

2011

Monitoring Report on the Albert Town Township Zone



Policy and Planning

Queenstown Lakes District Council

December 2011

Executive Summary

This monitoring report has been formulated to outline the current state of the Albert Town Township Zone (ATZ) based on factual data relating to consented development and to examine how effective the plan is in achieving the objectives and policies for the zone. Potential resource management issues that are affecting the zone are identified and issues that need specific attention during the District Plan review are highlighted for consideration.

Resource management issues for the zone are articulated below as questions and answers:

1. *Is Albert Town a predominantly low density residential environment with a particular building style and is that style and residential amenity being protected?*

The majority of development is in the form of low density residential dwellings and therefore the plan appears to be working well in achieving what is intended in that regard. Residential amenity and open character is being appropriately protected. A particular building style is not controlled by the District Plan.

2. *Is there a mix of uses in the ATZ and is future growth in non-residential activities being catered for?*

There is a mix of uses in the Albert Town Township Zone with commercial, community facilities and residential development all co-existing within the township. There is one developed commercial precinct with limited provision for future commercial expansion.

3. *Are objectives and policies appropriate and effective in achieving anticipated results?*

The majority of objectives and policies have associated rules and are effective in achieving anticipated results. However, there are a number of anticipated results that will not be achieved as no methods or rules exist to ensure all objectives and policies are met. An example of this is the anticipated result of a characteristic building style that cannot be achieved as there are no rules relating to external appearance. It is also considered that the style in Albert town is varied therefore it may not be appropriate to enforce a particular style. Another example is the anticipated result that all properties are protected from natural hazards. A flooding natural hazard is identified in the ATZ however no rules protect properties from such a hazard and in truth it may be impossible to protect those hazards. A review of identified issues in this report should be part of the District Plan review. Further some parts of the objective and some policies may be inappropriately located in the Township Zone section and potentially should be District Wide objectives and policies.

4. *Is Riverside Stage 6 being developed as anticipated?*

Riverside Stage 6 is working well and the Outline Development Master Plan process has assisted here. There may be inefficiencies in this area due to a developer led design approval process that generally mirrors assessment that is required under the District Plan. Policies relating to landscape enhancement in the area should be reviewed.

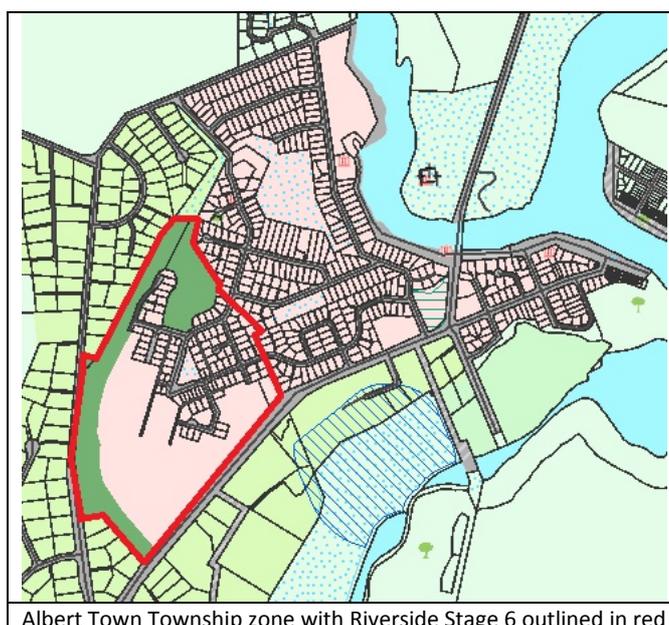
The District Plan Review should address the following:

- Anticipated results relating to specific building styles should be reviewed;
- Hazards should be further investigated and possibility of protection should be reviewed;
- Correct known errors relating to District Plan Maps and inappropriate policies.

Introduction

This is a report monitoring the effectiveness and efficiency of the current District Plan. Monitoring of the District Plan is explained further in Appendix 1. The focus of this monitoring report is whether the District Plan ('the Plan') is effective, whether objectives and policies are being achieved in the Albert Town Township zone (ATZ) and whether the plan is efficient having regard to the benefits achieved. There are similarities between this report and the reports for other Township zones however for District Plan review consultation purposes it was deemed appropriate to provide a report for each individual Township zone.

