



QUEENSTOWN LAKES DISTRICT COUNCIL
PLAN CHANGE HEARING COMMITTEE
REPORT FOR PLAN CHANGE 25: KINGSTON VILLAGE SPECIAL ZONE

FOR HEARING COMMENCING: 9 SEPTEMBER 2009

REPORT DATED: 20 AUGUST 2009

**SUBMITTED BY: RALPH HENDERSON, SENIOR POLICY ANALYST,
QUEENSTOWN LAKES DISTRICT COUNCIL**

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1.0 INTRODUCTION

This report discusses and makes recommendations on submissions received in relation to Plan Change 25 – Kingston Village Special Zone. Although this report, prepared in accordance with Section 42A of the Resource Management Act 1991 (RMA 1991), is intended as a stand-alone document, a more in-depth understanding of the plan change, the process undertaken, and related issues may be gained by reading the Section 32 report and associated documentation prepared for plan change 25, publicly notified on 13 December 2008.

This information is available on the Council website: www.qldc.govt.nz.

Where changes are recommended as a result of submissions, the effectiveness and efficiency of such changes has been assessed in accordance with the requirements of Section 32 of the Resource Management Act.

The relevant provisions in the Queenstown Lakes District Council's Partially Operative District Plan which are affected by the plan change are:

| Plan Section | Provision |
|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Part 12 | Special Zones- Insertion of a new special zone entitled Kingston Village Special Zone |
| Part 14 | Transportation- Amend Rule 14.2.2.2(i) Controlled Activities Amend Site Standard 14.2.4.1(xi) Loading Areas |
| Part 15 | Subdivision- Amend Rule 15.2.6 Lot Sizes and Dimensions, Insert assessment matters specific to Kingston Village Special zone in Sections 15.2.7 – 15.2.8 and 15.2.11 - 15.2.13 |
| Part 18 | Signage- Amend Rule 18.2.5 Zone Standards |
| Appendix 3 | Insertion of new heritage items in Section 5 Archaeological Sites |
| Planning Maps | Amend planning maps 15 and 39b to identify the new Kingston Village Special Zone |

1.1 POINTS OF CLARIFICATION AND TERMINOLOGY

This report generally assesses submissions in groups based on issues raised where the content of the submissions is the same or similar.

Where there is any inconsistency between the provisions contained in Appendix 1 and amendments made by the Recommendations, then the provisions in Appendix 1 shall be considered correct.

Throughout this report the following terms are used:

- The Kingston Village Special Zone is referred to as 'the Special Zone'

- Plan Change 25: Kingston Village Special Zone is referred to as ‘the plan change’
- The Partially Operative Queenstown Lakes District Plan is referred to as ‘the District Plan’
- Queenstown Lakes District Council is referred to as ‘the Council’
- Where submissions have suggested alterations to proposed rules additions will be shown underlined and deletions will be shown as ~~struck through~~.

It is also noted that where provisions of the plan change are referred to, they are referenced as Section 12.27 for Issues, Objectives and Policies, and 12.28 for Rules and Assessment Matters. This reflects their correct placement in the District Plan.

Some submissions may only seek one decision, but within their reasoning raise other concerns or issues. Where this occurs the submission may appear a number of times. For example, some submissions oppose the plan change and request that it is withdrawn, but also make comment regarding traffic or amenity, which are dealt with as separate issues. In such cases the submission is referred to multiple times so that the concerns identified regarding these matters can be discussed in some detail and considered alongside other submissions that consider that issue.

2.0 BACKGROUND AND PROCESS

The following provides a brief background to the plan change, summarising the process leading up to the hearing. It identifies the background to the decision to undertake the plan change, a brief summary of the key characteristics of the plan change site, the process undertaken in deriving the plan change concept, and the key components of that concept.

2.1 Background

The Kingston 2020 Community Plan (Kingston 2020) undertaken in 2003 identified the aspirations for future development for the Kingston community. Key features of the vision for the future growth expressed by the community included:

- a town occupied by semi-permanent and permanent residents (not a satellite township of Queenstown) and a local economy nurtured to facilitate this;
- a town serviced by its own water and sewerage system, and
- commercial growth sympathetic to the peaceful amenity of the town, and
- residential development similar in scale to existing properties, retaining the ‘low key’ character of Kingston.

Kingston 2020 indicated that the town could extend to the south to accommodate future growth.

In 2005 RA Skidmore Urban Design Ltd were commissioned by Council to undertake a desktop review of Kingston 2020 plan from an urban design perspective. This report found that little future growth in a sustainable form would be possible without provision of water and sewerage schemes.

At a subsequent community workshop held on 2 April 2006 to discuss the urban design review, the development of a water and sewage scheme for Kingston was identified as the top priority for the community. It was generally accepted that a degree of urban expansion would be required for this to happen on an affordable basis. A public meeting held 5 August 2006 and attended by senior management staff of Council and Councillors further emphasised the priority that the community

places on the establishment of such systems. At this meeting the Council committed to working with developers and key landowners towards this end.

At the 13 December 2006 meeting of Council's Strategy Committee the investigation of a plan change for Kingston in conjunction with the landowner of Glen Nevis Station by way of a public/ private plan change was approved. An area of 88 hectares of land owned by Glen Nevis Station Limited immediately south of the Kingston and bounded by the Kingston Flyer railway track was the area of initial investigation for the plan change. The following resource management issues and objectives were initially identified for consideration through the investigation and plan change development process:

| Issue | Objectives |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The potential for un-coordinated development to occur on the periphery of Kingston in a manner which does not provide for a sustainable integrated community. | <p>To ensure that any newly zoned land and the existing township develop in a complementary way, which enables a sustainable and integrated community to establish at Kingston.</p> <p>To ensure a high quality development that reflects the low key character of the township.</p> <p>To require best practice urban design principles to be employed throughout.</p> <p>To contain development within the township by defining an urban edge/buffer.</p> |
| Kingston has a distinct character and heritage which could be significantly threatened by unsympathetic new subdivision and development. | That new development recognises and enhances the character and heritage values of Kingston. |
| The existing Township has no reticulated water or sewage system and the community desperately seeks this. Furthermore, the expansion of Kingston is dependent upon the provision of water and sewage facilities. | To enable further development to the threshold of 800 dwellings/2000 people, where water and sewage infrastructure can be provided in an environmentally acceptable and cost effective manner to both the existing township and new development area resulting from this plan change. |
| Landscape values and rural character can be adversely affected by development. | To ensure that development is contained and that a defined urban edge is established in order to ensure against sprawl and to protect the character and landscape of the area. |
| The single access point to the township will be insufficient for an expanded community. | To provide a secondary entrance to the township from the State Highway. |
| Kingston needs land to provide local employment options to avoid becoming a service town. | To identify an appropriate area to provide employment land to ensure Kingston retains a degree of self sufficiency. |
| Development in proximity to the State Highway and railway may result in reverse sensitivity issues. | <p>Ensure a pattern of development that avoids reverse sensitivity issues associated with housing adjacent to SH6 and the railway.</p> <p>Develop a buffer to protect essential infrastructure from development.</p> |
| The Council has committed to ensure affordable housing is made available throughout the District. | To ensure provision is made for affordable housing can be made available by way of Plan provision. |

| Issue | Objectives |
|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Secure linkages and open space issues identified in Kingston 2020 including walkways and the golf course. | To ensure that any newly zoned land recognises community aspirations identified in the Kingston 2020 for the development of walkways and open space such as the golf course. |

In 2007 the Council adopted a Growth Management Strategy (GMS) to consider issues associated with growth on a district wide basis. Principle 1 of the GMS is that *'Growth is located in the right place'*, including the following strategy in relation to smaller communities:

1d Growth of the smaller outer lying towns (such as Hawea, Hawea Flat, Luggate, Glenorchy, Kingston, Makarora, and Cardrona) is to be encouraged to a point where critical mass for affordable servicing is reached and an appropriate range of local services and employment can be supported.

The actions identified for Principle 1 for the secondary settlements (such as Kingston) include:

Review existing zonings so as to allow smaller settlements to grow to around 800 to 1,000 dwellings (2,000 to 3,000 people) – a level that will support a wastewater treatment plant, as well as basic local services.

The proposed plan change for Kingston is consistent with the direction of Council's GMS.

2.2 The plan change site

Figure 1 identifies the plan change site and specific features that may be referred to in this report or in related documents. This section provides a brief summary of the characteristics of the plan change site, leaving a more detailed assessment of the environmental context to the specialist reports accompanying the plan change, notably:

- Section 32 Report (Section 2.2)
- Appendices to Plan Change 25: Kingston Village Special Zone
- Appendix 2.1 Landscape Analysis prepared by Vivian Espie Limited
- Appendix 2.2 Urban Design Study prepared by RA Skidmore Urban Design Limited
- Appendix 2.3 Urban Design Master Plan Report prepared by Woods Bagot Limited
- Appendix 2.6 Heritage Report prepared by Southern Archaeology Limited
- Appendix 2.4 Ecological Assessment prepared by Natural Solutions for Nature
- Appendix 2.7 Cultural Values Report prepared by Te Ao Marama

Key

- 1 Lake Wakatipu
- 2 Kingston Flyer, Station and Tavern
- 3 Lakeside Reserve and Playground
- 4 Jetty and Boat Ramp
- 5 Kingston Golf Course
- 6 Golf Club House and Community Hall
- 7 Bowling Green and Club
- 8 Cafe, Gallery and Garage
- 9 Deer Farm
- 10 Kingston Motel
- 11 Caravan Park
- 12 Kingston Library
- 13 Lookout
- 14 Te Kere Haka Reserve
- 15 Escarpment



Figure 1: Kingston Plan Change Site and Surrounding Features

The plan change site is the area of rural land to the south of the existing Kingston township and contained within the sweeping curve of the rail line for the Kingston Flyer, as identified by the red boarder on Figure 1 above. Topographically the site is quite contained: with land rising to an escarpment to the south of the railway line; to the west by rising ground and vegetation; to the east by the railway line and State Highway 6; and to the north by the railway line and the existing township.

The subject site is approximately 88 hectares (ha) in area, which is comprised of 82 ha of Glen Nevis Station (participating in the plan change process as Kingston Village Limited), 4 ha of Recreation Reserve and 2 ha of unformed legal road. The land is zoned Rural General (Figure 2) and the bulk of the site is farmed by the land owner. A portion of the site has been leased to the Kingston Golf Club as a golf course (area 5 on Figure 1). A portion of the plan change site is administered as Council reserve and is currently used as part of the golf course.

The plan change site is accessible from the existing street network within Kingston township and is connected to the wider District by State Highway 6.



Figure 2: Zoning of subject site and surrounds under Queenstown Lakes District Partially Operative District Plan

2.3 The process used in preparing the plan change concept

Following the December 2006 decision of the Strategy Committee to work with Glen Nevis Station (the land owner, referred to hereafter as Kingston Village Limited) to investigate a plan change, a consultant team to undertake the preliminary investigations on the subject site and surrounding area was formed. From the outset it was intended that the master planning process be an iterative one, with broad scale preliminary investigations and consultation being refined and repeated through the process as issues are identified and responses considered.

The preliminary investigations focused on the study area identified and were undertaken in the context of the plan change objectives as established by the Strategy Committee. These investigations provide initial direction on key issues including: areas potentially sensitive to development, areas for potential inclusion in the plan change, drivers of demand for development in this location, consideration of how key infrastructure could be provided to the plan change area, potential to provide infrastructure to the existing township of Kingston and recommendations for further investigation. Preliminary reports included:

- archaeology,
- cultural values,
- ecology,
- farming viability,
- hazards,
- heritage,
- infrastructure,
- landscape,
- transport, and
- urban design.

In 2007 preliminary reports were used to help inform a design charette held with the Kingston community (August 2007). Attendees at the charette helped identify a series of values the community wished to see expressed through design principles guiding the plan change.¹

Incorporation of these design principles and the initial background reports provided direction for the assessment of four broad options to provide for the future growth of Kingston through the master plan process.

The broad options and preferred design solutions identified were incorporated into a discussion document for community comment. The broad options to provide for the future growth of Kingston included:

- Option 1: Retain the Rural General Zone
- Option 2: Plan change to enable future growth as put forward in Kingston 2020
- Option 3: Plan change to rezone Lot 3 and Pt Run 323A
- Option 4: Plan change to rezone the Kingston Village site comprehensively

The discussion document and an open day held in March 2008 provided an opportunity for the Kingston community to provide feedback on the options outlined, and for design responses to be formulated to address specific community concerns identified through this process.

Submissions on the discussion document were fed back into the master planning process enabling more detailed design response and additional specialist input on an iterative basis as required. This process formed a key part of the section 32 analysis of the plan change options and resulted in the final master plan concept and plan change provisions as adopted for notification by Council in November 2008.

2.4 Consultation

The consultation process is outlined in detail in the Section 32 Report² and a copy of the Discussion Document is included in the plan change documentation³. In summary consultation included:

- Meetings with the Kingston Ratepayers and Resident's Association
- A community design charette, August 2007
- The circulation of a discussion document, March 2008
- A public open day, March 2008
- Meetings with stakeholder/ interest groups and organisations including New Zealand Historic Places Trust (NZHPT), Otago Regional Council (ORC), Te Ao Marama (TAM), Kai Tahu ki Otago (KTKO), New Zealand Transport Agency (NZTA, formerly Transit New Zealand)
- Discussions with various neighbours and other parties

The feedback received through the consultation process has been used to assist in the consideration of different options for the plan change.

