

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 04 –
Subdivision and
Development chapter

**REPLY OF NIGEL ROLAND BRYCE
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

27 SUBDIVISION AND DEVELOPMENT CHAPTER

26 AUGUST 2016

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1. INTRODUCTION

1.1 My name is Nigel Roland Bryce. I prepared the section 42A report for the Subdivision and Development chapter of the Proposed District Plan (**PDP**). My qualifications and experience are listed in at section 2 of the s42A report.¹

1.2 I have reviewed the evidence filed by other expert witnesses on behalf of submitters, attended on 25th and 26th July 2016, 1st and 2nd of August 2016 and 17th August 2016 and have been provided with information from submitters and counsel at the hearing, including reports of what has taken place at the hearing each day.

1.3 This reply evidence covers the following issues:

- (a) Policy Amendments;
- (b) Amendments to the structure of Objectives and Policies to reflect urban and rural hierarchy;
- (c) Amendments to proposed Rules and integration of assessment matters for Controlled and Restricted Discretionary Activities;
- (d) Need for Assessment Criteria;
- (e) New Rule Framework to provide for the protection of Electricity Sub-Transmission Lines;
- (f) New Rule Framework to provide for the protection of the National Grid;
- (g) Changes sought by the NZFS Commission;
- (h) New Policy framework to support Structure Plan;
- (i) Changes to redrafted Rule 27.7.14.1;
- (j) Amendments to Jacks Point Provisions;
- (k) Integration of Standards related to servicing and Infrastructure (redraft Rule 27.7.14.1 (Infill Rule));
- (l) Rural Lifestyle Zone – Minimum or minimum average lot size;
- (m) Relationship with Chapter 15 of Operative District Plan (**ODP**); and

1 Section 42A Hearing Report dated 29 June 2016. It is noted that the references to PDP provisions were updated in the 19 July 2016 version.

(n) Definition of 'site'.

1.4 Where I am recommending changes to the provisions as a consequence of the Hearing evidence, I have appended these as **Appendix 1 (Revised Chapter)**. A clean version of the Revised Chapter is at **Appendix 2**.

1.5 I have also attached a section 32AA evaluation in **Appendix 3**.

1.6 The Panel requested information in support of the consent data included within my Additional Information Response dated 29th July 2016 at Appendix 1 that included data on the numbers of consents that were declined. I have included in **Appendix 4** of this evidence a table which identifies that 23 consents were identified under the category of 'appealed or declined'. Importantly, all but one of these consents were granted. One appeal includes an objection for fees.

1.7 Finally, the Panel asked me to identify those policies that have been carried through from the Operative District Plan (**ODP**). These are attached at **Appendix 5**, with a comparison to show what sections of the policies are more or less the same, and where completely new text has been inserted.

2. POLICY AMENDMENTS

2.1 A number of District Wide Policies are recommended to be modified to ensure clarity and certainty with the implementation of the Plan. The changes are not substantive and are related to clarifications, questions received from the Panel and observations made over the course of the hearing. The changes are set out in **Appendix 1**. All changes are identified as red underlined text. Where these changes are as a consequence of evidence produced by a specific submitter I have identified the witness and submitter number in a comment box.

Substantive Changes to Objectives and Policies

Redrafted Policy 27.2.4.3 [notified 27.2.4.4, pg.4]

- 2.2** The Panel questioned me about the term ‘unacceptable loss’ and the need to ensure that this policy outcome is consistent with the policy framework under Chapter 26: Historic Heritage.
- 2.3** I have considered the amended policy response set out in the Chapter 26 Historic Heritage Officer’s Right of Reply dated 6 July 2016 and consider that the reference in the Subdivision chapter to ‘unacceptable loss’ should be amended to ‘loss’. The term ‘unacceptable loss’ is not employed within Chapter 26 and as a consequence there is the potential for divergent interpretation between Chapters 26 and 27. In my opinion, this should be avoided.
- 2.4** I have also sought to articulate within redrafted Policy 27.2.4.3 that the protection of archaeological sites and heritage items be provided for in the first instance, and where effects on these features cannot be reasonably avoided, effects shall be mitigated to an extent that is proportionate to the level of significance of the feature. This is broadly consistent with Policy 26.4.1.2 and 26.4.1.3 of the Officer’s Right of Reply dated 6 July 2016.

New Policy 27.2.8.3

- 2.5** The Panel questioned me about the adequacy of the policy framework supporting multi unit subdivision development anticipated within the Medium and High Density Residential Zones. Currently, only redrafted Policy 27.2.8.2 [notified Policy 27.2.8.2, pg.8] provides for any specific reference to unit title subdivision and even then the policy is weighted towards responding to boundary adjustments. While there is no direct relief seeking a standalone policy to enable unit title subdivision of multi unit developments in urban areas, given the importance of unit title, strata-title and cross lease subdivision as a method of providing for further intensification of the District’s urban areas, I consider that the existing policy framework should be further

amended to redress this existing shortcoming. I have included a new Policy 27.2.8.3 to respond to this in **Appendix 1**.

New Policy 27.2.8.4 in Support of Unit Title Subdivision within Ski Area Sub Zones

- 2.6** Following the Subdivision hearing on 2 August 2016, the Panel provided leave for Submitters 613 (Treble Cone Investments Limited) and Submitter 610 (Soho Ski Area Limited and Blackmans Creek No. 1 LP) to provide supplementary evidence on how the land use provisions proposed within the Ski Area Sub Zones (**SASZs**) in Rural Chapter 21 could integrate with the Subdivision Chapter 27. Further to this, the Panel sought a view on whether, and how, a structure plan approach might work to achieve the integrated management of the area. The reason for this clarification was to determine if subdivision was able to be advanced as a controlled activity, would it need to be better aligned with the SASZ land use rules, or use a Structure Plan approach.
- 2.7** Submitters 613 (Treble Cone Investments Limited) and 610 (Soho Ski Area Limited and Blackmans Creek No. 1 LP) sought specific relief to include a new rule to provide for subdivision as a controlled activity within the SASZs. Importantly, however, the relief sought to the Subdivision Chapter in the submitters' primary submissions does not provide for the integration of a structure plan approach to enable a controlled activity status for subdivision within the SASZs.
- 2.8** Mr Ferguson (planning witness for Treble Cone and Soho) provided supplementary planning evidence which sought to re-introduce the Landscape and Ecological Management Plan Approach advanced within the Chapter 21: Rural Zone hearing stream. Further to this, Mr Ferguson's evidence has sought amendments to Rule 21.5.32 as this relates to Visitor Accommodation in the SASZs, to integrate a spatial planning response (through the Landscape and Ecological Management Plan Approach) in Chapter 21. Mr Ferguson considers that this would then provide sufficient scope for the Landscape and Ecological Management Plan to be integrated into an amended Rule

27.7.1 and for a controlled activity status to be provided for subdivision activities in SASZs.

- 2.9** I note that the approach advanced by Mr Ferguson in his supplementary evidence, is the same approach that he advanced for Chapter 21, which was rejected by Mr Barr (the Chapter 21 section 42A reporting officer) who concluded that:²

I also consider if this is advanced, that it seems inappropriate that matters of discretion are limited to the construction of visitor accommodation buildings and not any other building, in particular passenger lift systems or base buildings. I consider that the framework in Chapter 33 is the most appropriate method to provide for the maintenance of indigenous biodiversity. In addition, the matters of discretion as suggested by the submitter are not thorough and do not appear to be supported by any expert ecological evidence.

- 2.10** While I acknowledge that Mr Ferguson's evidence to Chapter 21 was in support of a controlled activity status for Visitor Accommodation within the SASZs, Mr Barr rejected the amended rule framework sought by Mr Ferguson on the basis that issues such as indigenous vegetation clearance were adequately provided for under Chapter 33 (Indigenous Vegetation Clearance). I agree with this conclusion.

- 2.11** In my opinion, the approach advanced by Mr Ferguson falls short of a true structure plan response and therefore I question whether it offers the same level of certainty provided by the structure plan approach. While I acknowledge that it is a useful spatial planning response, ultimately it is only linked to visitor accommodation activities, which forms only one part of the broader land use activities advanced within the SASZs. From a resource management perspective, while it would be effective for ski area activities to be advanced in accordance with a case by case master planned response for each Ski area, the notified version of the plan does not promote this outcome. Given the limited application of the Landscape and Ecological Management Plan Approach advanced by Mr Ferguson I do not support the relief sought within his supplementary planning

² Mr Craig Barr's Right of Reply to Chapter 21 Rural Zone dated 3 June 2016, at paragraph 14.12.

response and therefore do not support a controlled activity status being applied as an outcome of his relief.

- 2.12** I have also reviewed the evidence of Mr McCrostie (consultant to Darby Asset Management) presented at the Chapter 21 Rural Hearing stream and his verbal response to the Panel on 17 August 2016. Mr McCrostie sets out the need for further investment in visitor accommodation to reflect the experience akin to a Northern Hemisphere winter mountain experience. Mr McCrostie's evidence to the Chapter 21 Rural Hearing stream reinforced the cumulative benefits of guests staying on the mountain and using food and beverage outlets, which improved the financial sustainability of the ski areas.³ His verbal response to the Panel on 17 August 2016 also reinforced the need to subdivide existing buildings to assist with ongoing investment.
- 2.13** In weighing up the various approaches to respond to the issues raised by Submitter 613 (Treble Cone Investments Limited) and Submitter 610 (Soho Ski Area Limited and Blackmans Creek No. 1 LP), I consider that a structure plan approach for the SASZs would be an effective response to managing subdivision activities. However as I have noted above, I am not persuaded that the approach advanced by Mr Ferguson is able to be effectively advanced through the Subdivision Chapter (given that it is largely reliant upon further changes to Chapter 21 and is limited in its application to visitor accommodation activities). As a consequence, as a spatial planning tool, the Landscape and Ecological Management Plan Approach is not supported.
- 2.14** As an alternative response, I consider that it may be more effective to provide for the unit title subdivision, as a controlled activity, of existing buildings supporting land use activities such as visitor accommodation within the SASZs. The rationale for advancing this alternative method is that within Chapter 21 (as with other Chapters of the PDP), the SASZs already provide for various rules governing buildings and land use activities. Once established, the physical effects of these activities form part of the existing environment and

3 Mr McCrostie's summary of evidence presented at the Chapter 21 Rural Hearing, at paragraph 8 .

the subdivision of these buildings for unit title purposes would generate limited or no additional adverse effects (and issues relating to the position of boundaries and adequacy of services can be responded to through matters of control). I reinforce here that the intent of this rule is not to provide for broader fee simple subdivision activity as a controlled activity. Consequently, the alternative rule would have a limited geographical application, being tied to division of existing buildings within the SASZs.

2.15 I consider that provided the building development is undertaken in accordance with an approved land use resource consent, there is no impediment for securing unit title, strata title or cross lease subdivision for this existing development. For this reason, I support a new redrafted Policy 27.2.8.3 [which expands upon the intent of notified Policy 27.2.8.2, pg. 27-8] that specifically provides for unit title subdivision of existing approved buildings. Importantly, this policy (and supporting rule discussed below) has a broader application than just the SASZs, and recognises the importance of this subdivision activity for enabling investment decisions in support of the District's commercial, tourism related and residential development. I note, for completeness, that new redrafted Policy 27.2.8.3 [which expands upon the intent of notified Policy 27.2.8.2, pg. 27-8] is supported with a new controlled activity redrafted Rule 27.5.5. New redrafted Rule 27.5.5 provides for unit title, strata title or cross lease subdivision of existing approved buildings where land use consent is approved for a multi-unit commercial or residential development (including visitor accommodation development), and where the unit title, strata-title or cross lease subdivision is in accordance with the approved land use consent.

2.16 I also note that under redrafted Rule 27.5.20 [notified Rule 27.4.2 (e), pg.10] any subdivision under the Unit Titles Act where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings, the subdivision would default to a non-complying activity.

- 2.17** Further, for standard fee simple subdivision activities these would be advanced in accordance with Redrafted Rule 27.5.10 [notified Rule 27.4.1, pg.10] and would be a Discretionary Activity within the SASZs.
- 2.18** In my opinion, these collective rules offer sufficient certainty that the effects of subdivision activities within the SASZs are adequately provided for and will go some way of responding to the issues raised by Submitter 613 (Treble Cone Investments Limited) and Submitter 610 (Soho Ski Area Limited and Blackmans Creek No. 1 LP).

New Policy 27.2.1.8 and Policy 27.2.1.8

- 2.19** The Panel raised concerns that, under redrafted Rule 27.5.19 [notified Rule 27.4.2 (d), pg.10], any subdivision of a residential flat from a residential unit is a non-complying activity. However there is no specific policy support within the Subdivision Chapter for this activity status being applied. As a consequence, an application would likely find it easier to pass through the gateway test under section 104D of the Act. While the underlying zone chapters may provide some policy support, it is considered more effective to provide direct policy support to this rule in Chapter 27 itself.
- 2.20** Similarly, the Panel also raised concern that redrafted Rule 27.5.17 [notified Rule 27.4.2 (c), pg.10] which applies a non-complying activity status for the subdivision of land resulting in the division of a residential building platform, is not supported with a policy response to support this activity status applying. As a consequence, an application would likely find it easier to pass through the gateway test under section 104D of the Act.
- 2.21** While the Rural, Rural Lifestyle and Gibbston Character Zones provide for rules governing the identification of residential building platforms, none of these underlying zones control the subdivision of a residential building platform. There do not appear to be any direct submissions seeking this policy support, however, good resource management and planning practice would suggest that a rule, particularly for a non-complying activity, must have direct policy support for it to be more effective. Without an underlying policy

response to support the gateway test under section 104D of the Act, there is a very clear potential for the development community to take advantage of this apparent loophole.

- 2.22** To overcome these shortcomings, I have included two new Policies 27.2.1.8 and 27.2.1.9, which respectively seek to avoid the subdivision of a residential flat from a residential unit and avoid the subdivision of residential building platforms. In my opinion, both policy responses appropriately address the policy vacuum raised with respect to redrafted Rule 27.5.19 [notified Rule 27.4.2 (d), pg.10] and redrafted Rule 27.5.17 [notified Rule 27.4.2 (c), pg.10].

Redrafted Policy 27.3.3.2 [notified Policy 27.7.4.2, pg.17]

- 2.23** The Panel questioned me about the appropriateness of including reference to the Wanaka Structure Plan 2007 within redrafted Policy 27.3.3.2 [notified Policy 27.7.4.2, pg.17].

- 2.24** The Wanaka Structure Plan is currently a policy document that has been developed under the Local Government Act 2002 and is intended to provide a framework in order to guide future growth in Wanaka. The Wanaka Structure Plan is an expression of the strategic intent of Council and the Council has translated some of the actions identified in the Structure Plan and other growth management processes (such as the Growth Management Strategy (2007)) into the District Plan through the District Plan Review (with a new Chapter identifying the Urban Growth Boundaries for Queenstown and Wanaka).

- 2.25** I do not consider that it is appropriate for the Wanaka Structure Plan to be specifically referenced within redrafted Policy 27.3.3.2 [notified Policy 27.7.4.2, pg.17] in the manner proposed, as it would be extremely difficult for plan administration for plan users to have to cross reference a document that sits outside of the Proposed Plan in order to identify where the 'Urban Landscape Protection Line' is located. I note that there is a submission from Nic Blennerhassett (335.31) seeking the deletion of this policy and the 'Urban Landscape Protection Line'.

2.26 I have amended redrafted Policy 27.3.3.2 [notified Policy 27.7.4.2, pg.17] to delete reference to the Wanaka Structure Plan and the 'Urban Landscape Protection Line', and have included reference to "land located on the elevated terrace faces and tops at the northern side of Studholme Road". I believe that this wording effectively identifies the area of sensitive land and the adverse effects to be avoided and as such provides appropriate guidance in the consideration of resource consent applications. I note that the Zone Specific hearing for the Large Lot Residential Zone has yet to be commenced. I believe that advancing further specific policy direction for this area is better considered within the Residential Hearing Stream than the Subdivision Stream. I also consider that it would be more effective for the 'Urban Landscape Protection Line' to be established on the planning maps.

3. SUGGESTED URBAN AND RURAL HIERARCHY

3.1 The Panel questioned me on the merits of structuring the District Wide Objectives and policies of the PDP into 'Urban' and 'Rural' Sections. The Panel noted that this is the approach reflected within decisions to the Subdivision chapter to Auckland Unitary Plan.

3.2 I have given consideration to this outcome and believe there is scope to contemplate this amendment on the basis that a number of submitters sought that the objectives and policies of the Chapter 27 be reordered to make it clear which are solely applicable to urban areas.⁴

3.3 While there is some merit in this approach, including ease of plan administration, there are a number of policies that dually apply to both the rural and urban areas.⁵ I consider that the current structure and wording of the objectives and policies clearly reflect the environmental outcomes sought by the Plan. I do not consider that there are enough urban or rural specific provisions that warrant the splitting up of the chapter into two distinct areas. As such, I do not

⁴ Submitters 643 (Crown Range Enterprises), 636 (Crown Range Holdings Ltd), 693 (Private Property Limited), 688 (Justin Crane and Kirsty Mactaggart), 702 (Lake Wakatipu Stations Limited)

⁵ For example many of the policies supporting Objective 27.2.5 have a dual application.

believe that it is efficient to duplicate the framework and, I therefore favour retaining the structure of section 27.2 as set out in the section 42A report dated 19 July 2016, and which has been further amended in **Appendix 1**.

4. AMENDMENTS TO PROPOSED RULES AND INTEGRATION OF ASSESSMENT MATTERS

4.1 A number of key changes to the District Wide Rules are recommended, as a result of questions from the Panel and as a consequence of submitted evidence received over the course of the hearing.

4.2 Importantly, for the reasons that I will expand upon within this evidence, I maintain my recommendation that the proposed restricted discretionary activity (**RDA**) rule framework is the most effective response to address the resource management issues raised by subdivision activities across the District. However, the proposed rule framework has been further amended to specifically respond to those unit title subdivision activities that have the potential to support the further intensification of the District's urban areas.

Discretion over Minimum Lot Size under Rules 27.5.5 and 27.5.6

4.3 In my Additional Information Response dated 29 July 2016, I set out further amendments to the proposed RDA regime (under Redrafted Rule 27.5.6 [notified Rule 27.4.1, pg.10] and Redrafted Rule 27.5.7 [notified Rule 27.4.1, pg.10]). The information was in response to concerns raised by Mr Warwick Goldsmith concerning the Council's discretion over 'lot sizes and dimensions'. He considered the discretion should be limited to access or infrastructure easements, and access to adjoining land to enable future subdivision.⁶

4.4 There has been some focus on this issue by Submitters, with Planning witnesses questioning the need for the Council to retain discretion over 'lot sizes' in order to respond to situations such as those identified under subdivision consent RM130588 (hereafter

⁶ Mr Warwick Goldsmith's submissions, dated 22 July 2016, at paragraph 5.3.

referred to as the '**Larchmont decision**'). Under situations such as the Larchmont decision there may be circumstances where consideration of 'lot size and dimensions' is required to provide for access or infrastructure easements. It also may require the deletion of lots proposed within the subdivision in order to facilitate access to adjoining land to enable future subdivision. While I appreciate that 'access' is already proposed as a matter of discretion under both redrafted Rule 27.5.6 [notified Rule 27.4.1, pg.10] and redrafted Rule 27.5.7 [notified Rule 27.4.1, pg.10], in light of applications such as the Larchmont proposal, I question whether relying purely on the term 'Property access and roading' is sufficient to avoid this matter being extensively litigated. In my opinion, the ability to specifically respond to situations like these, by the Council retaining discretion over "lot sizes and dimensions" provides more certainty from a plan administration perspective.

4.5 Ms Baker-Galloway (Counsel for Darby and Co) argued that "*[a] subdivision development remains a subdivision development regardless of its road design and lot configuration, and in some instances lot numbers and sizes. The fact that a consent condition might change the appearance, layout, and even number of allotments does not mean the consent applied for is declined.*"⁷ This was reinforced within Mr Goldsmith's (Counsel for GW Stalker and Co) verbal legal submissions that the Council has always had the ability to impose conditions to ensure access and roading outcomes are achieved.⁸ Both reinforced that the Council maintained discretion under section 106 to decline consent where a subdivision provided for substandard access to a Lot.

4.6 In the case of a controlled activity subdivision, relying on a statutory discretion to decline inappropriate proposals is, in my opinion, counter to offering the level of certainty that many submissions to Chapter 27 are seeking. In my opinion, it is more effective from both an administration and plan user perspective for the plan to be clear about what matters are relevant to subdivision proposals.

⁷ Legal Submissions for Darby Planning LP and Co dated 1st August 2016, at paragraph 6.14 .

⁸ Presented on 1 August 2016 (Session 1).

