

Section 32 Evaluation Report

Hawthenden Limited



SOUTHERN LAND

SURVEYING | PLANNING | LAND DEVELOPMENT

1. Introduction

1.1 Purpose

Hawthenden Farm comprises 229 hectares of working farm land on the fringe of urban Wanaka. The land has been farmed for over a century and is coming under increasing pressure from adjoining residential development. This report assesses the following:

- Whether the Outstanding Natural Landscape line shown on Planning Maps 18, 22 and 23, which passes through Hawthenden Farm is the most appropriate means of achieving the objectives of the Proposed District Plan; and
- Whether the zoning of the entirety of Hawthenden Farm as Rural is the most appropriate means of achieving the objectives of the Proposed District Plan, taking into consideration alternative zoning that may be appropriate.

The following evaluation has been undertaken in accordance with Section 32(1) to (4) of the Resource Management Act 1991 (RMA).

1.2 Subject Site

Hawthenden Farm is a working sheep and deer farm located at Studholme Road, approximately 2km south west of the Wanaka Town Centre. Please refer to Figure 1 below. The farm comprises 229 hectares of land held in four Computer Freehold Registers. Copies of the Computer Freehold Registers and associated plans are attached as **Appendix A** to this report.

The farm is characterised by gently sloping terraces that lie below Mount Alpha as it rises to the south west and is vegetated in pasture grasses, specimen trees and shelter belt plantings. An eroded terrace face passes through the middle of the farm, running generally south east to north west.

The farm adjoins Studholme Road, a legal road which runs from Cardrona Valley Road in the east through to Mt Aspiring Road to the north. A formed section of Studholme Road extends from Cardrona Valley Road to the boundary of the farm, at a distance of approximately 1.2km, at which point the formed road terminates while the legal road parcel continues along the north eastern boundary of the farm for approximately 1.4km. The northern end of Studholme Road (approximately 500m in length) is formed and sealed from the farm down to Mt. Aspiring Road. The northern end of Studholme Road serves existing residential development to the west and the Wanaka Kiwi Holiday Park & Motels.

An existing internal farm road connects the formed sections of Studholme Road to the north and east.

The farm includes two existing dwellings, located at the north western and south eastern ends of the farm, and a cluster of existing farm buildings located around the existing farm road at its north western end.

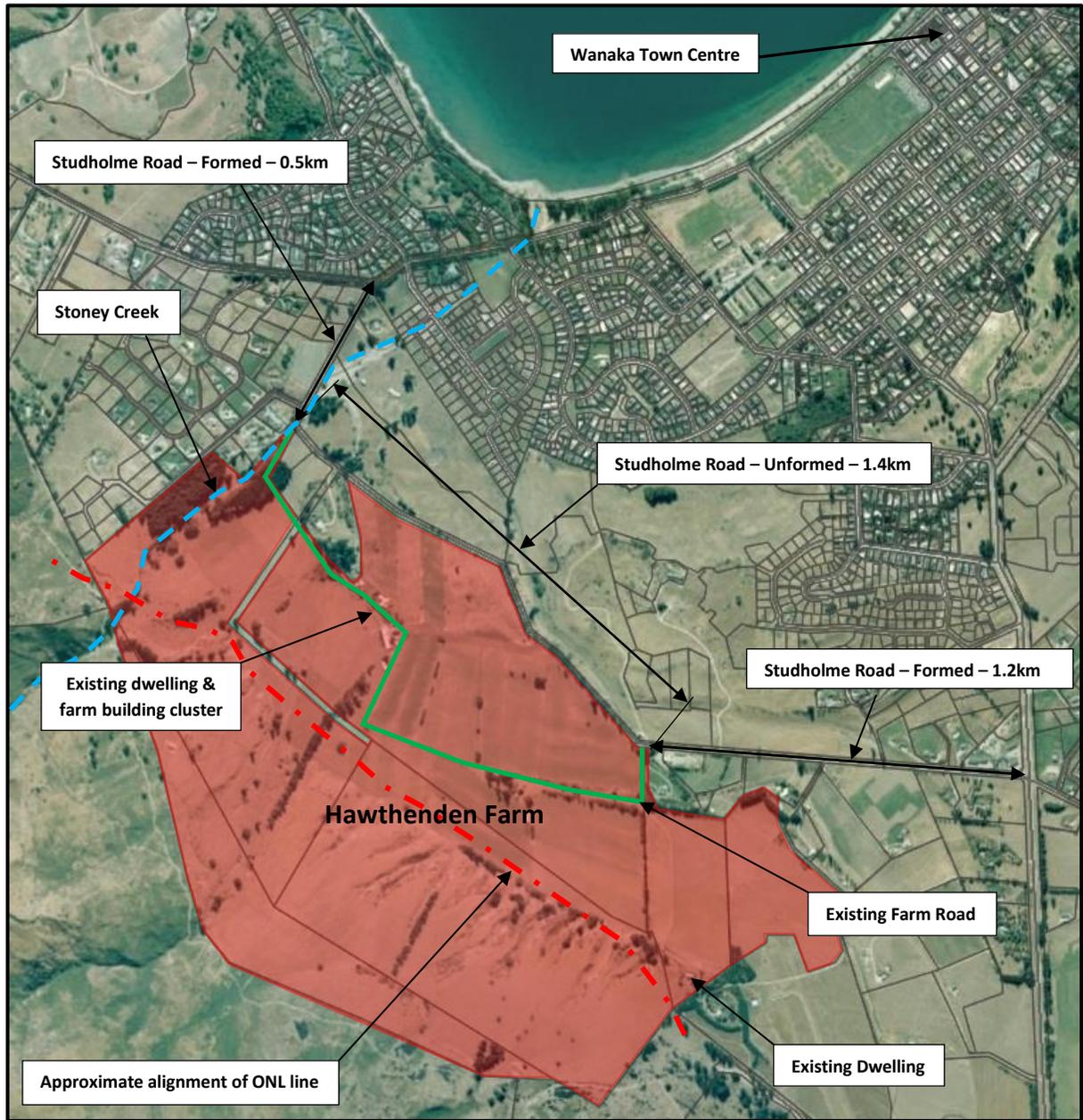


Figure 1 – Subject Site

Council's Water and Wastewater Scheme boundaries adjoin Hawthenden Farm, generally running along the alignment of Studholme Road. In addition the northern section of Studholme Road includes, according to Council's GIS, a 150mm sewer main and a 100mm water main which currently serve the Wanaka Kiwi Holiday Park & Motels.