2.5 Options assessed

The Section 32 analysis provides a detailed assessment of key options, determining which is the most effective in terms of achieving the purpose of the RMA 1991. The

¹ Plan Change 25 Section 32 Report - Appendix 2.3: Urban Design Master Plan Report, Section 3

² Plan Change 25 Section 32 Report, Section 5

³ Plan Change 25 Section 32 Report - Appendix 3.1: Discussion Document

following provides a brief synopsis of the more detailed analysis contained in Section 8 of the Section 32 Report.

The section 32 assessment is a multistage process required by the RMA 1991 and this assessment builds on the previous consideration of the broad options to provide for the future growth of Kingston identified in Section 2.3 of this report. Having reached the conclusion that a plan change to rezone the Kingston Village site comprehensively was the most appropriate option consideration must be given to the specific provisions that should apply to the site in order to achieve the purpose of the plan change.

In determining the provisions that should apply to the subject site, matters for consideration include not only the provisions of the relevant statutory documents (e.g. the District Plan and Regional Policy Statement), but the findings of Kingston 2020, the Council Long Term Community Plan (CCP) and the feedback received throughout consultation undertaken as part of the plan change process. In addition, the recommendations of the technical reports prepared for the subject site need to be addressed.

Three alternatives options were considered at this stage:

Option 1: Consideration was been given to whether the provisions of the existing Township Zone could be applied to the plan change site, so that it would become an extension of the existing Kingston Township Zone.

Option 2: An alternative approach was to replace the existing Rural General Zoning on the plan change site with a Kingston Village Special Zone (Special Zone), which would be located within Section 12 of the District Plan. New issues, objectives, policies, methods, environmental results anticipated, rules and assessment matters would be drafted and applied, and would aim to achieve the plan change objectives and recommendations of the technical reports.

Option 3: Consideration was also given to the use of design guidelines and other non-statutory methods to achieve the objectives of plan change. These non-statutory guidelines could be referenced as 'other methods' within the Special Zone provisions.

The Section 32 Report concludes that the most appropriate option in terms of achieving the purpose of the Act, the objectives and policies of the District Plan and the objectives for this plan change, is to retain the plan change concept as provided within the first discussion document (Option 2 above), but to make any amendments necessary to ensure that effects of future development are mitigated as far as possible.⁴

2.6 The plan change concept

The plan change concept was derived as a result of technical analysis of the site, the consultation process and the Section 32 analysis. It is proposed that the plan change concept would be achieved through a number of mechanisms including:

- Provisions within the District Plan that create the Kingston Village Special Zone. These are detailed provisions specific to the site, and use a Structure Plan to achieve the different densities and activities promoted by the Master Plan.

⁴ Plan Change 25 Section 32 Report, Section 8.0

- Stakeholders Deeds have been agreed between the Council and the landowner. One stakeholder deed provides for initiatives such as affordable housing, open space and reserves. A separate Stakeholder deed addresses the provision, future vesting and possible expansion of infrastructure.
- Design Guidelines have been prepared that sit alongside the District Plan provisions, and provide guidance to future landowners when considering subdivision and building design.

The general characteristics of the plan change concept are summarised in the following table.

| Characteristics | Plan Change |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Size of Plan Change Area | 88 ha |
| Protected Open Space | Approximately 25 ha; comprised of 4 ha of Local Purpose Reserve, 18 ha of Recreation Reserve and 3 ha of Neighbourhood Reserve. |
| Potential Yield | Subdivision analysis of the master plan anticipated a maximised development (i.e. minimum lot sizes) achieving 750 units. |
| Activity Mix | The structure plan provides for predominantly residential zoning including some provision for visitor accommodation in discrete areas, and an area of employment zoning. In addition, education and recreational activities are provided for. |
| Community Facilities | 25 ha of open space and the ability to provide for community facilities. Provision for an education precinct. |
| Provision of Affordable Housing | Agreement between the landowner and the Council to provide affordable housing within the site. |

Technical reports accompanying the plan change include:

- 2.1 Landscape Analysis prepared by Vivian Espie Limited.
- 2.2 Urban Design Study prepared by R.A Skidmore Urban Design Limited.
- 2.3 Urban Design Master Plan Report prepared by Woods Bagot Limited.
- 2.4 Ecological Assessment prepared by Natural Solutions for Nature.
- 2.5 Transport Assessment prepared by Traffic Design Group Limited (TDG).
- 2.6 Heritage Report prepared by Southern Archaeology Limited.
- 2.7 Cultural Values Report prepared by Te Ao Marama and peer review by Kai Tahu Ki Otago
- 2.8 Farming Viability prepared by Ibbotson Cooney Limited.

- 2.9 Infrastructure Report prepared by Connell Wagner Limited.⁵
- 2.10 Kingston Township Population Projections prepared by Rationale Limited.
- 2.11 Geotechnical and Contamination Hazards Appraisal prepared by Connell Wagner Limited.
- 2.12 Archaeological Report by Jill Hamel.

The term master planning has been used in this report to refer to the process of developing a plan for the future development of the plan change area. This process considered development down to the individual lot level to test the workability of the proposed layout for the plan change area. However, this level of detail has not been adopted into the plan change, which instead refers to and includes a 'structure plan'. The adoption of a less detailed structure plan into the District Plan provides both the essential detail required to ensure that the key elements of the master plan are considered at the subdivision stage, but also enables a degree of flexibility within that framework to respond to issues at the time of development.

3.0 SUBMISSIONS

The plan change was notified for public submission on 13 December 2008. Eleven submissions were received. Of those four were in full support of the plan change, four were in partial support, requesting some amendments to the plan change as notified, two opposed the plan change, and one neither supported nor opposed. Further submissions were received from one party.

Prior to the completion of this Planners Report a meeting was held with the Kingston Golf Club, with regards to the issues raised by submitters in relation to the golf course. This meeting was held on 12 August 2009 and was attended by representatives of Kingston Village Limited, the Kingston Golf Club and Council.

3.1 List of Submitters

| Original Submitters | Submission # | Further Submitter | Further Submission # |
|-------------------------------------------|------------------------------------------------|--------------------------|------------------------------------------------------------|
| Mark Crowe | 25/1/1 | | |
| Graham Dalziel | 25/2/1 | Kingston Village Limited | 25/2/1/1 |
| Kate Kerr | 25/3/1, 25/3/2 | Kingston Village Limited | 25/3/1/1, 25/3/2/1 |
| Kingston Village Limited | 25/4/1, 25/4/2, 25/4/3, 25/4/4 | | |
| David Kubrycht | 25/5/1, 25/5/2, 25/5/3, 25/5/4, 25/5/5, 25/5/6 | Kingston Village Limited | 25/5/1/1, 25/5/2/1, 25/5/3/1, 25/5/4/1, 25/5/5/1, 25/5/6/1 |
| Mescha Soper-Arthur & Ben Arthur | 25/6/1, 25/6/2 | Kingston Village Limited | 25/6/1/1, 25/6/2/1 |
| New Zealand Fire Service (NZFS) | 25/7/1, 25/7/2, 25/7/3 | Kingston Village Limited | 25/7/1/1, 25/7/2/1, 25/7/3/1 |
| New Zealand Historic Places Trust (NZHPT) | 25/8/1, 25/8/2 | Kingston Village Limited | 25/8/2/1 |

⁵ Note: during the development of this plan change Connell Wagner who prepared infrastructure reports relating to the plan change area changed their company name to Aurecon.

| | | | |
|-------------------------------------|---------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------|
| New Zealand Transport Agency (NZTA) | 25/9/1 | Kingston Village Limited | 25/9/1/1 |
| Otago Regional Council (ORC) | 25/10/1, 25/10/2 | Kingston Village Limited | 25/10/2/1 |
| Public Health South (PHS) | 25/11/1, 25/11/2, 25/11/3, 25/11/4, 25/11/5, 25/11/6, 25/11/7 | Kingston Village Limited | 25/11/1/1, 25/11/2/1, 25/11/3/1, 25/11/4/1, 25/11/5/1, 25/11/6/1, 25/11/7/1 |

Where common issues or the content of the submissions is the same or similar the responses or recommendations may be cross referenced to avoid duplication. In summarising submissions, the name of the submitter is shown in **bold**, with their submission number shown in normal font within [square brackets]. In summarising further submissions, the name of the further submitter is shown in ***bold italics***, with their submission number shown in *italics* within (round brackets) e.g.:

Submitter [submitter #]

Further Submitter (submitter #)

4.0 PLANNERS REPORT AND RECOMMENDATIONS

The following Sections of this Report provide a brief summary of each submission and a recommendation in response to each of the decisions sought. The submissions are grouped into sections based on issues or concerns raised by the submissions.

4.1 General support

The following submitters provide general support for the plan change as notified without qualification:

Mark Crowe [25/1/1]

4.1.1 Explanation

The above submitter support the plan change as notified. Reasons for support are summarised as follows:

Mark Crowe [25/1/1] supports the intent and purpose of the proposed plan change on the basis that it will be in the best interests of the Kingston community and tourism industry by providing a manageable approach to future growth and benefiting the surrounding District by providing employment opportunities, without adversely affecting the intrinsic value of Kingston township.

4.1.2 Discussion

Please see the Section 32 Report and supporting documentation for the justification for the plan change in its form as notified. The submission in support requests that the plan change is approved as notified. While this report recommends some changes in response to other points of submission, it recommends that in general the plan change concept is adopted as notified.

4.1.3 Recommendation

1. That the submission of **Mark Crowe** [25/1/1] is accepted in part, and the plan

change is adopted as notified, subject to amendments from recommendations on other submissions.

4.1.4 Reasons

1. The submitter supports the plan change as notified. Some amendments to the plan change provisions in response to specific issues are recommended within this Report. However, the plan change concept as notified is in general considered to be appropriate in terms of achieving the purpose of the RMA 1991.

4.2 Connection of plan change area to Kent Street

Graham Dalziel [25/2/1] seeks that no roads from the plan change area be connected to Kent Street until this street has been upgraded to the standard required for a residential collector road.

Kingston Village Limited (25/2/1/1) opposes the submission of Graham Dalziel.

4.2.1 Explanation

Kent Street is the main street providing access between the residential area within Kingston township and the wider roading network. Kent Street typically has a 7 m carriage way between State Highway 6 and Gloucester Street and narrows to a 6 m carriage way to the west of Gloucester Street. The speed limit within Kingston is 50 km/hr. Kingston Village Limited oppose this submission on the basis that Kent Street is currently operating within capacity and will not require upgrading until the development is substantially advanced.

4.2.2 Discussion

The Transportation Assessment accompanying Plan Change 25 Section 32 Report undertook an assessment of the capacity of Kent Street as part of the assessment of potential traffic effects associated with the plan change.⁶ Section 11.4 of the Transportation Assessment identifies effects on existing infrastructure and recommends that Kent Street will need to be upgraded to the standard of a 'residential collector road' to meet the ultimate capacity of the plan change area and existing township. This upgrade would involve the existing 7 m width of Kent Street which will need to be supplemented with the provision of parking adjacent to the carriageway. Kent Street is currently identified in the District Plan as a collector road however; although it does not meet the engineering standards anticipated for a collector road it currently operates well within its existing capacity.

Although the Transport Assessment indicates widening Kent Street may ultimately be appropriate, prematurely widening roads can contribute to increased vehicle speeds, particularly in relatively undeveloped areas. Conversely, the relatively narrow nature of the existing carriageway helps to reduce vehicle speed and creates a more attractive environment for other modes of transport, such as pedestrians and cyclists. The development of the plan change area will be a staged process that will be implemented over an extended time period of potentially 30+ years.⁷ Consequently

⁶ Plan Change 25 Section 32 Report – Appendix 2.5: Transport Assessment

⁷ Plan Change 25 Section 32 Report - Appendix 2.10: Kingston Township Population Projections Report

the volumes of traffic to merit such an upgrade are not anticipated to occur in the short to medium term.

4.2.3 Recommendation

1. That the submission of **Graham Dalziel** [25/2/1] be rejected and the further submission of **Kingston Village Limited** (25/2/1/1) be accepted.

4.2.4 Reasons

1. The increased demand on Kent Street resulting from the plan change does not merit the upgrade of Kent Street in the short term and this action should it be undertaken may work counter to the intent of the submission by increasing traffic speeds and thereby reducing safety.

4.3 Closure of Devon Street

Kate Kerr [25/3/1] submitted seeking that Devon Street, the paper road along the front of the Golf Course, be formally closed.

Kingston Village Limited (25/3/1/1) opposes the submission of Kate Kerr.

David Kubrycht [25/5/6] submits that the paper road Devon Street be closed where it runs along the boundary of the golf course.

Kingston Village Limited (25/5/6/1) opposes the submission of David Kubrycht.

Mescha Soper-Arthur & Ben Arthur [25/6/1] oppose the possible opening of Devon Street.

Kingston Village Limited (25/6/1/1) oppose this submission.

4.3.1 Explanation

Devon Street is a paper road that lies between the plan change area and the existing township from Huntington Street in the east to Somerset Street in the west. Visually this area currently appears to be part of the golf course and is used as such at present.

