

2011

# The Kingston Township Zone Monitoring Report



Policy and Planning

Queenstown Lakes District Council

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## Executive Summary

This monitoring report has been formulated to outline the current state of the Kingston Township Zone (KTZ) based on data relating to consented development. The report also examines 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 Kingston 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 KTZ and is future growth in non-residential activities being catered for?***

There is a mix of uses in the Kingston Township Zone with commercial, community facilities and residential development all co-existing within the township. There is an underdeveloped commercial precinct providing for future commercial expansion.

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

The Kingston Township zone is working well however not all the objectives and policies relating to the Township zone are appropriate or effective in achieving anticipated results in the long term. Anticipated results relating to building style are not bolstered by effective policy or rules and this should be further examined. 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. *Are developments safe from natural hazard effects?***

The plan does not appropriately protect developments from other hazards (liquefaction and alluvial fans) identified on the District's Hazard register. Further examination of the hazards is required to identify actual hazards risk and the potential for the formulation of new rules to protect buildings and people from these hazards should be considered. This will be undertaken as part of the district plan review across the district.

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

- Relocate the consolidation part of the Objective 1, policies 1.1, 1.2 and potentially 1.3 to the District Wide section of the district plan.
- Future growth for residential, commercial and VA and the capacity of the KTZ and the adjacent Kingston Village Special zone need to be investigated. Then consideration needs to be made as to whether further township, commercial and VA zoning is required for Kingston.
- Anticipated results relating to specific building styles should be revisited to determine their necessity and if deemed necessary, methods to achieve success.
- Hazards should be further investigated and the possibility of including rules to protect properties against natural hazards should be considered.

## Introduction

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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 Kingston Township zone (KTZ) 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 separate report for each individual Township zone.

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

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

- Provision of a reticulated water supply and sewage treatment and disposal system.
- Protection of the current low density building development.
- Access to and protection of the lakeshore in the vicinity of the town.
- The need to enhance the character of buildings and development in the town.
- Retention of the supporting infrastructure for the Kingston Flyer.

The relevant objective and policies from the District Plan relating to the KTZ are as follows:

### 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....*
- 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.*

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 Kingston Township zone can be articulated as four questions:

1. Is Kingston 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 KTZ and is future growth in non-residential activities being catered for?
3. Are objectives and policies appropriate and effective in achieving anticipated results?
4. Are developments safe from natural hazard effects?

## **What is the “State” of the Kingston Township Zone and are the Objectives and Policies Effective?**

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### **Approach**

The approach is the same used for all other Township monitoring reports. In order to establish the current state of the zone, resource consents are reviewed and the data is analysed to obtain a clearer picture of the kind of development activity 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 Kingston Township Zone 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 the emerging trends.

Several of the policies (1.1, 1.2 and potentially 1.3) and part of the sole objective relating to the Kingston Township zone are in an inappropriate location in the Plan. These policies and parts of the Township objective are more strategic- policies. They should be relocated to a more appropriate District Wide section of the district plan.

### Kingston Township Zone Data

Since 2003, when the township section of the current plan became operative, 46 resource consent applications, (after lapsed or withdrawn consents were removed) were processed for the Kingston Township.

#### Type of Activity

As the table below indicates, 46% (21) of resource consents were sought for alterations whilst 28% (13) are attributed to new development:

RESOURCE CONSENT ACTIVITY TYPE	#	%
Development	13	28%
Alteration	21	46%
Variation	1	2%
Subdivision	11	24%
<b>TOTAL</b>	<b>46</b>	<b>100%</b>

#### Use Type

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

RESOURCE CONSENT TYPE	#	%
Residential	41	89%
Non-residential Activity	1	2%
Visitor Accommodation (VA)	4	9%
<b>TOTAL</b>	<b>45</b>	<b>98%</b>

This table shows that 89% of consents were for residential activities while there were no new consents granted for commercial activities. However, some consents for commercial based activities have been applied for but are still being processed or withdrawn Two of note are still awaiting further information.

One non-residential activity (which is not a commercial activity) has been granted in this area since 2003, which relates to the construction of the Kingston Emergency Services Building.