Albert Town Township zone (pink colour below) is made up of the established portion of Albert Town and the new Riverside Stage 6 area as shown below:



Albert town is divided into the original Albert Town settlement to the east of the State Highway and the more recent Albert Town development on the Western side. Large areas of the Township are made up of established residential development with vegetated sections. The newest addition and still largely under development is the Albert Town Riverside Stage 6 area outlined in red above. This is a recent zone addition to the Township that was established through Plan Change 12.

What is the Albert Town Township Zone Trying to Achieve?

The key issues outlined in the Plan, relating to the Albert Town Township and Riverside Stage 6, are as follows:

Albert Town

- Retention of the open character and amenities of the township.
- Minimising the effect of State Highway 6 on the town.
- Minimising the adverse effects of non-residential activities on residential amenity.

Riverside Stage 6

- Township character and amenity values
- Public open spaces and the public realm
- Land use efficiency and the ability to accommodate growth
- Accessibility and movement network
- Landscape and environmental features
- Integrated planning and stormwater management
- Cost-effective and resource efficient development
- The need to provide for an integrated and diverse community

The relevant objective and policies from the District Plan relating to the ATZ are outlined in Appendix 2 of this report.

The objectives and policies for the Township zone seek to achieve the following environmental results:

- Development which reflects important local characteristics in terms of building style, appearance and density;
- A range of non-residential activities satisfying residential amenity requirements;
- Townships comprising a mixture of residential, business and community activities;
- Low density development in specific areas in the absence of sewage reticulation, to maintain water quality and availability for domestic use;
- Avoidance of property damage from natural hazards;
- Well-defined and consolidated township boundaries;
- Vehicle and pedestrian access to all properties which does not conflict with the safe and efficient functioning of adjacent roads.

Overall, the resource management issues for the Albert Town Township zone can be articulated as four questions:

1. Is Albert Town a predominantly low density residential environment with a particular building style and is that style and residential amenity being protected?
2. Is there a mix of uses in the ATZ and is future growth in non-residential activities being catered for?
3. Are objectives and policies appropriate and effective in achieving anticipated results?
4. Is Riverside Stage 6 being developed as anticipated?

What is the “State” of the Albert Town Township Zone and are the Objectives and Policies Effective?

Approach

The approach is the same used for other Township monitoring reports. Establishing the current state of the zone involves reviewing resource consent data in order to obtain a clearer picture of the kind of development activity on different properties in the zone.

The resource consent activity occurring in the zone has been compiled from Council’s NCS system, with data reported for the period of 2003 through to 2011, an 8 year period. The data collection starts in 2003 as the current Township section of the District Plan subject of this monitoring exercise was made fully operative in 2003. The NCS electronic system has not historically been used to provide data that can assist with understanding the quality of consent decisions. Further work on improving the quality of data in the NCS system will improve the speed and efficiency of obtaining useful, accurate data used in preparing monitoring reports. Currently much of the data comes from manual reviewing of consent files in order to understand what trends are emerging.

Several of the policies (1.1, 1.2 and potentially 1.3) and part of the sole objective relating to the Township zone are potentially in an inappropriate location in the Plan. The reason for this is that there are several policies and parts of the Township objective that are strategic-type policies. These will ultimately assist in providing for new Township zones or in assessing plan changes to existing zones however they do not direct development within the zones. Consideration should be given to the relocation of these policies to a more appropriate District Wide section. That section would be applicable and referred to/considered if resource consents are submitted that affect the zones adjoining the existing Township zones or if plan changes are submitted for new Township zones.

Albert Town Township Zone Data

A total of 399 separate resource consent applications were processed for the Albert Town Township and surrounding area over an 18 year period from 1993 - 2010. Of these a total of 141 consents related specifically to the Albert Town Township zone subject of this monitoring report. Since 2003, when the township section of the current plan became operative, 73 consents (apart from lapsed or withdrawn consents) were processed which relates to new consents for 58 developments.