Kate Kerr [25/3/1] and **David Kubrycht** [25/5/6] seek that Devon Street be closed as it is not needed and would affect the amenity of adjacent properties and the golf course if it was ever formed. **Mescha Soper-Arthur & Ben Arthur** [25/6/1] oppose any opening of Devon Street as it will affect their views, create traffic noise and impact upon the golf course.

Kingston Village Limited (25/3/1/1) opposes submissions seeking the stopping of the paper road as the plan change does not necessitate the stopping of the road, the paper road provides the opportunity for a useful pedestrian connection to be formed in the future, and road stopping is a separate process which is outside the scope of the plan change as the road is beyond the boundary of the plan change area.

4.3.2 Discussion

As shown on the Figure 3 below, Devon Street is located outside the plan change area. The submitters are not seeking that Devon Street be included within the

plan change, but rather that a separate process be initiated to stop the paper road and designate it as reserve for use as part of the golf course.

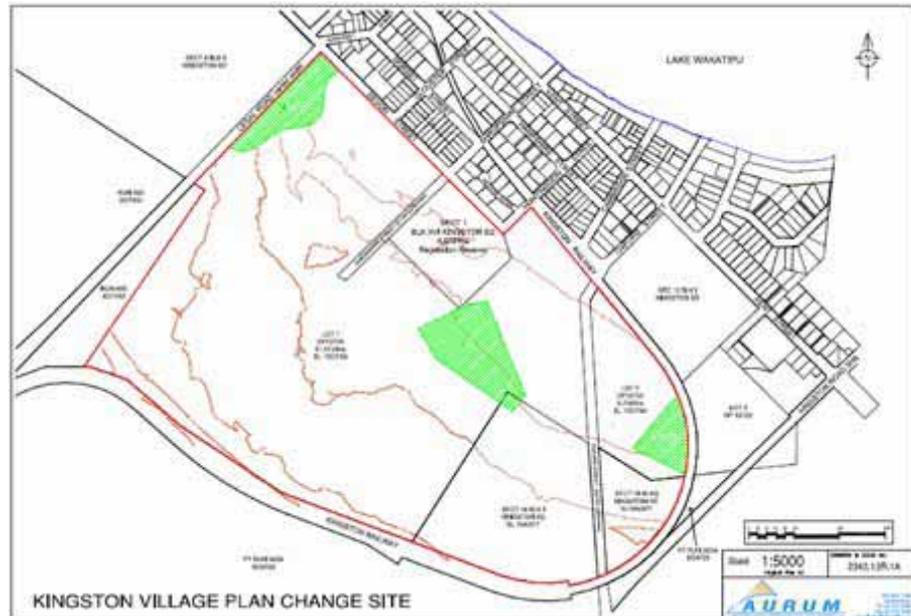


Figure 3: Plan Change Site⁸

As a consequence, it is considered that this submission is outside the scope of the plan change, although it is within the ambit of the Commission hearing the plan change to recommend to Council that the initiation of the road stopping be investigated. The procedures for stopping roads are embodied in the tenth schedule of the Local Government Act 1974 which requires Council to provide reasons for stopping the road. Maintaining the potential for future public access through this area would be a likely requirement before stopping of the road would be considered appropriate.

4.3.3 Recommendation

1. That the submission of **Kate Kerr** [25/3/1], **David Kubrycht** [25/5/6] and **Mescha Soper-Arthur & Ben Arthur** [25/6/1] be rejected and the submission of **Kingston Village Limited** (25/3/1/1), (25/5/6/1), (25/6/1/1) be accepted.

4.3.4 Reasons

1. The submission is outside the scope of the plan change.
2. Retaining the paper road enables this land to continue to be used as open space while retaining the potential for enhanced public access in the future. However as noted above, the Commission could recommend Council investigate the closure of Devon Street if it is deemed appropriate.

⁸ Plan Change 25 Section 32 Report, Page 6

4.4 Proposed alignment of Huntingdon Street

Kate Kerr [25/3/2] sought that the proposed alignment of Huntingdon Street should be realigned to retain fairways 7 and 8 on the Golf course and the reserve area in the golf course should be retained

Kingston Village Limited (25/3/2/1) opposes the submission of Kate Kerr.

David Kubrycht [25/5/5] seeks the rejection of the extension of Huntingdon Street across the golf course as proposed.

Kingston Village Limited (25/5/5/1) opposes the submission of David Kubrycht.

Mescha Soper-Arthur & Ben Arthur [25/6/2] oppose the removal of the 7th and 8th fairways from the Kingston Golf Course.

Kingston Village Limited (25/6/2/1) oppose this submission.

4.4.1 Explanation

The structure plan proposed as part of the plan change extends Huntingdon Street into the plan change area with a relatively straight alignment. The proposed alignment will affect part of the golf course located on Council Recreation Reserve. To achieve this roading alignment Council will need to undertake a reserve exchange in a parallel but separate process to the plan change. This process will involve the exchange of the area of reserve affected by the alignment with an equal area of Kingston Village Limited land currently used as part of the golf course. The area of the reserve within the golf course will remain unchanged as a result of the proposal.

The submission from **Mescha Soper-Arthur & Ben Arthur** [25/6/2] has been considered as a submission on the proposed alignment of Huntingdon Street as it is this alignment that will define the eastern boundary of the golf course.

4.4.2 Discussion

Kate Kerr [25/3/2] submits that the current golf course layout should be retained as it is appreciated by current users. **David Kubrycht** [25/5/5] objects to Huntingdon Street becoming the main thoroughfare into the new development from Kent Street and the effects this will have on residents who anticipated that Oxford Street would be the future through road. **Mescha Soper-Arthur & Ben Arthur** [25/6/2] oppose the removal of the 7th and 8th fairways from the Kingston Golf Course as they are some of the most challenging and beautiful parts of the golf course and the presence of the open space was a reason behind living in that location. **Kingston Village Limited** (25/3/2/1), (25/5/5/1) and (25/6/2/1) opposes these submissions as the proposed alignment of Huntingdon Street creates a strong link to the existing township that reflects the historic layout of Kingston.

Due to the location of the existing reserve in the plan change area a number of alternative alignments for Huntingdon Street were contemplated. However, one of the community design principles identified through the community charette was to maintain a grid pattern to integrate the new area with the existing township. This and other urban design principles used to establish the structure plan supported a straight

alignment of the extension of Huntingdon Street into the plan change area. Relevant principles to the alignment of Huntingdon Street include:⁹

- Ensuring that views are maximised wherever possible to create a strong visual connection to Lake Wakatipu
- Respect the strong historic grid pattern of development in the existing township
- To inform the street pattern of the plan change site
- Ensure maximum connectivity to existing infrastructure and pedestrian routes
- Respect the existing character and heritage of the original survey layout

The alignment of streets proposed through the master plan process replicates and compliments the east west rectangular blocks prevalent in the traditional layout of Kingston township.

The plan change does not create Huntingdon Street as the main thoroughfare into the plan change area but it will be one of four primary local roads providing access to the plan change area, three of which will provide access to Kent Street. Huntingdon Street, in particular, is a logical choice in that role as it is an existing formed road with an established crossing of the Kingston railway line.

Preliminary investigations have indicated that, while the boundaries of the golf course will change as a result of this alignment, the golf course can continue to function effectively. A detailed layout of the greens will be determined at a later stage. It is further noted that although the golf course currently occupies this reserve it does so without any formal lease agreement or arrangement with Council. The process Council will undertake as part of the reserve exchange is a public one, enabling input from submitters on this matter. Initial consultation has occurred with the Kingston Golf Club and the Department of Conservation on this matter.

4.4.3 Recommendation

1. That the submission of **Kate Kerr** [25/3/2], **David Kubrycht** [25/5/5] and **Mescha Soper-Arthur & Ben Arthur** [25/6/2] be rejected and the submissions of **Kingston Village Limited** (25/3/2/1) (25/5/5/1) (25/6/2/1) be accepted.

4.4.4 Reasons

1. The proposed alignment of Huntingdon Street reflects the design principles on which the master planning of the plan change site was undertaken and seeks to create a strong link between the plan change area and Lake Wakatipu.
2. The proposed alignment also extends the roading pattern of the existing township into the plan change area which was considered important to help create a sense of continuity and connection between the existing township and the development area.
3. The proposed alignment will require a realignment of the golf course but does not prevent its effective use and alternative layouts are being considered.

4.5 Building coverage

Kingston Village Limited have made three submissions in relation to the plan change provisions relating to building coverage. Due to the interrelated nature of these

⁹ Plan Change 25 Section 32 Report - Appendix 2.3: Urban Design Master Plan Report, Section 4

provisions it is considered appropriate to consider the three submissions on this matter together.

Kingston Village Limited [25/4/1] seek the deletion of rule 12.28.5.1.x in its entirety.

12.28.5.1 *Site Standards*

~~x. Building coverage within Activity Area 1(c)~~

~~The maximum building coverage for all activities on any site within Activity Area 1(c) shall be 30%.~~

Kingston Village Limited [25/4/2] seek that rule 12.28.5.2.ii Zone Standards should be amended to allow the maximum building coverage for all activities on any site in Activity Area 1c to be 35%.

Kingston Village Limited [25/4/3] Policy 2.4 should be amended to read as follows:

2.4 "To avoid a dominance of built form, achieve a range of dwelling types and complement the character of Kingston through imposing varying building coverage requirements between Activity Areas 1a, 1b and 1c, with a reduced percentage of building coverage within larger sites."

4.5.1 Explanation

Rule 12.28.5.1 establishes a number of site standards throughout the plan change area. Site standard 12.28.5.1.x relates to building coverage within Activity Area 1c and requires consideration of all activities within Activity Area 1c exceeding 30% building coverage to seek consent as a discretionary activity.

Zone standard 12.28.5.2.ii requires consideration of all activities within Activity Area 1c exceeding 30% building coverage to seek consent as a non-complying activity.

Policy 2.4 provides the planning rationale supporting provisions creating a range of building coverage within the plan change area, and in particular a reduced coverage on larger sites in Activity Area 1c.

4.5.2 Discussion

Controls on building coverage limit the size and scale of buildings to a percentage of the size of the site. The degree of building coverage affects the character and amenity of an area, with low coverage generally resulting in a character that could be described as a more open and spacious and high coverage creating a more developed and urban character.

The relief sought by **Kingston Village Limited** [25/4/1] is that rule 12.28.5.1 should be deleted in its entirety, however it is noted that the reasoning around this submission is generally focused on the specific site standard 12.28.5.1.x relating to building coverage in Activity Area 1c.

The rationale behind the proposed building coverage provisions for Activity Area 1c are discussed in the Section 32 Report.¹⁰ Activity Area 1c is predominantly located on the periphery of the plan change area and borders the existing township and Rural General zone. Site area is relevant to building coverage rules as these are usually expressed as a maximum percentage of site coverage. Site area within Activity Areas 1a and 1b is constrained between a minimum and maximum range, consequently building coverage will be limited to a maximum area that corresponds to the maximum size of the site. Site sizes in Activity Area 1c do not have a maximum

¹⁰ Plan Change 25 Section 32 Report, Sections 9.1.3-9.1.5 and 9.2.1 and 10.4

size. Consequently, the option of creating larger buildings can be achieved through the selection of larger sites within this activity area, without compromising the goal of maintaining a sense of spaciousness and a sense of connection to the character of development in the existing township.

Activities seeking to exceed site standards (e.g. rule 12.28.5.1.x) require resource consent as a discretionary activity. Activities seeking to exceed zone standards (e.g. rule 12.28.5.2.ii) require resource consent as a non-complying activity, which places greater weight on consistency with the policies and objectives of the District Plan (in this case Policy 2.4).

It is noted that in the plan change provisions as notified, both rule 12.28.5.1.x and rule 12.28.5.2.ii, have a standard of 30%; consequently an application to exceed this standard would be both a discretionary and non-complying activity. This is an error and is inconsistent with the findings of the Section 32 Report recommended building coverage of 30% as a zone standard, stating that (emphasis added):

“Enabling building coverage above 30% as a discretionary activity would not be effective in achieving the objectives and policies for the Zone. Applications for an increased building coverage would be difficult to decline, and increasing the building coverage would be inconsistent with the character of Kingston.”¹¹

4.5.3 Recommendations

1. That the submission of **Kingston Village Limited** [25/4/1] seeking the deletion of rule 12.28.5.1 in its entirety be accepted and the plan change be amended as follows:
12.28.5.1 Site Standards
~~x. Building coverage within Activity Area 1(c)
The maximum building coverage for all activities on any site within Activity Area 1(c) shall be 30%.~~
2. That the submission of **Kingston Village Limited** [25/4/2] seeking that rule 12.28.5.2.ii Zone Standards should be amended to allow the maximum building coverage of 35% be rejected.
3. That the submission of **Kingston Village Limited** [25/4/3] to modify Policy 2.4 should be rejected.

