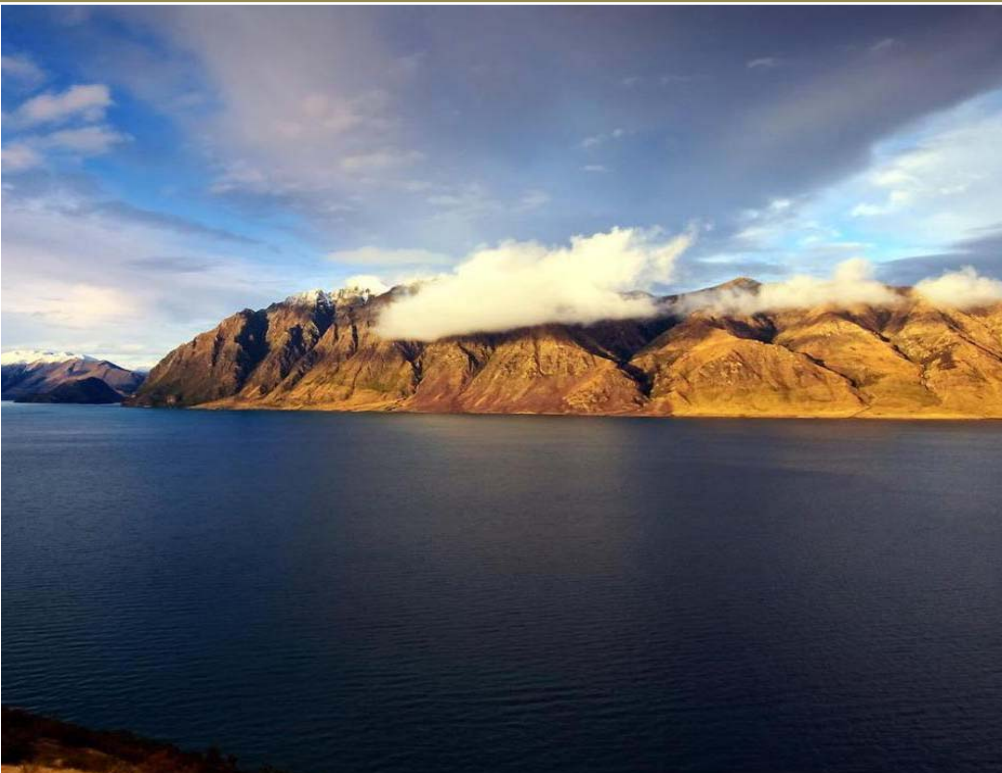


# 2011

## Monitoring Report on the Hawea Township Zone



Policy and Planning

Queenstown Lakes District Council

November 2011

## Executive Summary

This monitoring report has been formulated to outline the current state of the Hawea Township Zone (HTZ) 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 Hawea a predominantly low density residential environment with a particular building style and is that style and residential amenity being protected?***

Hawea is predominantly a low density residential environment and the provisions of the plan appropriately protect residential amenity. There are issues relating to boundary planting, exotic trees and building style that can be addressed in the District Plan review.

**2. *Is there a mix of uses and is future growth in the commercial and visitor accommodation (VA) sector being catered for?***

There is a mix of residential, commercial, community and visitor accommodation uses within the Township however the plan does not effectively promote future development in either commercial or visitor accommodation uses. The District Plan review provides an opportunity to examine how to promote a continued mix of uses in the HTZ.

**3. *Is the District Plan effective in avoiding excessive shading, loss of vistas and inappropriate planting of exotic trees?***

The current provisions of the plan are not always effective in avoiding excessive shading or loss of vistas. Some exotic tree species are prohibited however this in itself will not be effective in achieving the above goals. The District Plan review provides an opportunity to investigate the purpose and usefulness of the boundary planting rules in the HTZ and whether the rules should be amended or removed from the Plan.

