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2011

Monitoring Report on the Kinloch Township Zone



Policy and Planning
Queenstown Lakes District Council
December 2011

Executive Summary

This monitoring report has been formulated to outline the current state of the Kinloch Township Zone based on factual data relating to consented development and to examine how effective the plan is in achieving the objectives and policies for the zone. Potential resource management issues that are affecting the zone are identified and issues that need specific attention during the District Plan review are highlighted for consideration.

Resource management issues for the zone are articulated below as questions and answers:

1. *Is Kinloch a predominantly low density residential environment with a mix of uses and is a particular building style being promoted?*

All development during the current plan period was in the form of low density residential dwellings and therefore the plan appears to be working well in achieving a predominantly low density residential environment. Residential amenity and open character is being appropriately protected. A particular building style is not controlled by the District Plan. There is a mix of uses however there is very limited development in the zone and therefore the level of non-residential activity is limited.

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

There is a mix of uses in the Kinloch Township Zone with commercial and residential development co-existing within the zone. Not all the objectives and policies relating to the Township zone are appropriate or effective in achieving anticipated results in the long term. The policy relating to the creation of scheduled sites to protect non-residential activities (1.8) should be reconsidered as other methods, such as sub zones or rezoning may be more effective. Generally in the Townships sites have not been scheduled as anticipated by the policy. Anticipated results relating to building style are not bolstered by effective policy or rules and this should be further examined. Some parts of the objective and some policies may be inappropriately located in the Township Zone section and potentially should be District Wide objectives and policies. Issues relating to natural hazards listed below require resolution.

3. *Are developments safe from natural hazard effects?*

The plan does not appropriately protect developments from hazards (liquefaction, alluvial fans and flooding) identified on the District's Hazard register. Further examination of the hazards is required to identify actual hazards risk and the potential for the formulation of new provisions to protect buildings and people from these hazards should be considered if that is the on-going intent of the Plan.

The District Plan Review should address the following:

- Hazards should be further investigated and the possibility of including provisions to protect properties against natural hazards should be considered if that is the on-going intent of the plan;
- Anticipated results relating to specific building styles should be revisited to determine their necessity and ineffective policy should be examined;
- Existing important non-residential activities should be protected.

Introduction

This is a report monitoring the effectiveness and efficiency of the current District Plan. Monitoring of the District Plan is explained further in Appendix 1. The focus of this monitoring report is whether the District Plan ('the Plan') is effective, whether objectives and policies are being achieved in the Kinloch Township zone and whether the plan is efficient having regard to the benefits achieved. There are similarities between this report and the reports for other Township zones however for District Plan review consultation purposes it was deemed appropriate to provide a report for each individual Township zone.

The Kinloch Township zone is shown in figure 1 below:

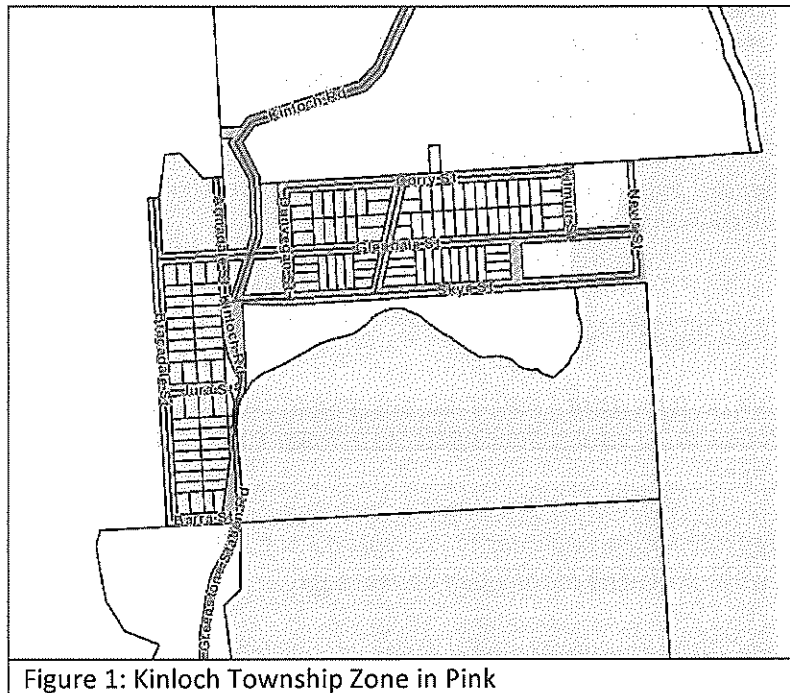


Figure 1: Kinloch Township Zone in Pink

What is the Kinloch Township Zone Trying to Achieve?