4.5.4 Reasons

1. The deletion of site standard 12.28.5.1.x will remove only the site standard relating to building coverage in Activity Area 1c. This is consistent with the direction of the Section 32 Report which found it most appropriate that the status of activities seeking to exceed building coverage be non-complying and removes the overlap between rule 12.28.5.1.x and 12.28.5.2.ii.
2. The change of rule 12.28.5.2.ii to increase building coverage was considered inappropriate in the context of the plan change. An analysis of the urban design character of the existing Kingston township indicated that informal character of the settlement was achieved through a mix of building forms and relatively low site coverage.¹² It must be acknowledged that, in order to achieve the range of objectives sought through the plan change process, a number of activity areas enable development at a greater density than is present in the existing

¹¹ Plan Change 25 Section 32 Report – Page 98

¹² Plan Change 25 Section 32 Report – Appendix 2.2 Urban Design Study, Page 36

township. The greater densities provided in these areas help achieve diversity of building type, choice, affordability and a critical mass to the settlement. However, these areas are less consistent with the character of the existing township. The urban design assessment indicated a number of mechanisms to reflect the character of the existing township in the new plan change area. These mechanisms included providing for variation in building coverage to reinforce the different character associated with different building forms. The lower density provision for the larger sites resulting from the building coverage controls of 30% in Activity Area 1c (rule 12.28.5.2.ii) also ensures that buildings that are of an excessive scale in relation to the character of Kingston are not established and mitigates the risk that the character of Kingston will be compromised by enabling higher density within Activity Areas 1a and 1b. This is particularly important in Activity Area 1c which is generally located around the edges of the plan change area and forms the connection with the existing Kingston township.

3. Policy 2.4 provides direction in terms of the nature and scale of built form within the plan change area. The change proposed would be inconsistent with retaining zone standard 12.28.5.2.ii for building coverage in Activity Area 1c at 30%. This policy also provides the rationale for differentiation in building coverage in Activity Areas 1a, 1b and 1c. Should the relief sought by the submitter (be granted in relation to zone standard 12.28.5.2.ii (submission [25/4/2])), Policy 2.4 would remain relevant to provide direction on potential applications seeking to increase building coverage in Activity Areas 1b (35%) and 1c (30%) to that of Activity Area 1a (40%).

4.6 Location and orientation of garages

Kingston Village Limited [25/4/4] seek that Rule 12.28.3.2.vi be deleted.

12.28.3.2 Controlled Activity

~~vi Garages located between the road setback and the front façade of the dwelling and that are at right angles to the street in respect of~~

~~Landscaping~~

~~External appearance and treatment of the façade facing the road~~

4.6.1 Explanation

It is a well established urban design principle that the location of garages on residential sites can affect the amenity of residential areas.

Under the provisions proposed in the plan change, garages setback a minimum of 1 m behind the front façade of the dwelling are permitted, garages located forward of this point are discretionary (Site Standard 12.28.5.1.ii.(b)) unless they are located at right angles to the street, in which case they will require resource consent for a controlled activity (Rule 12.28.3.2vi). Controlled activity consent cannot be declined, and control is limited to the areas identified in the rule; landscaping and aspects of the external appearance of the garage facing the road.

Kingston Village Limited submit that controlled activity status is overly onerous on future property owners and stifles diversity and that the advice provided in the design guidelines for the plan change area are sufficient to secure a good design outcome and the rule is therefore unnecessary.

4.6.2 Discussion

The urban design rationale behind these provisions is to avoid garages dominating the street frontage and detracting from residential character. The urban design master plan report notes that where houses face open space, they should be designed with garages set back behind the front elevation to ensure the greatest amount of natural surveillance to streets and public space.¹³ Where garages are set back from the front façade there is greater potential for the living areas of the dwelling to face the street, providing greater interaction and a sense of connection, surveillance and amenity. In contrast, the blank walls of garages can create a dominating effect on the streetscape separating dwellings from the street. This approach is important if the adverse effects associated with rows of garages fronting the street that can occur in residential areas are to be avoided. It is considered that this would be inconsistent with the character elements of Kingston that the plan change area is trying to maintain, particularly the sense of openness and spaciousness, which is vulnerable to overdevelopment on the street frontage.

Policies 2.5 and 2.7 support the use of setbacks to avoid the dominance of garages and parking areas on the street frontage. However, these policies do not articulate a rationale behind the controlled activity rule, which to some extent acts contrary to the expressed intent of these policies.

The submitter has expressed concern that controlled activity status is overly onerous and stifles diversity. The only less onerous activity status than a controlled activity is a permitted activity. Permitted activity status would not enable the potential adverse effects identified by policies 2.5 and 2.7 to be addressed unless the desired outcomes were identified as additional site standards and included in the plan change. Site standards differ from controlled activities in that they are specific measurable standards rather than identified areas for consideration against more general assessment matters. The adoption of site standards for setbacks could potentially act to stifle the very diversity sought by the submitter, as applicants would tend to follow the path of least resistance and adopt the minimum standard stated rather than responding to the more general direction provided by the assessment matters of a controlled activity. Controlled activities have to be granted, although they may be subject to conditions enabling potential adverse effects to be addressed. Where a number of alternative solutions are possible, providing assessment matters, either as controlled or discretionary activities, is generally more effective than trying to identify specific standards for each alternative. In this instance it is considered the matters of control identified in rule 12.28.3.2.vi (landscaping, and the external appearance and treatment of the façade facing the road) would be ineffective if introduced as site standards as they are not specific or easily measurable and such are more appropriate as assessment matters than standards.

Failure to comply with site standards would require the activity to be considered as a discretionary activity (as is the case with the current site standard 12.28.5.1.ii.(b)). Discretionary activity status would require a resource consent and may not be granted, but does provide opportunity for diversity and may control the adverse effects through conditions or decline activities where the adverse effects cannot be addressed.

The submission has identified a weakness in the rule structure relating to these provisions. The intent of the rules is to encourage garages to be setback from the dwelling to create a more positive relationship between dwellings and the street and

¹³ Plan Change 25 Section 32 Report - Appendix 2.3: Urban Design Master Plan Report, Section 7, Page 31

to reduce buildings dominating the street frontage, or to control their design and appearance. To this end site standard 12.28.5.1.ii.(b) requires that all garages in Activity Area 1 be set back behind the façade of the dwelling 1 metre or require a consent as a discretionary activity. The exception to this site standard is the controlled activity rule in question. Although, as outlined in the Section 32 Report¹⁴, controlled activity rule 12.28.3.2.vi is intended to control the design of garages between dwellings and the street frontage, the more permissive status of this rule may actually encourage this type of approach over the outcome described by policies 2.5 and 2.7 and the assessment matters provide little direction to processing planners regarding how the matters of controlled can address this issue.

In terms of the relief sought by the submitter, it is noted that by deleting controlled activity rule 12.28.3.2.vi, any application for a garage located in front of a dwelling, whether orientated side on to the street frontage or facing the street would fail to meet the provisions of Site Standard 12.28.5.1.ii.(b) and would therefore require consent as a discretionary activity.

The Kingston Village design guidelines proposed to accompany the plan change do not provide direction on the rationale behind the orientation of garages in relation to the street or possible design solutions to achieve the intent described in the Section 32 Report.¹⁵ Further, as the design guidelines proposed as part of the plan change are non-statutory they do not provide certainty of design outcome. While it is considered that inserting greater direction in the guidelines would assist both applicants and planners understand the rationale behind these provisions, the guidelines alone would not provide the same level of certainty that the desired outcomes would be achieved that a rule in the District Plan would provide.

4.6.3 Recommendation

1. That the submission of **Kingston Village Limited** [25/4/4] seeking the deletion of rule 12.28.3.2 be accepted and the plan change be amended as follows:

12.28.3.2 *Controlled Activity*

~~vi Garages located between the road setback and the front façade of the dwelling and that are at right angles to the street in respect of~~

~~Landscaping~~

~~External appearance and treatment of the façade facing the road~~

This will require the following consequential amendment to the site standards to remove reference to rule 12.28.3.2.vi as follows:

Site Standard 12.28.5.1.ii.(b)

- (b) *Within Activity Area 1 all garages and carports must be setback at least 1 metre from the front façade of the residential unit (i.e. the façade that faces the street). Except*
~~- Garages approved pursuant to controlled activity rule 12.28.3.2(vi)~~

2. That the Kingston Village Design Guidelines be updated to provide direction on desired design outcomes where applicants seek to locate garages between the dwelling and road setback.

¹⁴ Plan Change 25 Section 32 Report, Page 89

¹⁵ Plan Change 25 Section 32 Report, Pages 74 & 89

4.6.4 Reasons

1. Controlled activity rule 12.28.3.2.vi is inconsistent with the intent of the provisions outlined in the Section 32 Report and policies 2.5 and 2.7 of the Kingston Village Special Zone in that this rule structure inadvertently creates an easier consent path for garages to locate in front of the dwelling than was intended. As a consequence this rule is considered an ineffective and inefficient means of achieving policies 2.5 and 2.7.
2. Removing controlled activity rule 12.28.3.2.vi does not prevent applications for garages to be located in front of dwellings, but such applications will require consideration in terms of the assessment matters associated with Site Standard 12.28.5.1.ii.(b). This rule framework provides for a diversity of design approaches but also encourages a preferred design outcome consistent with the intent of the adopted policies 2.5 and 2.7 and enables consideration of appropriate matters to ensure alternative approaches avoid negative impacts on the streetscape.
3. The design guidelines provide limited direction on matters relating to the orientation of garages located between the road setback and the front façade of the dwelling. Providing greater guidance in the desired outcomes in the guidelines will assist developers and decision makers alike.

4.7 Lack of need for the Plan Change

David Kubrycht [25/5/1] submits that no need for the plan change has been demonstrated and it should be rejected in its entirety.

Kingston Village Limited (25/5/1/1) oppose this submission.

4.7.1 Explanation

David Kubrycht [25/5/1] submits that growth rates in Kingston are low and the existing capacity in the village will provide for growth in the foreseeable future, consequently a plan change is not required. **Kingston Village Limited** (25/5/1/1) oppose this submission on the basis that the plan change is consistent with the direction of Kingston 2020 and the purpose and principles of the RMA 1991 as tested through the plan change preparation and section 32 analysis.

4.7.2 Discussion

The background and rationale for initiating the plan change process for Kingston has been outlined in Section 2.1 to this report. In brief, the plan change provided a potential opportunity to address a number of issues identified in Kingston 2020 as desirable to the community including; the provision of infrastructure, planning for orderly future expansion of the township, the provision of a second entrance to the town and land to increase potential employment opportunities and facilities to enable the town to become more self sufficient. The Section 32 Report provides an assessment of the plan change in the context of the purpose and principles of the RMA 1991 and finds it appropriate.¹⁶

The proposed plan change is also consistent with the strategic direction of the Queenstown Lakes District Council's own policy documents, including the CCP and

¹⁶ Plan Change 25 Section 32 Report, Section 3.1

the process outlined in Council's Growth Management Strategy (GMS), adopted in April 2007, which identifies a number of strategies for consideration in relation to providing for future growth, and in particular:

Principle 1: Growth is located in the right place

1a All settlements are to be compact with distinct urban edges and defined urban growth boundaries.

1d Growth of the smaller outer lying towns (such as Hawea, Hawea Flat, Luggate, Glenorchy, Kingston, Makarora, and Cardrona) is to be encouraged to a point where critical mass for affordable servicing is reached and an appropriate range of local services and employment can be supported.

1e The landscape values and the character of rural areas surrounding the urban areas and townships are to be protected from further urbanisation (i.e. changes from a predominately rural character to an urban character).

1i New development avoids areas of recognised hazards (e.g. floodplains, instability) and development already within known hazard areas is managed so that hazards are not exacerbated.

Principle 2: The type and mix of growth meets current and future needs

2a All settlements are to have strong centres that are community hubs, with a clustering of retail, business, public transport, and community services

2c Affordable housing is to be actively pursued through regulatory and non regulatory means

2e Land for future social and community facilities should be identified, where necessary, in all settlements

The Actions for Principle 1 recommend a review of smaller settlements, including Kingston; to allow them to grow to around 800 to 1,000 dwellings (2,000 to 3,000 people) which was identified as a level at which water and wastewater infrastructure, as well as basic local services, can be provided.

The existing capacity within the existing township has been acknowledged through the plan change process, which considered alternative options as part of the section 32 analysis including; maintaining the status quo, providing for expansion only within the area identified by Kingston 2020, and providing for a more comprehensive rezoning.¹⁷ This process considered the approach adopted by the plan change as the most appropriate to achieve the objectives for the plan change.

4.7.3 Recommendation

1. It is recommended that the submission by **David Kubrycht** [25/5/1] be rejected and the submission by **Kingston Village Limited** (25/5/1/1) is accepted.

4.7.4 Reasons

1. The need and direction for the plan change has been established through consultation on a number of community planning documents including Kingston 2020, the CCP and the GMS. This has been further supported by the more detailed consideration undertaken in the Section 32 analysis.
2. The plan change is consistent with the Council's policy direction and with the purpose and principles of the RMA 1991.

¹⁷ Plan Change 25 Section 32 Report, Section 6.0

4.8 Recreation Reserve land exchange

David Kubrycht [25/5/2] submits in opposition to any exchange of reserve land resulting from the plan change.

Kingston Village Limited (25/5/2/1) opposes this submission.

4.8.1 Explanation

The structure plan included in the plan change proposes the extension of Huntingdon Street into the plan change area as discussed in Section 4.4 of this report. This alignment bisects part of a Council administered recreation reserve. The changes proposed will require a separate process to be undertaken under the Reserves Act 1977 (RA 1977). The Council has approved the initiation of investigations into this reserve exchange, which if adopted involves a publicly notified process as outlined by Section 15 of the RA 1977 and enables submissions from the community on this matter.