- 4.7** Further, in the case of a controlled activity subdivision, imposing a condition that essentially requires a significant reconfiguration and potentially deletion of lots to address similar effects to those raised under the Larchmont decision, may compromise the ability for the application to be able to be practicably implemented. The deletion of lots by requiring a revised subdivision design be submitted before section 223 of the Act has the potential to adversely impact upon the viability of the subdivision scheme itself. In my opinion, the Larchmont decision is one example of where there is a broader public interest for the Council to retain sufficient discretion to refuse consent for those subdivision applications that do not achieve good subdivision design outcomes. Nonetheless I believe that it demonstrates that there are situations where the RDA rule framework proposed would, better promote the sustainable management of natural and physical resources under Part 2 of the Act.
- 4.8** A number of planning witnesses⁹ have been critical of the Council's lack of evidence to support a change to an RDA rule framework. However I have seen no evidence provided by submitters to provide sufficient certainty that every subdivision within the District is presently achieving good subdivision outcomes.
- 4.9** The Council has previously informed the Panel that 69% of subdivision applications that were granted under the Operative District Plan (**ODP**) from 2009-2015 had an activity status that enabled the Council to decline consent.¹⁰ This data did not include applications marked as 'appealed or declined'. Upon further investigation the Council has discovered that these applications were either in progress at the time the report was run, or they were a glitch in the system. It has been discovered that all but 1 of these applications were granted. I have attached as **Appendix D** the updated revised data for the Panel's information.
- 4.10** I consider that the Council should have the ability to decline consents (as opposed to imposing conditions under a controlled activity regime) with limited discretion over "lot sizes and dimensions" to

⁹ See the Statement of Evidence of Jeffrey Brown dated 15 July 2016 for example.

¹⁰ Mr Bryce s42A report at paragraph 10.50. Additional Information – Response of Nigel Roland Bryce dated 29 July 2016, at paragraph 2.2.

specifically respond to situations such as those identified within the Larchmont decision. To this end, I maintain my position that fee simple subdivision activity within the District should be an RDA, unless otherwise specified in the amended planning provisions supporting Chapter 27 and set out in **Appendix 1**.

5. NEED FOR ASSESSMENT CRITERIA

- 5.1** Mr Goldsmith (Counsel for GW Stalker and Co) presented legal submissions on 1 August 2016.¹¹ He raised specific concerns that the Council is potentially creating a legal issue by relying on guidance provided by policy, as opposed to using assessment matters (as is the case under the Operative District Plan). Mr Goldsmith also highlighted concerns that the proposed rule structure set out within the section 42A officers report conflates matters of discretion with assessment matters. He gave the example of redrafted Rule 27.5.5 [notified Rule 27.4.1, pg.10]]
- 5.2** The Panel questioned Mr Goldsmith at length about the structure employed within the Auckland Unitary Plan which includes assessment matters for CA and RDA rules within both the Urban and Rural Subdivision Chapters. The Panel noted that the assessment matters also cross reference to relevant supporting policies to assist with guidance.
- 5.3** The Panel asked that I consider the approach advanced within the Auckland Unitary Plan (both in terms of wording of matters of control and discretion, and the use of assessment matters). Further, before adjourning the hearing on 17 August 2016, the Panel requested that I provide them with a separate table of assessment matters to support the controlled and RDA rule frameworks proposed. This was sought to inform their consideration of Chapter 27 rule framework.
- 5.4** I have considered the approach adopted in the Auckland Unitary Plan and the issues raised by Mr Goldsmith as to the conflation of matters of control and discretion as assessment matters within the proposed rule framework to Chapter 27. As a consequence of this review, I

¹¹ Legal submissions were dated 22 July 2016

have undertaken a number of significant further amendments to the controlled and RDA rule framework to ensure that matters of control and discretion are appropriately narrowed so as to reflect good resource management and planning practice. I am satisfied that there is sufficient scope to undertake these changes.

- 5.5** Further, I have also included a new suite of assessment matters in redrafted Rule 27.9 (Assessment Matters for Resource Consents) to address the concerns raised by Mr Goldsmith that the Council's approach seeks to rely on guidance provided by Policy, as opposed to using assessment matters. I consider that it is important to ensure that Chapter 27 is both effective and efficient for plan administration. There is also a need to ensure plan users have sufficient guidance within the chapter to clearly understand the outcomes that are sought.
- 5.6** As set out in paragraph 18.17 of the section 42A report dated 19 July 2016, Submitter 370 (Paterson Pitts Group) seeks clear guidance material for Council planning officers processing applications, to ensure consistency and transparency in how the then discretionary activity classes are administered and generally understood by the community. Further, as set out in paragraph 10.4 of the section 42A report dated 19 July 2016, a number of submitters have sought Chapter 27 be amended to incorporate any combination of the objectives, policies and rules of the ODP Chapter 15 and PDP Chapter 27. I consider that reintroducing a number of targeted assessment matters will go some way to provide for the relief sought by submitters.
- 5.7** Given the issues raised above and the guidance provided within the recently released Auckland Unitary Plan, I recommend that a range of assessment matters be integrated into Chapter 27 to provide for more effective guidance for controlled and RDA rules set out in the amended planning provisions supporting Chapter 27. These are set out in **Appendix 1**.
- 5.8** While I have not sought to reintroduce significant volumes of assessment matters reflective of those within the Operative District Plan, I have included what I consider to be an appropriate balance

between providing effective guidance to plan users and administrators, while still seeking to ensure that the plan is streamlined. The wording of the assessment matters also integrates the approach advanced within the Auckland Unitary Plan whereby relevant policies are cross referenced within the assessment matters. In my opinion, this provides for a very comprehensive cross reference between the policy and supporting methods and has been found to be effective in the Auckland Unitary Plan context.

6. NEW RULE FRAMEWORK TO PROVIDE FOR THE PROTECTION OF ELECTRICITY SUB-TRANSMISSION LINES

- 6.1** Submitter 635 (Aurora Energy) sought a number of specific changes to both the definitions section, District Wide Policy regime under Chapter 27 and to the subdivision rules.
- 6.2** Ms Joanne Dowd's planning evidence for Aurora (635) sets out that the Company operates sub-transmission lines at 33kV and 66kV both above and underground, and above ground distribution lines at 11kV in the District. Aurora also seek new definitions and provisions (rules) to manage 'critical electricity lines'.
- 6.3** Mr Barr in his section 42A report¹² to Chapter 30 (Utilities and Energy) responds to a number of the same or similar submissions to Chapter 30 that Aurora has also advanced to Chapter 27.
- 6.4** I agree with Mr Barr's assessment and, in the context of Chapter 27, acknowledge the importance of Aurora's sub-transmission lines to the socio-economic well-being of the District. Consequently, I recommend the Company's 33kV and 66kV sub-transmission lines be specifically recognised through an amended policy and rule framework to that advanced by Ms Dowd.
- 6.5** The central thrust of the new Rule 27.5.9 is that subdivision in any zone within 32 metres of the centre line of Electricity sub-transmission lines generates an RDA resource consent. While the rule does not

12 <http://www.qldc.govt.nz/planning/district-plan/proposed-district-plan/proposed-district-plan-hearings/05-districtwide/>

seek to protect existing designated substations and associated infrastructure, as was sought by Ms Dowd, the matter of discretion and supporting assessment matter is extended to ensure that access to supporting infrastructure is not constrained or fettered. I note that the definition of Electricity sub-transmission lines is recommended for adoption within the section 42A report¹³ to Chapter 30 (Utilities and Energy).

7. NEW RULE FRAMEWORK TO PROVIDE PROTECTION OF NATIONAL GRID

7.1 Ms McLeod's evidence¹⁴ addresses Transpower's submission and recommends further minor amendments to new Policy 27.2.2.10 to give effect to Policies 10 and 11 of the National Policy Statement of Electricity Transmission (**NPSET**). I support the suggested amendments to new Policy 27.2.2.10.

7.2 Ms McLeod also suggests amendments to new Rules 27.5.7 and new 27.5.19 to provide clarity, as well as some amendments to the definition of 'National Grid Corridor' to include specific reference to 'subdivision' within this definition. I support these changes and they are set out in the recommended revised chapter in **Appendix 1**.

8. CHANGES SOUGHT BY NEW ZEALAND FIRE SERVICE COMMISSION (438/1125)

8.1 Ms McLeod's evidence was also on behalf of the New Zealand Fire Service Commission (**NZFS**) and sought that SNZ PAS 4509:2008 be included as a matter of discretion in redrafted Rule 27.5.6 [notified Rule 27.4.1, pg.10] and redrafted Rule 27.5.7 [notified Rule 27.4.1, pg.10]).

8.2 Ms McLeod also suggests an alternative RDA Rule standard (where subdivision is a controlled activity) where consent is triggered in the event that subdivision of land resulting in an allotment that is (i) not

¹³ <http://www.qldc.govt.nz/planning/district-plan/proposed-district-plan/proposed-district-plan-hearings/05-districtwide/>

¹⁴ Statement of Evidence of Ainsley McLeod on behalf of the New Zealand Fire service Commissions (#438/1125) and Transpower New Zealand Ltd (#805/1301) dated 15 July 2016.

connected to a fully reticulated water supply, and (ii) does not have a dedicated firefighting water supply of 45,000L and complies with the other requirements of SNZ PAS 4509:2008. Ms McLeod also suggest that this Rule could be applied in redrafted Rule 27.7.15.3 [notified Rule 27.5.4, pg.14] that addresses the provision of water in non-reticulated areas (Zone and Location Specific Standards).

8.3 My response to this matter remains largely unchanged from my Section 42A report dated 19 July 2016. However, I have recommended that SNZ PAS 4509:2008 be specifically integrated into the assessment matters supporting redrafted Rule 27.5.7 [notified Rule 27.4.1, pg.10] (refer Assessment Matter on page 27-58 in the recommended revised chapter in **Appendix 1**). I consider this goes some way to responding to the issues raised by NZFS.

9. NEW POLICY FRAMEWORK TO SUPPORT STRUCTURE PLANS

9.1 During the Council's opening legal submissions on 25th July 2016, it was highlighted that Chapter 27 is not supported by a policy framework for structure plans. These submissions also pointed out that there is no guidance as to the definition of 'structure plan' under the Proposed Plan, or any guidance around good structure plan outcomes.

9.2 Ms Baker-Galloway presented legal submissions (dated 1 August 2016) on 2 August 2016 and highlighted at paragraph 4.5 that if the existence of a structure plan as proposed by Council is to be used as a prerequisite for controlled activity subdivision status, explicitly defining "structure plan" would provide more certainty. Ms Baker-Galloway further noted that the provisions of chapter 27 could more clearly direct what a 'structure plan' is and what a structure plan must include (or may include) in order to be relied upon to receive the benefit of the controlled subdivision activity status.

9.3 I note that within the 1500 odd submission points to Chapter 27, there is no specific relief seeking the introduction of a policy framework and definition to support the application of structure plans. All references

to structure plans relate to the use of existing structure plans to provide for specific outcomes within existing zones.

- 9.4** As a consequence, one option is that this matter would need to be advanced separately by Council and be promoted as a Variation to the Proposed District Plan. As such, while I support the concept on its merits, because of scope issues I do not recommend any specific changes to Chapter 27 to respond to this matter.

10. CHANGES TO REDRAFTED RULE 27.7.14.1 (INFILL RULE)

- 10.1** Mr White from Paterson Pitts Limited recommended a number of amendments to Redrafted Rule 27.7.14.1 [notified Rule 27.5.3, pg. 27-13].¹⁵

- 10.2** In particular, Mr White has recommended changes to redrafted Rule 27.7.14.1 to ensure that the rule is amended to overcome a number of practical issues, particularly as this relates to the note between clauses (b) and (c) of this rule. I have accepted Mr White's recommended changes to this note, given that they will make the text more accurate. This change is shown in the revised chapter at **Appendix 1**.

- 10.3** In relation to clause (c) of redrafted Rule 27.7.14.1, Mr White raises concerns that there may be increased costs associated with using the consent notice process as a basis for achieving short term requirements (such as building a house). Mr White highlights that there will likely be a need to vary or cancel consent notices to reflect any changes in house design (reflected in clause (c)) and as a consequence this will add costs to this process. He recommends that a way around this would be to register a more generic consent notice referring to approved plans, rather than specific reference to an approved set of out plans.¹⁶

- 10.4** I have considered Mr White's evidence and conclude that redrafted Rule 27.7.14.1 (with Mr White's suggested amendments noted in

¹⁵ Statement of Evidence of Duncan White for Paterson Pitts Limited Partnership dated 17 August 2016.

¹⁶ Mr White's evidence, at paragraph 4.3,

paragraph 10.2 above) is more responsive and accurate. I do not support applying a more generic reference in a consent notice referring to approved plans. Any additional costs associated with the need to vary a consent notice to reflect changes in a building's design are considered to be outweighed by the benefits derived from the investment certainty provided by this rule.

11. CHANGES TO THE PROVISIONS SUPPORTING JACKS POINT

- 11.1** Most of the relief sought by submitters to the Jacks Point Zone has been adequately responded to through the changes advanced within the section 42A report. In particular, there appears wide ranging support for the application of a controlled activity status for subdivision activities undertaken in accordance with a structure plan under redrafted Rule 27.7.1 [notified Rule 27.4.2 (e), pg.10].
- 11.2** For completeness, I note that the evidence of Mr Dan Wells presented on behalf of Submitter 632 (RCL Queenstown Pty Ltd) and Submitter 696 (Millbrook Country Club Ltd) sought a number of further amendments to the planning provisions relating to the Jacks Point Zone.
- 11.3** One of the key changes sought by Mr Wells was the need for flexibility around the 380m² minimum lot size within the Hanley Downs part of the Jacks Point Zone. Mr Wells provided an overview of how the Hanley Downs aspect of the Jacks Point Zone is likely to develop into the future. RCL sees considerable market opportunity to produce land development in this more intensive manner. Mr Wells provided an example of the first stage of subdivision which is currently being assessed by Council and provides for lots between 360m² and 780m². Mr Wells considers that subsequent stages are expected to deliver higher density development than this.
- 11.4** I am reasonably comfortable for subdivision activities within the Hanley Downs part of the Jacks Point Zone to be assessed as a RDA where the minimum lot size for subdivision falls below 380m². I consider that, given the infancy to this part of the Jacks Point Zone, the ability to assess subdivision activities that advance minimum lot

sizes below 380m² may provide some added opportunity for additional intensification within this part of the zone. My recommended changes to the rule framework to reflect this outcome are identified at Redrafted Rule 27.5.15 and Redrafted Rule 27.7.11.3 [notified Rule 27.7.14.2, pg 27-20].

12. STANDARDS RELATING TO SERVICING AND INFRASTRUCTURE

12.1 The Panel questioned me on whether the standards relating to servicing and infrastructure under redrafted Rule 27.7.15 [notified Rule 27.5.4.1, pg. 27-14] were now redundant given the RDA rule framework, and asked that I consider the merits of integrating this into the proposed RDA rule framework.

12.2 The intent of these rules is to ensure that the specified infrastructure is provided for. As a consequence, I have integrated a further rule into the Rule Table under Rule 27.5 which applies a non-complying activity status where infrastructure and services provided for under redrafted Rule 27.7.15 [notified Rule 27.5.4.1, pg. 27-14] are not provided for. This is consistent with the intent of notified Rule 27.4.2(a) which applied a non-complying activity status to subdivision that did not comply with standards in Part 27.5, and is reflected within redrafted Rule 27.5.22 (notified Rule 27.4.2(a)), pg. 27-10).

13. RURAL LIFESTYLE ZONE – MINIMUM OR MINIMUM AVERAGE LOT SIZE

13.1 At paragraph 14.17 of my section 42A report dated 19th July 2016 I briefly responded to the 1ha minimum average ('minimum 1ha lot average') sought by submitters and stated:

“Lastly, I note that the submitters who are seeking the minimum lot size be reduced to a 1ha average, are seeking this relief as they consider it will provide for greater housing and land supply. As I have set out above, this was a matter that was responded to by Mr Barr as part of his section 42A report to Chapter 22 and which he addressed at paragraph 8.10 of his s42A report. Having considered Mr Barr's response, I agree with his conclusion, that the Strategic Directions Chapter seeks greater

intensification of areas contained within the District's urban growth boundaries. Given this, I do not support the submissions and do not believe that the relief sought is consistent with the direction proposed by the PDP."

- 13.2** Legal submissions of Mr Goldsmith (Counsel for GW Stalker and Co) were presented to Stream 4: Subdivision on 1 August 2016 (legal submissions were dated 22 July 2016). Mr Goldsmith at paragraph 7.2 highlighted that the section 42A report does not address the 'minimum 1ha lot average' and that it was unclear when the Council may seek to address this. I note that Mr Farrell at paragraph 12 of his planning evidence also highlighted that this matter had not been specifically addressed in the section 42A report.
- 13.3** While I appreciate that the consideration of the minimum lot size to be applied within the Rural Lifestyle Zone in the Wakatipu Basin is to be deferred until the preparation of the Wakatipu Basin Structure Plan Study, in terms of wider application across the District I do not support the 1ha average approach. The reason for this is that as part of the subdivision stream there has been no technical analysis undertaken by submitters responding to actual and potential effects that could be generated as a consequence of the application of a 1ha average minimum lot size.
- 13.4** While allowing some design flexibility is important, taken to the extreme, a 1ha average minimum lot size might result in a diverse range of lot sizes when applied over larger properties. Without more detailed analysis I question whether the approach could undermine the purpose of the Rural Lifestyle Zone. There has been no information presented to the Panel that, in my opinion, demonstrates that this method is more effective in delivering the outcomes of the Rural Lifestyle Zone. For this reason, I support the retention of the 1 hectare minimum lot size where the average lot size is not less than 2 hectares in area (to be applied to the Rural Lifestyle Zone outside of the Wakatipu Basin).

14. RELATIONSHIP WITH CHAPTER 15 OF OPERATIVE DISTRICT PLAN

14.1 At the hearing, the Panel asked me whether earthworks should form part of the Council's discretion under the RDA rule framework. If earthworks were to be added as a matter of discretion, this would effectively replace Rule 15.2.20.

14.2 I do not support this approach. I consider that it would be more appropriate from both an administration and plan user perspective for the 'sign post' clause under 27.4.2.1 to cross reference back to Rule 15.2.20. This change is shown in the revised chapter at **Appendix 1**.

15. 'SITE' DEFINITION

15.1 At the hearing the Panel asked me to look at the definition of 'site' as per clauses b) and c) below and whether there is a need for this to be addressed with a more substantive rule in Chapter 17.

In addition to the above.

a) A site includes the airspace above the land.

b) If any site is crossed by a zone boundary under this Plan, the site is deemed to be divided into two or more sites by that zone boundary.

c) Where a site is situated partly within the District and partly in an adjoining District, then the part situated in the District shall be deemed to be one site.

15.2 I consider that this matter is more appropriately deferred until the Definition hearing stream and that any consequential amendments be subsequently made to Chapter 27 (if any).

16. CONCLUSION

16.1 Overall, I consider that the revised chapter as set out in **Appendix 1** is the most appropriate way to meet the purpose of the RMA.



Nigel Roland Bryce

Consultant Planner

26 August 2016

APPENDIX 1
REVISED CHAPTER 27 SUBDIVISION AND DEVELOPMENT

SUBDIVISION and DEVELOPMENT 27

Key:

Red underlined text for additions and ~~strike through~~ text for deletions (or relocated text), Appendix 1 to Nigel Bryce's Right of Reply, dated 26 August 2016

Green underlined text for additions and ~~strike through~~ text for deletions, dated 29 July 2016 (Additional Information)

Red text in comment bubbles for additions as at 19 July 2016, which updates referencing in response to the Panel's Minute dated 7 July 2016 concerning references to PDP provisions.

Black underlined text for additions and ~~strike through~~ text for deletions or relocated, Appendix 1 to Nigel Bryce's s42A report, dated 29 June 2016.

27 Subdivision and Development

27.1 Purpose

Subdivision and the resultant development enables the creation of new housing and land use opportunities, and is a key driver of the District's economy. The council will support subdivision that is well designed, is located in the appropriate locations anticipated by the District Plan with the appropriate capacity for servicing and integrated transportation.

All subdivision requires resource consent ~~as a discretionary activity~~ unless specified as a permitted activity. It is recognised that subdivisions will have a variable nature and scale with different issues to address. Good subdivision design, servicing and the management of natural hazards are underpinned by ~~logic and~~ a shared objective to create healthy, attractive and safe places.

Comment [RC1]: Consequential amendment as a consequence of changes to rule framework.

Comment [RC2]: Submission 383.47

Good subdivision creates neighbourhoods and places that people want to live or work within, and should also result in more environmentally responsive development that reduces car use, encourages walking and cycling, and maximises access to sunlight.

Good subdivision design will be encouraged by the use of the ~~QLDC Land Development and Subdivision Code of Practice, and the~~ QLDC Subdivision Design Guidelines 2015. The Subdivision Design Guidelines 2015 includes subdivision and urban design principles and outcomes that se are guiding principles to give effect to the objectives and policies of the Subdivision and Strategic Directions Chapters, in both designing and assessing subdivision proposals. Proposals at odds with these documents are not likely to be consistent with the policies of the Subdivision and Strategic Directions chapters, and therefore, may not achieve the purpose of the RMA. The purpose of the QLDC Land Development and Subdivision Code of Practice is to provide a best practice guideline for subdivision and development infrastructure in the District.

~~Except where specific provisions are provided to assess subdivision, such as the Rural, Gibbston and Rural Lifestyle Zones, t~~ The subdivision chapter is the primary method to ensure that the District's neighbourhoods are quality environments that take into account the character of local places and communities.

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Infrastructure upgrades necessary to support subdivision and future development are to be undertaken and paid for by subdividers and developers in accordance with the Council's 10 Year Plan Development Contributions Policy.

27.2 Objectives and Policies – district wide

27.2.1 **Objective - Subdivision will create enable quality environments that ensure the District is a desirable place to live, visit, work and play.**

Policies

27.2.1.1 Require subdivision infrastructure to be consistent with the QLDC Land Development and Subdivision Code of Practice constructed, and designed to an appropriate standard that and is fit for purpose, while recognising opportunities for innovative design.