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

- Retention and enhancement of the amenity and character of the township.
- The location of buildings and activities in relation to the low-lying flood prone areas within the township.

The relevant objective and policies from the District Plan relating to the Kinloch Township Zone are as follows:

Objective 1

Recognition and consolidation of the townships. Recognition of the low density open space residential amenity of the townships. Recognition of the particular character, built environment and range of uses existing in the individual townships.

Policies:

- 1.1 *To encourage consolidation of the townships within identified boundaries.*
- 1.2 *To protect the low density living environment of the townships by providing for limited peripheral expansion where this does not adversely affect important adjoining rural resources and amenities.*
- 1.3 *To limit the extent and density of development of the townships in recognition of:*
 - 1.3.1 *risk of natural hazards;*
 - 1.3.2 *the need to provide options for reticulated services;*
 - 1.3.3 *the desired living environment of the majority of the township residents;*
 - 1.3.4 *the effects of activities in the townships and the scale of activities on the main transport routes;*
- 1.4 *To recognise and provide for the individual character and appearance of the individual townships and in particular:*
 - 1.4.1 *limited building heights in Glenorchy and Makarora;*
 - 1.4.2 *roof pitch design for Glenorchy.*
- 1.6 *To provide for a range of small scale non-residential activities in the towns subject to listed standards to ensure development consistent with the predominant residential environment.*
- 1.7 *To ensure subdivision and density controls do not inhibit the range of development options while providing for an open appearance.*
- 1.8 *To provide for the protection of a range of existing non-residential uses by way of scheduled sites.*
- 1.9 *To recognise the value of particular townships as important centres within the visitor industry.*

The objectives and policies for the Township zone seek to achieve the following environmental results:

- Development which reflects important local characteristics in terms of building style, appearance and density;
- A range of non-residential activities satisfying residential amenity requirements;
- Townships comprising a mixture of residential, business and community activities;
- Low density development in specific areas in the absence of sewage reticulation, to maintain water quality and availability for domestic use;
- Avoidance of property damage from natural hazards;
- Well-defined and consolidated township boundaries;
- Vehicle and pedestrian access to all properties which does not conflict with the safe and efficient functioning of adjacent roads.

Overall, the resource management issues for the Kinloch Township zone can be articulated as three questions:

1. Is Kinloch a predominantly low density residential environment with a mix of uses and is a particular building style being promoted?
2. Are objectives and policies appropriate and effective in achieving anticipated results?
3. Are developments safe from natural hazard effects?

What is the “State” of the Kinloch Township Zone and are the Objectives and Policies Effective?

Approach

The approach is the same used for other Township monitoring reports. Establishing the current state of the zone involves reviewing resource consent data in order to obtain a clearer picture of the kind of development activity on different properties in the zone.

Strategic Policy

Several of the policies (1.1, 1.2 and potentially 1.3) and part of the sole objective relating to the Kinloch Township zone are potentially in an inappropriate location in the Plan. The reason for this is that there are several policies and parts of the Township objective that are strategic-type policies. These will ultimately assist in providing for new Township zones or in assessing plan changes to existing zones however they do not direct development within the zones. Consideration should be given to the relocation of these policies to a more appropriate District Wide section that would be referred to if resource consents are submitted that affect the zones adjoining the existing Township zones or plan changes are submitted for new Township zones.

Kinloch Township Zone Data

There was very limited resource consent activity in the Kinloch Township zone during the life of the current District Plan. A total of four resource consents were processed from the time the plan became fully operative in 2003. The consents related to development on 3 sites. The consents were for earthworks to allow the construction of two dwellings (RM070071), a consent to put two relocatable buildings on a site (RM070472), a consent for a dwelling breaching an internal boundary setback (RM080352) and a consent for alterations to that dwelling (RM100762).