4.8.2 Discussion

As any exchange of reserve land requires a separate process under different legislation it is considered this is outside the scope of the plan change and the matters raised are more appropriately addressed through that process and/ or through submissions within the scope of the plan change such as those relating to the proposed alignment of Huntingdon Street. However, to assist the commission in understanding the rationale behind these matters they are discussed further here.

David Kubrycht [25/5/2] expresses concerned over the loss of an area of the recreation reserve for unspecified land of uncertain or poorer quality. **Kingston Village Limited** (25/5/2/1) oppose this on the basis that the proposed layout and associated amendment to the recreation reserve is necessary to achieve the fundamental design objectives of the plan change, there will be no overall reduction in the size of the recreation reserve and no net effect. The plan change area includes a number of additional reserve areas which will diversify the recreational product to the benefit of the whole Kingston community.

As noted above, the rationale behind the proposed alignment of the extension of Huntingdon Street into the plan change area is discussed in Section 4.4 of this report on submissions on that matter. The proposed alignment of Huntingdon Street is considered important to achieve a number of urban design outcomes sought through the plan change process.

The reserve currently acts as an unofficial extension to the area leased from the property owner for the Kingston golf course and is used for that purpose. The approach recommended through investigations associated with preparation of the plan change is the relinquishment of the area of the reserve that would be lost by the creation of the road and the portion of the reserve that would otherwise be to the east of that road once created (an area of 9520 m²) and the exchange of an equal area of land immediately adjacent to and south of the remainder of the reserve. The area proposed to be added to the reserve through this exchange is currently used as part of the golf course.

Although the plan change will involve the reshaping of this reserve, the structure plan results in this reserve and the majority of the area of the existing golf course being identified and preserved as Open Space (Activity Area 4) which will provide far greater flexibility and certainty over its future uses for recreational purposes than the

limited provisions of the existing golf course lease over what is Rural General zoned land.

4.8.3 Recommendation

1. It is recommended that the submission by **David Kubrycht** [25/5/2] be rejected and the submission by **Kingston Village Limited** (25/5/2/1) is accepted.

4.8.4 Reasons

1. The submission is outside the scope of the plan change.
2. Submissions of this nature can be addressed through the publicly notified process associated with the reserve exchange.

4.9 Residential zoning within the golf course

David Kubrycht [25/5/4] submits that a quarter of the golf course has been identified for residential activity and seeks the rejection of these provisions.

Kingston Village Limited (25/5/4/1) oppose this submission.

4.9.1 Explanation

The structure plan adopted through the plan change proposes the extension of Huntingdon Street in the plan change area, as discussed in Sections 4.4 and 4.8 of this report, which will affect the eastern boundary of the golf course. This area of land that was formerly golf course will provide for the extension of Huntingdon Street and some residential zoning. The structure plan also extends the southern boundary of the golf course area to the south.

David Kubrycht [25/5/4] submits that 25% of the golf course will be zoned residential and opposes this, highlighting the importance placed on the golf course in consultation with the community and the golf course has a lease of the golf course land from Glen Nevis Station.

Kingston Village Limited (25/5/4/1) oppose the submission by Mr Kubrycht on the basis that issues associated with the golf course should not be considered in isolation from the rest of the plan change which provides a comprehensive form of development for the growth of the community in this area. The plan change proposes the addition of various reserves including the bulk of the golf course area as Open Space, which will significantly increase the amount of time the golf course will be available for use over the provisions of the golf club lease. Kingston Village Limited dispute that 25% of the golf course will be lost to residential zoning and indicate the area is closer to 10% of the area currently occupied by the golf course and not all of which is subject to the golf course lease.

4.9.2 Discussion

The section 32 analysis of the plan change proposal required by the RMA 1991 focuses on resource management issues associated with the sustainable management of natural and physical resources to meet the needs of future generations. To this end the Section 32 Report has undertaken an assessment of the plan change options and the extent to which they are the most appropriate way to achieve the purpose of the Act, including an assessment of the effectiveness and

efficiency of the methods adopted. In undertaking this assessment the objectives of the plan change are a relevant matter.

While the ownership or lease arrangements on the golf course may have a bearing on the implementation of the plan change proposed they are less relevant in terms of determining the overall appropriateness of the plan change area or part of the plan change area for a particular purpose. Consequently, although this discussion will touch on the golf course ownership for the purposes of providing clarity on this matter, the primary focus of discussions will be on the aspects of the submission relating to the provision of residential development on the golf course.

The golf course

The Kingston Golf Club lease land from Glen Nevis Station Limited for use as a golf course. The majority of the Kingston golf course is on land owned by Glen Nevis Station Limited with whom they have a lease agreement for 20 years (ending in 2018) with one right of renewal for the same period. The lease does not provide for continual use of the golf course but enables its use on: 'licence days' comprising Saturdays, Sundays and Tuesdays, and 'lease days' not exceeding 10 days annually spread evenly through the lease year and not including Saturdays or Tuesdays.

The Kingston golf course also occupies areas of unformed roads on Devon Street and Shropshire Street and 4.072 ha of Council Recreation Reserve. The golf course has not had a lease agreement for the Council Recreation Reserve since 2003 when it expired.

Consultation with the community indicated that the area of the golf course was highly valued by the community and for uses other than just as a golf course. There was little indication that the community were aware of or limited their use of the golf course area to the periods proscribed by the lease.

The Master Plan response

Community consultation identified a number of design principles which the master plan responded to including:

- 8. Provide community facilities (such as broadband access, tennis club, swimming pool for children, golf course extension, medical centre, school, kindergarten and supermarket)*
- 9. Maintain a grid pattern to integrate existing and new settlement*
- 13. Maintain golf course as part of a network of public open space, parks and playing fields.*
- 16. Retain and enhance built form that responds to existing topography, native vegetation and views.*

The structure plan and plan change has been developed by balancing these and other Council objectives as outlined in Section 2.1 of this report.

As outlined in responses to submissions on the alignment of Huntingdon Street, the urban design input into the master plan process supported the community desire to maintain and extend the grid pattern of Kingston into the plan change area. The proposed extension of Huntingdon Street responds well to existing sloping topography, and creates a strong view shaft towards Lake Wakatipu.

Achieving these urban design outcomes does result in a modification of the existing golf course. The extension of Huntingdon Street effectively alienates a portion of the existing golf course (comprised in part of an area of the Recreation Reserve and an

area of the golf course lease) from the remainder of the course. The master plan proposes that this area be zoned for residential activity as its use as part of the golf course would be diminished by its separation from the remainder of the course and the golf course would still be able to operate within its revised boundaries. The area lost to the proposed road alignment and rezoning is approximately 10% of the total area of the golf course.

The structure plan includes within the plan change area a network of other open spaces, including parks and playing fields, which provide a diversity of recreational experiences. The majority of the existing golf course is identified as Activity Area 4 (Open Space) in the structure plan which will restrict development of this area thereby providing long term certainty for the community regarding the future of this land and enhanced access beyond the limited periods provided for by the existing golf club lease.

4.9.3 Recommendation

1. It is recommended that the submission by **David Kubrycht** [25/5/4] be rejected and the submission by **Kingston Village Limited** (25/5/4/1) be accepted.

4.9.4 Reasons

1. The structure plan as proposed provides a balanced response to the plan change objectives.

4.10 Minimum section size

David Kubrycht [25/5/3] opposes reducing the minimum section size below 800 m².

Kingston Village Limited (25/5/3/1) oppose this submission.

4.10.1 Explanation

The minimum net allotment size for residential dwellings in the existing Kingston Township Zone is 800 m². The plan change provides for a range of possible allotment sizes and options within the Kingston Village Special zone:

Activity Area 1a – between 350 and 500 m²

Activity Area 1b – 450 and 700 m²

Activity Area 1c – 700 m² minimum, no maximum

4.10.2 Discussion

David Kubrycht [25/5/3] opposes these provisions as being inconsistent with the character of Kingston township and unnecessary as the community does not require affordable housing or small sections which will become tomorrow's slums. Kingston Village Limited (25/5/3/1) oppose this on the basis that the adoption of a variety of densities provides a more sustainable form of growth development that provides for long term growth in Kingston and the plan change provides a number of mechanisms to create a character compatible with the existing township including: limitations on building coverage and dwellings per site, the location of areas of density, high level of amenity provided by open space and internal road design and the use of design guidelines.

The original layout of Kingston township mostly dates from the original survey in 1863, which established the regular street layout and relatively small 'tent site'

standard sections (455 m²). Many of the original sections have been amalgamated into the larger allotments which are more prevalent today.

The Section 32 Report tested four options for delivering township amenity and built character in the context of the plan change.¹⁸ Section 9.1.1 of the report considered the effectiveness and appropriateness of applying the standards of the Township Zone to the plan change area and Section 9.1.3 considered the preferred option of providing a range of section sizes corresponding to different Activity Areas with increasing building coverage within smaller section sizes. This approach was strongly supported by the urban design analysis.

This analysis indicates that although maintaining a similar regime of section size to the existing township would be effective in creating a more consistent character of section sizes between the plan change area and the township this is unlikely to achieve a similar character in built form. Further this would not be effective in achieving the diversity of sections or built form that the urban design study indicated was appropriate. It is likely that a relatively low density form of development would be the result with limited opportunity for a range of affordable housing solutions. This approach also raised concerns about the ability of this low density of development to create a critical mass for reticulation of services and may require a reduction in the provision of open space.

The master plan has tried to balance the effects on the character of the existing township by locating the lower density residential sites which are closer in size to the existing township around the periphery of the plan change area. The master plan has also located areas of higher residential density around areas of open space to maintain a sense of open character. The provisions of these areas also seek to maintain a sense of openness and informal character with building coverage controls seeking to limit the scale of building and create diversity within residential Activity Areas. In particular the lower building coverage proposed for Activity Area 1c seeks to create a reduced dominance of built forms and areas of open space around each dwelling that reflects the openness and informality of the 'crib' or 'bach' character of the existing township.

The incorporation of higher density areas also assists in creating a more compact and walkable development and enables the preservation of greater area for open space. The scale and character of streets also contributes to the sense of spaciousness in areas where density has been increased, with the inclusion of street planting and swales creating a more open and informal street environment.

Providing a diversity of housing choices helps create affordable housing options that reflect different individual circumstances and requirements. Council has recognised housing affordability as a district wide issue and identified a number of mechanisms to address this, including the provision of greater density in appropriate areas, seeking developer contributions and also regulating to provide affordable housing. Diversity of section sizes can also help the market respond to specific preferences, such as those of elderly people wishing to remain in the area but who no longer desire, or struggle to maintain larger sections.

4.10.3 Recommendation

It is recommended that the submission by **David Kubrycht** [25/5/3] be rejected and the submission by **Kingston Village Limited** (25/5/3/1) be accepted.

¹⁸ Plan Change 25 Section 32 Report, Section 9.1

4.10.4 Reasons

1. Providing the range of site sizes and coverage is supported by the section 32 analysis and urban design advice underpinning the plan change.
2. Providing for a range of different site sizes than are typical in the existing township is an important means of using the land resource efficiently and provides alternative options for the different requirements and preferences of sectors of society and the future population of Kingston.
3. The master planned design of the structure plan results in areas of higher density around areas of open space and provides amenity through wider streets utilising swales and planting to help maintain a sense of spaciousness within the plan change area.
4. In balance providing a range of section sizes and coverage better achieves to overall objectives of the plan change than extending the existing density provisions of the Township zone into the plan change area.

4.11 Adequacy of water supply for fire fighting

NZFS [25/ 7/ 1] seeks to ensure there is adequate water supply provided to the rezoned land that meets the provisions of New Zealand Standard PAS 4509:2008 New Zealand Fire Service firefighting water supplies code of practice. The NZFS would prefer this supply to be able to meet the FW3 classification under the Code of Practice.

Kingston Village Limited (25/7/1/1) submits to clarify the points raised in this submission.

NZFS [25/ 7/ 2] seeks that the Council ensure there are provisions with the plan change requiring compliance with the Code of Practice for any new developments proposed in the plan change area.

Kingston Village Limited (25/7/2/1) submits to clarify the points raised in this submission.

NZFS [25/ 7/ 3] seeks that the Council make some reference within the plan change to the importance and value of sprinklers in the plan change area, for both residential and commercial developments

Kingston Village Limited (25/7/3/1) submits to clarify the points raised in this submission.

4.11.1 Explanation

The **NZFS** [25/ 7/ 1] note that the plan change material makes reference to an outdated New Zealand Standard for the supply of water for fire fighting and request that the most recent standard is adopted. The classification FW3 relates to the supply capacity required under the Code of Practice for particular types of developments. This means that any new developments in the plan change area need to be designed so they fit within the restrictions of a FW3 supply. This may mean design modifications such as the fitting of sprinklers or the reduction of fire cell size or fire loading to ensure they meet the limitations of the supply.

NZFS [25/ 7/ 2] and [25/ 7/ 3] seek that provisions requiring compliance with the Code of Practice are included within the plan change and, while acknowledging that the Council cannot require the installation of sprinklers through the plan change, seek that guidance on the use of sprinklers for residential and commercial buildings is provided.