**4. *Are developments safe from natural hazard effects?***

Due to the location of the extents of the HTZ the plan appropriately protects from known flooding hazards as known flood prone areas are outside the HTZ. The plan does not effectively protect properties from effects relating to the fault line running through the zone. Further examination of the hazards is required to identify actual hazards risk and the potential or not for the formulation of new rules to protect buildings and people from these hazards should be considered.

**The District Plan Review should address the following:**

- The methods used to encourage an on-going mix of uses within the HTZ;
- The effectiveness of rules to avoid excessive shading, loss of vistas and inappropriate planting of exotic trees ;
- Hazards should be further investigated and the possibility of including rules to protect properties against natural hazards should be considered;
- Anticipated results outlined in the Plan relating to characteristic building styles should be reviewed to ensure they are appropriate for the HTZ.

## 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 Hawea Township zone (HTZ) and whether the plan is efficient having regard to the benefits achieved.

## What is the Hawea Township Zone Trying to Achieve?

---

The key issues outlined in the Plan relating to the Hawea Township are as follows:

- Protection of the visual amenity;
- Maintenance and enhancement of access to the lake;
- Retention of present residential amenity and character;
- Opportunity for expansion of the low density residential environment;
- Capacity for sewage treatment and disposal;
- Avoidance of excessive shading, loss of vistas and inappropriate planting of exotic tree species.

The relevant objective and policies from the District Plan relating to the HTZ are listed in Appendix 2.

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 Hawea Township zone can be articulated as four questions:

1. Is Hawea 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 and is future growth in the commercial and visitor accommodation (VA) sector being catered for?
3. Is the District Plan effective in avoiding excessive shading, loss of vistas and inappropriate planting of exotic trees?
4. Are developments safe from natural hazard effects?

## What is the “State” of the Hawea 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 and part of the sole objective relating to the Township zones 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 would be referred to if resource consents are submitted that affect the zones adjoining the existing Township zones or plan changes are submitted for new Townships.

### Hawea Township Zone Data

A total of 1,153 separate resource consent applications were processed for the Hawea area over an 18 year period from 1993 - 2010. Of these a total of 223 consents related specifically to the Hawea Township zone subject of this monitoring report. Since 2003, when the township section of the current plan became operative, 127 consents (apart from lapsed or withdrawn consents) were processed which relates to new consents for 104 developments.

#### Type of Activity

As the table below indicates, 18% of resource consents were for new development:

RESOURCE CONSENT ACTIVITY TYPE	#	%
Development	23	18%
Alteration	50	39%
Subdivision	36	28%
Variation	11	9%
Use	4	3%
Outline Plans	2	2%
Right of Way	1	1%
<b>TOTAL</b>	<b>127</b>	<b>100%</b>

## Use Type

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

<b>RESOURCE CONSENT TYPE</b>	<b>#</b>	<b>%</b>
Residential	120	96%
Commercial and other Non - Residential	1	<1%
Community	1	<1%
Events	1	<1%
Infrastructure	1	<1%
Visitor Accommodation	1	<1%
<b>TOTAL</b>	<b>125</b>	<b>100%</b>

This table shows that 96% of consents over the Plan period were for purely residential activities while the other 4% of consents were for mix of commercial and community activities and/or visitor accommodation and infrastructure. This indicates that while residential activities are dominant in the zone there is a mix of residential and commercial activities and that satisfies the environmental results anticipated relating to a mix of residential, business and community activities. Although the level of consents processed through the Plan period was low for activities other than residential it is recognised that the HTZ has a number of facilities already consented prior to the current plan becoming operative. Currently Hawea township's commercial and community facilities include picnic areas, reserves, a library, a community centre, playgrounds, a convenience store, cafe, a hotel, tennis courts and a bowling green.

The next stage in this report 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).

