercial Precincts and restrict all non-residential activities located outside Commercial Precincts</i></p>	<ul style="list-style-type: none"> <i>Would less effectively achieve the zone purpose, which is to provide for a range of activities, albeit the predominant activity is residential activity.</i> <i>May reduce the opportunities that would otherwise be provided through the more flexible (proposed) approach to support growth of the local economy and visitor industry.</i> <i>Providing for home occupations enables flexible use of the housing resource, providing opportunities to decrease dependence on car travel for employment. This is considered important, given the location of many of the Settlements in outlying areas.</i> <i>Would restrict the visitor accommodation offering by restricting the ability to establish residential visitor accommodation activities and homestays, and would limit the ability for homeowners to supplement their income through undertaking these activities.</i> <i>However, would assist with promoting the Commercial Precincts as the 'village centres', with a clear delineation of commercial and residential activity areas within each Settlement.</i>

Issue 3– Servicing

A summary of proposed provisions and components of the Settlement Zone that address this issue and give effect to the objectives:

Objective 20.2.1: Well designed, low intensity residential development is enabled within settlements located amidst the wider Rural Zone

Policy 20.2.1.2: Ensure that development is designed in a manner that is consistent with the capacity of infrastructure servicing it.

Policy 20.3.1.3: Ensure residential development provides appropriate on-site wastewater treatment and disposal, having particular regard to:

- a. The method of sewage treatment and disposal;
- b. The location, capacity and design of the proposed on-site wastewater treatment system;
- c. The ability for the on-site wastewater system and run-off to be contained within the boundaries of the subject site regardless of seasonal variations and loading;
- d. The environmental effects of the proposed on-site wastewater treatment system including minimising adverse effects on ecosystem services and values to manawhenua; and
- e. Ensuring the location of vehicle accessways, manoeuvring and stormwater dispersal areas do not adversely affect the functioning of the on-site wastewater system.

Matters addressed in the Activities Table:

- **Activity Rule 20.4.5:** Servicing is a matter of control for commercial activities, commercial recreation activities and community activities located in Commercial Precincts.
- **Activity Rule 20.4.6:** Servicing is a matter of discretion for buildings located in Commercial Precincts.
- **Activity Rule 20.4.7:** Servicing is a matter of discretion for Visitor accommodation activities (including buildings) located within Commercial Precincts and/or Visitor Accommodation Sub-zones.
- **Activity Rule 20.4.8:** For residential flats, where the wastewater treatment and disposal is on-site - discretion is restricted to:
 - a. On-site wastewater treatment, with particular regard to the design and function of the on-site wastewater system and compatibility with on-site car parking, manoeuvring and stormwater disposal management.
- **Activity Rule 20.4.9:** Servicing is a matter of discretion for commercial activities, commercial recreation activities and community activities located outside Commercial Precincts that do not exceed 100m² gross floor area.
- **Activity Rule 20.4.10:** Servicing is a matter of discretion for licensed premises located in either a Commercial Precinct or Visitor Accommodation Sub-zone.
- **Activity Rule 20.4.17:** Prescribes a non-complying activity status for activities not listed in the activity table. Provides the opportunity for servicing to be considered via the non-complying consent process (rather than the default permitted activity status in other PDP zones).

Matters addressed in the Standards Table:

- **Standards Rule 20.5.1 and 20.5.2:** prescribes minimum densities that are able to accommodate on-site servicing (continuation of the ODP densities).
- **Standards Rule 20.5.3:** limits on the GFA of permitted retail and office activities (small format activities would have lesser infrastructure requirements and encourage diversity in commercial activities)
- **Standards Rule 20.5.4:** Maximum building coverage 40% (excluding within Commercial Precincts and Visitor Accommodation Sub-zones) – supports sufficient undeveloped site area to accommodate on-site waste water systems.
- **Standards Rule 20.5.5:** Maximum building coverage standards within Commercial Precincts and Visitor Accommodation Sub-zones – in conjunction with activity rules that list servicing as a matter of discretion, supports sufficient undeveloped site area to accommodate on-site waste water systems.