1.3 Site History

The subject site was farmed by the Studholme Family for over a century before it was purchased by the current owner, Hawthenden Limited (Owen and Eric Hopgood), in 2003. As such the subject site has a long, and in more recent times, a complicated history including the following:

Stoney Creek Flooding

In 1999 and 2004 severe flood events occurred as Stoney Creek, which passes through Hawthenden Farm, broke its banks during extreme rainfall events and caused extensive damage to residential properties in the western parts of Wanaka and in particular those built on the Stoney Creek fan.

In response to those flood events the Otago Regional Council (ORC) has developed a concept scheme for flood protection works designed to minimise flood risks to residential properties located below Hawthenden Farm. The flood protection works, if constructed, would involve sediment traps and the widening of the creek banks on Hawthenden Farm. These works have not however progressed due to liability and maintenance issues for Hawthenden Limited associated with the works being located on their property.

Outstanding Natural Landscape

Environment Court Decision C73/2002 defined the Mount Alpha Fan as an Outstanding Natural Landscape, creating a landscape line which passes generally through the middle of the farm which, Hawthenden Limited believe, has inhibited agricultural activities on the farm including their ability to form farm tracks, carry out earthworks and construct buildings or structures within the part of the farm defined as ONL.

Encroachment of Residential Development and Reverse Sensitivity Effects

In the time that they have owned the farm Hawthenden Limited have seen Wanaka steadily grow towards the farm to the extent that typical farming activities such as aerial fertiliser drops and the keeping of animals (and in particular stags) are coming under increasing pressure from residential neighbours. In addition, with the growth of urban Wanaka, Hawthenden Limited have witnessed an increase in instances of trespass.

The Hawthenden Reservoir

Hawthenden Farm has been identified as a potential site for the Hawthenden Reservoir, a water supply project that has been mooted by Council for a number of years and which, if implemented, would improve water pressure to the western parts of the Wanaka.

Despite Hawthenden Limited being open to negotiations with Council little progress has been made in implementing the Hawthenden Reservoir project and, given that Council's preferred locations for the reservoir on the farm would not be suitable to serve potential residential development on the farm itself, little incentive has been offered to Hawthenden Limited to allow the project to occur on their property.

1.4 Consultation

No consultation has been undertaken as part of this assessment.

2. Strategic Context

Section 32(1)(a) of the Resource Management Act 1991 requires that a Section 32 evaluation report must examine the extent to which proposed objectives are the most appropriate way to achieve the purpose of the Act.

The purpose of the Act requires an integrated planning approach and direction:

5 Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

(c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The remaining provisions in Part 2 of the Act provide a framework within which objectives are required to achieve the purpose of the Act and provisions are required to achieve the relevant objectives.

3. Regional Planning Documents

The Operative Regional Policy Statement for Otago (ORPS) became operative on 1st October 1998 and provides an overview of the resource management issues facing Otago at a regional level. The RPS is currently under review and the Proposed Otago Regional Policy Statement (PRPS) was notified on 23 May 2015 with decisions on submissions being released on 1st October 2016.

Pursuant to sections 75(3) and 74(2) of the RMA a district plan prepared by a territorial authority must “*give effect to*” any regional policy statement and “*have regard to*” any proposed regional policy statement.

The ORPS contains a number of objectives and policies of relevance to this evaluation including those relating to Land, Built Environment and Natural Hazards.

In addition the PRPS contains a number of objectives and policies of relevance including those in Chapter 3 (*Otago has high quality natural resources and ecosystems*), Chapter 4 (*Communities in Otago are resilient, safe and healthy*) and Chapter 5 (*People are able to use and enjoy Otago’s natural and built environment*).

In broad terms the ORPS and PRPS promote the sustainable management of Otago’s land resource by:

- Maintaining and enhancing the primary productive capacity and life supporting capacity of land resources;
- Avoiding, remedying or mitigating degradation of Otago’s natural and physical resources resulting from activities utilising the land resource;
- Protecting outstanding natural features and landscapes from inappropriate subdivision, use and development; and
- Recognising and avoiding or mitigating the risks posed to Otago’s communities by natural hazards.

4. Strategic Direction Chapter

The following goals and objectives from the Strategic Direction chapter of the draft District Plan are relevant to this assessment:

Goal 1:	<i>To develop a prosperous, resilient and sustainable economy.</i>
Objective 3.2.1.4	
	<i>Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.</i>
Goal 2:	<i>The strategic and integrated management of urban growth</i>
Objective 3.2.2.1	
	<i>Ensure urban development occurs in a logical manner;</i>
	<ul style="list-style-type: none"> • <i>to promote a compact, well designed and integrated urban form;</i> • <i>to manage the cost of Council infrastructure; and</i> • <i>to protect the District’s rural landscapes from sporadic and sprawling development.</i>
Policies	
3.2.2.1.1	<i>Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack’s Point), Arrowtown and Wanaka.</i>
3.2.2.1.2	<i>Apply provision that enable urban development within the UGBs and avoid urban development outside of the UGBs.</i>
Objective 3.2.2.2	
	<i>Manage development in areas affected by natural hazards.</i>
Policies	
3.2.2.2.1	<i>Ensure a balanced approach between enabling higher density development within the District’s scarce urban land resource and addressing the risks posed by natural hazards to life and property.</i>