<b>RESIDENTIAL USE SCALE</b>	<b>#</b>	<b>%</b>
Small	97	81%
Medium	17	14%
Large	6	5%
<b>TOTAL</b>	<b>120</b>	<b>100%</b>

The table indicates that the HTZ seems to be functioning as outlined in the District Plan as small scale low density residential development accounts for the majority (81%) of all residential development activity. The above figures relate to subdivisions as well as other residential development. A review of the applications for medium or large scale residential has shown that the large and medium scale developments relate to subdivisions of land and all lots created are equal to or over the minimum lot size for the zone ensuring low density development in these areas.

### Visitor Accommodation Sub Zone and Commercial Precincts

There are three areas in the HTZ that are overlaid with a Visitor Accommodation (VA) sub zone where VA activities are anticipated and are a controlled activity under current District Plan provisions. This provides for an easier and potentially less expensive consent process for VA in these areas. All three areas overlaid with a VA sub zone are or have been occupied by VA facilities. The only application for VA during the review period was to allow a B&B type facility on Lakeview Terrace outside the VA sub zones. The controlled activity consent for VA in these areas is considered an effective way of promoting VA as anticipated by the District Plan.

Commercial precincts have been identified in a number of townships to promote commercial development and diversify the mix of activities within townships. Commercial development is a controlled activity within commercial precincts thereby giving more certainty to developers that consents for commercial activities will be granted if residential amenity of the surrounding area can be retained. There is no identified commercial precinct in the HTZ. If it is considered necessary to increase commercial activity to meet the anticipated result in the Plan of a mix of residential and non-residential activities then it may help if a commercial precinct is created in an appropriate location.

Overall it is considered that the Plan has been partially 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. It is considered that the introduction of a commercial precinct and potentially further VA sub zones may facilitate further commercial and VA development in the HTZ.

### **Decision Making and Consent Status**

---

<b>ACTIVITY STATUS</b>	<b>#</b>	<b>%</b>
None Required	3	2%
Controlled	24	19%
Restricted Discretionary	28	22%
Discretionary	29	23%
Non-Complying	43	34%
<b>TOTAL</b>	<b>127</b>	<b>100%</b>

On the whole, approximately 34% of those consents in the sample dataset had a non-complying activity status. As was discovered in previous monitoring exercises this level of non-complying activity consents gives an immediate, however 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. The following is a breakdown of the non-complying activities over the plan period:

<b>Non Complying Activities</b>	<b>#</b>	<b>%</b>
Height	10	23%
Section 374(4) or 405(2)A Subdivision	23	54%
Non Residential Rule Breach	2	5%
Subdivision	5	11%
Residential Flat	2	5%
Visitor Accommodation	1	2%
<b>TOTAL</b>	<b>43</b>	<b>100%</b>

The fact is that many of the non complying activity consents in the HTZ, as in other townships, were due to historic consents for activities not being catered for in the preceding Transitional District Plan or for height breaches where affected parties provided approval.

A total of 54% 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 HTZ in the Transitional Plan. As a result consents in the HTZ 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.

A total of 23% of the non-complying consents related to height or recession plane breaches. Of these consents two thirds had affected party approvals from all affected parties and the other breaches were small and had less than minor effects on people.

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

## **Are Provisions relating to Hawea Township Issues Effective?**

### **Loss of Vistas, Shading and Inappropriate Planting of Exotic Trees**

An issue identified in the plan relating to the Hawea area is the avoidance of excessive shading, loss of vistas, and planting of exotic trees. This, in truth, reads more like an objective than an issue and that should be addressed in the District Plan review. In terms of the substance of the issue the relevant question for this report is whether the plan has been effective in ensuring the avoidance of loss of vistas, excessive shading and inappropriate planting of exotic trees.