Comment [RC3]: Officer suggested amendment given that Code of Practice refers specifically to 'subdivision infrastructure.'

Comment [RC4]: Submission 248.9, 567.16, FS1117.225, 806.170, 632.6, 806.171

27.2.1.2 Support To enable subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.

27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed to the anticipated land use of the applicable zone.

27.2.1.4 Where m-Discourage non-compliance with minimum allotment sizes are not proposed to be achieved, however where minimum allotment sizes are not achieved consideration will be given to whether the extent to which any adverse effects are mitigated or compensated by achieving providing:

Comment [RC5]: Submission 453.12

Comment [RC6]: Grammatical change as a consequence of submission 453.12

- i. desirable urban design outcomes.
- ii. greater efficiency in the development and use of the land resource.
- iii. affordable or community housing.

27.2.1.5 The Council recognises that there is an expectation by future landowners that the effects and resources required of by anticipated land uses will have been resolved through the subdivision approval process.

Comment [RC7]: Submission 453.13

27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.

27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that are undertaken only for ownership purposes and will not require the provision of services.

27.2.1.8 Avoid subdivision of a residential flat from a residential unit, except where it can be demonstrated that the subdivision will not result in an increase in the level of non-compliance with the standards of the underlying zone.

27.2.1.9 Avoid the subdivision of land resulting in the division of a residential building platform.

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27.2.2 Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.

Policies

27.2.2.1 Ensure subdivision design provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.

27.2.2.2 Ensure subdivision design maximises the opportunity for buildings to front the road.

27.2.2.3 ~~Locate~~ Open spaces and reserves are located in appropriate locations having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.

Comment [RC8]: Submission 632.44

Comment [RC9]: Grammatical change as a consequence of submission 632.44

27.2.2.4 Subdivision shall seek to provide for will have good and integrated connections and accessibility to:

i. existing and planned areas of employment;

ii. community activities and facilities;

iii. services;

iv. trails and trail connections;

v. public transport; and

vi. existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.

Comment [RC10]: Submission 524.45

Comment [RC11]: Submission 671.5 and 625.13

~~27.2.2.5 Subdivision design will provide for safe walking and cycling connections that reduce vehicle dependence within the subdivision.~~

27.2.2.5 Subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.

27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.

27.2.2.7 Encourage informal surveillance of streets and the public realm for safety by requiring that the minority of allotments within a subdivision are fronting, or have primary access to, cul-de-sacs and private lanes.

27.2.2.8 ~~Encourage~~ Promote informal surveillance for safety by ensuring through overlooking of open spaces and transport corridors from are visible and overlooked by adjacent sites and dwellings and by effective lighting.

Comment [RC12]: Submission 632.59

Comment [RC13]: Dowd for Aurora (635)

Comment [RC14]: A MacLeod for Transpower

Comment [RC15]: Dowd for Aurora (635)

27.2.2.9 Manage subdivision within or near to electricity transmission corridors and electricity sub-transmission lines to facilitate good amenity and urban design outcomes, while minimising avoiding potential adverse effects (including reverse sensitivity effects) on the National Grid and electricity sub-transmission lines transmission network.

Comment [RC16]: Submission 805.64, 635.37, 719.134

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27.2.3 ~~Objective - Recognise~~ **The potential of small scale and infill subdivision be recognised and provided for while acknowledging that the opportunities to undertake comprehensive their design are limited limitations.**

Comment [RC17]: Grammatical change as a consequence of submission 632.60

Policies

27.2.3.1 Acknowledge that small scale subdivision, (for example subdivision involving the creation of fewer than four allotments), and infill subdivision where the subdivision involves established buildings, might have limited opportunities to give effect to policies 27.2.2.4, 27.2.2.65 and 27.2.2.87.

27.2.3.2 While acknowledging potential limitations, encourage small scale and infill subdivision to:

- i. Ensure lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and provide adequate on-site amenity and privacy;
- ii. Where possible, locate lots so that they over-look and front road and open spaces;
- iii. ~~Where possible, a~~ Avoid the creation of multiple rear sites, **unless except where this is not practicable;**
- iv. Where buildings are constructed with the intent of a future subdivision, encourage site and development design to maintain, create and enhance positive visual coherence of the development with the surrounding neighbourhood;
- v. Identify and create opportunities for connections to services and facilities in the neighbourhood.

Comment [RC18]: Submission 453

27.2.4 ~~Objective - Identify, incorporate and enhance~~ **nNatural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.**

Comment [RC19]: Officer suggested amendment to remove any ambiguity around the term 'natural features'.

Comment [RC20]: Grammatical change to read more like an outcome statement, and submission 806.180.

Policies

27.2.4.1 Enhance biodiversity, riparian and amenity values by incorporating existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces.

27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage items and protected features scheduled or identified in the District Plan.

~~27.2.4.3 The Council will support subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise.~~

Comment [RC21]: Resiting of notified Policy 27.2.4.3 to redrafted Policy 27.2.5.13

27.2.4.3 Encourage **Provide for** the protection of heritage and archaeological sites, and avoid the **unacceptable** loss of archaeological sites **and heritage items**

Comment [RC22]: Officer suggested amendment to better align policy with RMA provisions

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in the first instance, and where effects on these features cannot be reasonably avoided, effects shall be mitigated to an extent that is proportionate to the level of significance of the feature.

~~27.2.4.4~~ ~~Ensure opportunity for the input of the applicable agencies where the subdivision and resultant development could modify or destroy any archaeological sites.~~

Comment [RC23]: Submissions 632 and 806

27.2.4.6 27.2.4.4 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to Maori culture and traditions in relation to ancestral lands, water, sites, wahi tapu and other taonga.

Comment [RC24]: Notified Policy 27.2.4.6, now redrafted Policy 27.2.4.5.

~~27.2.4.7~~ 27.2.4.5 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:

Comment [RC25]: Notified Policy 27.2.4.7, now redrafted Policy 27.2.4.6.

- i. Whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection;
- ii. Where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved should be off-set against the development contribution to be paid for open space and recreation purposes.

~~27.2.4.6~~ ~~Ensure that new subdivisions and developments recognise, incorporate and where appropriate adopt suitable measures to enhance existing established protected indigenous vegetation.~~

Comment [RC26]: Proposed New Policy 27.2.4.7

Comment [RC27]: Submission 809.5

For the purposes of this policy, the adoption of suitable measures to enhance existing established protected indigenous vegetation may include, but not be limited to protective fencing, destocking, removal of existing wilding species and invasive weeds or active ecological restoration with indigenous tree and shrub species common to the area.

27.2.5 ~~Objective - Require i-Infrastructure and services are provided to new lots subdivisions and developments. in anticipation of the likely effects of land use activities on those lots and within overall developments.~~

Comment [RC28]: Submission 635.35

Policies

Transport, Access and Roads

27.2.5.1 Integrate subdivision roading with the existing road networks in ~~an~~ a safe and efficient manner that reflects expected potential traffic levels and the provision for safe and convenient walking and cycling.

Comment [RC29]: Submission 719.134

Comment [RC30]: Officer suggested amendment given that Code of Practice is based on 'potential' demand not expected.

For the purposes of this policy, reference to 'potential traffic levels' refers to those traffic levels anticipated by the zoning of the District Plan.

27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.

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27.2.5.3 Provide linkages to public transport networks, trail, walking, and cycling networks and public transport linkages, where useful linkages can be developed.

Comment [RC31]: Submission 798.49

27.2.5.4 The design of subdivision and roading networks to recognise To ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features. to ensure the physical and visual effects of subdivision and roading are minimised.

Comment [RC32]: Submission 632.47

27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways within subdivisions are provided for by having regard to:

Comment [RC33]: Submission 671.5 and 625.13

- i. The location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency.
- ii. The number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency.
- iii. The standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails.
- iv. The provision and vesting of corner splays or rounding at road intersections.
- v. The provision for and standard of street lighting, having particular regard to the siting and location, the provision for public safety and to the avoidance of upward light spill on the night sky.
- vi. The provision of appropriate tree planting within roads.
- vii. Any requirements for widening, formation or upgrading of existing roads.
- viii. Any provisions relating to access for future subdivision on adjoining land.
- ix. The provision of public transport routes and improved linkages to public transport routes and bus shelters.

Comment [RC34]: Submission 632.53

Comment [RC35]: Submission 289.18

Comment [RC36]: Submission 798.50

Water supply, stormwater, wastewater

27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for.

Water

27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.

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- 27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.
- 27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.
- 27.2.5.10 Ensure appropriate water supply, design and installation by having regard to:
- The availability, quantity, quality and security of the supply of water to the lots being created;
 - Water supplies for fire fighting purposes;
 - The standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;
 - Any initiatives proposed to reduce water demand and water use.
- 27.2.5.11 Ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers ~~in accordance with the Council's 10 Year Plan Development Contributions Policy.~~

Stormwater

- 27.2.5.12 Ensure appropriate stormwater design and management by having regard to:
- ~~Recognise and encourage~~ Viable alternative design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas;
 - The capacity of existing and proposed stormwater systems;
 - The method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
 - The location, scale and construction of stormwater infrastructure;
 - The effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through, ~~including~~ the control of water-borne contaminants, litter and sediments, and the control of peak flow.
- 27.2.5.13 The Council will support subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise, provided maintenance and operation requirements are acceptable to Council if the assets are to be vested.

Comment [RC37]: Officer suggested amendment to improve policy.

Comment [RC38]: Submission 632.49

Comment [RC39]: Resiting of existing Policy 27.2.4.3

Comment [RC40]: Officer suggested amendment

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For the purpose of this policy, term 'acceptable to Council' means that any system shall be appropriate from a Council maintenance and operation perspective and shall be fit for purpose once vested. Where land is to be vested as reserve, Council will ensure that the open space area is of a sufficient size, gradient and surface to be useful, and can be maintained at a reasonable cost to the Council.

Wastewater

27.2.5.14 ~~Treating and disposing~~ of sewage ~~is provided for~~ in a manner that:

- ~~i. is consistent with~~ m Maintains ing public health; ~~and~~
- ~~ii. a Avoids or mitigates~~ adverse effects on the environment in the first instance; and
- ~~iii. Where effects on the environment cannot be reasonably avoided,~~ effects shall be minimised to an extent that is proportionate to the level of significance of the effects.

Comment [RC41]: Submission 632.50

27.2.5.15 Ensure appropriate sewage treatment and disposal by having regard to:

- i. The method of sewage treatment and disposal;
- ii. The capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;
- iii. The location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.

27.2.5.16 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.

Energy Supply and Telecommunications

27.2.5.17 To ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:

- i. Providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;
- ii. Ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that does not adversely impact upon visual amenity and landscape values of the receiving environment;

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- iii. Have regard to the design, location and direction of lighting to avoid upward light spill, recognising the night sky as an element that contributes to the District's sense of place;
- iv. Generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves. Where the subdivision provides for a residential building platform the proposed connections to electricity supply and telecommunications systems shall be established to the residential building platform.

Easements

- 27.2.5.18 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.
- 27.2.5.19 Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.
- 27.2.6 **Objective - Cost of services to be met by subdividers.**

Policies

- 27.2.6.1 In accordance with Council's 10 Year Plan Development Contributions Policy, R require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), that are attributable to the effects of the subdivision or development, including where applicable:
 - i. roading, walkways and cycling trails;
 - ii. water supply;
 - iii. sewage collection, treatment and disposal;
 - iv. stormwater collection, treatment and disposal;
 - v. trade waste disposal;
 - vi. provision of energy;
 - vii. provision of telecommunications and computer media;
 - viii. provision of reserves and reserve improvements.

Comment [RC42]: Officer suggested amendment

- 27.2.6.2 ~~Contributions will be in accordance with Council's 10 Year Plan Development Contributions Policy.~~

Comment [RC43]: Consequential amendment as a result of amendment in Policy 27.2.6.1

- 27.2.7 **Objective - Create esplanades where opportunities arise.**

Policies

- 27.2.7.1 Create esplanades reserves or strips ~~where opportunities exist, particularly~~ where the subdivision would provide nature conservation, natural

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character, natural hazard mitigation, infrastructural or recreational benefits ~~is of large scale or has an impact on the District's landscape~~. In particular, Council will encourage esplanades where they:

Comment [RC44]: Submission 632.55

- i. are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access;
- ii. have high actual or potential value with regard to the maintenance of indigenous biodiversity;
- iii. comprise significant indigenous vegetation or significant habitats of indigenous fauna;
- iv. are considered to comprise an integral part of an outstanding natural feature or landscape;
- v. would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river;
- vi. would not put an inappropriate burden on Council, in terms of future maintenance costs or issues relating to natural hazards affecting the land.

27.2.7.2 Avoid reducing the width of esplanade reserves or strips, or the waiving of the requirement to provide an esplanade reserve or strip, except where the following apply:

- i. safe public access and recreational use is already possible and can be maintained for the future;
- ii. it can be demonstrated that a full width esplanade reserve or strip is not required to maintain the natural functioning of adjoining rivers or lakes;
- iii. a reduced width in certain locations can be offset by an increase in width in other locations or areas, which would result in a positive public benefit in terms of access and recreation.

~~27.2.7.2~~ 27.2.7.3 To use opportunities through the subdivision process to improve the level of protection for the natural character and nature conservation values of lakes and rivers, as provided for in Section 230 of the Resource Management Act 1991.

27.2.8 **Objective - ~~Facilitate b~~ Boundary adjustments, cross-lease and unit title subdivision are provided for., and where appropriate, provide exemptions from the requirement of esplanade reserves.**

Comment [RC45]: Grammatical change to read more like an outcome statement

Comment [RC46]: Submission 383.48

Policies

27.2.8.1 Enable minor cross-lease and unit title subdivision of existing units without the need to obtain resource consent where there is no potential for adverse effects associated with the change in boundary location.

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For clarity this policy does not provide for the subdivision of approved residential building platforms located within the Rural and Rural Lifestyle Zones.

- 27.2.8.2 Ensure boundary adjustment, cross-lease and unit title subdivisions are appropriate with regard to:
- i. The location of the proposed boundaries;
 - ii. In rural areas, the location of boundaries with regard to approved residential building platforms, existing buildings, and vegetation patterns and existing or proposed accesses;
 - iii. Boundary treatment;
 - iv. The location of existing or proposed accesses and Easements for access and services.

Comment [RC47]: Submission 719.140

27.2.8.3 Provide for unit title, strata title or cross lease subdivision of existing approved buildings where land use consent is approved for a multi unit commercial or residential development, including visitor accommodation development and the unit title, strata-title or cross lease subdivision is undertaken in accordance with the approved land use consent.

27.3 Location-specific objectives and policies

In addition to the district wide objectives and policies in Part 27.2, the following objectives and policies relate to subdivision in specific locations.

Comment [RC48]: Relocated from Notified Section 27.7 (page 15)

27.3.1 **Objective - Peninsula Bay, Ensure effective public access is provided throughout the Peninsula Bay land.**

Comment [RC49]: Relocated from Notified Objective 27.7.1 (page 15)

Policies

27.3.1.1 Ensure that before any subdivision or development occurs within the Peninsula Bay Low Density Residential Zone, a subdivision consent has been approved confirming easements for the purposes of public access through the Open Space Zone.

Comment [RC50]: Relocated from Notified Policy 27.7.1.1 (page 15)

27.3.1.2 Within the Peninsula Bay site, to ensure that public access is established through the vesting of reserves and establishment of easements prior to any further subdivision.

Comment [RC51]: Relocated from Notified Policy 27.7.1.2 (page 15)

27.3.1.3 Ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality recreation resource, with excellent linkages, and opportunities for different community groups.

Comment [RC52]: Relocated from Notified Policy 27.7.1.3 (page 15)

27.3.2 **Objective - Kirimoko, Wanaka – To create a liveable urban environment that achieves best practice in urban design; the protection and incorporation of landscape and environmental features into the design of the area; and high quality built form.**

Comment [RC53]: Relocated from Notified Objective 27.7.2 (page 16)

Policies

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- 27.3.2.1 Protect the landscape quality and visual amenity of the Kirimoko Block and preserve sightlines to local natural landforms. **Comment [RC54]:** Relocated from Notified Policy 27.7.2.1 (page 16)
- 27.3.2.2 Protect the natural topography of the Kirimoko Block and incorporate existing environmental features into the design of the site. **Comment [RC55]:** Relocated from Notified Policy 27.7.2.2 (page 16)
- 27.3.2.3 Ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies (all zoned Low Density Residential) and that visually sensitive areas such as the spurs are left undeveloped (building line restriction area). **Comment [RC56]:** Relocated from Notified Policy 27.7.2.3 (page 16)
- 27.3.2.4 Ensure the provision of open space and community facilities that are suitable for the whole community and that are located in safe and accessible areas. **Comment [RC57]:** Relocated from Notified Policy 27.7.2.4 (page 16)
- 27.3.2.5 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment. **Comment [RC58]:** Relocated from Notified Policy 27.7.2.5 (page 16)
- 27.3.2.6 Provide for road and walkway linkages to neighbouring developments. **Comment [RC59]:** Relocated from Notified Policy 27.7.2.6 (page 16)
- 27.3.2.7 Ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site. **Comment [RC60]:** Relocated from Notified Policy 27.7.2.7 (page 16)
- 27.3.2.8 Minimise disturbance of existing native plant remnants and enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value. **Comment [RC61]:** Relocated from Notified Policy 27.7.2.8 (page 16)
- 27.3.2.9 Design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas. **Comment [RC62]:** Relocated from Notified Policy 27.7.2.9 (page 16)
- 27.3.2.10 Require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas. **Comment [RC63]:** Relocated from Notified Policy 27.7.2.10 (page 16)
- 27.3.3 **Objective - Large Lot Residential Zone between Studholme Road and Meadowstone Drive - ~~Ensure protection of~~ Landscape and amenity values in recognition of the zone's low density character and transition with rural areas be recognised and protected.** **Comment [RC64]:** Grammatical change to read more like an outcome statement
Comment [RC65]: Relocated from Notified Objective 27.7.4 (page 17)
- Policies**
- 27.3.3.1 Have regard to the impact of development on landscape values of the neighbouring rural areas and features of these areas, with regard to minimising the prominence of housing on ridgelines overlooking the Wanaka township. **Comment [RC66]:** Relocated from Notified Policy 27.7.4.1 (page 17)
- 27.3.3.2 Subdivision and development within land located on the northern side of Studholme Road identified as 'Urban Landscape Protection' by the 'Wanaka Structure Plan 2007' shall have regard to the adverse effects of development and associated earthworks on slopes, ridges and skylines. **Comment [RC67]:** Relocated from Notified Policy 27.7.4.2 (page 17)

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27.3.4 **Objective - Bob's Cove Rural Residential Zone (excluding sub-zone) – Recognise & The special character of the Bob's Cove Rural Residential Zone is recognised and provided for.**

Comment [RC68]: Grammatical change to read more like an outcome statement

Comment [RC69]: Relocated from Notified Objective 27.7.5 (page 17)

Policies

27.3.4.1 ~~Have regard to the need to provide for street lighting in the proposed subdivision. If street lighting is required in the proposed subdivision to satisfy the Council's standards, then i~~ In order to maintain the rural character of the zone, ~~the all~~ street lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on the night sky.

Comment [RC70]: Relocated from Notified Policy 27.7.5.1 (page 17)

27.3.5 **Objective - Ferry Hill Rural Residential Sub Zone – Maintain and enhance The visual amenity values and landscape character within and around the Ferry Hill Rural Residential Sub Zone to be maintained and enhanced.**

Comment [RC71]: Grammatical change to read more like an outcome statement

Comment [RC72]: Relocated from Notified Objective 27.7.6 (page 17)

Policies

27.3.5.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Concept Development Plan for the Ferry Hill Rural Residential sub-zone located in Chapter 22 (at part 22.7.2) ~~and in accordance with the Concept Development Plan set out in part 27.14.~~

Comment [RC73]: Consequential amendment as a result of new Location Specific Rules under 27.7 and the relocation of Policy 27.7.6.1 into the rules under 27.7.

27.3.6 **Objective - Makarora Rural Lifestyle Zone – The avoidance of mitigation of the effects of natural hazards are avoided or mitigated and the maintenance and enhancement of landscape character, visual amenity and nature conservation values are maintained or enhanced.**

Comment [RC74]: Grammatical change to read more like an outcome statement

Comment [RC75]: Relocated from Notified Objective 27.7.7 (page 18)

Policies

Natural Hazards

27.3.6.1 Particular regard shall be had to the avoidance or mitigation of natural hazards identified on the Council's hazard register associated with the location of a building platform and future anticipated land uses within the building platform.

Comment [RC76]: Relocated from Notified Policy 27.7.7.1 (page 18)

27.3.6.2 The Council shall be satisfied as to whether consultation has been undertaken with the Otago Regional Council with regard to any matters associated with defences against water, and in particular taken the opportunity to reconcile any potential issues associated with flood defence works encouraged by the Otago Regional Council, and the District Plan's objectives, policies and servicing standards for subdivision in the Makarora Rural Lifestyle Zone.

Comment [RC77]: Relocated from Notified Policy 27.7.7.2 (page 18)

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Landscape Values, Rural Character

27.3.6.3 In recognition of the landscape values within the Makarora Rural Lifestyle Zone, regard shall be had to the potential merits with the concentration or clustering of built form to areas with high potential to absorb development while retaining areas that are more sensitive in their natural state.

