

**QLDC Council
30 June 2015**

Report for Agenda Item: 16

Department: Planning & Development

District Plan Review: Resort Zone provisions – Jacks Point

Purpose

The purpose of this report is to present the Jacks Point provisions for Council's acceptance.

Recommendation

That Council:

1. Note the contents of this report and in particular:
 - i. The Resource Management issues associated with the current provisions.
 - ii. The RMA Section 32 Evaluation.
 - iii. The proposed provisions.
2. Agree to accept the provisions.
3. Note that these provisions will be brought back for Council's final approval along with other provisions forming stage 1 of the District Plan Review, prior to statutory consultation and public notification.
4. Authorise officers to make further minor changes to the Section 32 Evaluation reports and provisions without further recourse to the Council, where this is necessary to:
 - i. Ensure consistent numbering and formatting of the proposed District Plan text; and
 - ii. To fix identified minor errors and / or omissions.
 - iii. Ensure continuity with other proposed provisions.

Prepared by:



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15/06/2015

Reviewed and Authorised by:



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15/06/2015

Background

- 1 While most of the Special Zones in the Operative District Plan will not be addressed in Stage 1 of the District Plan review, the Resort Zone provisions are being addressed. There are two key reasons for this:
 - Millbrook has purchased adjoining land and proposes to extend its 27 hole golf offering to 36 holes, and reconfigure existing development rights within the site. This necessitates a significant reconfiguration of its Structure Plan and District Plan provisions.
 - A large volume of resource consents are generated for single house development in Jacks Point, and the consent process essentially duplicates the design review process that occurs. This creates an unnecessary burden both on the applicant and Council. In addition, Jacks Point has revisited its future development aspirations and changes to the Structure Plan and associated provisions are required.
- 2 The Millbrook and Waterfall Park provisions were accepted by Council at its April meeting. The Jacks Point provisions are the final component of the Resort Zone provisions.
- 3 With the exception of the key changes noted above, the majority of the existing Jacks Point provisions are carried over (with some minor changes to development controls), albeit in the new District Plan structure.

Comment

Options

- 4 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:
- 5 Option 1 Status Quo – Retain current provisions (in a new format)
- 6 Advantages: No advantages.

- 7 Disadvantages: The current burden of unnecessary resource consents for new buildings would remain. Jacks Point's revised future development aspirations would not be provided for in the provisions, which would mean if they were to be progressed then potentially complex and risky resource consent processes would be required.
- 8 Option 2 Amend provisions to address issues and respond to Jacks Point's revised development plans, with minimal changes beyond this.
- 9 Advantages: Will reduce consenting burden for applicant and Council. Will provide for Jacks Point's revised development plans. Involves minimal reworking of other provisions, saving time and cost to make changes and justify them.
- 10 Disadvantages: Does not streamline provisions as much as they could be.
- 11 Option 3 Comprehensive revision of provisions
- 12 Advantages: The existing provisions are lengthy, sometimes complex and convoluted, and not necessarily easy for users not familiar with the provisions to interpret. A comprehensive revision / restructure could address this more completely than Option 2.
- 13 Disadvantages: Despite these issues, Jacks Point and Council Planners are familiar with the provisions, and given the provisions are location-specific (versus a general residential zone with wide application) there is considered to be less urgency in making the provisions simpler and easier to navigate. More time and resource would be required to execute a comprehensive review, for potentially limited gain.
- 14 This report recommends Option 2 for addressing the matter.

Significance and Engagement

- 15 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy. The matter will not adversely impact a significant number of people in the District, being quite geographically confined.

Risk

- 16 This matter relates to the strategic risk SR1 "Current and future development needs of the community (including environmental protection)", as documented in the Council's risk register because it relates to the District Plan review. The risk is classed as high in the risk register because the District Plan is a critical document for the social, economic and environmental wellbeing of the District.
- 17 The recommended option mitigates risk as it will help support economic wellbeing, in particular, whilst at the same time giving sensitive consideration to the environment, including the landscape values of the District.

Financial Implications

18 There are no budget or cost implications resulting from the decision. The work is accounted for in already approved budgets.

Council Policies, Strategies and Bylaws

19 The following Council policies, strategies and bylaws were considered:

- Annual Plan
- Long Term Plan
- Economic Development Strategy

20 The recommended option is consistent with the principles set out in these policies.

21 This matter is included within the District Plan Review in the Annual Plan, under Environmental Management.

Local Government Act 2002 Purpose Provisions

22 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by streamlining consent processes and reducing the need for unnecessary resource consents;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Consultation: Community Views and Preferences

23 Jacks Point Limited have consulted with the Jacks Point Residents and Owners Association. This involved a meeting, and then follow up discussion via email and telephone conversations and the exchange of provisions and suggested amendments.

24 The provisions will be publicly notified as part of stage 1 of the District Plan Review.

Legal Considerations and Statutory Responsibilities

25 Formal statutory consultation will be undertaken in accordance with the statutory requirements set out in the RMA upon notification of Stage 1 of the Proposed District Plan. There will be an initial 40 working day submission period and then a 10 working day submission period for further submissions.

Attachments

- A Chapter 12 – Jacks Point Zone
- B Section 32 Evaluation Report – Jacks Point