Type of Activity

As the table below indicates, 24% of developments sought resource consent for new development while 43% of applications were for alterations:

RESOURCE CONSENT ACTIVITY TYPE	#	%
Development	18	24%
Alteration	31	43%
Subdivision	7	10%
Variation	12	16%
Use	2	3%
Outline Plan	2	3%
Right of Way	1	1%
TOTAL	73	100%

Use Type

The following table, indicating type of activity shows what the consented development is being used for.

RESOURCE CONSENT TYPE	#	%
Residential	60	82%
Commercial and other Non - Residential	7	10%
Community	1	1%
Other(ODP/ROW/Outline Plans)	5	7%
TOTAL	73	100%

This table shows that approximately 82% of consents were for purely residential activities while 10% of consents were for commercial activities and/or non-residential activities. The consent for community facilities relates to a consent for earthworks to create a wetland reserve area and walking trail within the Riverside Stage 6 area. The commercial activities were for an ice rink, early learning centre, signs, a variation to the Albert Town Tavern and a visitor accommodation facility at the Albert Town Lodge. These types of activities are anticipated within the Township zone.

The other consents relate to the Outline Development Plan (ODP to be discussed later) submitted and varied for the Riverside Stage 6 area, a right of way and outline plan approval.

There is a commercial precinct area in the ATZ which allows commercial activities as controlled activities to be developed in the future. It is located where the current Albert Town Tavern is established. There are also reserves, toilets, playgrounds and tennis courts.

It is considered there is a mix of residential and non-residential activities in the zone and that satisfies the environmental results anticipated relating to a mix of residential, business and community activities. Currently the only commercial precinct overlay lies over one site facilitating the Albert Town Tavern. The establishment of another commercial precinct on the other side of Albert Town, within Riverside Stage 6 may be a consideration during the District Plan Review to provide more than one site where commercial activities can be sought as a controlled activity thereby increasing the mix of activities.

The next stage is to establish whether the dominant residential development identified above is low density development as intended for the zone. The following table displays different scales of residential activity (Small = 1-2 units; Medium = 3-9 units, and Large = over 10 units).

RESIDENTIAL USE SCALE	#	%
Small (1-2 units)	49	82%
Medium (3-9 units)	1	1%
Large (10+ units)	10	17%
TOTAL	60	100%

The table indicates that the ATZ seems to be functioning as outlined in the District Plan as small scale low density residential development accounts for the majority (82%) of all residential development activity. The above figures relate to subdivisions as well as other residential development. A review of the 18% of applications for medium or larger scale

residential has shown that these developments relate to subdivisions of land and all lots created are equal to or over the minimum lots size for the zone (and those approved within the Outline Development Master Plan for Riverside Stage 6) ensuring low density development in most areas and intended density of development within Riverside Stage 6. There is scope for further residential development in the ATZ within the Riverside Stage 6 area that has not yet been subdivided and developed.

Visitor Accommodation (VA)

There is a visitor accommodation facility, The Albert Town Lodge, adjoining the State Highway within the ATZ in old Albert Town. There are no visitor accommodation subzones in the ATZ. The ATZ is somewhat different from many other Township zones as a main road does not pass through the Township. The parts of the ATZ that are adjoining the State Highway are mostly set well back from the road. The result is that people utilising VA would more than likely have difficulty in finding facilities within the ATZ unless they adjoin the State Highway, particularly bearing in mind that off-site signs are a prohibited activity in the District. It may be difficult to promote a VA subzone to encourage VA facilities that are off the beaten track and would not be easily found by visitors. That said, the VA provided for by the Albert Town Lodge should be preserved and overlaying this area with a VA subzone to allow future developments or improvements may be an idea worthy of consideration during the District Plan review.

Overall it is considered that the Plan has been effective in allowing for a range of non-residential activities satisfying residential amenity requirements and ensuring townships comprise of a mixture of residential, business and community activities.