Comment [RC78]: Relocated from Notified Policy 27.7.7.3 (page 18)

27.3.6.4 In considering the appropriateness of the form and density of development, including the identification of building platforms in the Makarora Rural Lifestyle Zone the following matters shall be taken into account:

- i. The extent to which the location and size of proposed building platforms either detracts from or has the potential to enhance landscape values and rural character;
- ii. whether and to what extent there is the opportunity for the aggregation of built development to utilise common access ways including pedestrian linkages, services and commonly-held open space (i.e. open space held in one title whether jointly or otherwise);
- iii. whether and to what extent development is concentrated/clustered in areas with a high potential to absorb development while retaining areas that are more sensitive in their natural state.

Comment [RC79]: Relocated from Notified Policy 27.7.7.4 (page 18)

27.3.7 **Objective - Wyuna Station Rural Lifestyle Zone - To provide for a deferred rural lifestyle zone on the terrace to the east of, and immediately adjoining, the Glenorchy Township.**

Comment [RC80]: Relocated from Notified Objective 27.7.8 (page 19)

Policies

27.3.7.1 Prohibit or defer development of the zone until such a time that:

- i. the zone can be serviced by a reticulated wastewater disposal scheme within the property that services both the township and proposed zone. This may include the provision of land within the zone for such purpose; or
- ii. the zone can be serviced by a reticulated wastewater disposal scheme located outside of the zone that has capacity to service both the township and proposed zone; or
- iii. the zone can be serviced by an on-site (individual or communal) wastewater disposal scheme no sooner than two years from the zone becoming operative on the condition that should a reticulated scheme referred to above become available and have capacity within the next three years then all lots within the zone shall be required to connect to that reticulated scheme.

Comment [RC81]: Relocated from Notified Policy 27.7.8.1 (page 19)

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- 27.3.8 **Objective - Wyuna Station Rural Lifestyle Zone - Subject to Objective 27.7.7 27.3.7** ~~to enable~~ rural living development is enabled in a way that maintains the visual amenity values that are experienced from the Glenorchy Township, Oban Street and the Glenorchy-Paradise Road.

Comment [RC82]: Grammatical change to read more like an outcome statement

Comment [RC83]: Relocated from Notified Objective 27.7.9 (page 19)

Policies

- 27.3.8.1 The subdivision design, identification of building platforms and associated mitigation measures shall ensure that built form and associated activities within the zone are reasonably inconspicuous when viewed from Glenorchy Township, Oban Street or the Glenorchy-Paradise Road. Measures to achieve this include:

- i. Prohibiting development over the sensitive areas of the zone via building restriction areas;
- ii. Appropriately locating buildings within the zone, including restrictions on future building bulk;
- iii. Using excavation of the eastern part of the terrace to form appropriate building platforms;
- iv. Using naturalistic mounding of the western part of the terrace to assist visual screening of development;
- v. Using native vegetation to assist visual screening of development;
- vi. The maximum height of buildings shall be 4.5m above ground level prior to any subdivision development.

Comment [RC84]: Relocated from Notified Policy 27.7.9.1 (page 19)

- 27.3.8.2 Maintain and enhance the indigenous vegetation and ecosystems within the building restriction areas of the zone and to suitably and comprehensively maintain these areas into the future. As a minimum, this shall include:

- i. Methods to remove or kill existing wilding exotic trees and weed species from the lower banks of the zone area and to conduct this eradication annually;
- ii. Methods to exclude and/or suitably manage pests within the zone in order to foster growth of indigenous vegetation within the zone, on an ongoing basis;
- iii. A programme or list of maintenance work to be carried out on a year to year basis on order to bring about the goals set out above.

Comment [RC85]: Relocated from Notified Policy 27.7.9.2 (page 19 and 27-20)

- 27.3.9 **Objective - Industrial B Zone**

Policies

- i. Reserved for Stage 2 of the District Plan Review.

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27.3.10 Objective - Industrial B Zone

Policies

- i. Reserved for Stage 2 of the District Plan Review.

27.3.11 Objective - Industrial B Zone

Policies

- i. Reserved for Stage 2 of the District Plan Review.

27.3.12 Objective - Industrial B Zone

Policies

- i. Reserved for Stage 2 of the District Plan Review.

27.3.13 Objective - Jacks Point Zone - Subdivision shall have regard to identified location specific opportunities and constraints identified within the Jacks Point Structure Plan located within Chapter 41.

Comment [RC86]: Relocated from Notified Objective 27.7.14 (page 20)

Policies

27.3.13.1 Ensure that subdivision and development achieves the objectives and policies located within Chapter 41.

Comment [RC87]: Relocated from Notified Policy 27.7.14.1 (page 20)

27.3.13.2 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Jacks Point Structure Plan located within Chapter 41.

27.3.13.3 The extent to which the subdivision achieves the matters of control listed under ~~Rule 27.7.1~~ **Rule 27.7.4** and as they relate to the Jacks Point Structure Plan located within Chapter 41.

Comment [RC88]: Consequential amendment as a consequence of Redrafted Location Specific Rules under 27.7.1

27.3.14 **Objective – Waterfall Park - Subdivision shall provide for a range of visitor, residential and recreational facilities, sympathetic to the natural setting have regard to identified location specific opportunities and constraints.**

Comment [RC89]: Relocated from Notified Objective 27.7.17 (page 22)

Policies

27.3.14.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Waterfall Park Structure Plan located within Chapter 42.

Comment [RC90]: Relocated from Notified Policy. 27.7.17.1 (page 22)

27.3.14.2 The extent to which the subdivision achieves the matters of control listed under Rule 27.7.1 and as they relate to the Waterfall Park Structure Plan located within Chapter 42.

Comment [RC91]: Consequential amendment as a result of Redrafted Location Specific Rules under 27.7.1.

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27.3.15 **Objective – Millbrook - Subdivision shall provide for resort development while having particular regard to landscape, heritage, ecological, water and air quality values.**

Comment [RC92]: Relocated from Notified Objective 27.7.19 (page 23)

Policies

27.3.15.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Millbrook Structure Plan located within Chapter 43.

Comment [RC93]: Relocated from Notified Policy. 27.7.19.1 (page 23)

27.3.15.2 The extent to which the subdivision achieves the matters of control listed under Rule 27.6.1 and as they relate to the Millbrook Structure Plan located within Chapter 43.

Comment [RC94]: Consequential amendment as a consequence of integrating notified 27.7.20.1 (page 27-23) into Redrafted Location Specific Rules under 27.7 (page 27-25/26)

27.4 Other Provisions and Rules

27.4.1 District Wide

The rules of the zone the proposed subdivision is located within are applicable. Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

Comment [RC95]: Submissions 636.11, 643.16, 688.10, 693.16, 693.17, 702.13

Comment [RC96]: Relocated from Notified Rule 27.3.1 (page 9)

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 Operative DP)	25 Earthworks (22 Operative DP)	26 Historic Heritage
28 Natural Hazards	29 Transport (14 Operative DP)	30 Utilities and Renewable Energy
31 Hazardous Substances (16 Operative-DP)	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

27.4.2 Earthworks associated with subdivision

27.4.2.1 Earthworks undertaken for the development of land associated with any subdivision shall ~~not require a separate resource consent under the rules of the District Wide Earthworks Chapter, but be shall~~ be considered against the matters of control or discretion of the District Wide Earthworks Chapter as part of any subdivision activity and in particular Rule 15.2.20.

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27.4.3 Zones exempt from the Proposed District Plan and subdivision chapter

27.4.3.1 The following zones are not subject to this part of the Proposed District Plan: stage 1 (at the date of notification: 26 August 2015) and the subdivision chapter shall not apply to the following:

Comment [RC97]: John Young for Remarkables Park Limited and Queenstown Park Limited

- a Frankton Flats A Zone
- b Frankton Flats B Zone
- c Remarkables Park Zone
- d Mount Cardrona Station Zone
- e Three Parks Zone
- f Kingston Village Special Zone
- g Open Space Zone

Subdivision in the above zones is subject to the relevant provisions of Chapter 15 of the Queenstown Lakes Operative District Plan 2009.

Comment [RC98]: John Young for Remarkables Park Limited and Queenstown Park Limited

27.4.3.2 In addition, all the Special Zones within Chapter 12 of the operative District Plan, except as identified below, are excluded from the proposed District Plan subdivision chapter:

- a Jacks Point
- b Waterfall Park
- c Millbrook

27.5 Rules – Subdivision

27.5.1 All subdivision requires resource consent unless specified as a permitted activity. The abbreviations set out below are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

Comment [RC99]: Consequential clarification provision related to the recommended changes to the rules and activity status.

<u>P</u>	<u>Permitted</u>	<u>C</u>	<u>Controlled</u>
<u>RD</u>	<u>Restricted Discretionary</u>	<u>D</u>	<u>Discretionary</u>
<u>NC</u>	<u>Non Complying</u>	<u>PR</u>	<u>Prohibited</u>

	Boundary Adjustments	Activity status
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	Boundary Adjustments	Activity status
27.5.2	<p>An adjustment to existing cross-lease or unit title due to an alteration to the size of the lot by alterations to the building outline, the conversion from cross-lease to unit title, the addition of an accessory building, or the relocation of accessory buildings providing the activity complies with all other provisions of the District Plan or has obtained a <u>land use resource consent</u>.</p> <p><u>In order to adhere to this rule a certificate of compliance must be issued under section 223(1)(b) of the Act.</u></p>	P
27.5.3	<p><u>For boundary adjustment subdivision activities where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</u></p> <p>(i) <u>In the case of the Rural, Gibbston Character and Rural Lifestyle Zones the building platform is retained in its approved location;</u></p> <p><u>(ii) No new residential building platform shall be identified and approved as part of a boundary adjustment within Rural, Gibbston Character and Rural Lifestyle Zones;</u></p> <p>(iii) <u>No additional separately saleable lots are created;</u></p> <p>(iv) <u>The areas of the resultant lots comply with the minimum lot size requirement for the zone (where applicable); and</u></p> <p><u>(v) Lots must be immediately adjoining each other.</u></p> <p><u>The matters over which the Council reserves control are:</u></p> <ul style="list-style-type: none"> • <u>The location of the proposed boundaries; including their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses;</u> • <u>Boundary treatment;</u> • <u>Easements for existing and proposed access and services.</u> 	C

Comment [RC101]: Submissions 632.4, 636.11, 643.16, 688.10, 693.16, 702.13

Comment [RC100]: Submission 370.8

Comment [RC102]: Submissions 806.176, 806.190, 532.34, 534.35, FS1157.59, 535.35, 762.3, 763.15, 767.17 and 719.140

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	Boundary Adjustments	Activity status
27.5.4	<p>For boundary adjustments within Arrowtown's urban growth boundary and on involving any site that contains a heritage or any other protected item or schedule in the District Plan and in the case of Arrowtown within the urban growth boundary where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</p> <p>(i) <u>No additional separately saleable lots are created.</u></p> <p>(iii) <u>The areas of the resultant lots comply with the minimum lot size requirement for the zone.</u></p> <p><u>The matters over which the Council reserves control are:</u></p> <ul style="list-style-type: none"> • <u>The impact of the proposed subdivision on the heritage values of the protected item;</u> • <u>In situations where lots are being amalgamated within the Medium Density Residential Zone and Low Density Residential Zone, the extent to which future development will</u> • <u>The maintainance of the historic character of the Arrowtown Residential Historic Management Zone;</u> • <u>The location of the proposed boundaries, including their relationship to, existing buildings and vegetation patterns and existing or proposed accesses;</u> • <u>Boundary treatment;</u> • <u>Easements for access and services.</u> 	RD

Comment [RC103]: Submissions 672.23 and 688.19

	Unit Title, Strata Title or Cross Lease Subdivision	Activity status

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	Unit Title, Strata Title or Cross Lease Subdivision	Activity status
27.5.5	<p><u>Where land use consent is approved for a multi unit commercial or residential development, including visitor accommodation development and a unit title, strata-title or cross lease subdivision is undertaken in accordance with the approved land use consent, provided:</u></p> <p><u>i. All buildings must be in accordance with an approved land use resource consent;</u></p> <p><u>ii. All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose.</u></p> <p><u>iii. All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.</u></p> <p><u>The matters over which the Council reserves control are:</u></p> <ul style="list-style-type: none"> • <u>the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces;</u> • <u>the effects of infrastructure provision;</u> <p><u>For the purposes of clarity, this rule does not apply to fee simple subdivision of land where the intent is to subdivide a lot containing an approved land use consent for the above identified activities.</u></p>	C

	Subdivision Activities – District Wide	Activity status
27.5.5 27.5.6	<p><u>All urban subdivision activities, unless otherwise stated, contained within urban areas identified within the District's Urban Growth Boundaries and including the following zones:</u></p> <ol style="list-style-type: none"> 1. <u>Low Density Residential Zones;</u> 2. <u>Medium Density Residential Zones;</u> 3. <u>High Density Residential Zones;</u> 4. <u>Town Centre Zones;</u> 	RD

Comment [RC104]: Ferguson for Darby Planning LP et al

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	<p>5. <u>Arrowtown Residential Historic Management Zone;</u></p> <p>6. <u>Large Lot Residential Zones;</u></p> <p>7. <u>Local Shopping Centres;</u></p> <p>8. <u>Business Mixed Use Zones;</u></p> <p>9. <u>Queenstown Airport Mixed Use Zone.</u></p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Lot sizes, averages and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land; including whether the lot is of sufficient size and dimensions to effectively fulfil the intended purpose of the land use where Council would apply its discretion to the following situations; <ul style="list-style-type: none"> (i) any requirement for widening, formation or upgrading of existing roads; and (ii) any provisions relating to access and service easements for future subdivision on adjoining land, which may necessitate changes to lot size and dimensions. • The extent to which the sSubdivision design and layout of Lots achieves the subdivision and urban design principles and outcomes set out in QLDC Subdivision Design Guidelines; • <u>Property access and roading;</u> • <u>Esplanade provision;</u> • <u>On site measures to address the risk of natural and other hazards on land within the subdivision;</u> • <u>Fire fighting water supply;</u> • <u>Water supply;</u> • <u>Stormwater design and disposal;</u> • <u>Sewage treatment and disposal;</u> • <u>Energy supply and telecommunications;</u> • <u>Open space and recreation; and</u> • <u>Ecological and natural values;</u> • <u>Historic Heritage;</u> • <u>Easements; and</u> 	
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Comment [RC105]: Submissions 370.6, 177.10

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	<ul style="list-style-type: none"> • <u>Bird strike and navigational safety.</u> <p><u>For the avoidance of doubt, where a site is governed by a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan, subdivision activities shall be assessed in accordance with Rule 27.7.1.</u></p>	
<p><u>27.5.6</u> <u>27.5.7</u></p>	<p><u>All subdivision activities in the District's Rural Residential and Rural Lifestyle Zones</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>In the Rural Lifestyle Zone the location of building platforms;</u> • <u>Lot sizes, averages and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land; including whether the lot is of sufficient size and dimensions to effectively fulfil the intended purpose of the land use where Council would apply its discretion to access and:</u> <ul style="list-style-type: none"> <u>(i) any requirement for widening, formation or upgrading of existing and proposed roads; and</u> <u>(ii) any provisions relating to access and service easements for future subdivision on adjoining land, which may necessitate changes to lot size and dimensions.</u> • <u>Subdivision design and lot layout; including:</u> <ul style="list-style-type: none"> <u>-the extent to which the design maintains and enhances rural living character, landscape values and visual amenity;</u> <u>-the extent to which the location of building platforms could adversely affect adjoining non residential land uses;</u> <u>-orientation of lots to optimise solar gain for buildings and developments;</u> <u>-the effects of potential development within the subdivision on views from surrounding properties;</u> <u>-In the case of the Makarora Rural Lifestyle Zone, the concentration or clustering of built form to areas with high potential to absorb development, while retaining areas which are more sensitive in their natural state;</u> <u>-In the Rural Residential Zone at the north end of Lake Hayes, whether and to what extent there is an opportunity to protect and restore wetland areas in order to assist in reducing the volume of nutrients entering Mill</u> 	<p>RD</p>

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	<p style="text-align: center;"><u>Greek and Lake Hayes:</u></p> <ul style="list-style-type: none"> • <u>Property access and roading;</u> • <u>Esplanade provision;</u> • <u>On site measures to address the risk of natural and other hazards on land within the subdivision;</u> • <u>Fire fighting water supply;</u> • <u>Water supply;</u> • <u>Stormwater disposal;</u> • <u>Sewage treatment and disposal;</u> • <u>Energy supply and telecommunications;</u> • <u>Open space and recreation; and</u> • <u>Ecological and natural values;</u> • <u>Historic Heritage</u> • <u>Easements; and</u> • <u>Bird strike and navigational safety.</u> 	
<p><u>27.5.7</u> <u>27.5.8</u></p>	<p><u>Subdivision of land in any zone within the National Grid</u> <u>Subdivision Corridor where all allotments identify a building platform for the principal building and any dwelling to be located outside of the National Grid Yard.</u> <u>Discretion is restricted to all of the following:</u></p> <p>a) Whether the allotments are intended to be used for residential or commercial activity and whether there is merit with identifying a building platform to ensure future buildings are located outside the National Grid Yard.</p> <p>a) <u>Impacts on the operation, maintenance, upgrade and development of the National Grid.</u></p> <p>b) <u>The ability of future development to comply with NZECP34:2001.</u></p> <p>c) Technical details of the characteristics and risks on and from the National Grid infrastructure.</p> <p>c) The ability of the applicant to provide a complying building</p>	<p>RD</p>

Comment [RC106]: Submission 635.42 and further submission FS1301.12 and 805.95

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	<p>platform:</p> <p>c) The location, design and use of any proposed building platform as it relates to the National Grid transmission line.</p> <p>e) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.</p> <p>f) Whether the subdivision would result in the planting of trees or shrubs in the vicinity of the National Grid transmission lines and the potential for effects on the operation and security of the national Grid Transmission Lines.</p>	
<u>27.5.9</u>	<p><u>Subdivision of land in any zone within 32 metres of the centre line of Electricity Sub-Transmission Lines identified on the planning maps.</u></p> <p><u>Discretion is restricted to all of the following:</u></p> <p><u>a) Impacts on the operation, maintenance, upgrade and development of Electricity Sub-Transmission Lines.</u></p> <p><u>b) The ability of future development to comply with NZECP34:2001;</u></p> <p><u>c) Effects on public health and safety;</u></p>	<u>RD</u>
<u>27.5.8</u> <u>27.5.10</u>	All subdivision activities in the Rural General and Gibbston Character Zones, <u>with the exception of unit title, strata-title or cross lease subdivision undertaken in accordance with Rule 27.5.5.</u>	D
<u>27.5.9</u> <u>27.5.11</u>	The subdivision of land containing a heritage or any other protected item and scheduled in the District Plan. This rule does not apply to boundary adjustments under Rule 27.4.2.	D
<u>27.5.10</u> <u>27.5.12</u>	The subdivision of land identified on the planning maps as a Heritage Landscape.	D
<u>27.5.11</u> <u>27.5.13</u>	The subdivision of a site containing a known archaeological site, whether identified and scheduled in the District Plan or not.	D
<u>27.5.12</u> <u>27.5.14</u>	Subdivision that would alter, or create a new boundary within a Significant Natural Area scheduled in the District Plan.	D

Comment [RC107]: Relocated from Notified Rule 27.5.1.4 (page 13)

Comment [RC108]: Relocated from Notified Rule 27.5.1.5 (page 13)

Comment [RC109]: Relocated from Notified Rule 27.5.1.6 (page 13)

Comment [RC110]: Relocated from Notified Rule 27.5.1.7 (page 13)

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27.5.13 27.5.15	Within the Jacks Point Zone, subdivision that does not comply with the standards in Part 27.56 and location specific standards in part 27.87, <u>excluding the Hanley Downs part of the Jacks Point Zone, where the creation of lots less than 380m² minimum lot size within the R(HD) Activity Area shall be assessed as a RD under Rule 27.7.11.3.</u>	D	Comment [RC111]: Relocated from Notified Rule 27.4.2(a) (page 10)
27.5.14 27.5.16	Subdivision that does not comply with the standards in Part 27.6 5 and location specific standards in part 27.8, <u>with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.15.</u>	NC	Comment [RC113]: Relocated from Notified Rule 27.4.2(a) (page 10) Comment [RC112]: Consequential amendments as a consequence of Redrafted Rule 27.6, which specifically lists non-complying activities
27.5.15 27.5.17	The further subdivision of an allotment that has previously been used to calculate the minimum average densities for subdivision in the Rural Lifestyle Zone and Rural Residential Zone.	NC	Comment [RC114]: Relocated from Notified Rule 27.4.2(b) (page 10)
27.5.15 27.5.18	The subdivision of land resulting in the division of a building platform.	NC	Comment [RC115]: Relocated from Notified Rule 27.4.2(c) (page 10)
27.5.16 27.5.19	The subdivision of a residential flat from <u>a the residential unit it is ancillary to, except where this is permitted in the Low Density Residential Zone.</u>	NC	Comment [RC117]: Relocated from Notified Rule 27.4.2(d) (page 10) Comment [RC116]: Submission 453.24
27.5.17 27.5.20	A subdivision under the Unit Titles Act where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings.	NC	Comment [RC118]: Relocated from Notified Rule 27.4.2(e) (page 10)
27.5.18 27.5.21	Any subdivision of land in any zone within the National Grid <u>Subdivision Corridor, which does not comply with matter of discretion (a) under Rule 27.5.8.</u>	NC	Comment [RC119]: Submission 805.95
27.5.18 27.5.22	A Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use resource consent.	D	Comment [RC120]: Relocated from Notified Rule 27.4.2(f) (page 10)
27.5.23	<u>Subdivision that does not comply with the standards related to servicing and infrastructure under Rule 27.7.15.</u>	NC	

~~27.4.1 All subdivision activities are discretionary activities, except otherwise stated:~~

~~27.4.2 The following shall be non-complying activities:~~

- ~~a Subdivision that does not comply with the standards in Part 27.5 and location specific standards in part 27.8. Except within the following zone where any non-compliance shall be a discretionary activity.~~

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i. Jacks Point Zone

- ~~b The further subdivision of an allotment that has previously been used to calculate the minimum average densities for subdivision in the Rural Lifestyle Zone and Rural Residential Zone.~~
- ~~c The subdivision of a building platform.~~
- ~~d The subdivision of a residential flat from the residential unit it is ancillary to, except where this is permitted in the Low Density Residential Zone.~~
- ~~e A subdivision under the Unit Titles Act where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings.~~
- ~~f For avoidance of doubt, a Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use resource consent shall be a discretionary activity.~~

Comment [RC121]: Relocated into redrafted Rule 25.5, as per Submissions 632.4, 636.11, 643.16, 688.10, 693.16, 702.13

27.4.3 The following shall be Restricted Discretionary activities:

- ~~a Subdivision undertaken in accordance with a structure plan or spatial layout plan that is identified in the District Plan. Discretion is restricted to the matters specified in the Location Specific Objectives, Policies and Provisions in Part 27.7.~~

Comment [RC122]: Rule changed to controlled status and relocated to Redrafted Rule 27.7 (page 27-25 below)

As per those submitters seeking a controlled activity status where subdivision is undertaken in accordance with a structure plan.