Visitor accommodation was the next largest type of consent as it accounted for 9% of all resource consents. This indicates that while residential activities are dominant in the zone there were consents for non-residential activities. There is no commercial precinct area or visitor accommodation sub zones in the KTZ to allow the development of commercial or visitor accommodation activities as controlled activities. So all commercial and visitor accommodation within the township are discretionary activities. It is also important to note that Kingston’s existing commercial activities were consented prior to the current District Plan becoming operative. They include of the Kingston Corner Bar, Kingston Motels and Holiday Park, and Kingston Flyer Station. So there is a limited mix of residential and commercial activities within the KTZ. While there were no commercial activities approved during this period this is unlikely to be a result of the district plan provisions. It is more likely to be because the existing commercial is all that is currently required and can be supported by the existing population of the township. Until the population base of the township increases there is unlikely to be a great demand for development of more commercial activities.

The next stage is to establish whether the residential development 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)	38	93%
Medium (3-9 units)	0	0%
Large (10+ units)	3	7%
<b>TOTAL</b>	<b>41</b>	<b>100%</b>

Small scale low density residential development accounts for the majority (93%) of all residential development activity. The above figures relate to subdivisions as well as other residential development. A review of the 3 applications for larger scale residential has shown that these developments are for subdivision of land and all lots created are equal to or over the minimum lots size for the zone. Thus ensuring low density development in these areas. This demonstrates that residential development in the KTZ is predominantly low density. There is still some capacity within the KTZ for future residential development. There is further capacity in the Kingston Village Special Zone adjacent to the KTZ. However it is prudent through the district plan review to consider whether further zoning of land is required to provide for future commercial and residential development.

Visitor Accommodation (VA)

Currently there is no visitor accommodation sub-zone in the KTZ, but there are existing and recent (referred to in the above tables) resource consents for VA. If the provision of VA is an aspiration of the Kingston community then consideration should be given to an appropriate location for a VA sub-zone where VA activities would be controlled activities. The controlled

activity consent for VA in these sub zones is considered an effective way of promoting VA as anticipated by the District Plan.

Overall it is considered that the Plan has not been effective in allowing for a range of non-residential activities as within the monitoring time period no new commercial activities were consented. However this is not considered to be a result of the District Plan provisions but rather the small population within the township. The plan has been effective in protecting residential amenity and ensuring the township comprises of a mixture of residential, VA and community activities. However if a growth in the population, visitor accommodation and other commercial activities are anticipated in the future then provision of a VA sub-zone and commercial precinct should be considered.

## Decision Making and Consent Status

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ACTIVITY STATUS	#	%
Permitted	1	2%
Controlled	11	24%
Restricted Discretionary	12	26%
Discretionary	12	26%
Non-Complying	10	22%
<b>TOTAL</b>	<b>46</b>	<b>100%</b>

On the whole, approximately 22 % (10) of those consents in the sample dataset had a non-complying activity status. This gives the 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.

Of the ten non-complying consents seven were for breaches to height recession planes, two were for subdivision rule breaches and one was for a non-residential activity rule breach. All of these applications were considered to be for a minor breach to standards with less than minor effects. There were therefore no adverse effects from these particular non-complying activities.

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 Kingston Township Issues Effective?

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### Natural Hazards

One of the anticipated results for the KTZ is to ensure properties are not damaged by natural hazards. The hazards affecting the KTZ are shown in figure 1 below.