<p>Goal 5: <i>Our distinctive landscapes are protected from inappropriate development.</i></p>
<p>Objective 3.2.5.1</p> <p><i>Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.</i></p>
<p>Policies</p> <p>3.2.5.1.1 <i>Identify the district’s Outstanding Natural Landscapes and Outstanding Natural Features on the district plan maps, and protect them from the adverse effects of subdivision and development.</i></p>
<p>Objective 3.2.5.2</p> <p><i>Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes.</i></p>
<p>Policies</p> <p>3.2.5.2.2 <i>Identify the district’s Rural Landscape Classification on the district plan maps, and minimise the effects of subdivision, use and development on these landscapes.</i></p>
<p>Objective 3.2.5.3</p> <p><i>Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.</i></p>
<p>Policies</p> <p>3.2.5.3.1 <i>Direct urban development to be within Urban Growth Boundaries (UGB’s) where these apply, or within the existing rural townships.</i></p>
<p>Objective 3.2.5.4</p> <p><i>Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.</i></p>
<p>Policies</p> <p>3.2.5.4.1 <i>Give careful consideration to cumulative effects in terms of character and environmental impact when considering residential activity in rural areas.</i></p>

3.2.5.4.2 Provide for rural living opportunities in appropriate locations.

Objective 3.2.5.5

Recognise that agricultural land use is fundamental to the character of our landscapes.

Policies

3.2.5.5.1 Give preference to farming activity in rural areas except where it conflicts with significant nature conservation values.

3.2.5.5.2 Recognise that the retention of the character of rural areas is often dependent on the ongoing viability of farming and that evolving forms of agricultural land use which may change the landscape are anticipated.

This chapter of the proposed District Plan sets out the over-arching direction for the management of growth, land use and development in a manner that ensures sustainable management of the Queenstown Lakes District’s special qualities. The chapter recognises that there is scope to provide for a range of residential opportunities in the rural areas of the District whilst identifying the importance of protecting the District’s landscapes from inappropriate development and avoiding urban sprawl. The chapter also highlights the importance of protecting the District’s Outstanding Natural Landscapes and Rural Landscapes from inappropriate subdivision, use and development while acknowledging the contribution farming activities make to the management of those landscapes.

The Proposed District Plan also contains a Landscapes Chapter which seeks to recognise the importance of the District’s landscapes as a resource for the District and Region and therefore the following objectives and policies are relevant to this assessment:

Objective 6.3.1

The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.

Policies

6.3.1.1 Identify the District’s Outstanding Natural Landscapes and Outstanding Natural Features on the Planning Maps.

6.3.1.2 Classify the Rural Zoned landscapes in the District as:

- *Outstanding Natural Feature (ONF)*
- *Outstanding Natural Landscape (ONL)*
- *Rural Landscape Classification (RLC)*

6.3.1.5 *Avoid urban subdivision and development in the Rural Zones*

6.3.1.6 *Enable rural lifestyle living through applying Rural Lifestyle Zone and Rural Residential Zone plan changes in areas where the landscape can accommodate change.*

6.3.1.7 *When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise disruption to the values derived from open rural landscapes.*

6.3.1.10 *Recognise that low-intensity pastoral farming on large landholdings contributes to the District’s landscape character.*

6.3.1.11 *Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.*

6.3.1.12 *Recognise and provide for the protection of Outstanding Natural Features and Landscapes with particular regard to values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to Tangata Whenua, including Tōpuni.*

Objective 6.3.2

Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.

Policies

6.3.2.1 *Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District’s landscape quality, character and amenity values are to be sustained.*

6.3.2.2 *Allow residential subdivision and development only in locations where the District’s landscape character and visual amenity would not be degraded.*

Objective 6.3.4

Protect, maintain or enhance the District’s Outstanding Natural Landscapes (ONL).

Policies

6.3.4.1	<i>Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.</i>
6.3.4.2	<i>Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.</i>
6.3.4.3	<i>Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.</i>
Objective 6.3.5	
<i>Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).</i>	
Policies	
6.3.5.1	<i>Allow subdivision and development only where it will not degrade landscape quality and character, or diminish the visual amenity values identified for any Rural Landscape.</i>
6.3.5.2	<i>Avoid adverse effects from subdivision and development that are:</i> <ul style="list-style-type: none"> • <i>Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and</i> • <i>Visible from public roads.</i>
6.3.5.5	<i>Encourage development to utilise shared accesses and infrastructure, to locating within the parts of the site where they will be least visible, and have the least disruption to the landform and rural character.</i>

In summary these objectives and associated policies seek to identify and protect Outstanding Natural Landscapes whilst directing the consideration of rural living opportunities to areas where the landscape has the ability to absorb change. In addition the landscape objectives and policies seek to minimise the effects of rural living development and encourage the use of shared access and infrastructure and avoiding disruption to the rural landform and character.

5. Resource Management Issues

Issue 1 : Alignment of the Outstanding Natural Landscape Line through Hawthenden Farm.

Hawthenden Limited consider that the Outstanding Natural Landscape (ONL) line that passes through Hawthenden Farm has been imposed arbitrarily and is unjustified.

The alignment of the existing ONL line, which bisects Hawthenden Farm, has caused uncertainty for Hawthenden Limited and has inhibited agricultural activities (including the construction of farm buildings and structures, the formation of farm tracks and undertaking earthworks) on parts of the farm that have been classified as ONL. In addition established farming activities (such as aerial fertiliser drops and the keeping of animals) have come under pressure from the spread of urban Wanaka from the north and east. As a result Hawthenden Limited feel unnecessarily constrained with farming activities, buildings and structures being squeezed between the ONL line to the south west and the extents of urban Wanaka to the north east.