27.6 Rules - Standards for Subdivision Activities

- 27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

Comment [RC123]: Relocated from Notified Rule 27.5.1 (page 11)

Zone		Minimum Lot Area
Town Centres		No minimum
Local Shopping Centre		No minimum
Business Mixed Use		200m ²
Airport Mixed Use		No minimum
Industrial	Industrial A	200m ²
	Industrial B	4000m ² Except that the minimum lot size shall be 200m ² where the subdivision is part of a complying combined land use/ subdivision consent application or where each lot to be created, and the original lot, all contain at least one business

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Zone		Minimum Lot Area
		unit.
Residential	High Density	450m ²
	Medium Density	250m ²
	Low Density	450m ² <u>Within the Queenstown Airport Air Noise Boundary and Outer Control Boundary</u> 600m ²
	Queenstown Heights Sub Zone	1500m ²
	Arrowtown Residential Historic Management	800m ²
	Large Lot Residential	4000m ² 2000m ² in the following locations: Between Studholme Road and Meadowstone Drive
Township	Makarora	4000m ²
	Kingston	800m ²
	Glenorchy	800m ²
	Lake Hawea	800m ²
	Luggate	800m ²
	Kinloch	800m ²
	Albert Town	600m ²
	Riverside Stage 6 Subzone A	50-55% of lots will be developed to a minimum area of 400m² Average lot size: 600m ² Maximum lot size: 800m ²
	Riverside Stage 6 Subzone B	Average lot size: 800m ² (minimum 700m ² , maximum 1000m ²)

Comment [RC124]: Outside of scope of Stage 1 Zones

Comment [RC125]: Submission 433.99

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Zone		Minimum Lot Area
	Riverside Stage 6 Subzone C	Minimum 1,000m ² , maximum 2000m ²
Rural	Rural. Gibbston Character. Hydro Generation.	No minimum
Rural Lifestyle	Rural Lifestyle	One hectare providing the average lot size is not less than 2 hectares. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.
	Rural Lifestyle at Makarora.	No minimum, providing the average lot size is not less than 2 hectares.
	Rural Lifestyle Deferred A and B.	No minimum, but each of the two parts of the zone identified on the planning map shall contain no more than two allotments.
	Rural Lifestyle Buffer.	The land in this zone shall be held in a single allotment
Rural Residential	Rural Residential	4000m ²
	Rural Residential Bob's Cove sub-zone	No minimum, providing the total lots to be created, inclusive of the entire area within the zone shall have an average of 4000m ²
	Rural Residential Ferry Hill Subzone	4000m ² with no more than 17 lots created for residential activity
	<u>Rural Residential Zone at the north of Lake Hayes</u>	<u>4000m² provided that the total lots to be created by subdivision, including balance lots, shall not be less than an 8,000m² lot average.</u>
Jacks Point	Residential Activity Areas	380m ²

Comment [RC126]: Outside of scope of Stage 1 Zones

Comment [RC127]: Submission 26.3

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Zone		Minimum Lot Area
	FP-1 Activity Area	4000m ² Average 2ha
	FP-2 Activity Area	2 hectares Average 40ha
	All other Activity Areas	Subdivision shall comply with the average density requirements set out in Rule 41.5.8.
Millbrook		No minimum
Waterfall Park		No minimum

Comment [RC128]: Submission 762.4

27.7 Rules – Zone and Location Specific Standards

	Zone Specific Standards	Activity status
27.7.1	<p><u>Subdivision undertaken in accordance with a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan.</u></p> <p><u>Control is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • The extent to which the subdivision is consistent with the relevant location specific objectives and policies in part 27.3; • Lot sizes, averages and dimensions; • Subdivision design, lot configuration, roading patterns (including footpaths and walkways) in accordance with the applicable structure plan or spatial layout plan; • The extent to which the subdivision design achieves the subdivision and urban design outcomes set out in QLDC Subdivision Design Guidelines; • Property access and roading; • Landscaping and vegetation; • Heritage, where applicable; • Esplanade provision; • Natural and other hazards; • Fire fighting water supply; 	C

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	Zone Specific Standards	Activity status
	<ul style="list-style-type: none"> • <u>Water supply;</u> • <u>Stormwater design and disposal;</u> • <u>Sewage treatment and disposal;</u> • <u>Energy supply and telecommunications;</u> • <u>Open space and reserves;</u> • <u>Easements; and</u> • <u>Ecological and natural values</u> • <u>Opportunities for enhancement of ecological and natural values;</u> • <u>Provision for internal walkways, cycle ways and pedestrian linkages;</u> • <u>The nature, scale and adequacy of environmental protection measures associated with earthworks;</u> 	
27.7.2	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the principal roading layout depicted in the Kirimoko Structure plan shown in part 27.14, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • <u>Consistency with the Kirimoko Structure Plan;</u> • <u>Subdivision design and roading layout;</u> • <u>The provision and location of walkways and the green network;</u> • <u>The protection of native species as identified on the structure plan as green network.</u> • <u>Any earthworks required to create any road, vehicle accesses, of building platforms or modify the natural landform;</u> • <u>The design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways);</u> • <u>Creation and planting of road reserves;</u> • <u>The provision and location of walkways and the green network as illustrated on the Structure Plan for the</u> 	C

Comment [RC129]: Submission points 456.30, 632.63, 696.20 and FS1097.638

Comment [RC130]: Relocated from Notified Rule 27.7.3.1 (page 27-16)

Comment [RC131]: Submission 656.2

Comment [RC132]: Submission 656.2

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	Zone Specific Standards	Activity status
	<p style="color: red;">Kirimoko Block in part 27.13;</p> <p style="color: red;">The protection of native species as identified on the structure plan as green network;</p>	
27.7.3	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Ferry Hill Concept Development Plan shown in part 22.7.2, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • <u>Consistency with the Ferry Hill Concept Development Plan; and</u> • <u>The number, location and design of access points;</u> • The subdivision design has had regard to m Minimising the number of accesses to roads; • The location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access; • The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 (as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone); • The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road; 	C
27.7.4	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Jacks Point Zone Structure Plan identified in 41.7, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • <u>Consistency with the Jacks Point Zone Structure Plan;</u> • The provision of public access routes, primary, secondary and key road connections. • <u>Within the R(HD) Activity Areas, the extent to which the</u> 	C

Comment [RC133]: Relocated from Notified Rule 27.7.3.1 (page 27-16)

Comment [RC134]: Submission 383.50

Comment [RC135]: Submission 383.50

Comment [RC136]: Relocated from Notified Policy 27.7.6.1 (page 16)

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Zone Specific Standards	Activity status
<p style="color: red;">structure plan provides for the following matters:</p> <ol style="list-style-type: none"> <li style="color: red;">i. The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area. <li style="color: red;">ii. Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu. <li style="color: red;">iii. Road and street designs. <li style="color: red;">iv. The location and suitability of proposed open spaces. <li style="color: red;">v. Management responses to remove wilding trees. <ul style="list-style-type: none"> <li style="color: red;">● Within the R(HD-SH) Activity Areas, the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6. <li style="color: red;">● Within the R(HD) Activity Area, the creation of sites sized between 380m² and 550m², without limiting any other matters of control that apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over: <ol style="list-style-type: none"> <li style="color: red;">i. Building setbacks from boundaries. <li style="color: red;">ii. Location and heights of garages and other accessory buildings. <li style="color: red;">iii. Height limitations for parts of buildings, including recession plane requirements. <li style="color: red;">iv. Window locations. <li style="color: red;">v. Building coverage. <li style="color: red;">vi. Roadside fence heights. <li style="color: red;">● Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, measures to provide for the establishment and management of open space, including native vegetation. <li style="color: red;">● Within the R(HD) A-E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees). <li style="color: red;">● In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 550m² in area: 	

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	Zone Specific Standards	Activity status
	<p>b— The extent to which such sites are configured:</p> <ul style="list-style-type: none"> i. with good street frontage. ii. to enable sunlight to existing and future residential units. iii. To achieve an appropriate level of privacy between homes. <p>c— The extent to which parking, access and landscaping are configured in a manner which:</p> <ul style="list-style-type: none"> i. minimises the dominance of driveways at the street edge. ii. provides for efficient use of the land. iii. maximises pedestrian and vehicular safety. iv. addresses nuisance effects such as from vehicle lights. <p>d— The extent to which subdivision design satisfies:</p> <ul style="list-style-type: none"> i. public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership. ii. Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping. 	
27.7.5	Peninsula Bay	
27.7.5.1	<p>Subdivision or development within the Low Density Residential Zone at Peninsula Bay which is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council.</p> <p><u>The matters over which the Council reserves control are:</u></p> <ul style="list-style-type: none"> • <u>The matters of control listed under Rule 27.7.1; and</u> • <u>Landscape and visual effects</u> 	C

Comment [RC137]: Relocated from Notified Rule 27.7.14.2 (page 20)

Comment [RC138]: Consequential amendment as a consequence of Location Specific Rules under Redrafted Rule 27.7.1

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	Zone Specific Standards	Activity status
27.7.6	Subdivision or development within the Low Density Residential Zone at Peninsula Bay which is inconsistent with an Outline Development Master Plan that has been lodged with and approved by the Council.	NC
27.7.7	Kirimoko	
27.7.7.1	<ul style="list-style-type: none"> i. Any subdivision that does not comply with the principal roading layout and reserve network depicted in the Kirimoko Structure Plan shown in Part 27.4315 (including the creation of additional roads, and/or the creation of access ways for more than 2 properties). ii. Any subdivision of land zoned Rural proposed to create a lot entirely within the Rural Zone, to be held in a separate certificate of title. iii. Any subdivision of land described as Lots 3 to 7 and Lot 9 DP300734, and Lot 1 DP 304817 (and any title derived therefrom) that creates more than one lot that has included in its legal boundary land zoned Rural General. 	NC
27.7.8	Bob's Cove Rural Residential sub-zone	
27.7.8.1	<p>Activities that do not meet the following standards:</p> <ul style="list-style-type: none"> i. Boundary Planting – Rural Residential sub-zone at Bobs Cove: <ul style="list-style-type: none"> a. Within the Rural Residential sub-zone at Bobs Cove, where the 15 metre building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre; and b. Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous planting shall be established to a height of 2 metres and shall have survived for at least 18 months prior to any residential buildings being erected. ii. Development Areas and Undomesticated Areas within the Rural Residential sub-zone at Bob's Cove: <ul style="list-style-type: none"> a. Within the Rural Residential sub-zone at Bob's Cove, at least 75% of the zone shall be set aside as 	NC

Comment [RC139]: Relocated from Notified Rule 27.8.2.1 (page 24)

Comment [RC140]: Relocated from Notified Rule 27.8.3.1 to 27.8.3.3 (page 24)

Comment [RC141]: Relocated from Notified Rule 27.8.5.1 and 27.8.5.2 (page 24/25)

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	Zone Specific Standards	Activity status
	<p>undomesticated area, and shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all lot holders and the Council.</p> <p>b At least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover. This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.</p> <p>c The remainder of the area shall be deemed to be the 'development area' and shall be shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all holders and the Council.</p> <p>d The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This Landscaping Plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years; and</p> <p>e This area shall be established and maintained in indigenous vegetation by the subdividing owner and subsequent owners of any individual allotment on a continuing basis. Such areas shall be shown on the Subdivision Plan and given effect to by consent notice registered against the title of the lots.</p> <p>f Any lot created that adjoins the boundary with the Queenstown-Glenorchy Road shall include a 15 metre wide building restriction area, and such building restriction area shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.</p>	
27.7.9	Ferry Hill Rural Residential sub-zone	
27.7.9.1	Any subdivision of the Ferry Hill Rural Residential sub-zone that is inconsistent with the subdivision design as identified in the Concept Development Plan for the Ferry Hill Rural	NC

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	Zone Specific Standards	Activity status
27.7.9.2	<p>Residential sub-zone.</p> <p>Activities that do not meet the following standards:</p> <ul style="list-style-type: none"> i. Retention of Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone which shall be retained for Landscape Amenity Purposes and shall be held in undivided shares by the owners of Lots 1-8 and Lots 11-15 as shown on the Concept Development Plan. ii. Any application for subdivision consent shall: <ul style="list-style-type: none"> a Provide for the creation of the landscape allotments(s) referred to in rule 27.8.6.2 above; b Be accompanied by details of the legal entity responsible for the future maintenance and administration of the allotments referred to in rule 27.6.9.2(i) 27.7.9.2(i) above; c Be accompanied by a Landscape Plan that shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape Plan shall ensure: <ul style="list-style-type: none"> i. That the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone is planted with a predominance of indigenous species in a manner that enhances naturalness; and ii. That residential development is subject to screening along Tucker Beach Road, iii. Plantings at the foot of, on, and above the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall include indigenous trees, shrubs, and tussock grasses. iv. Plantings elsewhere may include maple as well as indigenous species. v. The on-going maintenance of plantings established in terms of rule 27.8.6.3 above shall be subject to a condition of resource consent, and given effect to by way of consent notice that is to be registered on the 	<p>NC</p>

Comment [RC142]: Relocated from Notified Rule 27.8.6.1 to 27.8.6.8 (page 25/26)

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	Zone Specific Standards	Activity status
	<p>title and deemed to be a covenant pursuant to section 221(4) of the Act.</p> <p>vi. Any subdivision shall be subject to a condition of resource consent that no buildings shall be located outside the building platforms shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone. The condition shall be subject to a consent notice that is registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act.</p> <p>vii. Any subdivision of Lots 1 and 2DP 26910 shall be subject to a condition of resource consent that no residential units shall be located and no subdivision shall occur on those parts of Lots 1 and 2 DP 26910 zoned Rural General and identified on the planning maps as a building restriction area. The condition shall be subject to a consent notice that is to be registered and deemed to be a covenant pursuant to section 221(4) of the Act.</p>	
27.7.10	Ladies Mile	
27.7.10.1	<p>i. Subdivision of land situated south of State Highway 6 (“Ladies Mile”) and southwest of Lake Hayes that is zoned Low Density Residential or Rural Residential as shown on the Planning Maps and that does not meet the following standards:</p> <p>a. The landscaping of roads and public places is an important aspect of property access and subdivision design. No subdivision consent shall be granted without consideration of appropriate landscaping of roads and public places shown on the plan of subdivision.</p> <p>b. No separate residential lot shall be created unless provision is made for pedestrian access from that lot to public open spaces and recreation areas within the land subject to the application for subdivision consent and to public open spaces and rural areas adjoining the land subject to the application for subdivision consent.</p>	<p>NC</p>
27.7.11	Jacks Point	
	Subdivision Activity failing to comply with the Jacks Point	D

Comment [RC143]: Relocated from Notified Rule 27.8.7.1 (page 26)

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	Zone Specific Standards	Activity status
27.7.11.1	<p>Structure Plan located within Chapter 41.7. For the purposes of interpreting this rule, the following shall apply:</p> <ul style="list-style-type: none"> a. A variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Road, and their intersection with State Highway 6, shall be acceptable; b. Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey; c. Subdivision shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable; d. Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process. 	RD
27.7.11.2	<p>Subdivision failing to comply with standards for the Jacks Point Zone Conservation Lots.</p> <ul style="list-style-type: none"> i. Within the Farm Preserve 1 (FP-1) Activity Area, any subdivision shall: <ul style="list-style-type: none"> a. Provide for the creation and management of open space, which may include native re-vegetation, within the “open space” areas shown on the Structure Plan, through the following: <ul style="list-style-type: none"> (i) The creation of a separate lot that can be transferred into the ownership of the body responsible for the management of the open space land within the zone; or (ii) Held within private ownership and protected by way of a covenant registered on the relevant title protecting that part of the site from any future building development. 	RD
27.7.11.3	<p><u>Subdivision failing to comply with the 380m² minimum lot size for subdivision within the Hanley Downs part of the Jacks Point Zone.</u></p> <p>For Rules 27.7.11.2 and 27.7.11.3 Discretion is restricted to all of the following:</p>	RD

Comment [RC144]: Submission 762.7

Comment [RC145]: D Wells for RCL

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	Zone Specific Standards	Activity status
	<ul style="list-style-type: none"> i. <u>Subdivision design</u> ii. <u>Traffic generation;</u> iii. <u>Access; and</u> iv. <u>Landscape and visual effects.</u> i. <u>The visibility of future development from State Highway 6 and Lake Wakatipu.</u> ii. <u>Traffic, access.</u> iii. <u>Maintenance or enhancement of nature conservation values.</u> iv. <u>Creation of open space and infrastructure.</u> 	
27.7.12	<u>Any subdivision of the Millbrook Resort Zone that is inconsistent with the Mill Brook Resort Zone Structure Plan specified in part 43.7.</u>	D

Comment [RC146]: Relocated from Notified Rule 27.8.9.1 and 27.8.9.2 (page 27)

Comment [RC147]: New Redrafted rule added as there does not appear to be any rule governing non-compliance with Millbrook Resort Zone structure plan.

27.7.12.1 In the following zones, every allotment created for the purposes of containing residential activity shall identify one building platform of not less than 70m² in area and not greater than 1000m² in area.

- a Rural Zone.
- b Gibbston Character Zone.
- c Rural Lifestyle Zone.

Comment [RC148]: Relocated from Notified Rule 27.5.1.1 (page 12)

27.7.12.2 The dimensions of sites in the following zones, other than for access, utilities, reserves or roads, shall be able to accommodate a square of the following dimensions:

Comment [RC149]: Relocated from Notified Rule 27.5.1.2 (page 13)

Zone		Minimum Dimension (m = metres)
Residential	Medium Density	12m x 12m
	Large Lot Urban	30m x 30m
	Township and All others	15m x 15m
Rural Residential	Rural Residential (inclusive of sub-	30m x 30m

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	zones)	
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27.7.12.3 Lots created for access, utilities, roads and reserves shall have no minimum size.

Comment [RC150]: Relocated from Notified Rule 27.5.1.3 (page 13)

~~27.5.1.4 The subdivision of land containing a heritage or any other protected item and scheduled in the District Plan shall be a Discretionary activity.~~

~~27.5.1.5 The subdivision of land identified on the planning maps as a Heritage Landscape.~~

~~27.5.1.6 The subdivision of a site containing a known archaeological site, whether identified and scheduled in the District Plan or not, shall be a discretionary activity.~~

~~27.5.1.7 Subdivision that would alter, or create a new boundary within a Significant Natural Area scheduled in the District Plan shall be a Discretionary activity.~~

Comment [RC151]: Transferred into Redrafted Rule Table 27.5.

27.7.13 Subdivision associated with infill development

Comment [RC152]: Relocated from Notified Rule 27.5.2 (page 13)

a The specified minimum allotment size in Rule 27.5.6.1, and minimum dimensions in Rule ~~27.5.4.2~~ 27.7.12.2 shall not apply in the High Density Residential Zone, Medium Density Residential Zone and Low Density Residential Zone where each allotment to be created, and the original allotment, all contain at least one established residential unit (established meaning a Building Code of Compliance Certificate has been issued or alternatively where a Building Code of Compliance Certificate has not been issued, construction shall be completed to not less than the installation of the roof).

Comment [RC153]: Submission 370.7, 453.4, 453.5, 166.11, 169.9, 389.1, and 389.1

27.7.14 Subdivision associated with residential development on sites less than 450m² in the Low Density Residential Zone

Comment [RC154]: Relocated from Notified Rule 27.5.3 (page 13)

27.7.14.1 In the Low Density Residential Zone, the specified minimum allotment size in Rule 27.5.6.1 shall not apply in cases where the residential units are not established, providing;

- a A certificate of compliance is issued for a residential unit(s) or,
- b A resource consent has been granted for a residential unit(s).

In addition to any other relevant matters, ~~prior to certification under S224(e), pursuant to s221 of the Act, the consent holder shall register on the certificate of title on the computer freehold register~~ of the applicable allotments:

Comment [RC155]: D White for Paterson Pitts Limited

c That the construction of any residential unit shall be undertaken in accordance with the applicable certificate of compliance or resource consent (applies to the additional undeveloped lot to be created).