Decision Making and Consent Status

ACTIVITY STATUS	#	%
Controlled	7	10%
Restricted Discretionary	17	24%
Discretionary	21	29%
Non-Complying	25	34%
No Status	3	3%
TOTAL	73	100%

On the whole, approximately 34% of those consents in the sample dataset had a non-complying activity status. This gives a potentially false impression that the rules within the Townships section of the District Plan are consistently breached and that granting of consent to these breaches can potentially give an outcome which otherwise is not anticipated by the plan.

REASON FOR NON-COMPLYING STATUS	#	%
Building Coverage	1	4%
Building Coverage and Height	1	4%
Height	12	48%
Section 374(4) or 405(2)A Subdivision	3	12%
Non Residential Rule Breach	2	8%
Subdivision	1	4%
Residential Flat	3	12%

Signage	2	8%
TOTAL	25	100%

As shown in the table above the reasons for non-compliance were varied. In all cases, apart from the 374(4) and 405(2)A consents, either affected party approvals were provided from all affected parties (67% of the applications) or effects were considered less than minor (33% of the applications).

A total of 12% of non-complying consents relate to the status of the activity under the Transitional District Plan. If activities were not covered in the Transitional Plan they were deemed to be non-complying under Section 374(4) and 405(2) of the Resource Management Act. For example, earthworks were not given a specific activity status in the ATZ in the Transitional Plan. As a result consents in the ATZ involving earthworks were considered non-complying in accordance with Section 374(4) until 2005. In 2005 the present plan became operative and from that point the Transitional Plan was not used to determine activity status. The same issue arose for subdivision consents prior to 2005.

Overall a review of the consents shows that the consents granted for non-complying activities will not result in adverse effects and will not give rise to unanticipated results.

Are Provisions relating to Albert Town Township Issues Effective?

Natural Hazards

An anticipated result for the ATZ, reinforced by policy, is to ensure properties are not damaged by natural hazards. The hazards affecting the ATZ are shown in figure 1.

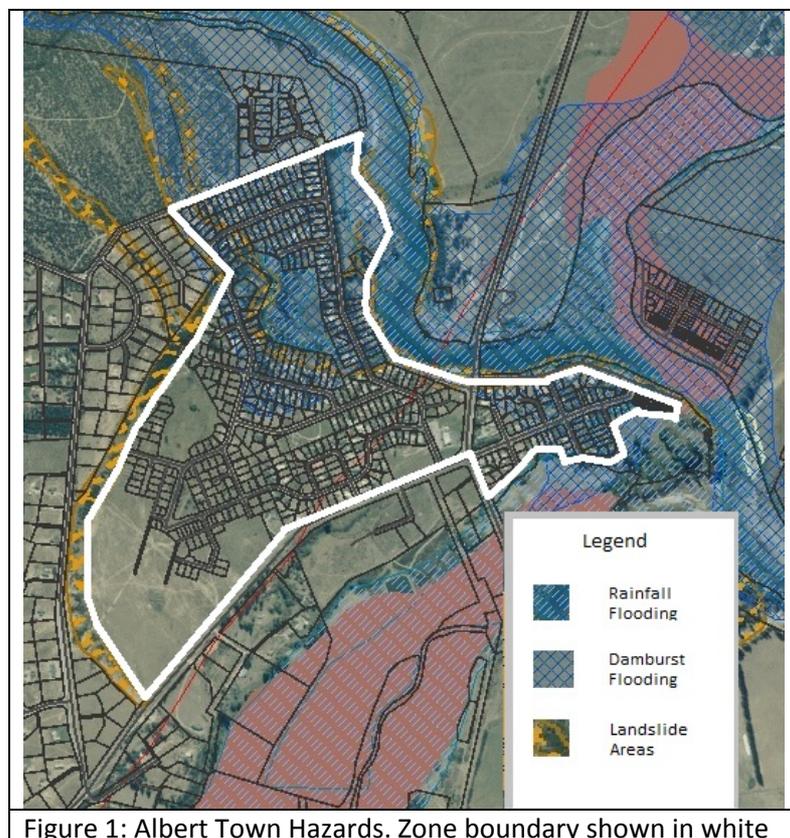


Figure 1: Albert Town Hazards. Zone boundary shown in white

As shown above there are three identified natural hazards potentially affecting land in the ATZ. The plan does not effectively ensure that properties are not damaged by all known natural hazards.