Kingston Village Limited (25/7/1/1) note that the revised Code of Practice (SNZ PAS 4509:2008) will be met for this development. The FW3 classification for the reticulated supply in general is due to the potential presence of commercial buildings. Kingston Village Limited acknowledges the value of communicating information about the value of sprinklers. Note the submission originally lodged by the submitter stated FW2 classification would be used in the plan change area. Subsequently the submitter identified this as a typing error and FW3 was the correct classification that would be applied.

4.11.2 Discussion

The Infrastructure report accompanying the plan change refers to the 2003 New Zealand Standard for the New Zealand Fire Service firefighting water supplies code of practice, however, the classification used (W4) is the equivalent of that used in the most recent 2008 version (FW3). This equivalent standard (FW3) has been adopted for the development area because of the potential presence of commercial buildings in Activity Area 2 (Employment).

The District Plan does not make specific reference to the New Zealand Standard for firefighting water supplies code of practice; however, Section 15 Subdivision of the District Plan makes the supply of water for firefighting purposes a Controlled Subdivision Activity (Rule 15.2.11.1). The associated assessment matters for resource consent include:

15.2.11.4(v) The suitability of the proposed water supply for firefighting purposes having regard to the density and nature of development anticipated and the availability of a public reticulated water supply system.

These provisions enable assessment of the infrastructure provided at subdivision stage against the relevant standard.

As acknowledged by the NZFS, the plan change cannot require the installation of sprinklers within the District Plan. Due to the functional nature of the District Plan as a regulatory document the inclusion of advice on the use of sprinklers is likely to be overlooked and therefore ineffective. An alternative location for this information is within either or both the design and subdivision guidelines accompanying the plan change.

4.11.3 Recommendation

It is recommended that the submissions by **NZFS** [25/ 7/ 1] and [25/ 7/ 2] be accepted and the further submissions by **Kingston Village Limited** (25/7/1/1) and (25/7/2/1) be noted.

It is recommended that the submission by **NZFS** [25/ 7/ 3] be accepted in part and the further submission by **Kingston Village Limited** (25/7/3/1) be noted and the design and subdivision guidelines accompanying the plan change be modified to make reference to the benefits of installing sprinklers at building stage given the distance of the township from a fire fighting force equipped to fight a fire in a significant structure.

4.11.4 Reasons

1. The infrastructural design for the plan change area meets the requirements of the relevant New Zealand standard for fire fighting water supply.
2. Existing provisions in District Plan Section 15 – Subdivision include control over subdivision in terms of the adequacy of provision of water for fire fighting purposes and assessment matters. Although these provisions do not reference the specific standard they would generally be assessed against these standards and the lack of a specific reference to an outdated standard enables the new standard to be adopted more readily.
3. Council recognises the value and importance of providing sprinklers particularly in an area with a lower level of fire fighting response but considered reference to this within the plan change will not be effective in providing information to the public on this matter. However, the design and subdivision guidelines for the plan change area provide a more appropriate vehicle in which to deliver this information.

4.12 Effects on the sustainability of the land transport system

NZTA [25/9/1] seek that the proposed plan change be withdrawn or rejected in its entirety.

Kingston Village Limited (25/9/1/1) oppose the submission of the NZTA.

4.12.1 Explanation

The NZTA administer the state highway network and consider the proposed plan change will adversely affect the sustainability of this part of the state highway network. Clarification was sought from NZTA to better understand the rationale behind this submission.

The Section 32 Report accompanying the plan change was prepared through consultation with relevant parties, including NZTA, and includes a Transportation Assessment by TDG which considers the effects on SH6 and the wider transportation network.¹⁹ Supplementary commentary on the submission by NZTA has been provided by TDG and is included in Appendix 2 of this report.

4.12.2 Discussion

NZTA [25/9/1] consider that the plan change does not represent the most appropriate way to achieve the overall purpose of the RMA 1991, nor the most efficient or effective way of providing for residential and associated activities. NZTA consider the proposal has failed to consider the State Highway (SH) as a physical resource in its assessment under the RMA 1991 and the plan change will have a significant adverse effect on the overall safety, functionality and sustainability of SH6 between Kingston and Queenstown.

NZTA express concern regarding the limited opportunities to provide more road capacity on this route which is a component of the premier tourist route in the South Island and the need to consider more sustainable travel behaviours to avoid an inefficient transportation system.

¹⁹ Plan Change 25 Section 32 Report – Appendix 2.5: Transport Assessment

Kingston Village Limited oppose the submission by NZTA.

Appropriate, Efficient or Effective in the context of the RMA 1991

Section 2.1 of this report identifies the relatively broad range of different resource management issues and objectives that guided the initial investigation and development of this plan change. These issues and objectives were refined through detailed technical studies which helped inform the Section 32 analysis and plan change development. This process is articulated in the Section 32 Report accompanying the plan change.

The Section 32 Report provides a detailed consideration of whether the objectives of the plan change are the most appropriate way to achieve the overall purpose of the RMA 1991,²⁰ and whether the policies and methods adopted are the most efficient and effective means to achieve the objectives of the plan change based on the technical reports undertaken as part of the investigations into the plan change.²¹ It is noted that, although a transport assessment was part of this process and considered transport issues at both the micro and macro scale, the analysis undertaken through the plan change and the assessment of the appropriateness of the plan change considers a far wider range of resource management issues and objectives than the sustainability of the state highway system. The Section 32 Report concludes:

This Section 32 analysis has provided a detailed assessment of Plan Change 25: Kingston Village Special Zone. Through assessing the plan change in regard to relevant statutory and non-statutory documents, feedback from public consultation, and findings and recommendations of technical reports, the assessment finds that the most appropriate way of achieving the purpose of the Act is to adopt the Kingston Special Zone.

The objectives, policies and methods proposed for the Special Zone are the most appropriate way of achieving the purpose of the Act.²²

Self Sufficiency of Kingston

Within the Queenstown Lakes District the small communities form part of a historical settlement pattern that contributes to the social and economic vitality of the area. Like small communities nationally, the self sufficiency of small communities within the district is a matter of degree and needs to be considered in the wider context in which they are located.

The current plan change to provide for the growth of Kingston has not been considered in isolation from growth occurring throughout the Queenstown Lakes District but has been informed and guided by the strategies developed through the Council's Growth Management Strategy (GMS). The strategy of the GMS is that the majority of growth in the District will occur within the two main centres of Queenstown and Wanaka, however it recognises the need for and encourages the growth of the smaller communities, like Kingston, to support local employment and services. Key strategies of the GMS have been identified in Section 4.7 of this report, but of particular relevance to this submission are strategies:

1d Growth of the smaller outer lying towns (such as Hawea, Hawea Flat, Luggate, Glenorchy, Kingston, Makarora, and Cardrona) is to be encouraged to a point where critical mass for affordable servicing is reached and an appropriate range of local services and employment can be supported.

²⁰ Plan Change 25 Section 32 Report, Section 7

²¹ Plan Change 25 Section 32 Report, Section 8 & 9

²² Plan Change 25 Section 32 Report, Page 115

2a *All settlements are to have strong centres that are community hubs, with a clustering of retail, business, public transport, and community services.*

Currently the limited availability of local employment tends to push Kingston into the role of a commuter suburb for Queenstown. Although it is anticipated that Kingston will remain reliant upon larger centres in the District to some extent, the plan change will increase the degree to which it is self sufficient, with a corresponding reduction in the need for travel. The strategies of the GMS were carried into the plan change, which seeks to accomplish them through a number of mechanisms including; by providing an area of dedicated employment zoning, by providing for future infrastructure and through the provision of other community services, such as a school. Increasing access to employment opportunities and social services at a local level reduces dependence on the larger centres and consequently reduces travel demand on the wider network.

Sustainable Travel Behaviour

The NZTA submission comments on the need to consider more sustainable methods of travel behaviour. The approach adopted by the Transport Assessment of utilising a worse case growth scenario is effective in terms of identifying potential impacts on the network but does not represent the desired situation in terms of travel behaviour.

Encouraging more sustainable methods of travel behaviour can take a number of forms, including discouraging a pattern of settlement design overly reliant upon vehicular travel and encouraging more sustainable forms in which travel occurs.

As noted above, the plan change will enable Kingston to become a more viable local settlement, through the provision of employment opportunities and local services, which in turn act to reduce the need for travel beyond Kingston. The structure plan for the plan change area has been designed to create a compact settlement that encourages walking and cycling within the plan change area through roading design and layout.

In addition to reducing travel demand by providing local employment and services, the plan change may assist in encouraging more sustainable methods of travel behaviour through the use of more sustainable modes of transport. It can be reasonably expected that the distance between Kingston and Queenstown may act to promote more sustainable travel behaviour, resulting in a greater level of trip planning and relatively fewer trips than in comparison with residents living closer to Queenstown, with outcomes including:

- A higher level of multi-purpose trips reducing the overall number of trips,
- A higher car occupancy through ride sharing, and
- Higher than average use of public transport if available.²³

These responses will continue to act to mitigate potential effects on SH6 both prior to and after the provision of any passenger transport to Kingston. The provision of passenger transport to Kingston is relatively unlikely in the short term due to the low population of the township, however, over the period in which the plan change is anticipated to reach capacity potential passenger numbers may be sufficient to warrant the provision of passenger services during peak periods.

²³ Supplementary report on submission from NZTA by Traffic Design Group, Appendix 2

Capacity of SH6

The Section 32 analysis of the plan change is both based on and supported by the accompanying technical documents, including the Transportation Assessment by TDG which considered the effects of the plan change on SH6. This assessment considered the overall capacity of the state highway and the effects of additional capacity on the safety of the existing and proposed intersection with SH6.

The Otago Regional Land Transport Strategy (ORLTS) provides guidelines on the appropriate level of service (LOS) on the different portions of the roading network. State Highway 6 between Kingston and Queenstown is classified as 'strategic urban road network outside urban areas' in the ORLTS. The Transportation Assessment accompanying the Section 32 Report indicates that using worse case projections of growth in demand on the network the peak volume of traffic on SH6 will remain within the service levels required by the ORLTS and states:

"Overall the conclusion of the analysis of external traffic volumes generated by the potential plan change can be accommodated by the existing form of SH6 in the vicinity of Kingston whilst retaining the envisaged level of service for this type of strategic road."²⁴

On this basis it has been concluded that, although the plan change would have the effect of increasing traffic on SH6, this will be within the capacity anticipated for this level of roading and will not be reliant upon significant upgrades to this road.

The Section 32 Report indicates that the proposed plan change provides significant additional capacity for Kingston and even with a relatively aggressive growth scenario the ultimate capacity of the area is unlikely to be reached within 30 years.²⁵ Given the long development period anticipated for this growth it is not unreasonable to assume that further improvements to SH6, such as road widening, safety barriers and passing opportunities will become justifiable between Kingston and Queenstown. As a consequence of the funding rationale for roading improvements it is more likely that such improvements will occur if the level of traffic on SH6 increases.

4.12.3 Recommendation

It is recommended that the submission by **NZTA** [25/9/1] be rejected and the further submission by **Kingston Village Limited** (25/9/1/1) be accepted.

4.12.4 Reasons

1. The plan change has been subject to a rigorous section 32 analysis as required by the RMA 1991. This process considered the sustainability of the transportation network, however, this is only one of a number of different objectives considered through the plan change assessment and must be considered holistically in this context.
2. The growth associated with the plan change has not been considered in isolation but in the context of and is consistent with the direction of the Council's district wide Growth Management Strategy.
3. The Transport Assessment accompanying the Section 32 Report indicates that the proposed growth in traffic demand resulting from the plan change will not result in traffic safety issues or exceed the levels of service anticipated for SH6

²⁴ Plan Change 25 Section 32 Report – Appendix 2.5: Transport Assessment, Page 45.

²⁵ Plan Change 25 Section 32 Report – Appendix 2.10: Kingston Township Population Projections

between Kingston and Queenstown. NZTA have not provided any evidence to the contrary to this report to support their submission.

4.13 Natural hazards

The **Otago Regional Council** [25/ 10/ 1] partially supports the plan change conditional on adoption of the following options:

(a) that the Activity Area 1B (Medium Density Residential) and the visitor Accommodation Precinct adjacent to the northern end of the deflector bund be replaced with Activity Area 2 (Employment); or

(b) Should it be decided that these sub-zones are appropriate at this location, that Queenstown Lakes District Council be satisfied with the design standards and specifications of the proposed mitigation measures; and

(c) A setback from the deflector bund, similar to that for Activity Area 2 (Employment), is imposed to Activity Area 1B (Medium Density Residential) and the visitor Accommodation Precinct adjacent to the northern end of the deflector bund.

The further submission by **Kingston Village Limited** (25/ 10/ 1) opposes the submission by the Otago Regional Council in relation to the relief sought.

4.13.1 Explanation

Otago Regional Council [25/ 10/ 1] indicates general support for the intent of the proposed plan change and stormwater management principles proposed. However this support is conditional on the adoption of the proposed relief in relation to natural hazard issues.

The submission by the Otago Regional Council also comments on issues including effluent disposal, water supply, transport and Otago Regional Council consent requirements, but does not seek relief in relation to these matters. Consequently these matters are discussed for the purposes of clarification only.

Kingston Village Limited (25/ 10/ 1) oppose in part the relief sought by the Otago Regional Council and provides comment on other matters raised.