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d The maximum building height shall be 5.5m (applies to the additional undeveloped lot to be created).

e There shall be not more than one residential unit per lot (applies to all lots).

Comment [RC156]: Relocated from Notified Rule 27.5.3.1 (page 14)

27.7.14.2 Rule 27.7.14.1 shall not apply to the Low Density Residential Zone within the Queenstown Airport Air Noise Boundary and Outer Control Boundary.

Comment [RC157]: Submission 433.97 and 433.98

27.7.15 **Standards related to servicing and infrastructure**

Comment [RC158]: Relocated from Notified Rule 27.5.4 (page 14)

Water

27.7.15.1 All lots, other than lots for access, roads, utilities and reserves except where irrigation is required, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:

To a Council or community owned and operated reticulated water supply:

a All Residential, Industrial, Business, Town Centre Corner Shopping Centre, and Airport Mixed Use Zone.

~~b Township Zones at Lake Hawea, Albert Town, Luggate, Glenorchy and Kingston.~~

b Rural-Residential Zones at Wanaka, Lake Hawea, Albert Town, Luggate and Lake Hayes.

~~c~~ Resort Zone, Millbrook and Waterfall Park.

Comment [RC159]: Outside of scope of Stage 1 Zones, therefore recommended for deletion by section 42a officer

Comment [RC160]: Relocated from Notified Rule 27.5.4.1 (page 14)

27.7.15.2 Where any reticulation for any of the above water supplies crosses private land, it shall be accessible by way of easement to the nearest point of supply.

Comment [RC161]: Relocated from Notified Rule 27.5.4.2 (page 14)

27.7.15.3 Where no communal owned and operated water supply exists, all lots other than lots for access, roads, utilities and reserves, shall be provided with a potable water supply of at least 1000 litres per day per lot.

Comment [RC162]: Relocated from Notified Rule 27.5.4.3 (page 14)

27.7.15.4 Telecommunication reticulation to all allotments in new subdivisions (other than lots for access, roads, utilities and reserves).

Comment [RC163]: Submission 179.13, 191.11, 781.12.

27.8 Rules - Exemptions

27.8.1 **The following activities are permitted and shall not require resource consent.**

~~27.8.1.1 An adjustment to existing cross-lease or unit title due to an alteration to the size of the lot by alterations to the building outline, the conversion from cross-lease to unit title, the addition of an accessory building, or the relocation of accessory buildings providing the activity complies with all other provisions of the District Plan or has obtained resource consent.~~

Comment [RC164]: Transferred into Redrafted Rule Table 27.5 (Rule 27.5.2)

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27.8.1.1 The following activities shall not be considered for the provision of Esplanade reserves or strips:

- a Activities that qualify as exempt under rules (27.8.1 6-1.4) above.
- b Where a proposed subdivision arises solely due to land being acquired or a lot being created for a road designation, utility or reserve, then section 230 of the Act shall not apply.

Comment [RC165]: Consequential amendment

Comment [RC166]: Relocated from Notified Rule 27.6.1.2 (page 15)

~~27.7 Location-specific objectives and policies and provisions methods~~

~~In addition to the district wide objectives and policies in Part 27.2, the following objectives and policies relate to subdivision in specific locations.~~

Comment [RC167]: Relocated to renumbered 27.3 – Location specific objectives and policies

~~27.7.1 Objective – Peninsula Bay, Ensure effective public access is provided throughout the Peninsula Bay land.~~

~~Policies~~

~~27.7.1.1 Ensure that before any subdivision or development occurs within the Peninsula Bay Low Density Residential Zone, a subdivision consent has been approved confirming easements for the purposes of public access through the Open Space Zone.~~

~~27.7.1.2 Within the Peninsula Bay site, to ensure that public access is established through the vesting of reserves and establishment of easements prior to any further subdivision.~~

~~27.7.1.3 Ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality recreation resource, with excellent linkages, and opportunities for different community groups.~~

~~In addition to the above, refer: Open Space Zone Objective 2, Part 20 of the Operative District Plan.~~

Comment [RC168]: Relocated to Renumbered Objective 27.3.1 and Policies 27.3.1.1 to 27.3.1.3

Comment [RC169]: Validity issues with referring to the Operative District Plan in the PDP

~~27.7.2 Objective – Kirimoko, Wanaka – To create a liveable urban environment that achieves best practice in urban design; the protection and incorporation of landscape and environmental features into the design of the area; and high quality built form.~~

~~Policies~~

~~27.7.2.1 Protect the landscape quality and visual amenity of the Kirimoko Block and preserve sightlines to local natural landforms.~~

~~27.7.2.2 Protect the natural topography of the Kirimoko Block and incorporate existing environmental features into the design of the site.~~

~~27.7.2.3 Ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies (all zoned Low Density Residential) and that visually sensitive areas such as the spurs are left undeveloped (building line restriction area).~~

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- ~~27.7.2.4~~ Ensure the provision of open space and community facilities that are suitable for the whole community and that are located in safe and accessible areas.
- ~~27.7.2.5~~ Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.
- ~~27.7.2.6~~ Provide for road and walkway linkages to neighbouring developments.
- ~~27.7.2.7~~ Ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site.
- ~~27.7.2.8~~ Minimise Avoid disturbance of existing native plant remnants and enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value.
- ~~27.7.2.9~~ Design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas.
- ~~27.7.2.10~~ Require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas.

~~27.7.3~~ ~~Kirimoko Structure Plan - Matters of Discretion for Restricted Discretionary Activities~~

- ~~27.7.3.1~~ In order to achieve Objective 27.7.2 and policies 27.7.2.1 to 27.7.2.10, when assessing any subdivision in accordance with the principal roading layout depicted in the Kirimoko Structure plan shown in part 27.13, in accordance with rule 27.8.2, particular regard shall be had to the following:
- ~~i.~~ Any earthworks required to create any vehicle accesses of building platforms;
 - ~~ii.~~ The design of the subdivision including lot configuration and roading patterns;
 - ~~iii.~~ Creation and planting of road reserves;
 - ~~iv.~~ The provision and location of walkways and the green network as illustrated on the Structure Plan for the Kirimoko Block in part 27.13;
 - ~~v.~~ The protection of native species as identified on the structure plan as green network;

Comment [RC170]: Relocated to Renumbered Objective 27.3.2 and Policies 27.3.2.1 to 27.3.2.10 (redrafted page 10).

~~27.7.4~~ ~~Objective - Large Lot Residential Zone between Studholme Road and Meadowstone Drive - Ensure protection of landscape and amenity values in recognition of the zone's low density character and transition with rural areas be recognised and protected.~~

Comment [RC171]: Transferred into Zone Specific Rule Table 27.7 as matters of control under redrafted Rule 27.7.2 (redrafted page 27).

Policies

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~~27.7.4.1 Have regard to the impact of development on landscape values of the neighbouring rural areas and features of these areas, with regard to minimising the prominence of housing on ridgelines overlooking the Wanaka township.~~

~~27.7.4.2 Subdivision and development within land identified as 'Urban Landscape Protection' by the 'Wanaka Structure Plan 2007' shall have regard to the adverse effects of development and associated earthworks on slopes, ridges and skylines.~~

~~27.7.5 Objective - Bob's Cove Rural Residential Zone (excluding sub-zone) – Recognise the special character of the Bob's Cove Rural Residential Zone is recognised and provided for.~~

Comment [RC172]: Relocated to Renumbered Objective 27.3.3 and Policies 27.3.3.1 to 27.3.3.12 (redrafted page 11).

Policies

~~27.7.5.1 Have regard to the need to provide for street lighting in the proposed subdivision. If street lighting is required in the proposed subdivision to satisfy the Council's standards, then in order to maintain the rural character of the zone, the street lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on the night sky.~~

Comment [RC173]: Relocated to Renumbered Objective 27.3.4 and Policy 27.3.4.1 (redrafted page 11).

~~27.7.6 Objective - Ferry Hill Rural Residential Sub Zone – Maintain and enhance visual amenity values and landscape character within and around the Ferry Hill Rural Residential Sub Zone.~~

Comment [RC174]: Relocated to Renumbered Objective 27.3.5 (redrafted page 11).

Policies

~~27.7.6.1 At the time of considering a subdivision application, the following matters shall be had particular regard to:~~

- ~~vi. The subdivision design has had regard to minimising the number of accesses to roads;~~
- ~~vii. the location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access;~~
- ~~viii. The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone;~~
- ~~ix. The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.~~

Comment [RC175]: Transferred into Zone Specific Rule Table as matters of control under Redrafted Rule 27.7 (Rule 27.7.3)

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~~27.7.7 Objective – Makarora Rural Lifestyle Zone – The avoidance or mitigation of the effects of natural hazards and the maintenance and enhancement of landscape character, visual amenity and nature conservation values are maintained or enhanced.~~

Policies

Natural Hazards

~~27.7.7.1 Particular regard shall be had to the avoidance or mitigation of natural hazards identified on the Council's hazard register associated with the location of a building platform and future anticipated land uses within the building platform.~~

~~27.7.7.2 The Council shall be satisfied as to whether consultation has been undertaken with the Otago Regional Council with regard to any matters associated with defences against water, and in particular taken the opportunity to reconcile any potential issues associated with flood defence works encouraged by the Otago Regional Council, and the District Plan's objectives, policies and servicing standards for subdivision in the Makarora Rural Lifestyle Zone.~~

Landscape Values, Rural Character

~~27.7.7.3 In recognition of the landscape values within the Makarora Rural Lifestyle Zone, regard shall be had to the potential merits with the concentration or clustering of built form to areas with high potential to absorb development while retaining areas that are more sensitive in their natural state.~~

~~27.7.7.4 In considering the appropriateness of the form and density of development, including the identification of building platforms in the Makarora Rural Lifestyle Zone the following matters shall be taken into account:~~

- ~~i. The extent to which the location and size of proposed building platforms either detracts from or has the potential to enhance landscape values and rural character;~~
- ~~ii. whether and to what extent there is the opportunity for the aggregation of built development to utilise common access ways including pedestrian linkages, services and commonly held open space (i.e. open space held in one title whether jointly or otherwise);~~
- ~~iii. whether and to what extent development is concentrated/clustered in areas with a high potential to absorb development while retaining areas that are more sensitive in their natural state.~~

~~27.7.8 Objective – Wyuna Station Rural Lifestyle Zone – To provide for a deferred rural lifestyle zone on the terrace to the east of, and immediately adjoining, the Glenorchy Township.~~

Policies

~~27.7.8.1 Prohibit or defer development of the zone until such a time that:~~

Comment [RC176]: Relocated to Renumbered Objective 27.3.6 and Policies 27.3.6.1 to 27.3.6.4 (redrafted page 11 and 12).

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- i. ~~the zone can be serviced by a reticulated wastewater disposal scheme within the property that services both the township and proposed zone. This may include the provision of land within the zone for such purpose; or~~
- ii. ~~the zone can be serviced by a reticulated wastewater disposal scheme located outside of the zone that has capacity to service both the township and proposed zone; or~~
- iii. ~~the zone can be serviced by an on-site (individual or communal) wastewater disposal scheme no sooner than two years from the zone becoming operative on the condition that should a reticulated scheme referred to above become available and have capacity within the next three years then all lots within the zone shall be required to connect to that reticulated scheme.~~

Comment [RC177]: Relocated to Renumbered Objective 27.3.7 and Policy 27.3.7.1 (redrafted page 12).

~~27.7.9 Objective - Wyuna Station Rural Lifestyle Zone - Subject to Objective 27.7.7, to enable rural living development is enabled in a way that maintains the visual amenity values that are experienced from the Glenorchy Township, Oban Street and the Glenorchy-Paradise Road.~~

Policies

~~27.7.9.1 The subdivision design, identification of building platforms and associated mitigation measures shall ensure that built form and associated activities within the zone are reasonably inconspicuous when viewed from Glenorchy Township, Oban Street or the Glenorchy-Paradise Road. Measures to achieve this include:~~

- i. ~~Prohibiting development over the sensitive areas of the zone via building restriction areas;~~
- ii. ~~Appropriately locating buildings within the zone, including restrictions on future building bulk;~~
- iii. ~~Using excavation of the eastern part of the terrace to form appropriate building platforms;~~
- iv. ~~Using naturalistic mounding of the western part of the terrace to assist visual screening of development;~~
- v. ~~Using native vegetation to assist visual screening of development;~~
- vi. ~~The maximum height of buildings shall be 4.5m above ground level prior to any subdivision development.~~

~~27.7.9.2 Maintain and enhance the indigenous vegetation and ecosystems within the building restriction areas of the zone and to suitably and comprehensively maintain these areas into the future. As a minimum, this shall include:~~

- i. ~~Methods to remove or kill existing wilding exotic trees and weed species from the lower banks of the zone area and to conduct this eradication annually;~~

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- ii. ~~Methods to exclude and/or suitably manage pests within the zone in order to foster growth of indigenous vegetation within the zone, on an ongoing basis;~~
- iii. ~~A programme or list of maintenance work to be carried out on a year to year basis on order to bring about the goals set out above.~~

Comment [RC178]: Relocated to Renumbered Objective 27.3.8 and Policies 27.3.8.1 to 27.3.8.2 (redrafted page 12 and 13).

~~27.7.10 Objective - Industrial B Zone~~

~~Policies~~

- i. ~~Reserved for Stage 2 of the District Plan Review.~~

~~27.7.11 Objective - Industrial B Zone~~

~~Policies~~

- i. ~~Reserved for Stage 2 of the District Plan Review.~~

~~27.7.12 Objective - Industrial B Zone~~

~~Policies~~

- i. ~~Reserved for Stage 2 of the District Plan Review.~~

~~27.7.13 Objective - Industrial B Zone~~

~~Policies~~

- i. ~~Reserved for Stage 2 of the District Plan Review.~~

~~27.7.14 Objective - Jacks Point Zone - Subdivision shall have regard to identified location specific opportunities and constraints.~~

~~Policies~~

~~27.7.14.1 Ensure that subdivision and development achieves the objectives and policies located within Chapter 41.~~

Comment [RC179]: Relocated to Renumbered Objective 27.3.13 and Policy 27.3.13.1 (redrafted page 14).

~~27.7.14.2 The extent to which the subdivision achieves the matters of control listed under Rule 27.6.1 and as they relate to the Jacks Point Structure Plan located within Chapter 41.~~

- i. ~~Consistency with the Jacks Point Zone Structure Plan identified in 41.7, including the provision of public access routes, primary, secondary and key road connections.~~
- ii. ~~Lot sizes, averages and dimensions.~~
- iii. ~~Subdivision design.~~
- iv. ~~Property access.~~
- v. ~~Esplanade provision.~~
- vi. ~~Natural hazards.~~
- vii. ~~Fire fighting water supply.~~

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- viii. ~~Water supply.~~
- ix. ~~Stormwater disposal.~~
- x. ~~Sewage treatment and disposal.~~
- xi. ~~Energy supply and telecommunications.~~
- xii. ~~Open space and recreation.~~
- xiii. ~~Easements.~~
- xiv. ~~The nature, scale and adequacy of environmental protection measures associated with earthworks.~~

Comment [RC180]: Transferred into Rule Table under Rule 27.7 and specifically redrafted Rule 27.7.1 and 27.7.4.

~~27.7.14.3 In addition to above (provision 27.7.14.1) within the R(HD) Activity Areas, have particular regard to the following matters:~~

- i. ~~The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area.~~
- ii. ~~Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu.~~
- iii. ~~Road and street designs.~~
- iv. ~~The location and suitability of proposed open spaces.~~
- v. ~~Commitments to remove wilding trees.~~

~~27.7.14.4 Within the R(HD-SH) Activity Areas, the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6.~~

~~27.7.14.5 Within the R(HD) Activity Area, the creation of sites sized between 380m² and 550m², without limiting any other matters of discretion that apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over:~~

- i. ~~Building setbacks from boundaries.~~
- ii. ~~Location and heights of garages and other accessory buildings.~~
- iii. ~~Height limitations for parts of buildings, including recession plane requirements.~~
- iv. ~~Window locations.~~
- v. ~~Building coverage.~~
- vi. ~~Roadside fence heights.~~

~~27.7.14.6 Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, measures to provide for the establishment and management of open space, including native vegetation.~~

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~~27.7.14.7 Within the R(HD) A – E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).~~

~~27.7.14.8 In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 550m² in area:~~

~~a The extent to which such sites are configured:~~

- ~~i. with good street frontage.~~
- ~~ii. to enable sunlight to existing and future residential units.~~
- ~~iii. To achieve an appropriate level of privacy between homes.~~

~~b The extent to which parking, access and landscaping are configured in a manner which:~~

- ~~i. minimises the dominance of driveways at the street edge.~~
- ~~ii. provides for efficient use of the land.~~
- ~~iii. maximises pedestrian and vehicular safety.~~
- ~~iv. addresses nuisance effects such as from vehicle lights.~~

~~c The extent to which subdivision design satisfies:~~

- ~~i. public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.~~
- ~~ii. Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.~~

~~27.7.17 Objective – Waterfall Park – Subdivision shall provide for a range of visitor, residential and recreational facilities, sympathetic to the natural setting have regard to identified location specific opportunities and constraints.~~

Comment [RC181]: Transferred into Rule Table under Rule 27.7 and specifically redrafted Rule 27.7.4.

Policies

~~27.7.17.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Waterfall Park Structure Plan located within Chapter 42.~~

Comment [RC182]: Relocated to Renumbered Objective 27.3.14 and Policy 27.3.14.1 (redrafted page 14).

~~27.7.18 Waterfall Park Structure Plan – Matters of for Restricted Discretionary Activities~~

Comment [RC183]: Transferred into Rule Table 27.6.1

~~27.7.18.1 The District Wide objectives and policies in Part 27.2, with discretion restricted to:~~

- ~~i. Allotment sizes and configuration.~~
- ~~ii. Property access.~~

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- iii. Landscaping and vegetation.
- iv. Heritage.
- v. Infrastructure and servicing (including stormwater design).
- vi. Natural and other hazards.
- vii. Open space or reserves.
- viii. Earthworks.
- ix. Easements.
- x. Opportunities for enhancement of ecological and natural values.
- xi. Provision for internal walkways, cycle ways and pedestrian linkages.

Comment [RC184]: Transferred into Redrafted Rule Table 27.6.1

~~27.7.19 Objective – Millbrook – Subdivision shall provide for resort development while having particular regard to landscape, heritage, ecological, water and air quality values.~~

Policies

~~27.7.19.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Millbrook Structure Plan located within Chapter 43.~~

Comment [RC185]: Relocated to Renumbered Objective 27.3.15 and Policy 27.3.15.1 (redrafted page 14).

~~27.7.20 Millbrook Structure Plan – Matters of Discretion for Restricted Discretionary Activities~~

~~27.7.20.1 The District Wide objectives and policies in Part 27.2, with discretion restricted to:~~

- i. Allotment sizes and configuration.
- ii. Property access.
- iii. Landscaping and vegetation.
- iv. Heritage.
- v. Infrastructure and servicing (including stormwater design).
- vi. Natural and other hazards.
- vii. Open space or reserves.
- viii. Earthworks.
- ix. Easements.