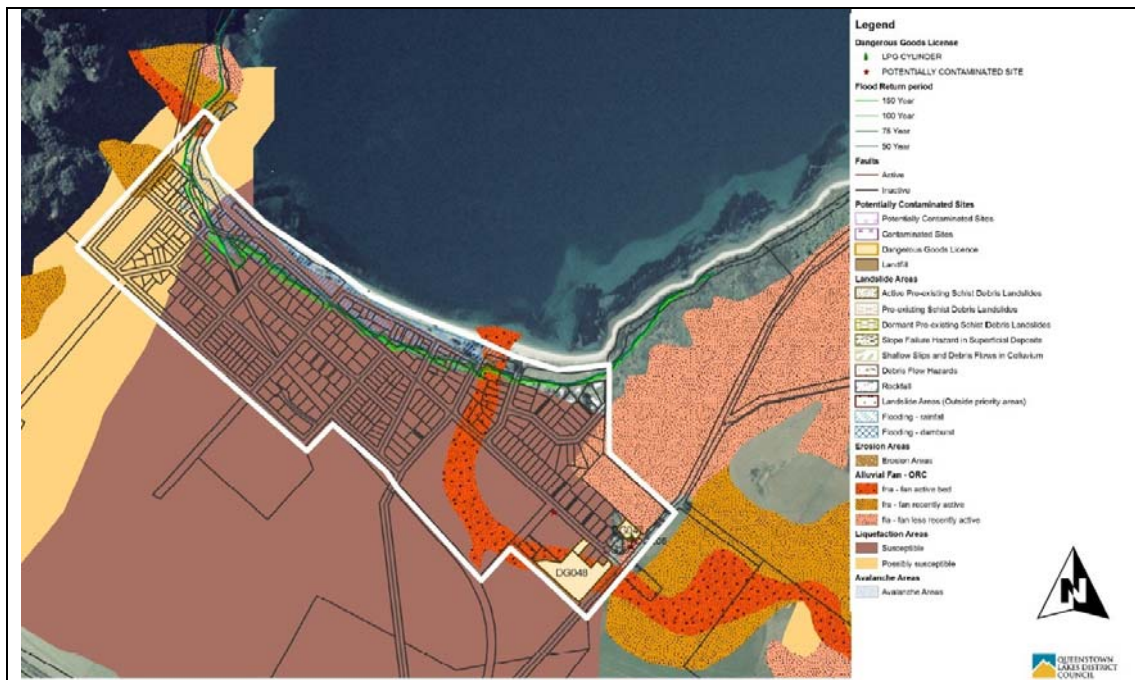


Figure 1: Hazards affecting the Kingston Township zone. Zone boundary shown in white.

As shown above there are three identified natural hazards potentially affecting land in the KTZ, alluvial fans, liquefaction and flooding. You need to put a sentence in here saying what the plan does in Kingston to ensure properties are not affected by natural hazards. The plan does not effectively ensure that properties are not damaged by all known natural hazards.

It may be appropriate to have a rule to ensure development is undertaken in a way that protects future buildings and people from all natural hazards. As with other hazards affecting other townships the liquefaction and alluvial fan hazards have not been investigated fully. At this stage areas of potential hazards have been identified. A more in depth assessment of hazards in the KTZ may be required during this District Plan review to ensure that areas of actual hazard risk are identified and that hazard protection is provided through rules where it is necessary. The effect of natural hazards across the district is being considered as a separate topic for the district plan review. A separate monitoring report and issues and options report will be produced on natural hazards.

### Anticipated Building Style

The environmental results anticipated (ERA's) for the Kingston Township zone anticipates 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 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 although urban design guidelines for the township were considered in 2007. The development of urban design guidelines was put on hold as Kingston currently has a range of styles within no one dominant style.

Therefore the plan is not effective in ensuring a particular building design is maintained. . Without a particular design being promoted as characteristic of Kingston 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 zone



generally. If this is accepted then the anticipated results relating to specific design for the KTZ may be inappropriate.

## **Is the Plan Efficient?**

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The average cost of processing resource consent applications in the Kingston Township zone between 2003 and 2011 was \$1400.11 (including GST). The lowest cost was \$277.40, and the highest was \$7577. This reflects 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).

This average cost is also extremely close to the average cost for all Township zones. So KTZ's is as efficient as the other township zones.

## **Concluding Remarks**

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### **Trends**

In many instances the KTZ 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:

- Relocate the consolidation part of the Objective 1, policies 1.1, 1.2 and potentially 1.3 to the District Wide section of the district plan.
- Future growth for residential, commercial and VA and the capacity of the KTZ and the adjacent Kingston Village Special zone need to be investigated. Then consideration needs to be made as to whether further township, commercial and VA zoning is required for Kingston.
- Anticipated results relating to specific building styles should be revisited to determine their necessity and if deemed necessary, methods to achieve success;
- Hazards should be further investigated and the possibility of including rules to protect properties against natural hazards should be considered;

## **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.