4.13.2 Discussion

Natural Hazards

The western most extent of the plan change area has been identified as being subject to a natural hazard from rock fall run out from the steep mountain slopes above. **Otago Regional Council** [25/ 10/ 1] identify concerns regarding the location of areas of medium density residential (Activity Area 1B) and higher density residential with a visitor accommodation precinct (Activity Area 1A) adjacent to the northern end of the proposed deflector bund intended to protect against rock fall/ debris flow type hazards (Figure 4 below). Concerns identified by the Otago Regional Council include the shorter run out zones between the areas of potential rock fall and the northern areas of the proposed deflector bund and the lack of an identified setback from the deflector bund in the two areas identified. This is identified as a low probability high consequence hazard. The assessment of geotechnical hazards as part of the plan

change identified the risk recognised of rock fall or debris flow affecting the site as 'unlikely' to 'rare', although acknowledging should such an event occur the consequences to buildings would be 'medium' to 'major', but to people would be 'catastrophic'.²⁶ The relief sought by the Regional Council is the replacement of the proposed activity areas with Activity Area 2 (Employment), or that the Council be satisfied that the design standards and specifications of the proposed mitigation measures and that a similar level of setback from the deflector bund be applied to these areas as is applied to Activity Area 2 (Employment).

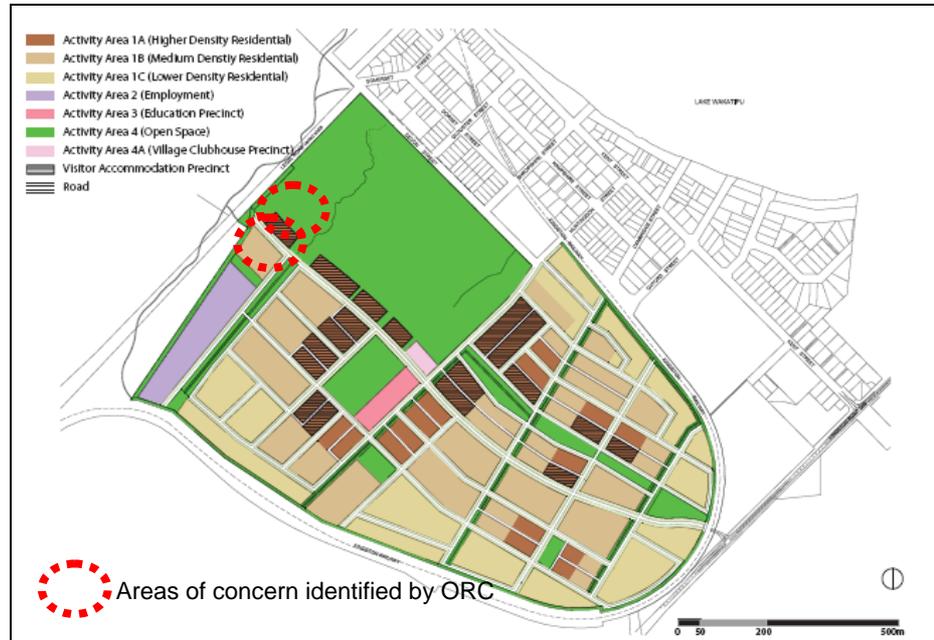


Figure 4: Areas identified in relation to ORC submission on natural hazards

Kingston Village Limited (25/ 10/ 1) oppose in part the relief sought by the Otago Regional Council. An assessment of potential hazards accompanies the Section 32 Report to the plan change.²⁷ A supplementary report was also sought from Aurecon on the specific matters raised in this submission and options to achieve the relief sought.²⁸ This report specified a number of measures to reduce the probability of an event occurring and further reduce the consequence of any hazard event to protect residential development in these areas. These measures would be further refined through the detailed design and specification process at the consent stage. These measures include:

- Deflector bund design to ensure stability in the event of potential concentrated flow events, rock falls and debris flows.
- Design of the deflector bund within the employment area will include secondary flow path to the east of the bund and towards the adjacent road reserve and stream channel.
- The deflector bund adjacent to residential areas will be designed to a higher safety factor than elsewhere, reflecting the higher risk hazard potential that would result from failure or overtopping of the deflector bund. This would be achieved by providing additional scour protection and increased freeboard.

²⁶ Plan Change 25 Section 32 Report - Appendix 2.11: Geotechnical and Contamination Hazards Appraisal, Page 5.

²⁷ Plan Change 25 Section 32 Report - Appendix 2.11: Geotechnical and Contamination Hazards Appraisal.

²⁸ Supplementary report on submissions from ORC by Aurecon, Appendix 3

- The residential areas immediately to the east of the bund will be designed with secondary flow paths towards the road reserve.

This report concludes that with these measures there is no need to rezone the proposed residential areas identified to employment and these design standards and specifications should satisfy the Council. This report also notes that design standards and specifications can address the concerns raised by the Otago Regional Council and are controlled at the resource consent stage at which time the regional council can have further input.

Otago Regional Council Consent Requirements

The Otago Regional Council note that consents will be required from the Regional Council in relation to the defence against water works and proposed deflector bund. Kingston Village Limited acknowledges these requirements.

Effluent Disposal and Water Supply

The Otago Regional Council note the potential location of the water supply system, waste water treatment system and disposal field as identified in the technical reports accompanying the plan change are on an active alluvial fan. The submission notes this is not detrimental to the plan change as notified but full site specific investigation will be required at the time of applications for water take and waste water disposal to the Otago Regional Council. The further submission by **Kingston Village Limited (25/ 10/ 1)** acknowledges the consideration of hazard assessment and potential mitigation measures will be required before the detailed design stage or lodgement of any applications for water take or wastewater disposal.

Transport

The Otago Regional Council support the opportunity for walking and cycling created by open space but seek to ensure the street layout does not exclude passenger transport and creates opportunities for non-vehicular transport.

The design of streets associated with the roading hierarchy plan is identified in the urban design master plan accompanying the Section 32 Report.²⁹ The streets and roads within the plan change area are intended to be multipurpose and accommodate all users including pedestrians, cyclists and motorists. These designs also include identified footpaths.

The potential future provision of passenger transport is in the Section 32 Report, which indicates that both the Greenway and Kent Street could accommodate the design requirements of a bus.³⁰

4.13.3 Recommendation

1. It is recommended that the submission by **Otago Regional Council [25/10/1]** be accepted in part and the further submission by **Kingston Village Limited (25/10/1/1)** be accepted.

²⁹ Plan Change 25 Section 32 Report - Appendix 2.3: Urban Design Master Plan Report, Section 7

³⁰ Plan Change 25 Section 32 Report – Appendix 2.5: Transport Assessment

4.13.4 Reasons

1. The location of the residential zones identified in the submission are considered generally appropriate subject to adequate mitigation of the potential hazards. The geotechnical and hazard assessment undertaken as part of the section 32 assessment and the subsequent report by Aurecon identified the potential hazards on the western boundary of the plan change area and proposed engineering solutions including a deflector bund. Aurecon propose some additional modifications of these mitigation measures to address the concerns identified through the submission of the Otago Regional Council.
2. The design standards and specifications for the identified mitigation measures will be further tested at the consent stage, which will enable further input from the Otago Regional Council to ensure design specifications adopted are appropriate to address the most recent hazard information.
3. The additional matters raised by the Otago Regional Council are noted.

4.14 Public Health South

The initial submission of Public Health South (PHS) was unclear in terms of the relief or changes sought by way of the submission and clarification was sought from the submitter. PHS provided clarification of their submission which indicates partial support of the plan change, seeking a number of amendments which are considered in the following sections.

As the submission from **PHS** [25/ 11/ 1] indicates general support of the plan change but seeks a number of amendments it is considered to be a submission in partial support of the plan change.

The further submission by **Kingston Village Limited** (25/11/1) was neutral on this submission.

4.14.1 Explanation

None required.

4.14.2 Discussion

PHS has previously identified public health concerns regarding the lack of reticulated infrastructure in a number of the small communities in the Queenstown Lakes District including Kingston. As a consequence PHS are generally supportive of the plan change but seek a number of amendments to achieve other public health benefits (see Sections 4.15 - 4.19 below).

The further submission by **Kingston Village Limited** provides clarification of a number of points raised by PHS.

4.14.3 Recommendation

1. It is recommended that the submission from **PHS** [25/ 11/ 1] be accepted and the further submission by **Kingston Village Limited** (25/11/1/1) be noted.

4.14.4 Reasons

1. This part of the submission is in support of the plan change and does not seek any amendment.

4.15 Lighting and access for Activity Area 4

PHS [25/ 11/ 2] partially supports Objective 1: Activity Area 4 but seek that it includes and ensures that this area is designed to provide safety, enjoyment and accessibility for all people (i.e. Ensure that people feel safe through adequate lighting and it is easy for less mobile people to get into these areas).

The further submission by **Kingston Village Limited** (25/11/2/1) was neutral on the submission by PHS in general and made no direct comment on this matter.

4.15.1 Explanation

The submission from PHS indicates general support for the provision of Activity Area 4 (Open Space) as established by Objective 1 of the plan change but raises issues relating to design for access and lighting.

4.15.2 Discussion

The District Plan and any subsequent plan changes are developed under the RMA 1991. The purpose of the RMA 1991 is to ensure that natural and physical resources are sustainably managed for present and future generations. The RMA 1991 requires the Council to develop a District Plan to regulate the use and development of land in the Queenstown Lakes District. The regulatory scope of the District Plan is limited to that provided by the RMA, namely the sustainable management of natural and physical resources. The Council also provides direction and regulates on matters outside the limitations of the RMA 1991 through legislation such as the Local Government Act 2002 (LGA 2002), national standards and other legislation.

The objectives and policies within the plan change provide strategic direction and justification for aspects of the regulatory regime established in the plan change area as imposed through the District Plan, including the use and design of the proposed structure plan. Objective 1: Spatial Planning and Design is as follows:

The Kingston Village Special Zone is developed comprehensively, providing a range of activities in a form and location that achieves a legible, safe and attractive living environment.

The Kingston Village Special Zone is developed in stages so that amenity values are maintained as the development progresses.

This objective describes the overarching approach adopted in this plan change and establishes the comprehensive development approach proposed and the use of staging to achieve this development. This objective is achieved through the accompanying policies and includes an explanation of the structure plan and different Activity Areas within the structure plan. Activity Area 4 (Open Space) includes all areas of open space within the plan change area. These open spaces range from the golf course and playing fields to pocket parks and linear walkways and greenways.

Decisions on detailed design matters such as the level of access to be provided, the nature of tracks and degree of lighting to be provided is dependent upon the nature and purpose of different parks within the plan change area. The provision of detailed

design guidance on issues such as access and lighting are not included within the District Plan and as such are outside the scope of the plan change as notified.

4.15.3 Recommendation

1. It is recommended that the submission from **PHS [25/ 11/ 2]** be rejected and the further submission by **Kingston Village Limited (25/11/2/1)** be noted.

4.15.4 Reasons

1. The relief sought is outside the scope of the plan change and better achieved through submissions on consultation about park design in the plan change area and through submissions seeking funding for the provision of lighting through the Council Community Plan process.

4.16 Provision of walkways and cycleways

PHS [25/ 11/ 3] Objective 4.1: Cycle/Walkways. PHS support the provision of footpaths for pedestrians/cyclists but have a concern about walkways safety and seek that the major pathways have winter conditions, accessibility for all and lighting taken into consideration.

The further submission by **Kingston Village Limited (25/11/3/1)** was neutral on the submission by PHS in general and made no direct comment on this matter.

4.16.1 Explanation

Objective 4 of the plan change addresses transport safety and access within the plan change area. Policy 4.1 is as follows:

- 4.1 To achieve a road network consistent with the Kingston Village Structure Plan, that:*
- *Respects and connects to the grid pattern of the existing Kingston Township.*
 - *Provides visual linkage along the road corridors; east-west providing visual linkage to the surrounding mountains, and north-south providing visual linkage to the Lake.*
 - *Provides a safe and efficient access point to the Zone from State Highway 6.*
 - *Provides safe and efficient access across the Kingston Flyer Railway line.*
 - *Provides walking and cycling opportunities.*
 - *Achieves a well connected street network that is easy to comprehend, is continuous and avoids cul-de-sacs.*

This objective and policy establishes the walking and cycling network as an important component in the structure plan for the plan change area and to ensure its consideration and retention through the subdivision and development process.

4.16.2 Discussion

As noted in Section 4.15.2 of this report, while elements of the plan change may be developed for appropriate resource management reasons, more detailed decisions around the implementation of those elements are a matter for consideration under other legislation and may be more appropriately handled at the time of detailed design. Issues such as walkway design and lighting are addressed by Council design

standards for parks and generally evolve in response to levels of community use and demand.

4.16.3 Recommendation

1. It is recommended that the submission from **PHS** [25/ 11/ 3] be rejected and the further submission by **Kingston Village Limited** (25/11/3/1) be noted.

4.16.4 Reasons

1. The relief sought is outside the scope of the plan change.

4.17 Provision of shading for open spaces

PHS [25/ 11/ 4] partially supports the statements in the plan change stating “Ensure open spaces are designed to have good solar access and protection from the wind” but seek that the plan change should make a clear statement about solar protection as well as access and provide a mixture of shade and availability for sunlight.

The further submission by **Kingston Village Limited** (25/11/4/1) was neutral on this submission.