Other methods: <ul style="list-style-type: none"> Physical extent of the Settlement Zone. Various District-wide provisions, including those proposed to be varied to apply to the Settlement Zone. 			
	Costs	Benefits	Effectiveness and efficiency
	<ul style="list-style-type: none"> Costs to individuals associated with on-site servicing, and meeting resource consent requirements when servicing is a listed matter of discretion or control. On-site servicing is requisite of the ODP provisions, therefore no change from the status quo approach. 	<ul style="list-style-type: none"> The Settlements have known servicing constraints, which requires acknowledgement in the planning framework for development. As such, providing fit-for-purpose infrastructure should be a consideration at the design phase of development. Ensuring that development is designed in a manner consistent with the capacity of infrastructure servicing it avoids unexpected costs associated with potential upgrades and promotes effective and efficient use of the resource. The proposed provisions require servicing to be considered in conjunction with development as a matter of control or discretion, whereby adequate servicing would need to be demonstrated. This is particularly relevant for commercial developments, which despite the high site coverage enabled in the Commercial Precinct, will be required to provide on-site parking, pursuant to the activity-based parking requirements of Chapter 29: Transport. The location of on-site waste-water services will therefore need to be considered in context of site layout of 	<p>The provisions effective and efficient at acknowledging the servicing constraints present in Settlements and requiring that servicing is considered in the design of development.</p>

		<p>buildings, on-site car parking, landscaping and outdoor storage of waste and recycling.</p> <ul style="list-style-type: none"> Residential flats are proposed to be provided for as a restricted discretionary activity, rather than as a non-complying activity under the ODP provisions. Discretion would be restricted to on-site servicing to ensure that residential flats are appropriately serviced. The comparatively enabling approach to residential flats, compared with the ODP approach, will provide the opportunity for some increased diversity in the housing offering in Settlements. Residential flats may assist with providing worker accommodation in Makarora, which was highlighted in the My Place community consultation. As a number of the Settlements are located in Outstanding Natural Landscapes, expansion of the zone is seen as a less desirable option to provide additional development opportunities. 	
Alternative options considered less appropriate to achieve the objectives and policies (s32(1) (b)(i)):			
<i>Option 1: Retain the operative provisions</i>	<ul style="list-style-type: none"> <i>Would not address the identified issues with the operative provisions</i> <i>Residential flats would remain a non-complying activity, and the opportunity to provide a more flexible regime, subject to on-site servicing requirements being met, would not be achieved.</i> <i>Would lead to inconsistency on drafting style in the PDP, and rather would result in a continuation of the complex drafting of the ODP.</i> 		

Option 2: Adopt more liberal rules than proposed	<ul style="list-style-type: none"> Adequate servicing is a key requirement for sustainable development. In the absence of full reticulation in the Settlements, a relaxation of the on-site servicing requirements would be contrary to the purpose of the Act. This option may place pressure on the Council to fund additional reticulated services, which may not be planned for, and there may subsequently be delays in implementing any upgrades required, which may in turn inhibit opportunities for development that would otherwise have occurred under the preferred approach.
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Issue 4 – Natural hazards

A summary of proposed provisions and components of the Settlement Zone that address this issue and give effect to the objectives:

Implements the District-wide natural hazards objectives and policies of PDP Chapter 28: Natural Hazards.

Matters addressed in Standards Table:

- Standards Rule 20.5.19:** Flood risk – limits the development able to be undertaken as of right, unless floor levels are raised above the identified flood level. This rule works in conjunction with rule 20.5.14, which enables height recession planes to be applied from the flood risk level in cases where a site is required to be raised to mitigate flood risk. The flood risk standard has been rolled over from the ODP, however the height recession exemption is a new exemption, addressing an identified issue with the ODP provisions.
- Standards Rule 20.5.15:** Prescribes minimum setback from waterbodies

Other methods:

- Flood hazard areas mapped on the Planning Maps at Glenorchy, Kinloch and Kingston.
- Physical extent of the Settlement Zone.
- Various District-wide provisions, including those proposed to be varied to apply to the Settlement Zone.
- Other Council functions in respect of natural hazard risk management, including administering s71 of the Building Act, and established Civil Defence & Emergency procedures including flood warning system.