Comment [RC186]: Transferred into Redrafted Rule Table 27.7.1

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~~27.8 Rules – Location Specific Standards~~

~~27.8.1 The following standards relate to anticipated subdivision in specified locations. Activities that do not meet these standards shall be a non-complying activity, unless otherwise specified.~~

Comment [RC187]: Transferred into Redrafted Rule Table 27.7

~~27.8.2 Peninsula Bay~~

~~27.8.2.1 No subdivision or development shall take place within the Low Density Residential Zone at Peninsula Bay unless it is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council.~~

Comment [RC188]: Transferred into Redrafted Rule Table 27.7

~~27.8.3 Kirimoko~~

~~27.8.3.1 Any subdivision shall comply with the principal roading layout and reserve network depicted in the Kirimoko Structure Plan shown in Part 27.13 (including the creation of additional roads, and/or the creation of access ways for more than 2 properties).~~

~~27.8.3.2 Any subdivision of land zoned Rural proposed to create a lot entirely within the Rural Zone, to be held in a separate certificate of title.~~

~~27.8.3.3 Any subdivision of land described as Lots 3 to 7 and Lot 9 DP300734, and Lot 1 DP 304817 (and any title derived therefrom) that creates more than one lot that has included in its legal boundary land zoned Rural General.~~

Comment [RC189]: Transferred into Redrafted Rule Table 27.7 (specifically redrafted Rule 27.7.2)

~~27.8.2 Industrial B Zone~~

- ~~i. Reserved for Stage 2 of the District Plan Review.~~

~~27.8.5 Bob's Cove Rural Residential sub-zone~~

~~27.8.5.1 Boundary Planting – Rural Residential sub-zone at Bobs Cove:~~

~~c. Within the Rural Residential sub-zone at Bobs Cove, where the 15 metre building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre; and~~

~~d. Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous planting shall be established to a height of 2 metres and shall have survived for at least 18 months prior to any residential buildings being erected.~~

~~27.8.5.2 Development Areas and Undomesticated Areas within the Rural Residential sub-zone at Bob's Cove:~~

~~a. Within the Rural Residential sub-zone at Bob's Cove, at least 75% of the zone shall be set aside as undomesticated area, and shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all lot holders and the Council.~~

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- ~~b At least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover. This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.~~
- ~~c The remainder of the area shall be deemed to be the 'development area' and shall be shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all holders and the Council.~~
- ~~d The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This Landscaping Plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years; and~~
- ~~e This area shall be established and maintained in indigenous vegetation by the subdividing owner and subsequent owners of any individual allotment on a continuing basis. Such areas shall be shown on the Subdivision Plan and given effect to by consent notice registered against the title of the lots.~~
- ~~f Any lot created that adjoins the boundary with the Queenstown-Glenorchy Road shall include a 15 metre wide building restriction area, and such building restriction area shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.~~

Comment [RC190]: Transferred into Redrafted Rule Table 27.7 (specifically redrafted Rule 27.7.8)

~~27.8.6 Ferry Hill Rural Residential sub-zone~~

- ~~27.8.6.1 Notwithstanding any other rules, any subdivision of the Ferry Hill Rural Residential sub-zone shall be in accordance with the subdivision design as identified in the Concept Development Plan for the Ferry Hill Rural Residential sub-zone.~~
- ~~27.8.6.2 Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall be retained for Landscape Amenity Purposes and shall be held in undivided shares by the owners of Lots 1-8 and Lots 11-15 as shown on the Concept Development Plan.~~
- ~~27.8.6.3 Any application for subdivision consent shall:
 - ~~a Provide for the creation of the landscape allotments(s) referred to in rule 27.8.6.2 above;~~
 - ~~b Be accompanied by details of the legal entity responsible for the future maintenance and administration of the allotments referred to in rule 27.8.6.2 above;~~
 - ~~c Be accompanied by a Landscape Plan that shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape Plan shall ensure:~~~~

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- i. ~~That the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone is planted with a predominance of indigenous species in a manner that enhances naturalness; and~~
- ii. ~~That residential development is subject to screening along Tucker Beach Road;~~

~~27.8.6.4 Plantings at the foot of, on, and above the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall include indigenous trees, shrubs, and tussock grasses.~~

~~27.8.6.5 Plantings elsewhere may include maple as well as indigenous species.~~

~~27.8.6.6 The on-going maintenance of plantings established in terms of rule 27.8.6.3 above shall be subject to a condition of resource consent, and given effect to by way of consent notice that is to be registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act.~~

~~27.8.6.7 Any subdivision shall be subject to a condition of resource consent that no buildings shall be located outside the building platforms shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone. The condition shall be subject to a consent notice that is registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act.~~

~~27.8.6.8 Any subdivision of Lots 1 and 2 DP 26910 shall be subject to a condition of resource consent that no residential units shall be located and no subdivision shall occur on those parts of Lots 1 and 2 DP 26910 zoned Rural General and identified on the planning maps as a building restriction area. The condition shall be subject to a consent notice that is to be registered and deemed to be a covenant pursuant to section 221(4) of the Act.~~

~~27.8.7 Ladies Mile~~

~~27.8.7.1 This Rule shall only apply to subdivision of land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes that is zoned Low Density Residential or Rural Residential as shown on the Planning Maps.~~

- a ~~The landscaping of roads and public places is an important aspect of property access and subdivision design. No subdivision consent shall be granted without consideration of appropriate landscaping of roads and public places shown on the plan of subdivision.~~
- b ~~No separate residential lot shall be created unless provision is made for pedestrian access from that lot to public open spaces and recreation areas within the land subject to the application for subdivision consent and to public open spaces and rural areas adjoining the land subject to the application for subdivision consent.~~

27.8.3 Riverside Stage 6 - Albert Town

- i. Reserved for Stage 2 of the District Plan Review.

Comment [RC191]: Transferred into Redrafted Rule Table 27.7 (specifically redrafted Rule 27.7.9)

Comment [RC192]: Transferred into Redrafted Rule Table 27.7 (specifically redrafted Rule 27.7.10)

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27.8.9 Jacks Point

~~27.8.9.1 Jacks Point Structure Plan – Subdivision failing to comply with this rule shall be a discretionary activity.~~

~~In the Jacks Point Zone, subdivision shall be in general accordance with the Structure Plan located within Chapter 41.7. For the purposes of interpreting this rule, the following shall apply:~~

- ~~a. A variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Road, and their intersection with State Highway 6, shall be acceptable;~~
- ~~b. Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey;~~
- ~~c. Subdivision shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable;~~
- ~~d. Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process.~~

~~27.8.9.2 Jacks Point Zone Conservation Lots – Subdivision failing to comply with rule shall be a restricted discretionary activity.~~

~~Within the Farm Preserve 1 (FP-1) Activity Area, any subdivision shall:~~

- ~~a. Provide for the creation and management of open space, which may include native re-vegetation, within the “open space” areas shown on the Structure Plan, through the following:
 - ~~(i) The creation of a separate lot that can be transferred into the ownership of the body responsible for the management of the open space land within the zone; or~~
 - ~~(ii) Held within private ownership and protected by way of a covenant registered on the relevant title protecting that part of the site from any future building development.~~~~

~~Discretion is restricted to all of the following:~~

- ~~i. The visibility of future development from State Highway 6 and Lake Wakatipu.~~
- ~~ii. Traffic, access.~~
- ~~iii. Maintenance or enhancement of nature conservation values.~~
- ~~iv. Creation of open space and infrastructure.~~

Comment [RC193]: Transferred into Redrafted Rule Table 27.7 (specifically redrafted Rule 27.7.11)

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27.9 Assessment Matters for Resource Consents

27.9.1 Controlled Activity Boundary Adjustments

In considering whether or not to impose conditions in respect to boundary adjustments under Rules 27.5.3 and 27.5.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

<u>27.5.3 Assessment Matters (Boundary Adjustments)</u>	
	<ul style="list-style-type: none"> • <u>The location of the proposed boundaries, including their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses;</u> • <u>The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:</u> <ul style="list-style-type: none"> <u>(i) is able to accommodate development in accordance with the relevant district-wide and zone rules;</u> <u>(ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access;</u> • <u>Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</u> • <u>Refer Policies 27.2.1.7, 27.2.3.2, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.</u>

<u>27.5.4 Assessment Matters (Boundary Adjustments involving Heritage Items and within Arrowtown's urban growth boundary)</u>	
	<ul style="list-style-type: none"> • <u>The location of the proposed boundaries, including their relationship to existing buildings and vegetation patterns and existing or proposed accesses;</u> • <u>The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:</u> <ul style="list-style-type: none"> <u>(i) is able to accommodate development in accordance with the relevant district-wide and zone rules;</u> <u>(ii) the potential effects on the safety of pedestrians and cyclists and other users of the space or access;</u> • <u>Whether any landscape features or vegetation, including mature trees, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</u>

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	<u>27.5.4 Assessment Matters (Boundary Adjustments involving Heritage Items and within Arrowtown’s urban growth boundary)</u>
	<ul style="list-style-type: none"> • <u>The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance.</u> • <u>Where lots are being amalgamated within the Medium Density Residential Zone and Low Density Residential Zone, the extent to which future development will effect the historic character of the Arrowtown Residential Historic Management Zone;</u> • <u>Refer Policies 27.2.1.7, 27.2.3.2, 27.2.4.2, 27.2.4.5, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.</u>

27.9.2 Controlled Unit Title Subdivision Activities

In considering whether or not to impose conditions in respect to unit title, strata-title or cross lease subdivision under Rules 27.5.5, the Council shall have regard to, but not be limited by, the following assessment criteria:

	<u>27.5.5 Assessment Matters (Unit Title, Strata Title and Cross Lease Subdivision)</u>
	<ul style="list-style-type: none"> • <u>Compliance with an approved resource consent;</u> • <u>The location of the proposed boundaries, including their relationship to existing buildings existing or proposed accesses;</u> • <u>The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:</u> <ul style="list-style-type: none"> <u>(i) is able to accommodate development in accordance with the relevant district-wide and zone rules;</u> <u>(ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access;</u> • <u>The effects of infrastructure provision;</u> • <u>Refer Policies 27.2.1.7, 27.2.3.1, 27.2.3.2, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.3.</u>

27.9.3 Restricted Discretionary Activity Subdivision Activities

In considering whether or not to grant consent or impose conditions in respect to boundary adjustments under Rules 27.5.6, 27.5.7, 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:

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	<u>27.5.6 Assessment Matters (Urban Subdivision Activities)</u>
	<ul style="list-style-type: none"> i. <u>Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land.</u> ii. <u>Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;</u> iii. <u>Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</u> iv. <u>The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;</u> v. <u>The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency;</u> vi. <u>The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities;</u> vii. <u>The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;</u> viii. <u>The provision of services in accordance with Council's Code of Practice for Subdivision;</u> ix. <u>The extent to which the safe and efficient operation of aircraft may be compromised by subdivision and its ancillary activities that encourage the congregation of birds within aircraft flight paths.</u> x. <u>Easements for existing and proposed access and services.</u> xi. <u>Refer Policies 27.2.1.1, 27.2.1.2, 27.2.1.3, 27.2.3.2, 27.2.4.5, 27.2.4.6, 27.2.5.5, 27.2.5.6, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.</u>

	<u>27.5.7 Assessment Matters (Rural Residential and Rural Lifestyle Subdivision Activities)</u>
	<ul style="list-style-type: none"> • <u>The extent to which the design maintains and enhances rural living character, landscape values and visual amenity;</u> • <u>The extent to which the location of building platforms could adversely affect adjoining non residential land uses;</u> • <u>Orientation of lots to optimise solar gain for buildings and</u>

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<u>27.5.7 Assessment Matters (Rural Residential and Rural Lifestyle Subdivision Activities)</u>	
	<p><u>developments;</u></p> <ul style="list-style-type: none"> • <u>Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land.</u> • <u>Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</u> • <u>The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;</u> • <u>The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency;</u> • <u>The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities;</u> • <u>The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;</u> • <u>The provision of services in accordance with Council's Code of Practice for Subdivision;</u> • <u>In the case of the Makarora Rural Lifestyle Zone, the concentration or clustering of built form to areas with high potential to absorb development, while retaining areas which are more sensitive in their natural state;</u> • <u>In the Rural Residential Zone at the north end of Lake Hayes, the protection and restoration of wetland areas;</u> • <u>Easements for existing and proposed access and services;</u> • <u>Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided.</u> • <u>Refer Policies 27.2.1.2, 27.2.4.5, 27.2.4.6, 27.2.5.4, 27.2.5.5, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.</u>

Comment [RC194]: A MacLeod for New Zealand Fire Service

27.9.4 Restricted Discretionary Activity - Subdivision Activities with National Grid Subdivision Corridor and Electricity Sub-Transmission Lines

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In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rules 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:

<u>27.5.8 Assessment Matters (National Grid Subdivision Corridor)</u>	
	<ul style="list-style-type: none"> • <u>Whether the allotments are intended to be used for residential or commercial activity;</u> • <u>The need to identify a building platform to ensure future buildings are located outside the National Grid Yard;</u> • <u>The ability of future development to comply with NZECP34:2001;</u> • <u>The location and planting of vegetation;</u> • <u>Ensure the operation, maintenance and upgrade of the National Grid is not restricted;</u> • <u>Refer Policy 27.2.2.9.</u>

<u>27.5.9 Assessment Matters (Electricity Sub-Transmission Lines)</u>	
	<ul style="list-style-type: none"> • <u>Whether the allotments are intended to be used for residential or commercial activity;</u> • <u>The need to provide restricted areas to limit activities to outside the Electricity Sub-Transmission Lines;</u> • <u>Ensure the operation, maintenance and upgrade of the Electricity Sub-Transmission Lines is not restricted;</u> • <u>The ability of future development to comply with NZECP34:2001.;</u> • <u>The location and planting of vegetation;</u> • <u>Refer Policy 27.2.2.9.</u>

27.9.5 Controlled Subdivision Activities – Structure Plan spatial layout plan, or concept development plan

In considering whether or not to impose conditions in respect to subdivision activities undertaken in accordance with a structure plan, spatial layout plan, or concept development plan under Rules 27.7.1, 27.7.2, 27.7.3, 27.7.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

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<u>27.7.1 Assessment Matters</u>
<ul style="list-style-type: none"> • <u>Consistency with the relevant location specific objectives and policies in part 27.3;</u> • <u>Consistency with the relevant structure plan, spatial layout plan or concept development plan;</u> • <u>The assessment criteria identified under Rule 27.7.1.</u>

<u>27.7.2 Assessment Matters</u>
<ul style="list-style-type: none"> • <u>The assessment criteria identified under Rule 27.7.1.</u> • <u>Any earthworks required to create any road, vehicle accesses, of building platforms or modify the natural landform;</u> • <u>The design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways);</u> • <u>Creation and planting of road reserves</u> • <u>The provision and location of walkways and the green network as illustrated on the Structure Plan for the Kirimoko Block in part 27.13;</u> • <u>The protection of native species as identified on the structure plan as green network.</u> • <u>Refer Policies 27.3.2.1 to 27.3.2.10.</u>

Comment [RC195]: Submission 656.2

Comment [RC196]: Submission 656.2

Comment [RC197]: Relocated from Notified Rule 27.7.3.1 (page 27-16)

<u>27.7.3 Assessment Matters</u>

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<u>27.7.3 Assessment Matters</u>	
	<ul style="list-style-type: none"> • <u>The assessment criteria identified under Rule 27.7.1;</u> • <u>Minimising the number of accesses to roads;</u> • <u>The location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access;</u> • <u>The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 (as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone);</u> • <u>The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.</u> • <u>Refer Policy 27.3.5.1.</u>

Comment [RC198]: Relocated from Notified Policy 27.7.6.1 (page 16)

<u>27.7.4 Assessment Matters</u>	
	<ul style="list-style-type: none"> • <u>The assessment criteria identified under Rule 27.7.1.</u> • <u>The provision of public access routes, primary, secondary and key road connections.</u> • <u>Within the R(HD) Activity Areas, the extent to which the structure plan provides for the following matters:</u> <ul style="list-style-type: none"> - <u>The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area.</u> - <u>Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu.</u> - <u>Road and street designs.</u> - <u>The location and suitability of proposed open spaces.</u> - <u>Management responses to remove wilding trees.</u> • <u>Within the R(HD-SH) Activity Areas, the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6.</u> • <u>Within the R(HD) Activity Area, the creation of sites sized between 380m² and 550m², without limiting any other matters of control that</u>

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<u>27.7.4 Assessment Matters</u>	
	<p><u>apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over:</u></p> <ul style="list-style-type: none"> - <u>Building setbacks from boundaries.</u> - <u>Location and heights of garages and other accessory buildings.</u> - <u>Height limitations for parts of buildings, including recession plane requirements.</u> - <u>Window locations.</u> - <u>Building coverage.</u> - <u>Roadside fence heights.</u> <ul style="list-style-type: none"> • <u>Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, measures to provide for the establishment and management of open space, including native vegetation.</u> • <u>Within the R(HD) A - E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).</u> • <u>In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 380m² in area:</u> <ul style="list-style-type: none"> - <u>The extent to which such sites are configured:</u> <ul style="list-style-type: none"> ▪ <u>with good street frontage.</u> ▪ <u>to enable sunlight to existing and future residential units.</u> ▪ <u>To achieve an appropriate level of privacy between homes.</u> - <u>The extent to which parking, access and landscaping are configured in a manner which:</u> <ul style="list-style-type: none"> ▪ <u>minimises the dominance of driveways at the street edge.</u> ▪ <u>provides for efficient use of the land.</u> ▪ <u>maximises pedestrian and vehicular safety.</u> ▪ <u>addresses nuisance effects such as from vehicle lights.</u> - <u>The extent to which subdivision design satisfies:</u> <ul style="list-style-type: none"> ▪ <u>public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.</u>

Comment [RC199]: D Wells for RCL

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<u>27.7.4 Assessment Matters</u>	
	<ul style="list-style-type: none"> • <u>Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.</u> • <u>Refer Policies 27.3.13.1 to 27.3.13.3.</u>

Comment [RC200]: Relocated from Notified Rule 27.7.14.2 (page 20)

<u>27.7.5.1 Assessment Matters</u>	
	<ul style="list-style-type: none"> • <u>Orientation of lots to optimise solar gain for buildings and developments;</u> • <u>Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;</u> • <u>Whether any landscape features or vegetation, on the site are of a sufficient amenity value that they should be retained and the proposed means of protection;</u> • <u>The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency;</u> • <u>The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;</u> • <u>The provision of services in accordance with Council's Code of Practice for Subdivision;</u> • <u>Refer Policies 27.3.1.1 to 27.3.1.3.</u>

<u>27.7.11.2 Assessment Matters</u>	
	<ul style="list-style-type: none"> • <u>The assessment criteria identified under Rules 27.7.1 and 27.7.4.</u> • <u>The visibility of future development from State Highway 6 and Lake Wakatipu.</u> • <u>The number, location and design of access points</u> • <u>Maintenance or enhancement of nature conservation values.</u> • <u>Creation of open space and infrastructure</u>

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27.9 27.10 Rules - Non-notification of Applications

27.9.4 27.10.1 Except where as specified in Rule 27.9.10.2, applications for resource consent for the following activities shall not require the written consent of other persons and shall not be notified or limited-notified;

e Controlled Activity Boundary adjustments.

f All controlled and restricted discretionary and discretionary activities, ~~except within the Rural Zone.~~

27.9.2 27.10.2 Rule 27.9.10.1 does not apply to the following. The provisions of the RMA Act apply in determining whether an application needs to be processed on a notified basis.

Where the application site or activity:

a. Adjoins or has access onto a State highway;

b. Contains an archaeological site or any item listed under the Heritage New Zealand Pouhere Taonga Act 2014;

c. Requires the Council to undertake statutory consultation with iwi;

d. Is in the Makarora Rural Lifestyle Zone and within an area subject to any natural hazards including erosion, flooding and inundation, landslip, rockfall, alluvion, avulsion or subsidence.

e. Prior to any application for subdivision within 32m of the centreline of the Frankton – Cromwell A 110kV high voltage transmission line traversing the Shotover Country Special Zone being processed on a non-notified basis the written approval as an affected party is required from Transpower New Zealand Limited;

f. Discretionary activities within the Jacks Point Zone.

27.10 27.11 Rules – General provisions

27.10 27.11 State Highways

27.10.4 27.11.1 Attention is drawn to the need to obtain a Section 93 notice consent from the Minister of Transport NZ Transport Agency for all subdivisions with access onto state highways that are declared Limited Access Roads (LAR). Refer to the Designations Chapter of the District Plan for sections of state highways that are LAR. Where a subdivision will change the use, intensity or location of the access onto the state highway, subdividers should consult with the New Zealand Transport Agency.

Comment [RC201]: Submission 719.144

27.8.6 Esplanades

27.8.6.1 The opportunities for the creation of esplanades are outlined in objective and policies 27.2.7~~5~~. Unless otherwise stated, section 230 of the RMA applies to the standards and process for esplanades.

Comment [RC202]: Submission 809.24

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~~27.11~~ 27.12 Natural Hazards

The Natural Hazards Chapter of the District Plan sets a policy framework to address land uses and natural hazards throughout the District. All subdivision is able to be assessed against a natural hazard through the provisions of section 106 of the Act RMA. In addition, in some locations natural hazards have been identified and specific provisions apply.

Comment [RC203]: Submission
806.193

~~27.12~~ 27.13 Development and Financial Contributions

The Local Government Act 2002 provides the Council with an avenue to recover growth related capital expenditure from subdivision and development through development contributions. The Council forms a development contribution policy as part of its 10 Year Plan and actively imposes development contributions via this process.

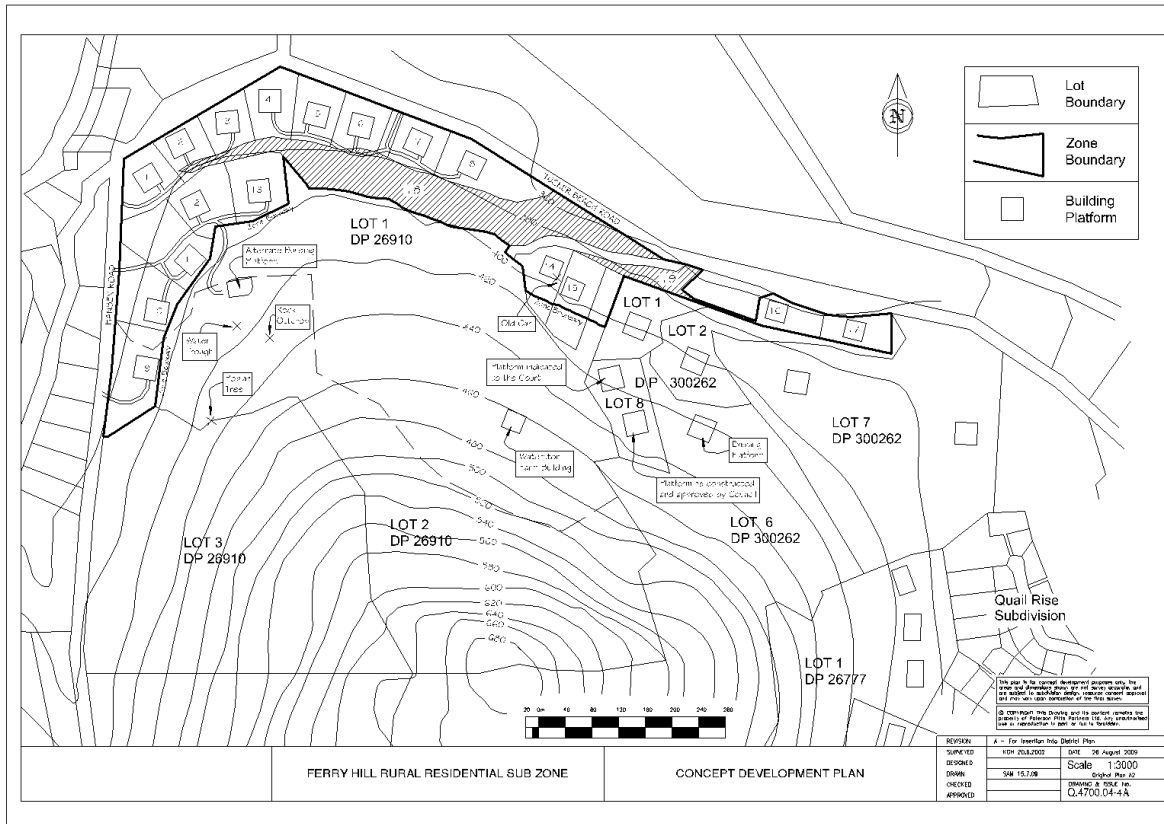
Comment [RC204]: Submission
453.9

The Council acknowledges that Millbrook Country Club has already paid financial contributions for water and sewerage for demand up to a peak of 5000 people. The 5000 people is made up of hotel guests, day staff, visitors and residents. Should demand exceed this then further development contributions will be levied under the Local Government Act 2002.