Hawthenden Limited understand that no specific landscape assessment of Hawthenden Farm was undertaken by Council as part of the District Plan Review. Instead Council has relied on the existing ONL line which was defined under Environment Court Decision C73/2002. In that decision the Court found that the alignment of the ONL line through Hawthenden Farm was a finely balanced matter and consequently Hawthenden Limited believe the alignment merits further consideration and reassessment in the context of the current environment and in light of the objectives and policies of the Proposed District Plan.

To that end Hawthenden Limited have commissioned Ms. Hannah Ayres of Rough and Milne Landscape Architects to undertake a landscape assessment of Hawthenden Farm. That assessment draws on a geological assessment carried out by Mr. Steve Leary. The assessments of Mr. Leary and Ms. Ayres were attached to Hawthenden Limited's original submission and found that Hawthenden Farm would be more appropriately classified as Rural Landscape Classification.

Issue 2 : Whether alternative zoning of parts of Hawthenden Farm could provide rural living opportunities in close proximity to urban Wanaka while ensuring that landscape values are appropriately maintained and agricultural activities are provided for

In the Proposed District Plan the land adjoining Hawthenden Farm to the north and north west is zoned Large Lot Residential and Low Density Residential with the Wanaka Urban Growth Boundary (UGB) following the alignment of Studholme Road, immediately adjoining the northern boundary of Hawthenden Farm.

In addition the land to the east of Hawthenden Farm, while zoned Rural under the Proposed District Plan, includes approximately 20 residential properties.

In the time Hawthenden Limited have owned the subject site they have witnessed a steady creep of residential development towards the boundaries of the farm. This has resulted in reverse sensitivity effects whereby established farming activities (such as aerial fertiliser drops and the keeping of animals) have been inhibited due to the proximity of residential properties.

Hawthenden Limited believe that, while it is logical and generally appropriate, the continued growth of urban Wanaka towards the farm will exacerbate reverse sensitivity effects such that farming on the lower paddocks, in close proximity to the UGB, will become untenable.

In addition it has been Hawthenden Limited's experience that running a sheep and deer farm on the property has been marginal economically. Further reverse sensitivity effects of residential development within the UGB may further compromise the viability of the farm in an economic sense.

Hawthenden Limited consider that the farm is well positioned in terms of its proximity to the Wanaka Town Centre and essential services, is easily accessible and has the potential to be appropriately serviced and consequently consider that parts of the farm may be appropriate for providing rural living opportunities.

In addition Hawthenden Limited consider that the potential zoning of parts of the farm for rural living purposes provides an opportunity to establish a buffer or transition between the farm and the more intensive residential development within the UGB and would allow them to better control reverse sensitivity effects through the registration of appropriate covenants as the rezoned land is developed.

6. Broad options considered to address the identified issues

Determining the most appropriate methods to resolve the resource management issues, identified on section 5 above, will enable the Plan to give effect to relevant parts of the Strategic Direction chapter, and ultimately meet the purpose of the Act.

As required by section 32(1)(b) RMA, the following section outlines various broad options considered to address the issues, and makes recommendations as to the most appropriate course of action. The following cost / benefit analysis draws on the landscape assessment (and supporting geological assessment) attached to Hawthenden Limited’s original submission.

Issue 1 : Alignment of the Outstanding Natural Landscape Line through Hawthenden Farm.

Option 1: Retain the proposed ONL line

Option 2: Amend the proposed ONL line as it relates to Hawthenden Farm (**recommended**)

Option 3: Comprehensive modification to the proposed provisions (i.e. objectives, policies, rules and assessment matters related to ONLs)

	Option 1: Status quo/ No change	Option 2: Amend ONL Line	Option 3: Comprehensive Changes
Costs	<ul style="list-style-type: none"> • Uncertainty and potential restrictions on agricultural activities, buildings and structures will remain along with the associated costs of obtaining resource consents for such activities. • The landscape assessment finds that the alignment of the ONL line does not reflect the landscape characteristics of the subject site and agricultural activities, buildings and structures may be unnecessarily restricted. • The integrity of the landscape provisions is compromised through the incorrect alignment of the ONL/RLC boundary. 	<ul style="list-style-type: none"> • An amended landscape lane would provide for farming activities to a greater extent on the upper terraces of Hawthenden Farm. • An amended landscape line may provide reduced protection to the upper terraces. • May be seen as encouraging further development of the upper terraces. The landscape assessment finds however that the upper terraces are RLC rather than ONL and consequently the provisions of the Proposed District Plan relating to RLC will appropriately manage development in this area. 	<ul style="list-style-type: none"> • Greater time/cost incurred when compared to Options 1 or 2 • Comprehensive changes to objectives, policies, rules and assessment matters relating to ONLs would be a broad brush approach affecting ONLs District wide and would potentially compromise the effectiveness of those provisions.

	<ul style="list-style-type: none"> The incorrect alignment of the ONL line potentially complicates the implementation of flood protection works and/or the Hawthenden Reservoir project. 		
Benefits	<ul style="list-style-type: none"> The proposed ONL line takes a precautionary alignment based on past assessment The proposed alignment of the ONL line increases the extent of the ONL beyond what has been assessed as ONL, providing greater protection to the more sensitive parts of the ONL, being the mountain slopes. 	<ul style="list-style-type: none"> An amended ONL line will better reflect the actual landscape characteristics of the subject site. An amended ONL line will avoid unnecessary restrictions on agricultural activities, buildings and structures and associated costs for the land owner. A correctly aligned ONL line may assist with the implementation of flood protection works and/or the Hawthenden Reservoir project. 	<ul style="list-style-type: none"> Comprehensive changes could better provide for farming activities on Hawthenden Farm and other farms that may be affected by ONL classification.
Ranking	3	1	2

Overall, it is considered that Option 2 is the most efficient and effective method of addressing resource management Issue 1.