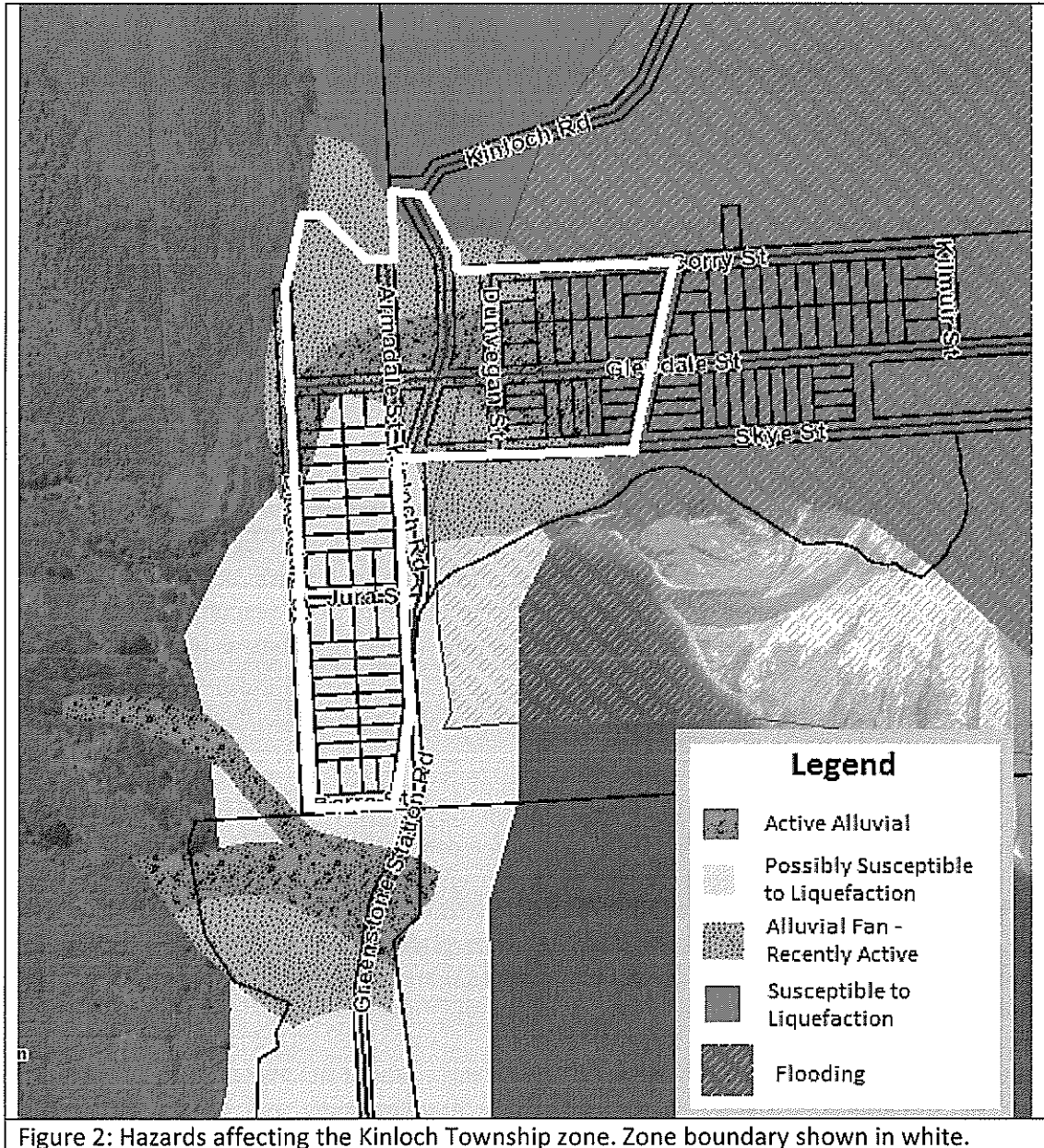
The consents that have been processed show that the intent of the Plan is being achieved as and the provisions are effective in ensuring a predominantly low density residential environment in the Township. All consents were for small scale residential activities. The plan also promotes other uses other than residential in the zone and although the consents were for purely residential activities the main development in Kinloch, which has been long established, is the Kinloch Lodge restaurant, bar and visitor accommodation facility. Although very little development has occurred there is a mix of residential and non-residential uses in this Township zone.

All the consents processed were for restricted discretionary activities.

Are Provisions relating to Kinloch Township Issues Effective?

Natural Hazards

An anticipated result for the Kinloch Township zone is to ensure properties are not damaged by natural hazards. The hazards affecting the Kinloch Township zone are shown in figure 2 below.



As shown above there are five identified natural hazards potentially affecting land in the Kinloch Township zone. The liquefaction hazard shown also underlies the alluvial fan hazards shown. The plan, as it is currently set out, does not effectively ensure that properties are not damaged by known natural hazards. The plan is successful in terms of protection from flooding. A rule is provided in the plan to raise ground levels in known flood prone areas to protect buildings from flooding. It is not clear how it is possible to protect properties in the township affected by other multiple natural hazards as shown in figure 1.