In terms of buildings, rules relating to setbacks and recession planes are effective in avoiding excessive shading or unreasonable loss of vistas. Resolving the issue of vegetation causing excessive shading or loss of vistas is more complex. Much of the HTZ is developed and has established buildings and mature vegetation on almost all sections (apart from the new Tim's Field subdivision located below the escarpment away from the lake front). There is a rule in the Plan that essentially requires property owners to apply for a restricted discretionary activity resource consent if a tree or hedgerow on their property within 2 metres of their boundary grows to over 1.9m in height. This rule may require review for a number of reasons including the following:

- Many of the sites in Hawea are established with established vegetation over 2m (see photo overleaf taken on one of Hawea’s main streets) and these properties may have existing use rights for the existing vegetation;
- The trees/vegetation that exist on sections assist in acting as wind breaks blocking winds affecting the HTZ;
- The rule is essentially unenforceable by the local authority. This is because if the vegetation grows over 1.9m the Council can request it be cut and would have to undertake the same process every time the vegetation regrows to over 1.9m;
- In many cases the effect of a hedgerow will be less than the permitted baseline of a 7-8m high building that complies with site standards relating to setbacks and recession planes.



View of vegetated sections in Hawea

Further, the plan has a policy (1.3.5) that aims to avoid planting of inappropriate tree species so as to reduce the impact of excessive shading and loss of vistas. This policy has led to a prohibited activity in the rules prohibiting the planting of a number of tree varieties, mainly wilding pines and eucalyptus varieties. This prohibition will not be effective in avoiding loss of vistas and shading as many other tree varieties that can be planted that will have the same effects as those trees that are prohibited.

The District Plan review should examine the reasons for this rule and whether it should be amended or removed.

### **Anticipated Building Style**

The environmental results anticipated in the plan (ERA’s) for the Hawea 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 lot sizes, setbacks, heights and recession planes help to ensure density and general development / site appearance are retained in the Township.

In terms of a characteristic building design it is not clear what the characteristic building design (or vernacular) is in the Hawea Township. Without a particular design being promoted as characteristic of Hawea the Plan cannot be effective in achieving the anticipated results in relation to building design. There are no rules relating to building



design and therefore the plan is not effective in ensuring a particular building design is maintained. The photos below show some diversity in the design types currently in Hawea.



Example of various building styles in Hawea

Further to the above, as the majority of development in the township is surrounded by vegetation, the need to limit the type of building design in the area may be diminished. This is an issue that should be addressed through consultation phase of the District Plan review. The image below is a typical view of the mature vegetated sections in many parts of Hawea.



View of vegetated sections along Lakeview Terrace, Hawea

## Natural Hazards

There is an identified fault line (red line below) running through the Hawea Township. There is also a flood plain overflow area to the east and west (Gladstone Gap Overflow) of the township zone. The issue of ensuring properties and people are safe from natural hazards is being considered through the District plan review.



Existing known hazards in Hawea. Township outline in white

A more in depth assessment of hazards in the HTZ may be required during this District plan review to ensure firstly that areas of actual hazard risk are identified and secondly that hazard protection is provided where it is necessary through the use of appropriate rules such as rules requiring specific building foundation design et cetera.

## **Is the Plan Efficient?**

---

The average Council charge to obtain resource consent for a dwelling in the Hawea Township zone between 2004 and 2011 was **\$1201** (including GST). The lowest charge made was \$389, and the highest was \$4731, which would reflect the different complexities and quality of applications lodged.

The average Council charge to obtain resource consent in all the Township zones is **\$1423** (including GST).

While being close to the average for the Township zone the average cost in the HTZ is lower than the overall township average suggesting that the HTZ is more efficient than the Township zones overall. The exact reasons for this are unclear.

## **Concluding Remarks**

---

### **Trends**

In many instances the HTZ provisions are working well and delivering results as anticipated by the community and the District Plan however as the Plan is currently set out there may be scope for that situation to change.

### **District Plan Review Issues**

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

- The methods used to encourage an on-going mix of uses within the HTZ;
- The effectiveness of rules to avoid excessive shading, loss of vistas and inappropriate planting of exotic trees ;
- Hazards should be further investigated and the possibility of including rules to protect properties against natural hazards should be considered;
- Anticipated results outlined in the Plan relating to characteristic building styles should be reviewed to ensure they are appropriate for the HTZ.

## 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 Objective 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.*