Issue 2 : Whether alternative zoning of parts of Hawthenden Farm could provide rural living opportunities in close proximity to urban Wanaka while ensuring that landscape values are appropriately maintained and agricultural activities are provided for.

Option 1: Retain the proposed Rural Zoning

Option 2: Re-zone parts of the site to Rural Lifestyle Zone (retaining the balance of the site as part of the Rural Zone)

Option 3: Re-zone parts of the site to Rural Lifestyle Zone and Rural Residential Zone (retaining the balance of the site as part of the Rural Zone)(recommended)

	Option 1: Status quo/ No change	Option 2: Re-zone Rural Lifestyle	Option 3: Re-zone Rural Lifestyle and Rural Residential
Costs	<ul style="list-style-type: none"> • Zoning the entirety of Hawthenden Farm as Rural does not reflect the character of existing and zoned development in the wider area, particularly given the proximity of the site to the UGB and associated residential zoning. • The opportunity to address reverse sensitivity effects through appropriate zoning is lost and reverse sensitivity effects on Hawthenden Farm are exacerbated, further compromising the viability of farming activities • The landscape assessment identifies that parts of Hawthenden Farm (Areas A, B and C) have the ability to absorb change without detracting from landscape and amenity values in the wider area. The Rural zone does not provide for such opportunities and may direct rural living to locate in other, potentially more sensitive, parts of the District. • Development under the Rural zone provisions would require an 	<ul style="list-style-type: none"> • While the landscape assessment finds that parts of Hawthenden Farm (Areas A and C) are suitable for Rural Lifestyle zoning it also finds that Area B is suitable for Rural Residential zoning. In rezoning Area B as Rural Lifestyle (along with Areas A and c) the opportunity would be lost to provide a wider range of rural living opportunities in close proximity to urban Wanaka resulting in a less efficient use of rural land. • The rezoning of Area A as Rural Lifestyle may reduce Council's ability to require a design led approach to development in order to protect landscape and visual amenity values on more visible parts of the site. • The rezoning of parts of the farm for rural living opportunities would result in a loss of productive farm land. 	<ul style="list-style-type: none"> • The potential density of development within areas rezoned Rural Residential may be closer to that of the adjoining Large Lot Residential zone than might otherwise occur. • Rural Residential zoning of Part B may be seen to create an expectation that Council services and roading are extended into an area where they are not currently planned or anticipated. • The rezoning of parts of the farm for rural living opportunities would result in a loss of productive farm land. • The rezoning of Area A as Rural Lifestyle may reduce Council's ability to require a design led approach to development in order to protect landscape and visual amenity values on more visible parts of the site.

	expensive and uncertain resource consent process.		
Benefits	<ul style="list-style-type: none"> The Rural zoning of the entirety of Hawthenden Farm would ensure that development proposals on the farm would be given a higher degree of scrutiny and would avoid the loss of productive farm land. 	<ul style="list-style-type: none"> Reverse sensitivity effects would be addressed through the application of appropriate zoning as a buffer between urban and rural activities. Rural living opportunities would be provided without compromising landscape or amenity values in the wider area. 	<ul style="list-style-type: none"> A wider range of rural living opportunities would be provided within close proximity to urban Wanaka without compromising landscape and amenity values in the wider area. Rural living opportunities would be provided without compromising landscape or amenity values in the wider area. Rezoning Area B as Rural Residential would achieve the most efficient use of rural land in terms of providing rural living opportunities. Rural living opportunities would be provided without compromising landscape or amenity values in the wider area.
Ranking	3	2	1

Overall it is considered that Option 3 is the most efficient and effective method of addressing resource management Issue 2.

7. Scale and Significance Evaluation

The level of detailed analysis undertaken for the evaluation of this proposal has been determined by an assessment of the scale and significance of the implementation of the proposed provisions in the District Plan. In making this assessment, regard has been had to:

- Significant variance from the existing baseline.
- Have effects on matters of national importance.
- Adversely affect those with specific interests, e.g., Tangata Whenua.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

8. Evaluation under Section 32 (1) (a) and (b)

Section 32(1) of the RMA requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose of the Act.

In this case the preferred option to address Issue 1 would amend the alignment of the ONL line as it passes through Hawthenden Farm without any amendment to the landscape provisions of the Proposed District Plan. The preferred option to address Issue 2 would apply the proposed Rural Lifestyle Zone and Rural Residential Zone of the Proposed District Plan to parts of the subject site without amendment, retaining the proposed Rural Zoning of the balance of the subject site (also without amendment). Therefore, the preferred options will be assessed against the provisions of the ORPS and PRPS and the Proposed District Plan.

The assessment of benefits and costs of the environmental, economic, social and cultural effects that are anticipated as a result of the proposed amendments have been addressed in the preceding table.

Regional Policy Statement

Overall it is assessed that the proposal is generally consistent with the objectives and policies of the ORPS and PRPS. The reasons for this are:

- The objectives and policies of the Proposed District Plan will appropriately protect Outstanding Natural Landscapes and the proposed realignment of the ONL line will correctly identify and define the ONL/RLC boundary.
- The proposed rezoning will provide rural living opportunities in close proximity to urban Wanaka.
- While the proposed rezoning may result in a loss of productive farm land at such time as the zones are developed the land affected is already somewhat compromised due to reverse sensitivity effects. The proposed rezoning appropriately acknowledges rural activities and the effect that they have on rural amenity providing a buffer between urban and rural activities.
- Natural hazards can be identified, avoided or mitigated at the time of subdivision.
- The landscape assessment identifies that the subject site has the ability to absorb change without adversely affecting surrounding landscape qualities.