If it is deemed appropriate for the Plan to aim to protect properties from natural hazards then provisions, such as rules, may be required to ensure development is undertaken in a way that protects future buildings and people from all natural hazards. Currently dwellings can be built without resource consent and protection from natural hazards falls directly on building consent processes which may not fully cover the issue.

As with other hazards affecting other townships the liquefaction and alluvial fan hazards have not been investigated fully at this stage rather areas of potential hazards have been identified. A more in depth assessment of hazards in the Kinloch Township zone may be required during this District plan review to ensure firstly, that areas of actual hazard risk are identified and secondly, that hazard protection is provided where it is necessary through the use of appropriate rules such as rules requiring specific building foundation design or other methods. Alternatively the hazard protection could be done at building consent stage but this may result in resource consents being granted and subsequently building consents refused due to hazard effects.

Anticipated Building Style

As with all the townships, the environmental results anticipated (ERA's) for the Kinloch Township zone anticipates development which reflects local characteristics in terms of building style, appearance and density. Rules in the Plan relating to density of development and site design, such as setbacks, heights and recession planes help to ensure density and general development / site appearance are retained in the Township. There are no rules relating to building design and therefore the plan is not effective in ensuring a particular building design is maintained.

With such limited development in the township it is not clear what the characteristic building design is. Without a particular design being promoted as characteristic of Kinloch the Plan cannot be effective in achieving the anticipated results in relation to building design. It is possible that the various styles of built form lend to the character of the area and township zones generally. If this is accepted then the anticipated results relating to specific design for the Kinloch Township zone may be inappropriate.

Protection of Non Residential Activities

Policy 1.8 requires protection of a range of non-residential activities by way of scheduled sites. This policy is not effective in the Kinloch Township zone. There is no protection for the key business in the Township. It may be appropriate to provide a visitor accommodation sub zone over Kinloch Lodge to allow changes to the facility to be undertaken as controlled activities to provide surety as to the continued use of the site for non-residential activities. Currently if the business ceases to operate the sites existing use rights are not fully protected in the long term.

Is the Plan Efficient?

The average Council charge to obtain resource consent in the Kinloch Township zone between 2004 and 2011 was **\$1575** (including GST). The lowest charge made was \$689, and the highest was \$3228, which would reflect the different complexities and quality of applications lodged.

The average Council charge to obtain resource consent in all the Township zones is **\$1423** (including GST).

While being close to the average for the Township zone the average cost in the Kinloch Township zone is higher than the overall township average suggesting that the Kinloch Township zone is less efficient than the Township zones overall.

The low number of consents can result in a higher average cost easily is one of the consents was complex. In this case one of the consents was complex and cost over twice the average thereby skewing the results. Without the cost of the complicated consent the average would have been **\$1024** which is only two thirds of the Township average.

Overall it is considered that the Kinloch Township zone provisions are working efficiently.

Concluding Remarks

Trends

It is accepted the findings of this report are based on a limited level of development however, based on the information we have the Kinloch Township zone is working fine and delivering results as anticipated by the community and the District Plan. Further development of non-residential activities would further satisfy the plans intentions however the lack of people in that area has potentially stifled further non-residential activity. The protection of properties from natural hazards is an issue that should be addressed through the review.

There are a number of issues that could be addressed through the District Plan review.

District Plan Review Issues

This monitoring report has identified that the District Plan Review should address the following:

- Hazards should be further investigated and the possibility of including provisions to protect properties against natural hazards should be considered if that is the ongoing intent of the plan;
- Anticipated results relating to specific building styles should be revisited to determine their necessity;
- Existing important non-residential activities should be protected.

Appendix 1: What is District Plan monitoring?

The RMA requires that two aspects of the District Plan are assessed, with the findings used to inform the process of reviewing the District Plan. With respect to the Plan's objectives, policies and methods, these aspects are:

1. District Plan Effectiveness
2. District Plan Efficiency

District Plan Effectiveness monitoring requires the Council to compare what is actually occurring under the District Plan provisions with the intentions of the Plan (as expressed through its objectives). This involves first identifying what the plan is trying to achieve for the zone, and to then track how well it is achieving these objectives. Once an understanding of how well the objectives are being met, the next consideration is identify to what extent this can be attributed to the District Plan policies and rules and to what extent 'outside' influences may be affecting the ability of the Plan to achieve its objectives.

Plan Efficiency monitoring refers to comparing the costs of administering the Plans provisions incurred by applicants, the Council and other parties compared to the outcomes or benefits achieved. It is noted here that determining what level of costs are acceptable is generally a subjective judgement and, as such, it is difficult to reach definitive conclusions. It is also considered that if development can be undertaken with no resource consent fees then that improves the efficiency of the Plan.