It may be appropriate to have a rule or other method to ensure development is undertaken in a way that protects future buildings and people from all natural hazards. The only township zoned area that appears to be affected by rainfall flooding, according to the hazards register, is a portion of land to the north east of the township adjoining the Clutha River. This land would require further subdivision to create effective township zone lots and protection of properties against hazards can be addressed at the time of that subdivision.

The plan does not provide any level of protection if the Hawea dam burst scenario arises. Although the chances of this dam burst are slim, the plan currently aims to protect properties from such an event. It may be unrealistic to consider that the plan can protect against all natural hazards therefore the review should examine the aims set out in the plan regarding protecting properties from natural hazards.

Anticipated Building Style

The environmental results anticipated (ERA's) and objective for the Township zone anticipate development which reflects local characteristics in terms of building style, appearance and density. Rules in the Plan relating to density of development and site design, such as setbacks, heights, site coverage and recession planes help to ensure density and general development / site appearance are retained in the Township. There are no rules relating to building design and therefore the plan is not effective in ensuring a particular building design is maintained.

Building design in the Albert Town Township including Riverside Stage 6 is of mixed character. Without a particular design being promoted as characteristic of Albert Town the Plan cannot be effective in achieving the anticipated results in relation to building design. It is possible that the various styles of built form lend to the character of the area and township zones generally. If this is accepted then the anticipated results and a portion of the Township objective relating to specific design for the ATZ may be inappropriate and should be reviewed through the District Plan review.

Design guidelines controlled by the developer and a developer led design approval process exist for development within Riverside Stage 6. The design guidelines are mirrored in the Site Standards in the District Plan relating to the Township zone. There is a rule in the Plan in the Subdivision Section (15) which requires each new subdivided title in Riverside Stage 6 to have a consent notice ensuring adherence to the design guidelines. As the design guidelines mirror the District Plan Site Standards it appears onerous to have adherence to design guidelines in a consent notice. Currently if an applicant wishes to breach a site standard, such as an internal boundary setback for example, they will require a discretionary activity consent to amend their consent notice rather than simply a restricted discretionary consent required for a breach of a site standard. The applicant will also have to have the consent notice legally changed at their expense. This is considered inefficient as the process will result in extra cost for no extra benefit. The implementation of the Design Guidelines for future subdivided lots should be reviewed as part of the District Plan review.

Known Errors to be Amended

The following error relating to Albert Town Township should be amended as part of the District Plan Review:

- There is a portion of open space zoning to the west of Quinnat Street encroaching onto a number of sections currently zoned Township. These split zoned sites can cause difficulties and consideration should be given to amending the zoning to potentially extend the Township zoning to cover the sections in question.

Riverside Stage 6

The objectives and policies relating to the Riverside Stage 6 area are largely effective. The District Plan required and Outline Development Master Plan to be submitted for the entire area and made it a non-complying activity to undertake any subdivision not in accordance with that Outline Plan. The outline development master plan was granted consent under RM070996 and this is considered an effective means of achieving the objectives and policies set out for the Riverside Stage 6 area.

A part of the Riverside Stage 6 objective and one policy (2.7), aims to protect and enhance the landscape and environmental features of the site. This may require review as when subdividing and developing the site the existing landscape and environmental features will likely be degraded by the introduction of low density residential housing. There is an escarpment feature adjoining the site in an Open Space zone however that is not controlled through provisions in the Township zone.

Is the Plan Efficient?

The average Council charge to obtain resource consent in the Albert Town Township zone between 2004 and 2011 was **\$999** (including GST). The average Council charge to obtain resource consent in all the Township zones is **\$1423** (including GST).

The cost of consents in the ATZ is significantly lower than the overall township average suggesting that the ATZ is more efficient than the Township zones overall. The exact reasons for this are unclear.

Concluding Remarks

Trends

In many instances the ATZ is working fine and delivering results as anticipated by the community and the District Plan however there are a number of issues that could be addressed through the District Plan review.