Proposed District Plan

Overall it is assessed that the proposal is consistent with the objectives and policies of the Strategic Direction and Landscape Chapters of the Proposed District Plan. The reasons for this are:

- The realignment of the ONL line to correctly identify the extents of the ONL is consistent with the objectives and policies relating to landscapes.
- The proposed rezoning will provide for rural living opportunities and is appropriately located within areas that have the capacity to absorb change such that the provisions of the Proposed District Plan will ensure that adverse effects of development within those zones can be appropriately managed.
- The proposed rezoning is generally located outside of areas affected by significant natural hazards such that the effects of natural hazards can be assessed, avoided and mitigated at such time as the land is developed.

The following table addresses the relevant provisions of the proposed Rural and Rural Residential & Rural Lifestyle Chapters:

Rural Chapter	
Proposed Provision	Assessment
<p><i>Objective 21.2.1</i></p> <p><i>Enable farming, permitted and established activities while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</i></p> <p><i>Policies 21.2.1.1 to 21.2.1.8</i></p> <p><i>All Zone Rules</i></p>	<p>The realignment of the ONL to correctly define the ONL/RLC boundary in relation to Hawthenden Farm will ensure that farming activities are not unnecessarily restricted.</p> <p>The provision for permitted farm buildings will assist in enabling farming activities while controls on bulk, location and colours will ensure that landscape values are maintained.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
<p><i>Objective 21.2.2</i></p> <p><i>Sustain the life supporting capacity of soils.</i></p>	

<p><i>Policies 21.2.2.1 to 21.2.2.3</i></p> <p><i>All Zone Rules</i></p>	<p>The enabling of farming activities within the parts of the site to be retained within the Rural Zone will help to sustain the life supporting capacity of soils and their productive potential.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
<p><i>Objective 21.2.3</i></p> <p><i>Safeguard the life supporting capacity of water through the integrated management of the effects of activities.</i></p> <p><i>Policy 21.2.3.1</i></p> <p><i>All Zone Rules</i></p>	<p>The realignment of the ONL line will have no effect on the life supporting capacity of water and the servicing of the areas to be rezoned Rural Residential and Rural Lifestyle can be appropriately designed through the subdivision process to ensure that the potable quality and life supporting capacity of water and associated ecosystems is not adversely affected.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
<p><i>Objective 21.2.4</i></p> <p><i>Manage situations where sensitive activities conflict with existing and anticipated activities in the Rural Zone</i></p> <p><i>Policies 21.2.4.1 and 21.2.4.2</i></p> <p><i>All Zone Rules</i></p>	<p>The proposed rezoning of Areas A, B and C as Rural Residential and Rural Lifestyle will provide a buffer between the Rural Zone and the adjoining Urban Growth Boundary and Low Density and Large Lot Residential Zones. Given that the provisions of the Rural Residential and Rural Lifestyle Chapter recognise the effects that permitted and established rural activities may have on rural amenity it is considered that the zoning provides for the appropriate management of conflict and reverse sensitivity effects.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
<p><i>Objective 21.2.8</i></p>	

<p><i>Avoid subdivision and development in areas that are identified as being unsuitable for development.</i></p> <p><i>Policies 21.2.8.1 and 21.2.8.2</i></p> <p><i>All Zone Rules</i></p>	<p>The extents of Areas A, B and C have been defined based on a detailed landscape assessment and with reference to available natural hazard information such that the areas to be rezoned are generally clear of natural hazards. As such the proposed rezoning directs development on the farm to areas that are not (or are less) susceptible to natural hazards while the balance of the farm is left in the Rural Zone.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
Rural Residential & Rural Lifestyle Chapter	
Proposed Provision	Assessment
<p>Objective 22.2.1</p> <p><i>Maintain and enhance the district's landscape quality, character and visual amenity values while enabling rural living opportunities in areas that can avoid detracting from those landscapes.</i></p> <p><i>Policies 22.2.1.1 to 22.2.1.7</i></p> <p><i>All Zone Rules</i></p>	<p>The landscape assessment has identified Areas A, B and C as having the ability to absorb residential development without detracting from the District's landscape quality, character and visual amenity values.</p> <p>The provisions of the zone will allow the location, prominence, density and colour and appearance of future buildings to be appropriately controlled, particularly in the more sensitive parts of the proposed rezoning.</p> <p>The preferred option are therefore considered an efficient and effective method of achieving these provisions.</p>
<p>Objective 22.2.2</p> <p><i>Ensure the predominant land uses are rural, residential and where appropriate, visitor and community activities.</i></p>	<p>The predominant land uses of the areas to be rezoned are likely to be residential although rural activities (i.e. farming) are not precluded.</p>

<p><i>Policies 22.2.2.1 to 22.2.2.5</i></p> <p><i>All Zone Rules</i></p>	<p>The change in density from the proposed Rural Lifestyle and Rural Residential zones to the adjoining Large Lot and Low Density Residential zones, along with the setback requirements from Studholme Road on both sides of the Urban Growth Boundary, will ensure that a distinct transition between urban and rural is maintained.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
<p><i>Objective 22.2.3</i></p> <p><i>Manage new development and natural hazards</i></p> <p><i>Policy 22.2.3.1</i></p> <p><i>All Zone Rules</i></p>	<p>The parts of the subject site that are proposed to be rezoned Rural Lifestyle or Rural Residential are generally located outside of areas shown as being susceptible to potentially significant natural hazards. While the extents of those hazard areas are somewhat uncertain the effects of natural hazards can be assessed and managed at such time as applications for subdivision and/or land use consents are progressed. This aligns with the Zone Purpose and the Objectives and Policies relating to natural hazards.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
<p><i>Objective 22.2.4</i></p> <p><i>Ensure new development does not exceed available capacities for servicing and infrastructure.</i></p> <p><i>Policies 22.2.4.1 and 22.2.4.2</i></p> <p><i>All Zone Rules</i></p>	<p>While Council services are not currently available (or planned) for the areas that are proposed to be rezoned the proposed zoning has the potential to be self-sufficient in terms of servicing. In addition there may be scope to extend existing services to the site at the developer's expense.</p> <p>Similarly, while the entire length of Studholme Road is not currently formed, formed sections extend to the boundary of the site at either end. There is scope to access Areas A, B and C internally from these formed sections of Studholme Road and/or extend Studholme Road within the legal road parcel at the developer's expense.</p>

