

Craig Barr for QLDC – Summary of Evidence, 17 May 2017

Upper Clutha Mapping – Hearing Stream 12

1. I am the author of the Strategic Overview and Common Themes, Group 1A Wanaka Urban and Lake Hāwea, Group 2 Wanaka Urban Fringe, Group 3 Rural evidence and respective rebuttals. I am also the author of the supplementary statement of evidence on dwelling capacity. This summary statement is broadly grouped into two themes, the Council's approach to zoning, and the submissions to rezone land.

Council's approach to zoning

2. Chapter 4 Urban Development sets out the objectives and policies for managing the spatial location and layout of urban development within the District. This chapter forms part of the strategic intentions of this District Plan and will guide planning and decision making for the District's major urban settlements and smaller urban townships. The chapter will apply to both Volume A and B land.¹
3. The Urban Development Chapter builds on Goal 2 of the Strategic Directions and associated policy framework, being: *The strategic and integrated management of urban growth*'. The Urban Development Chapter contains 7 objectives with associated policies. The first 3 objectives seek that urban development is integrated with infrastructure, that urban growth boundaries are established and have distinct defensible urban edges, and within the urban growth boundaries (**UGBs**) a compact and integrated urban form is encouraged that makes efficient use of infrastructure.
4. Two objectives are specific to Wanaka. Objective 4.2.8 and related policies manage the scale and location of urban growth to retain and protect the key entrances to the town, seeks to maintain a distinction between urban and rural areas, avoids the ad hoc development of rural land, and that ONF/ONLs are protected from encroachment by urban development.
5. Objective 4.2.9 and related policies seek to provide an outcome within the Wanaka UGB that supports increased density to avoid sprawling into rural areas, facilitates a diversity of housing supply, maximises the efficiency of existing

1 Referring to the two volume district plan, which will be the outcome of this plan review. Volume A land is being reviewed, Volume B land has not (although the Strategic chapters 1, 3-6 apply across both volumes).

infrastructure networks, and that rural land outside the UGB is not developed until further investigations indicate that more land is needed to meet demand.

6. The Council's amended dwelling capacity model outputs incorporating both feasibility and realisable capacity considerations, as explained by Mr Osborne, provide for an overall capacity in the Upper Clutha of 6,615 dwellings against a projected demand of approximately 5000 dwellings out to 2048. This shows that there is more than sufficient capacity for urban development available within the Upper Clutha in appropriate locations. The majority of capacity is within the Wanaka UGB² and in my view there is no need to amend the Wanaka UGB or rezone additional land for residential purposes to meet the estimated demand.³
7. In addition to the housing supply provided within the Wanaka UGB, I consider that the location and extent of the Wanaka UGB is appropriate and gives effect to the PDP Urban Development Chapter because it will ensure the character of the key entrances to Wanaka, and the distinction between urban and rural areas is retained and will provide certainty to the Council for the investment and provision of infrastructure, and promote the efficient use of this infrastructure.
8. Landscapes are a significant resource to the District and Region, and require protection from inappropriate activities that could degrade its qualities, character and values. The PDP Landscapes Chapter provides a framework that gives effect to the Strategic Directions Chapter, the Operative Otago Regional Policy Statement and sections 6(a), 6(b) and 7 of the Act. The Urban Development Chapter dovetails with the Landscape Chapter and Rural Zones by discouraging ad-hoc urban development in the Rural Zone.
9. I consider that the spatial application of zoning, and related mapping annotations gives effect to the PDP Strategic Direction Chapters by focusing urban growth within the established township and rural settlements of Luggate, Lake Hāwea and Hāwea Flat, and with the majority of growth within the Wanaka UGB. The zones within these areas provide a range of housing choices to meet the needs of the District.
10. Concentrating growth within the Wanaka UGB provides certainty to the market and certainty to the Council's engineers and asset managers as to where it will

2 Mr Osborne's summary of evidence shows the Wanaka Ward and Wanaka UGB only figures.

3 With the exception of any submission recommended to be accepted (e.g. Ranch Royale (412)).

plan and provide for infrastructure, and obtain endorsement from the Council⁴ for funding of infrastructure projects through long term and annual plan processes.

11. The Council accept a level of use, intensity and effects on its infrastructure within the Wanaka UGB commensurate to that enabled by the PDP because this is where infrastructure investment in the network will be planned, is expected to occur and will bring best value for money to the community. The Council has provided for adequate capacity of urban development within the Wanaka UGB and township settlements and any proposals to extend the Wanaka UGB, existing settlements of Luggate and Lake Hāwea or create new settlements would need to fully address the consequences of extending the Council's network and effects on the pattern of settlement contemplated by the PDP.
12. The Strategic and Urban Development Chapters seek to prevent these types of developments from occurring where they would lead to ad-hoc development and sprawl, particularly before the development capacity provided for within the Wanaka UGB is realised.
13. Related to this, I consider that the PDP is not designed to, nor should it be designed to 'leave to chance' the provision of network infrastructure associated with areas zoned for development and this is why the areas of greenfield urban development land are located within the Wanaka UGB.
14. I consider the PDP Subdivision Chapter focuses on the installation of infrastructure within the proposed development. However, it also provides policies that require consideration of effects on network infrastructure outside the development site.⁵ Overall, I consider that the PDP and in particular the Strategic and Urban Development chapters do not contemplate the creation of zoned land for resort style, residential, commercial or industrial land uses on the basis that any infrastructure installation or upgrades outside the site to the Council network would be addressed through subsequent resource consents.
15. I consider that it would be poor planning practice and would leave the District Plan at odds with Policies PA1 and PA2 of the National Policy Statement on Urban Development Capacity 2016 to allow zonings without adequate consideration and acceptance by the Council that the development could be serviced from a network capacity perspective.