District Plan Review Issues

This monitoring report has identified that the District Plan Review should address the following:

- Anticipated results relating to specific building styles should be reviewed;
- Hazards should be further investigated and possibility of protection should be reviewed;
- Correct known errors relating to District Plan Maps and inappropriate policies.

Appendix 1: What is District Plan monitoring?

The RMA requires that two aspects of the District Plan are assessed, with the findings used to inform the process of reviewing the District Plan. With respect to the Plan's objectives, policies and methods, these aspects are:

1. District Plan Effectiveness
2. District Plan Efficiency

District Plan Effectiveness monitoring requires the Council to compare what is actually occurring under the District Plan provisions with the intentions of the Plan (as expressed through its objectives). This involves first identifying what the plan is trying to achieve for the zone, and to then track how well it is achieving these objectives. Once an understanding of how well the objectives are being met, the next consideration is identify to what extent this can be attributed to the District Plan policies and rules and to what extent 'outside' influences may be affecting the ability of the Plan to achieve its objectives.

Plan Efficiency monitoring refers to comparing the costs of administering the Plans provisions incurred by applicants, the Council and other parties compared to the outcomes or benefits achieved. It is noted here that determining what level of costs are acceptable is generally a subjective judgement and, as such, it is difficult to reach definitive conclusions. It is also considered that if development can be undertaken with no resource consent fees then that improves the efficiency of the Plan.

Appendix 2: Relevant Objectives and Policies

Objective 1

Recognition and consolidation of the townships. Recognition of the low density open space residential amenity of the townships. Recognition of the particular character, built environment and range of uses existing in the individual townships.

Policies:

- 1.1 *To encourage consolidation of the townships within identified boundaries.*
- 1.2 *To protect the low density living environment of the townships by providing for limited peripheral expansion where this does not adversely affect important adjoining rural resources and amenities.*
- 1.3 *To limit the extent and density of development of the townships in recognition of:*
 - 1.3.1 *risk of natural hazards;*
 - 1.3.2 *the need to provide options for reticulated services;*
 - 1.3.3 *the desired living environment of the majority of the township residents;*
 - 1.3.4 *the effects of activities in the townships and the scale of activities on the main transport routes;*
- 1.4 *To recognise and provide for the individual character and appearance of the individual townships and in particular:*
 - 1.4.1 *limited building heights in Glenorchy and Makarora;*
 - 1.4.2 *roof pitch design for Glenorchy.*
- 1.6 *To provide for a range of small scale non-residential activities in the towns subject to listed standards to ensure development consistent with the predominant residential environment.*
- 1.7 *To ensure subdivision and density controls do not inhibit the range of development options while providing for an open appearance.*
- 1.8 *To provide for the protection of a range of existing non-residential uses by way of scheduled sites.*
- 1.9 *To recognise the value of particular townships as important centres within the visitor industry.*

Policies – Riverside Stage 6

- 2.1 *To facilitate a site responsive approach to residential development on the Riverside Stage 6 site that recognises and is consistent with the existing character of Albert Town.*
- 2.2 *To create active interfaces between streets and land uses, with building frontages to streets that improve amenity and safety through increased surveillance and activity.*

- 2.3 *To facilitate an efficient and sustainable approach to urban development by maximising land use efficiency and minimising energy use.*
- 2.4 *To provide a safe and visually attractive urban environment that provides a variety of housing types and densities to meet the diverse needs of the community.*
- 2.5 *To provide a movement network which incorporates a highly interconnected street network that clearly distinguishes between arterial routes and local streets, establishes good internal and external access for residents, provides safe and efficient pedestrian and cycle linkages and supports public transport.*
- 2.6 *To provide for safe attractive and useable community and outdoor spaces.*
- 2.7 *To protect and enhance the landscape and environmental features of the site.*
- 2.8 *To provide an attractive buffer between residential development and State Highway 6.*
- 2.9 *To provide cost-effective housing options, including the provision of duplex housing within sub-zone A.*
- 2.10 *To ensure that new residential development incorporates best practice stormwater management techniques.*
- 2.11 *To ensure that new residential development incorporates best practice noise attenuation techniques in order to manage the effects of noise from the State Highway on residential amenity.*