	<p>It is therefore considered that the proposed rezoning will not result in adverse costs to the community.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>
<p><i>Objective 22.2.5</i></p> <p><i>Manage situations where sensitive activities conflict with existing and anticipated rural activities.</i></p> <p><i>Policy 22.2.5.1</i></p> <p><i>All Zone Rules</i></p>	<p>The proposed rezoning provides the opportunity to address reverse sensitivity in that the objectives and policies of the Rural Residential and Rural Lifestyle Chapter acknowledge and provide for the effects of rural activities while the provisions of the adjoining Low Density and Large Lot Residential Zones do not.</p> <p>The preferred options are therefore considered an efficient and effective method of achieving these provisions.</p>

9. Efficiency and effectiveness of the provisions

It is considered that the correct alignment of the ONL line as it passes through Hawthenden Farm will effectively and efficiently address resource management Issue 1 by ensuring that the objectives and policies of the Proposed District Plan are correctly applied.

The re-zoning of parts of the subject site as Rural Residential and Rural Lifestyle while retaining the more sensitive and productive parts of Hawthenden Farm within the Rural Zone will effectively and efficiently address resource management Issue 2 by providing for rural living opportunities on parts of the site that have the ability to absorb the change proposed while planning provisions of those zones, and those of the Rural Zone, will ensure that future development does not adversely affect the District’s landscape qualities.

10. The risk of not acting

There is no uncertainty or insufficient information relating to a risk of acting or not acting now.

11. Conclusion

This evaluation report assesses options for amending the ONL line as it passes through the subject site and the proposed re-zoning of parts of the subject site to Rural Residential and Rural Lifestyle.

Through the above assessment it is determined that the most appropriate and effective options for this site are that the ONL line is amended as set out in the landscape assessment of Ms. Hannah Ayres and that Areas A, B and C of Hawthenden Farm are rezoned Rural Lifestyle (Areas A and C) and Rural Residential (Area B).

The identified resource management issues are met through:

- Correctly identifying the boundary between Outstanding Natural Landscape and Rural Landscape Classification.
- Enabling rural living development in an area that can absorb change without adversely affecting landscape values and amenity values of the wider area.
- Applying zoning that appropriately acknowledges rural activities and the effects they may have on rural amenity, providing a buffer between the urban and rural areas.

The proposed amendment of the ONL line and re-zoning of parts of the subject site are considered to be the most appropriate option to address the identified resource management issues when considered against the alternatives. The proposal is consistent with the purpose of the Act and comfortably aligns with the Operative and Proposed Regional Policy Statements and the provisions of the Proposed District Plan. The effects on the environment as a result of the amendments proposed are addressed under the cost and benefit analysis above and are assessed as minor.



Prepared by Scott Edgar

List of Attachments:

Appendix A – Computer Freehold Registers

Appendix A – Computer Freehold Registers



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier **1839**
Land Registration District **Otago**
Date Issued 18 May 2001

Prior References

OT11B/1245 OT15B/865

Estate Fee Simple
Area 24.1495 hectares more or less
Legal Description Lot 1 Deposited Plan 300235 and Lot 3
Deposited Plan 20199

Proprietors

Hawthenden Limited

Interests

680176.6 Easement Certificate specifying the following easements - 8.6.1987 at 9:16 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water by race	Lot 3 Deposited Plan 20199 - herein	D-E DP 20199	Lot 1 Deposited Plan 24645 - CT OT16C/668	N/A
Convey water by race	Lot 3 Deposited Plan 20199 - herein	D-E DP 20199	Lot 1 Deposited Plan 300235 - herein	N/A
Convey water by race	Lot 3 Deposited Plan 20199 - herein	D-E DP 20199	Lot 2 Deposited Plan 300235 - CT 1840	N/A
Convey water by race	Lot 3 Deposited Plan 20199 - herein	D-E DP 20199	Lot 1 Deposited Plan 23136 - CT OT15B/811	N/A
Convey water by race	Lot 3 Deposited Plan 20199 - herein	D-E DP 20199	Lot 2 Deposited Plan 23136 - CT OT15B/812	N/A
Convey water by race	Lot 3 Deposited Plan 20199 - herein	D-E DP 20199	Lot 1 Deposited Plan 25147 - CT OT17A/1044	N/A
Convey water by race	Lot 3 Deposited Plan 20199 - herein	D-E DP 20199	Lot 2 Deposited Plan 25147 - CT OT17A/1045	N/A
Convey water by race	Lot 1 Deposited Plan 20199 - CT OT11B/1244	B-F DP 20199	Lot 1 Deposited Plan 300235 - herein	N/A
Convey water by race	Lot 1 Deposited Plan 20199 - CT OT11B/1244	A-B-C DP 20199	Lot 1 Deposited Plan 300235 - herein	N/A
843066.3 Easement Certificate specifying the following easements - 22.11.1993 at 9:36 am				
Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 1 Deposited Plan 300235 - herein	j-k DP 300235	Lot 2 Deposited Plan 23136 - CT OT15B/812	Subject to Section 243 (a) Resource Management Act 1991
Convey water	Lot 1 Deposited Plan 23136 - CT OT15B/811	a-b DP 23136	Lot 1 Deposited Plan 300235 - herein	Subject to Section 243 (a) Resource Management Act 1991

Identifier **1839**

Convey water Lot 2 Deposited Plan p-q DP 23136 Lot 1 Deposited Plan Subject to Section 243 (a)
23136 - CT OT15B/812 300235 - herein Resource Management Act
1991