	<i>Costs</i>	<i>Benefits</i>	<i>Effectiveness & Efficiency</i>
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	<ul style="list-style-type: none"> Buildings over 20m² in area located within the flood hazard area identified on Planning Maps would be required to be raised above the flood level, incurring development costs. This, however, is an existing requirement in the ODP, as such there are no additional costs compared to the operative rule. 	<ul style="list-style-type: none"> The proposed flood risk rules are being rolled over from the ODP provisions, with the only change being to provide flexibility for height recession planes to be applied from the identified RL height, rather than the ground level prior to the earthworks being completed. This amendment will remove a current constraint on development that is understood to be an unintended consequence of the drafting of the ODP provision. The flood risk rules assist with implementing '<i>Learning to Live with Flooding: A Flood Risk Management Strategy for the communities of Lakes Wakatipu and Wānaka (2006)</i>' a joint flood risk management strategy produced by Otago Regional Council and QLDC. The Strategy provides a comprehensive overview of the flood hazard present in the District, and methods to manage and mitigate flood risk to acceptable levels, rather than advocating a strict avoidance approach. The flooding rules are one method of a suite of both regulatory and non-regulatory methods to implement the Strategy, by anticipating development in the flood zone, so long as the development is raised above the identified flood level. This approach is consistent with that for the Queenstown and Wānaka Town Centres¹²², considered in Stage 1 of the 	<p>Effectiveness and efficiency</p> <p>The provisions are effective and efficient insofar as they provide a continuation of the status quo in respect of managing the known flood hazards in Settlements. This approach has been agreed in a joint strategy by the QLDC and the ORC, which includes a range of regulatory and non-regulatory approaches to managing the hazard.</p>
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¹²² For Queenstown: Policy 12.2.2.8 and Rule 12.5.6; for Wanaka: Policy 13.2.5.4 and Rule 13.5.4.

		Plan review, which also resulted in a continuation of the status quo approach to flood risk management in existing urban areas located on the margins of the District's major lakes.	
Alternative options considered less appropriate to achieve the objectives and policies (s32(1) (b)(i)):			
<i>Option 1: Apply more stringent rules than proposed</i>	<ul style="list-style-type: none"> <i>The operative flood rules, combined with the flooding annotation on Planning Maps is currently achieving positive outcomes, and achieves the desired outcomes of 'Learning to Live with Flooding: A Flood Risk Management Strategy for the communities of Lakes Wakatipu and Wānaka (2006)' a joint flood risk management strategy produced by Otago Regional Council and QLDC. The Strategy seeks to manage flood risk through a range of methods, including Plan rules that enable risk to be mitigated through measures such as raising sites in flood-prone areas, rather than strict avoidance.</i> 		
<i>Option 2: Adopt more liberal rules than proposed</i>	<ul style="list-style-type: none"> <i>Unlikely to achieve the desired outcomes of the Strategy.</i> 		

14. EFFICIENCY AND EFFECTIVENESS OF THE PROVISIONS

- 14.1. The above provisions have been drafted to address the resource management issues identified with the current provisions, and to enhance the provisions that already function well. Where possible, when keeping an operative provision, effort has been made to simplifying the drafting to improve the readability of the Plan, whilst retaining adequate protection of the resource. By simplifying the objectives, policies and rules, the subject matter becomes easier to understand for Plan users, both as an applicant and processing planner.
- 14.2. The proposed provisions strike an appropriate balance to achieve the integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the District. In doing so, the proposed provisions are more appropriate than the alternatives considered.

15. THE RISK OF NOT ACTING

- 15.1. 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.
- 15.2. 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.

APPENDIX 1: PROPOSED CHAPTER 20 SETTLEMENT ZONE AND VARIATIONS

**APPENDIX 2: HĀWEA URBAN GROWTH
BOUNDARY LANDSCAPE REPORT, BRIDGET
GILBERT, JULY 2019.**

**APPENDIX 3: HĀWEA COMMUNITY
ASSOCIATION LETTER RE: LAKE HĀWEA
TOWNSHIP URBAN GROWTH BOUNDARY, 31
MAY 2019.**

APPENDIX 4: PLAN ENABLED CAPACITY IN HĀWEA AND ALBERT TOWN, MARKET ECONOMICS, AUGUST 2019

**APPENDIX 5: ENV-2018-331-000019 EVIDENCE
IN CHIEF OF JAMES DOUGLAS MARSHALL
FAIRGRAY, 23 OCTOBER 2018**