4 Meaning elected representatives.

5 Subdivision Chapter Policy 27.2.5.16.

Submissions to rezone land

16. My evidence on each specific rezoning is within my evidence in chief and rebuttal and my summary cannot take you through each of those. However to assist the Panel, I summarise the approach taken to evaluate and provide an overall recommendation on the requested rezonings included synthesising the respective expert evidence for the Council and filed by submitters, and whether this would give effect to the applicable PDP zone, District Wide and Strategic Directions chapters, the Operative Otago Regional Policy Statement, and achieve Part 2 of the RMA.
17. A range of Rezoning Assessment Principles have been identified and evaluations undertaken in light of these guiding principles. These are not intended to be a replacement or surrogate for Section 32 of the Act. However, I consider the rezoning assessment principles are a useful guide as to whether the rezoning request is the most appropriate method to meet the objectives, same as the tests set out in section 32 of the Act.
18. In terms of residential, visitor accommodation and commercial activities seeking to locate within rural areas, I consider that the Rural Zone provides the most appropriate planning framework to manage the effects of activities on the District's landscape resource, and to manage potential incompatible activities. In particular, I consider that the Rural Zone and identification of the landscape boundaries, rule framework and use of the assessment matters in Part 21.7 of the PDP is the most appropriate method to ensure that the District's outstanding natural features and landscapes are protected from inappropriate development.
19. The Rural Zone framework is also considered to be the most appropriate to maintain and enhance the landscapes that are applicable to section 7 of the Act and fall under the Rural Landscape Classification.
20. One of the reasons for preferring the retention of the Rural Zone over other zones that specifically provide for residential activity in rural areas is that the application of the assessment matters will in my opinion ensure that landscapes are protected from inappropriate development and the quality and character of the rural environment is maintained and the PDP Landscape chapter is fully considered and this will ensure the Strategic Directions chapter is given effect to.

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21. Another reason why I prefer the Rural Zone is that to provide for the requested zonings, both individually and cumulatively, would result in the addition of bespoke provisions inserted into the PDP to manage what would be residential or commercial development in sensitive locations. In drafting the PDP, a concerted effort has been made to make the PDP as streamlined as possible while providing sufficient direction as to achieving the guidance for decision makers and the purpose of the Act. While this matter is likely to be a distant consideration to the submitters, I consider that it is important in terms of the ease of use for the end user and confidence in the Council to administer the District Plan.
 22. I emphasise that the Rural Zone discretionary rule framework and the assessment matters provide an appropriate framework for consents that are granted to have conditions that ensure the appropriate environmental outcomes are met.
 23. The Allenby Farms (502) submission is a case in point and I consider that this rezone request if accepted, would lead to a poor outcome in terms of planning provisions, when the more appropriate path is to apply for a discretionary activity resource consent under the Rural Zone.
 24. Several submitters have sought their land be rezoned to a zone that exists in the ODP, such as the Rural Visitor Zone. I do not consider that it is appropriate to include the Rural Visitor Zone in the PDP without a full review of the zone and its application across the Upper Clutha and wider District, without the opportunity for the Council to undertake a full review. The ODP Rural Visitor Zone in particular is inadequate in its current form, because it enables intensive development without suitable management of the effects of that development. An example being camping grounds and intensive resort development all being considered broadly as a type of rural visitor activity in terms of Chapter 12 of the ODP. In addition, I do not consider the additional site specific rules proposed by some submitters that manage the visual effects of buildings to overcome the fundamental issues with zone. However, as set out in counsel's legal submissions, that is not to say that in some instances, a Stage 2 type of zone is acknowledged to be more appropriate, and I have recommend a variation to that land through Stage 2.
 25. For these reasons I consider that the PDP's approach to zoning and mapping annotations is sound, provides adequate housing capacity for the duration of and beyond the expected life of the PDP, and that except as recommended to be accepted in my evidence in chief or rebuttal, the notified zonings are the most

appropriate to give effect to the Strategic Directions of the PDP and higher order planning instruments.

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26. As identified in my evidence in chief and rebuttal, I have concerns with the requested Glendhu Station Zone (**GSZ**) provisions in that transposing the conditions of the resource consent into District Plan provisions will shift the onus on the consent holder to administer clear but rigid conditions imposed by the Environment Court, to a set of unwieldy district plan provisions that would result in uncertainty in terms of administration and ultimately, reduce the clarity sought for the environmental outcomes in this area. I accept that the consent conditions are rigid, but cannot extend this to sympathise with the submitter because they reflect the sensitivity of the environment and the activities sought.
27. Putting aside the procedural components identified in my rebuttal evidence, I consider that in their current form, the requested GSZ provisions are also too enabling and do not provide sufficient certainty to manage activities appropriately within the ONL.
28. I maintain my view that the 2,639ha Open Space / Farm area component of the GSZ is retained as Rural Zone. In particular this would enable the ONL assessment matters to apply to this land for any discretionary or non-complying activity where landscape is at issue. I also consider that the combination of the size of the Farm Homestead activity area at 19.23ha and liberal rule framework does not provide sufficient certainty that activities provided for meet the objectives of the Strategic Directions Chapters. For example, buildings in the Farm Homestead Activity Area are a controlled activity, and the rules limiting the scale and intensity of buildings and contemplated activities limited only to rules controlling building height and limiting the footprint to 500m² where the building is within 100 metres of a road.⁶
29. I reaffirm these views in this summary, as I wish them to be taken into account, if the Panel is minded to direct some form of without prejudice conferencing on the GSZ framework.

6 Requested Glendhu Station Zone Rules 44.5.6, 44.6.8, 44.6.9.