Right of Lot 1 Deposited Plan A DP 23136 Lot 1 Deposited Plan Subject to Section 243 (a)
way,convey 23136 - CT OT15B/811 300235 - herein Resource Management Act
electricity and
telephone
communications

851034.1 Transfer creating the following easements - 26.4.1994 at 10:02 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey and take water	Lot 2 Deposited Plan 25147 - CT OT17A/1045	A DP 23536	Lot 1 Deposited Plan 300235 - herein	Subject to Section 243 (a) Resource Management Act 1991
Convey water	Lot 1 Deposited Plan 300235 - herein	i-j-k-k1,m1-n-n1 DP 300235	Lot 2 Deposited Plan 23136 - CT OT15B/812	Subject to Section 243 (a) Resource Management Act 1991
Convey water	Lot 1 Deposited Plan 300235 - herein	i-j-k-k1,m1-n-n1 DP 300235	Lot 1 Deposited Plan 24645 - CT OT16C/668	Subject to Section 243 (a) Resource Management Act 1991
Convey water	Lot 1 Deposited Plan 300235 - herein	i-j-k-k1,m1-n-n1 DP 300235	Lot 1 Deposited Plan 25147 - CT OT17A/1044	Subject to Section 243 (a) Resource Management Act 1991
Convey water	Lot 1 Deposited Plan 300235 - herein	i-j-k-k1,m1-n-n1 DP 300235	Lot 2 Deposited Plan 25147 - CT OT17A/1045	Subject to Section 243 (a) Resource Management Act 1991

950686.1 Certificate Specifying Mining Rights under s417 Resource Management Act 1991 - 8.7.1998 at 9.02 am

Subject to Section 241(2) Resource Management Act 1991 (affects DP 300235)

5043160.6 Transfer creating the following easements - 18.5.2001 at 9:08 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey power & telecommunication:	Lot 1 Deposited Plan 300235 - herein	A DP 300235	Lot 2 Deposited Plan 300235 - CT 1840	Subject to Section 243 (a) Resource Management Act 1991
Convey water & electricity	Lot 2 Deposited Plan 300235 - CT 1840	E DP 300235	Lot 1 Deposited Plan 300235 - herein	N/A
Convey water,power & telecommunication:	Lot 1 Deposited Plan 300235 - herein	B DP 300235	Lot 2 Deposited Plan 300235 - CT 1840	Subject to Section 243 (a) Resource Management Act 1991
Right of way	Lot 2 Deposited Plan 300235 - CT 1840	C D DP 300235	Lot 1 Deposited Plan 300235 - herein	N/A



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier **OT16A/341**
Land Registration District **Otago**
Date Issued 24 June 1994

Prior References

OT148/191

Estate Fee Simple
Area 71.3363 hectares more or less
Legal Description Part Section 10 Block III Lower Wanaka
Survey District

Proprietors

Hawthenden Limited

Interests

864428.3 Transfer creating the following easements - 7.9.1994 at 9.18 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Part Section 10 Block III Lower Wanaka Survey District - herein	A-B-C DP 23940	Lot 1 Deposited Plan 23940 - CT OT16A/339	Section 243 (a) Resource Management Act 1991
Convey water	Part Section 10 Block III Lower Wanaka Survey District - herein	A-B-C DP 23940	Lot 3 Deposited Plan 23940 - CT OT16A/340	Section 243 (a) Resource Management Act 1991

Land Covenants in Transfer 864428.3 - 7.9.1994 at 9.18 am

950686.1 Certificate Specifying Mining Rights under s417 (2) Resource Management Act 1991 - 8.7.1998 at 9.02 am



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier OT16A/342
Land Registration District Otago
Date Issued 24 June 1994

Prior References
OT7A/573

Estate Fee Simple
Area 73.0128 hectares more or less
Legal Description Section 44 Block III Lower Wanaka
Survey District and Part Section 30 Block
III Lower Wanaka Survey District

Proprietors
Hawthenden Limited

Interests

Subject to Section 59 Land Act 1948

Subject to the reservation to the Crown of the right at any time and from time to time without being deemed to commit a trespass and without payment of compensation to enter upon the said land and there on to take, lay, construct, maintain, inspect, repair or re-construct water-races, drains and all other works which the Minister of Works deems necessary for the supply of water to the said land or to any other land and subject also to the owner of the said land being required to take water from races so provided for irrigation purposes at a price to be fixed by the Crown and excepting the Crown from liability for any damage caused by any overflow or breakaway of any race or channel.

864428.3 Transfer creating the following easements - 7.9.1994 at 9.18 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Section 44 and Part Section 30 Block III Lower Wanaka Survey District - herein	D-E DP 23940	Lot 1 Deposited Plan 23940 - CT OT16A/339	Section 243 (a) Resource Management Act 1991
Convey water	Section 44 and Part Section 30 Block III Lower Wanaka Survey District - herein	D-E DP 23940	Lot 3 Deposited Plan 23940 - CT OT16A/340	Section 243 (a) Resource Management Act 1991

Land Covenants in Transfer 864428.3 - 7.9.1994 at 9.18 am

961242.1 Transfer creating the following easements - 27.1.1999 at 9.01 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Part Section 30 Block III Lower Wanaka Survey District - herein	A DP 26888	Lot 1 Deposited Plan 21820 - CT OT13C/519	



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier OT9C/622
Land Registration District Otago
Date Issued 06 March 1984

Prior References

OT127/142

Estate Fee Simple
Area 60.7028 hectares more or less
Legal Description Section 27 Block III Lower Wanaka
Survey District

Proprietors

Hawthenden Limited

Interests

Subject to Section 8 Mining Act 1971
Subject to Section 5 Coal Mines Act 1979