4.17.1 Explanation

The text of the plan change as notified is silent on ensuring open spaces are designed to have good solar access and protection from the wind, however this is stated as one of the guiding principles behind the development of the open space regime included in the structure plan accompanying the plan change.³¹

4.17.2 Discussion

The provision of good solar access to open spaces provided in the plan change area through the master plan was a response to detailed site analysis and consideration of the needs of the community.

Due to the winter shading caused by the proximity and dominance of the Eyre Mountains, providing outdoor areas with solar access was considered especially important. This is particularly relevant where these open areas are considered to contribute to the outdoor amenity of higher density areas. However, as noted above, although the plan change and structure plan identify the areas for open space these areas are still subject to some modification through the development of the plan change area and detailed design and layout of these open space areas will not occur until the appropriate stage of the development.

The nature of the design of these open space areas will require consideration of a number of local factors including the expressed preference of the local community for deciduous trees due to concerns about winter shading.

As the reference stated in this submission is outside the plan change text no clear change to the plan change itself can be identified.

³¹ Plan Change 25 Section 32 Report - Appendix 2.3: Urban Design Master Plan Report, Section 4

4.17.3 Recommendation

1. It is recommended that the submission from **PHS** [25/ 11/ 4] be rejected and the further submission by **Kingston Village Limited** (25/11/4/1) be noted.

4.17.4 Reasons

1. The relief sought is outside the scope of the plan change.

4.18 Health Impact Assessment

PHS [25/ 11/ 5] submit that the Council should undertake a Health Impact Assessment (HIA) to find the impact of the plan change on the health and well being of the current and future population.

The further submission by **Kingston Village Limited** (25/11/5/1) was neutral on this submission.

4.18.1 Explanation

A HIA is an assessment tool to consider the potential impacts of a project on the health and wellbeing of a population. This has a more specific health related focus than the section 32 assessment that is statutorily required as part of the plan change process and may consider outcomes outside the parameters of the RMA 1991.

4.18.2 Discussion

Community and environmental health was a key driver in initiating the plan change at this time due to the potential adverse health risks associated with the lack of water and wastewater infrastructure. The legislative and policy documents driving the Section 32 assessment of the proposed plan change include consideration of health as an issue. A key matter for consideration in the Section 32 assessment which accompanies the plan change is Section 5 of the RMA 1991, which refers to "avoiding, remedying or mitigating any adverse effects of activities on the environment" which is often taken to be the authority for carrying out impact assessment under the RMA. This section considers the likely implication of proposed activities in order to ensure that the needs of future generations are considered, natural systems are not unduly compromised, and that the ability of local communities to meet their own needs are taken into account. Health may be considered as an integral part of the well being of local communities, hence the assessment of health issues has been included as part of the Section 32 assessment. In addition the Regional Policy Statement and Council Community Plan also require consideration of the health of the community.

Although health issues have been considered in the plan change process, undertaking a HIA may be of additional benefit in considering health impacts under other legislation or psycho-social impacts that are rarely considered under such policy documents which may give rise to additional recommendations that are outside the scope of the resource management process.

4.18.3 Recommendation

1. It is recommended that the submission from **PHS** [25/ 11/ 5] be rejected and the further submission by **Kingston Village Limited** (25/11/5/1) be noted.

4.18.4 Reasons

1. The Section 32 assessment undertaken as part of the plan change has met the requirements of the RMA 1991 in terms of considering the health impacts under that legislation.

4.19 Registration of drinking water supply

PHS [25/ 11/ 6] Objective 3: Water. PHS support the provision of reticulated water and seek that the supply be registered under the Drinking Water Amendment Act 2007.

The further submission by **Kingston Village Limited** (25/11/6/1) was neutral on this submission noting that the Health (Drinking Water) Amendment Act 2007 will be met by the development as stated in the infrastructure report accompanying the Section 32 Report.

4.19.1 Explanation

Drinking water standards specify maximum acceptable values for the microbial, chemical and radiological determinants of public health significance in drinking-water and also provide compliance criteria and procedures for verifying that the water supply is not exceeding these values.

4.19.2 Discussion

The main obligation imposed under the amended 2007 Health (Drinking Water) Amendment Act applies to suppliers above a certain size and includes the obligations to:

- take all practicable steps to comply with the (previously voluntary) drinking water standards, and
- introduce and implement public health risk management plans for the water supply (if serving more than 500 people);

The proposed system meets the threshold size established requiring compliance with the standard established by the Health (Drinking Water) Amendment Act 2007.

4.19.3 Recommendation

1. It is recommended that the submission from **PHS** [25/ 11/ 6] be accepted and the further submission by **Kingston Village Limited** (25/11/6/1) be noted.

4.19.4 Reasons

1. The standard requested by the submitter is consistent with that proposed through Section 32 assessment and the plan change documentation.

4.20 Design of wastewater system

PHS [25/ 11/ 7] Objective 3: Wastewater. PHS strongly supports the provision of a reticulated wastewater system but seek the following:

- (i) That Policy 3.5 make allowances for staging the provision of infrastructure and running at full capacity for those stages.

- (ii) That a statement be included that allows for the system running under capacity (thus not efficiently) and what would be done (possibly an alarm system).
- (iii) That the water intake be located upstream and uphill of the wastewater treatment plant to avoid contamination.
- (iv) That the site for the wastewater disposal be checked to make sure it has no cultural significance and to be relocated if it does.
- (v) The disposal site should be of low use by general public
- (vi) That the visibility of the plant from the town is low.

The further submission by **Kingston Village Limited** (25/11/7/1) was neutral on this submission.

4.20.1 Explanation

PHS identify a number of design related issues associate with wastewater disposal to land including contamination with groundwater, high water table and flooding, disposal issues associated with fluctuation population levels, compaction of the disposal area and cultural issues associated with disposal. The further submission by Kingston Village Limited provided comment on the matters raised. These matters are generally design related matters that would be addressed at the time resource consent was sought to provide these facilities.

4.20.2 Discussion

(i) Staging of wastewater infrastructure

Some wastewater systems do not handle fluctuations in flow associated with short term changes in population well, which can result in temporarily poorer treatment quality. Modular wastewater systems are a relatively common solution to providing for long term growth of new areas, enabling new capacity to be provided as required. The further submission from Kingston Village Limited notes that wastewater design includes buffer tanks to manage periods of peak flow. As development to the full capacity of the plan change site is anticipated to take 25 + years both the plan change and infrastructure report indicate that staging will be a component of development of the plan change site and the wastewater system will be designed to address this.

(ii) Location of water intake

It is preferable to site the location of water sources uphill from the site of any wastewater disposal to avoid risk of contamination in the event of system failure or leakage. As the proposed source of water for the plan change area is from Lake Wakatipu it cannot be upstream from the proposed wastewater disposal area. Alternative ground water options were investigated but were found to be unsuitable for potable use. The infrastructure report accompanying the plan change notes that:

Given the proposal level of wastewater treatment and the offset distance of the proposed field (more than 400m) there are no engineering concerns with this.³²

³² Plan Change 25 Section 32 Report - Appendix 2.9: Preliminary Infrastructure Report, Page 15

(iii) Cultural significance of wastewater disposal site

The inappropriate disposal location can be culturally offensive to Iwi. Disposal to water is generally of greater concern; however disposal to land can still be offensive. Local Iwi were consulted through the plan change process to identify any areas of concern.

(iv) Use of disposal site

Over use of disposal field can result in compaction of the soil which reduces the effectiveness of in ground systems.

(v) Visibility

The proposed location for the water and waste water plant sites is within an outstanding natural landscape area and may be visible from Kingston township.

4.20.3 Recommendation

1. It is recommended that the submission from **PHS [25/ 11/ 7]** be rejected and the further submission by **Kingston Village Limited (25/11/7/1)** be noted.

4.20.4 Reasons

1. The matters raised by PHS in relation to wastewater disposal have been taken into consideration as follows:
 - (i) The specific design of the wastewater system will be subject to a separate resource consent process with the Otago Regional Council to dispose effluent to land which will consider technical aspects of systems operation.
 - (ii) The location of the water abstraction point is on the same side of the bay as the proposed wastewater disposal area, however it is located further north of any stream outlets from the disposal area (more than 400m) and is distant from the existing township and wharf. This will also be a matter for consideration at the time of resource consent for the water and waste water systems.
 - (iii) A cultural impact assessment of the proposed plan change has been undertaken by Te Ao Marama and reviewed by Kai Tahu ki Otago as part of the Section 32 assessment of the plan change. No issues were identified through this assessment.
 - (iv) The wastewater disposal site is isolated from Kingston township and the plan change area and would not be used by the general public. The use and maintenance of this area will need to be addressed in the consent for the wastewater disposal system as identified in point 2 above.
 - (v) The establishment of the water and waste water plant facilities will be subject to a separate resource consent process which will need to address, amongst other matters, the visibility and landscape effects of the buildings in the outstanding natural landscape.

4.21 Protection of Heritage

NZHPT [25/ 8/ 1] supports the plan change providing for the expansion of

Kingston to the immediate south of the township.

NZHPT [25/ 8/ 2] seeks that the heritage features identified and mapped in page 39 and 40 of the Heritage Report³³ accompanying the plan change be included in Appendix 3: Inventory of Protected Features in the District Plan.

The further submission by **Kingston Village Limited** (25/8/2/1) supports the inclusion of the identified archaeological sites to ensure they are clearly identified so they can be appropriately avoided, protected or mitigated in the future.

4.21.1 Explanation

NZHPT [25/8/1] supports the Council's position that providing for expansion to the immediate south of the existing Kingston township is the preferred means of catering for future expansion and is consistent with protecting Kingston's heritage values.

The heritage report prepared as part of the Section 32 analysis for the plan change identified a number of heritage features and archaeological sites in the Kingston area that are not currently listed in the District Plan. The submission by NZHPT [25/ 8/ 2] seeks that those sites identified as having heritage value be listed in the District Plan. This submission is supported by the further submission from Kingston Village Limited.

4.21.2 Discussion

Historical sites prior to 1900 are considered archaeological sites and receive a degree of statutory protection under the Historic Places Act 1993. Sites of historic heritage more recent than 1900 are not protected unless they are identified as of such value as to merit such protection in the District Plan. Although they have a degree of existing statutory protection, the inclusion of archaeological sites in the inventory of protected features can provide further protection by making people aware of their presence. Due to the more limited information on archaeological sites within the District fewer of these sites are listed in the District Plan. There are advantages in doing so as this increases awareness of the need to consider these sites early in the planning process.

The heritage and archaeological studies undertaken as part of the plan change process looked wider than the plan change area in their investigations. Consequently a number of the sites identified in these reports are outside the plan change area. This raises issues in terms of the inclusion of such sites in the District Plan as the owners of properties in which such sites are located may not be aware of the presence of these sites or that submissions have been made seeking the inclusion of these sites in the District Plan. This is not the case in respect of the heritage sites located within the plan change area and the property owner, Kingston Village Limited has submitted supporting the inclusion of these sites in the District Plan.

4.21.3 Recommendation

1. That the submissions of the **NZHPT** [25/8/1] is accepted in part, and the plan change is adopted as notified, subject to consequential amendments identified in this report as a result of other submissions.

³³ Plan Change 25 Section 32 Report – Appendix 2.6 Heritage Report.

2. That the submissions of the **NZHPT** [25/8/1] and the further submission of **Kingston Village Limited** (25/8/2/1) is accepted in part, and the following sites are included in District Plan Appendix 3: Inventory of Protected Features as follows:

| Ref No | Map Ref | Description | Legal Description | NZHPT Ref | Valuation Ref | NZHPT Category | QLDC Category |
|------------|-----------|-------------------------------------------------|-----------------------------------------|-----------|-------------------|----------------|---------------|
| <u>711</u> | <u>39</u> | <u>Dunlea Farmstead site, NZAA site F42/231</u> | <u>Lot 1 DP 12725</u> | | <u>2913102600</u> | | <u>3</u> |
| <u>712</u> | <u>39</u> | <u>Old Kingston School, NZAA site F42/230</u> | <u>Section 1 Blk XVI TN OF Kingston</u> | | <u>2913110500</u> | | <u>3</u> |

4.21.4 Reasons

1. Many of the heritage items identified through in the technical reports accompanying the plan change are outside the plan change area and consequently out of scope of the plan change.
2. The owners of properties in which potential heritage sites are located may not be aware of the presence of these sites or that submissions have been made seeking the inclusion of these sites in the District Plan.
3. The sites identified for inclusion in the District Plan are within the plan change area and their inclusion in the District Plan is supported by the property owner, Kingston Village Limited.
4. The other sites may be more appropriately considered for inclusion in the District Plan at the next update of Appendix 3 of the District Plan when the affected property owners can be directly consulted.

**APPENDIX 1: KINGSTON VILLAGE SPECIAL ZONE PLAN CHANGE PROVISIONS – AS
MODIFIED BY SUBMISSIONS**

APPENDIX 2: SUPPLEMENTARY COMMENTARY ON SUBMISSION FROM NZTA ON TRAFFIC SUSTAINABILITY BY TRAFFIC DESIGN GROUP

**APPENDIX 3: SUPPLEMENTARY COMMENTARY ON SUBMISSION FROM ORC ON
NATURAL HAZARDS AND INFRASTRUCTURE BY AURECON**