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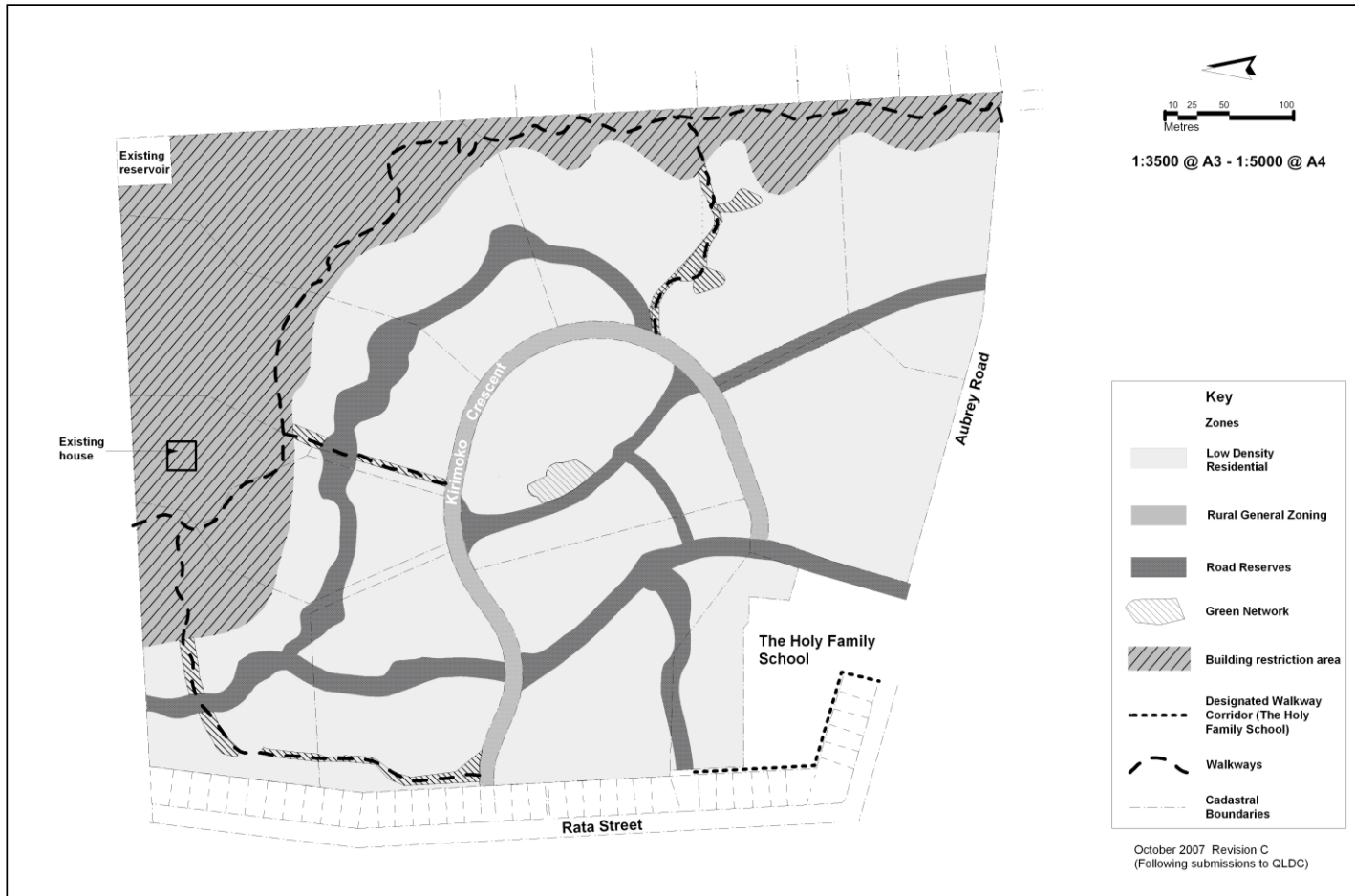
27.13 27.14 Structure Plans and Spatial Layout Plans

27.13.1 27.14.1 Ferry Hill Rural Residential Subzone



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27.13.2 27.14.2 Kirimoko Structure Plan



APPENDIX 2
CLEAN VERSION OF THE REVISED CHAPTER 27 SUBDIVISION AND
DEVELOPMENT

27 Subdivision and Development

27.1 Purpose

Subdivision and the resultant development enables the creation of new housing and land use opportunities, and is a key driver of the District's economy. The council will support subdivision that is well designed, is located in the appropriate locations anticipated by the District Plan with the appropriate capacity for servicing and integrated transportation.

All subdivision requires resource consent unless specified as a permitted activity. It is recognised that subdivisions will have a variable nature and scale with different issues to address. Good subdivision design, servicing and the management of natural hazards are underpinned by a shared objective to create healthy, attractive and safe places.

Good subdivision creates neighbourhoods and places that people want to live or work within, and should also result in more environmentally responsive development that reduces car use, encourages walking and cycling, and maximises access to sunlight.

Good subdivision design will be encouraged by the use of the QLDC Subdivision Design Guidelines 2015. The Subdivision Design Guidelines 2015 includes subdivision and urban design principles and outcomes that give effect to the objectives and policies of the Subdivision and Strategic Directions Chapters, in both designing and assessing subdivision proposals. Proposals at odds with these documents are not likely to be consistent with the policies of the Subdivision and Strategic Directions chapters, and therefore, may not achieve the purpose of the RMA. The purpose of the QLDC Land Development and Subdivision Code of Practice is to provide a best practice guideline for subdivision and development infrastructure in the District.

The subdivision chapter is the primary method to ensure that the District's neighbourhoods are quality environments that take into account the character of local places and communities.

Infrastructure upgrades necessary to support subdivision and future development are to be undertaken and paid for by subdividers and developers in accordance with the Council's 10 Year Plan Development Contributions Policy.

27.2 Objectives and Policies – district wide

27.2.1 Objective - Subdivision will enable quality environments that ensure the District is a desirable place to live, visit, work and play.

Policies

27.2.1.1 Require subdivision infrastructure to be constructed, designed and is fit for purpose, while recognising opportunities for innovative design.

27.2.1.2 To enable subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the

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neighbourhood context and the opportunities and constraints of the application site.

- 27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed to the anticipated land use of the applicable zone.
- 27.2.1.4 Discourage non-compliance with minimum allotment sizes, however where minimum allotment sizes are not achieved consideration will be given to whether any adverse effects are mitigated or compensated by providing:
 - i. desirable urban design outcomes.
 - ii. greater efficiency in the development and use of the land resource.
 - iii. affordable or community housing.
- 27.2.1.5 The Council recognises that there is an expectation by future landowners that the effects and resources required by anticipated land uses will have been resolved through the subdivision approval process.
- 27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.
- 27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.
- 27.2.1.8 Avoid subdivision of a residential flat from a residential unit, except where it can be demonstrated that the subdivision will not result in an increase in the level of non-compliance with the standards of the underlying zone.
- 27.2.1.9 Avoid the subdivision of land resulting in the division of a residential building platform.

27.2.2 Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.

Policies

- 27.2.2.1 Ensure subdivision design provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.
- 27.2.2.2 Ensure subdivision design maximises the opportunity for buildings to front the road.
- 27.2.2.3 Locate open spaces and reserves having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.
- 27.2.2.4 Subdivision shall seek to provide for good and integrated connections and accessibility to:
 - i. existing and planned areas of employment;
 - ii. community activities and facilities;

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- iii. services;
- iv. trails;
- v. public transport; and
- vi. existing and planned neighbourhoods, both within and adjoining the subdivision area.

- 27.2.2.5 Subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.
- 27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.
- 27.2.2.7 Encourage informal surveillance of streets and the public realm for safety by requiring that the minority of allotments within a subdivision are fronting, or have primary access to, cul-de-sacs and private lanes.
- 27.2.2.8 Promote informal surveillance for safety through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.
- 27.2.2.9 Manage subdivision within or near to electricity transmission corridors and electricity sub-transmission lines to facilitate good amenity and urban design outcomes, while avoiding potential adverse effects (including reverse sensitivity effects) on the National Grid and electricity sub-transmission lines.

27.2.3 Objective - The potential of small scale and infill subdivision be recognised and provided for while acknowledging their design limitations.

Policies

- 27.2.3.1 Acknowledge that small scale subdivision, (for example subdivision involving the creation of fewer than four allotments), and infill subdivision where the subdivision involves established buildings, might have limited opportunities to give effect to policies 27.2.2.4, 27.2.2.5 and 27.2.2. 7.
- 27.2.3.2 While acknowledging potential limitations, encourage small scale and infill subdivision to:
 - i. Ensure lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and provide adequate on-site amenity and privacy;
 - ii. Where possible, locate lots so that they over-look and front road and open spaces;
 - iii. Avoid the creation of multiple rear sites, except where this is not practicable;

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- iv. Where buildings are constructed with the intent of a future subdivision, encourage site and development design to maintain, create and enhance positive visual coherence of the development with the surrounding neighbourhood;
- v. Identify and create opportunities for connections to services and facilities in the neighbourhood.

27.2.4 Objective - Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.

Policies

- 27.2.4.1 Enhance biodiversity, riparian and amenity values by incorporating existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces.
- 27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage items and protected features scheduled or identified in the District Plan.
- 27.2.4.3 Provide for the protection of heritage and archaeological sites, and avoid the loss of archaeological sites and heritage items in the first instance, and where effects on these features cannot be reasonably avoided, effects shall be mitigated to an extent that is proportionate to the level of significance of the feature.
- 27.2.4.4 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to Maori culture and traditions in relation to ancestral lands, water, sites, wahi tapu and other taonga.
- 27.2.4.5 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:
 - i. Whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection;
 - ii. Where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved should be off-set against the development contribution to be paid for open space and recreation purposes.
- 27.2.4.6 Ensure that new subdivisions and developments recognise, incorporate and adopt suitable measures to enhance existing established protected indigenous vegetation.

For the purposes of this policy, the adoption of suitable measures to enhance existing established protected indigenous vegetation may include, but not be limited to protective fencing, destocking, removal of existing wilding species and invasive weeds or active ecological restoration with indigenous tree and shrub species common to the area.

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27.2.5 Objective - Infrastructure and services are provided to new subdivisions and developments.

Policies

Transport, Access and Roads

27.2.5.1 Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects potential traffic levels and the provision for safe and convenient walking and cycling.

For the purposes of this policy, reference to 'potential traffic levels' refers to those traffic levels anticipated by the zoning of the District Plan.

27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.

27.2.5.3 Provide linkages to public transport networks, trail, walking, and cycling networks, where useful linkages can be developed.

27.2.5.4 To ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.

27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways within subdivisions are provided for by having regard to:

- i. The location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency.
- ii. The number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency.
- iii. The standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails.
- iv. The provision and vesting of corner splays or rounding at road intersections.
- v. The provision for and standard of street lighting, having particular regard to the siting and location, the provision for public safety and to the avoidance of upward light spill on the night sky.
- vi. The provision of appropriate tree planting within roads.
- vii. Any requirements for widening, formation or upgrading of existing roads.
- viii. Any provisions relating to access for future subdivision on adjoining land.
- ix. The provision of public transport routes and improved linkages to public transport routes and bus shelters.

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Water supply, stormwater, wastewater

27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for.

Water

27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.

27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.

27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.

27.2.5.10 Ensure appropriate water supply, design and installation by having regard to:

- i. The availability, quantity, quality and security of the supply of water to the lots being created;
- ii. Water supplies for fire fighting purposes;
- iii. The standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;
- iv. Any initiatives proposed to reduce water demand and water use.

27.2.5.11 Ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers.

Stormwater

27.2.5.12 Ensure appropriate stormwater design and management by having regard to:

- i. Viable alternative design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas;
- ii. The capacity of existing and proposed stormwater systems;
- iii. The method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
- iv. The location, scale and construction of stormwater infrastructure;

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- v. The effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.

27.2.5.13 The Council will support subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise, provided maintenance and operation requirements are acceptable to Council if the assets are to be vested.

For the purpose of this policy, term 'acceptable to Council' means that any system shall be appropriate from a Council maintenance and operation perspective and shall be fit for purpose once vested. Where land is to be vested as reserve, Council will ensure that the open space area is of a sufficient size, gradient and surface to be useful, and can be maintained at a reasonable cost to the Council.

Wastewater

27.2.5.14 Treat and dispose of sewage in a manner that:

- i. Maintains public health;
- ii. Avoids adverse effects on the environment in the first instance; and
- iii. Where effects on the environment cannot be reasonably avoided, effects shall be minimised to an extent that is proportionate to the level of significance of the effects.

27.2.5.15 Ensure appropriate sewage treatment and disposal by having regard to:

- i. The method of sewage treatment and disposal;
- ii. The capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;
- iii. The location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.

27.2.5.16 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.

Energy Supply and Telecommunications

27.2.5.17 To ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:

- i. Providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;

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- ii. Ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that does not adversely impact upon visual amenity and landscape values of the receiving environment;
- iii. Have regard to the design, location and direction of lighting to avoid upward light spill, recognising the night sky as an element that contributes to the District's sense of place;
- iv. Generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves. Where the subdivision provides for a residential building platform the proposed connections to electricity supply and telecommunications systems shall be established to the residential building platform.

Easements

27.2.5.18 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.

27.2.5.19 Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.

27.2.6 Objective - Cost of services to be met by subdividers.

Policies

27.2.6.1 In accordance with Council's 10 Year Plan Development Contributions Policy, require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), that are attributable to the effects of the subdivision or development, including where applicable:

- i. roading, walkways and cycling trails;
- ii. water supply;
- iii. sewage collection, treatment and disposal;
- iv. stormwater collection, treatment and disposal;
- v. trade waste disposal;
- vi. provision of energy;
- vii. provision of telecommunications and computer media;
- viii. provision of reserves and reserve improvements.

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27.2.7 Objective - Create esplanades where opportunities arise.

Policies

27.2.7.1 Create esplanades reserves or strips where the subdivision would provide nature conservation, natural character, natural hazard mitigation, infrastructural or recreational benefits. In particular, Council will encourage esplanades where they:

- i. are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access;
- ii. have high actual or potential value with regard to the maintenance of indigenous biodiversity;
- iii. comprise significant indigenous vegetation or significant habitats of indigenous fauna;
- iv. are considered to comprise an integral part of an outstanding natural feature or landscape;
- v. would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river;
- vi. would not put an inappropriate burden on Council, in terms of future maintenance costs or issues relating to natural hazards affecting the land.

27.2.7.2 Avoid reducing the width of esplanade reserves or strips, or the waiving of the requirement to provide an esplanade reserve or strip, except where the following apply:

- i. safe public access and recreational use is already possible and can be maintained for the future;
- ii. it can be demonstrated that a full width esplanade reserve or strip is not required to maintain the natural functioning of adjoining rivers or lakes;
- iii. a reduced width in certain locations can be offset by an increase in width in other locations or areas, which would result in a positive public benefit in terms of access and recreation.

27.2.7.3 To use opportunities through the subdivision process to improve the level of protection for the natural character and nature conservation values of lakes and rivers, as provided for in Section 230 of the Resource Management Act 1991.

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27.2.8 Objective - Boundary adjustments, cross-lease and unit title subdivision are provided for.

Policies

27.2.8.1 Enable minor cross-lease and unit title subdivision of existing units without the need to obtain resource consent where there is no potential for adverse effects associated with the change in boundary location.

For clarity this policy does not provide for the subdivision of approved residential building platforms located within the Rural and Rural Lifestyle Zones.

27.2.8.2 Ensure boundary adjustment, cross-lease and unit title subdivisions are appropriate with regard to:

- i. The location of the proposed boundaries;
- ii. In rural areas, the location of boundaries with regard to approved residential building platforms, existing buildings, and vegetation patterns and existing or proposed accesses;
- iii. Boundary treatment;
- iv. The location of existing or proposed accesses and easements for access and services.

27.2.8.3 Provide for unit title, strata title or cross lease subdivision of existing approved buildings where land use consent is approved for a multi unit commercial or residential development, including visitor accommodation development and the unit title, strata-title or cross lease subdivision is undertaken in accordance with the approved land use consent.

27.3 Location-specific objectives and policies

In addition to the district wide objectives and policies in Part 27.2, the following objectives and policies relate to subdivision in specific locations.

27.3.1 Objective - Peninsula Bay, Ensure effective public access is provided throughout the Peninsula Bay land.

Policies

27.3.1.1 Ensure that before any subdivision or development occurs within the Peninsula Bay Low Density Residential Zone, a subdivision consent has been approved confirming easements for the purposes of public access through the Open Space Zone.

27.3.1.2 Within the Peninsula Bay site, to ensure that public access is established through the vesting of reserves and establishment of easements prior to any further subdivision.

27.3.1.3 Ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality recreation resource, with excellent linkages, and opportunities for different community groups.

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27.3.2 Objective - Kirimoko, Wanaka – To create a liveable urban environment that achieves best practice in urban design; the protection and incorporation of landscape and environmental features into the design of the area; and high quality built form.

Policies

27.3.2.1 Protect the landscape quality and visual amenity of the Kirimoko Block and preserve sightlines to local natural landforms.

27.3.2.2 Protect the natural topography of the Kirimoko Block and incorporate existing environmental features into the design of the site.

27.3.2.3 Ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies (all zoned Low Density Residential) and that visually sensitive areas such as the spurs are left undeveloped (building line restriction area).

27.3.2.4 Ensure the provision of open space and community facilities that are suitable for the whole community and that are located in safe and accessible areas.

27.3.2.5 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.

27.3.2.6 Provide for road and walkway linkages to neighbouring developments.

27.3.2.7 Ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site.

27.3.2.8 Minimise disturbance of existing native plant remnants and enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value.

27.3.2.9 Design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas.

27.3.2.10 Require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas.

27.3.3 Objective - Large Lot Residential Zone between Studholme Road and Meadowstone Drive - Landscape and amenity values of the zone's low density character and transition with rural areas be recognised and protected.

Policies

27.3.3.1 Have regard to the impact of development on landscape values of the neighbouring rural areas and features of these areas, with regard to

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minimising the prominence of housing on ridgelines overlooking the Wanaka township.

27.3.3.2 Subdivision and development within land located on the northern side of Studholme Road shall have regard to the adverse effects of development and associated earthworks on slopes, ridges and skylines.

27.3.4 Objective - Bob's Cove Rural Residential Zone (excluding sub-zone) –The special character of the Bob's Cove Rural Residential Zone is recognised and provided for.

Policies

27.3.4.1 In order to maintain the rural character of the zone, all street lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on the night sky.

27.3.5 Objective - Ferry Hill Rural Residential Sub Zone –The visual amenity values and landscape character within and around the Ferry Hill Rural Residential Sub Zone to be maintained and enhanced.

Policies

27.3.5.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Concept Development Plan for the Ferry Hill Rural Residential sub-zone located in Chapter 22 (at part 22.7.2) and in accordance with the Concept Development Plan set out in part 27.14.

27.3.6 Objective - Makarora Rural Lifestyle Zone – The effects of natural hazards are avoided or mitigated and landscape character, visual amenity and nature conservation values are maintained or enhanced.

Policies

Natural Hazards

27.3.6.1 Particular regard shall be had to the avoidance or mitigation of natural hazards identified on the Council's hazard register associated with the location of a building platform and future anticipated land uses within the building platform.

27.3.6.2 The Council shall be satisfied as to whether consultation has been undertaken with the Otago Regional Council with regard to any matters associated with defences against water, and in particular taken the opportunity to reconcile any potential issues associated with flood defence works encouraged by the Otago Regional Council, and the District Plan's objectives, policies and servicing standards for subdivision in the Makarora Rural Lifestyle Zone.

Landscape Values, Rural Character

27.3.6.3 In recognition of the landscape values within the Makarora Rural Lifestyle Zone, regard shall be had to the potential merits with the concentration or

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clustering of built form to areas with high potential to absorb development while retaining areas that are more sensitive in their natural state.

- 27.3.6.4 In considering the appropriateness of the form and density of development, including the identification of building platforms in the Makarora Rural Lifestyle Zone the following matters shall be taken into account:
- i. The extent to which the location and size of proposed building platforms either detracts from or has the potential to enhance landscape values and rural character;
 - ii. whether and to what extent there is the opportunity for the aggregation of built development to utilise common access ways including pedestrian linkages, services and commonly-held open space (i.e. open space held in one title whether jointly or otherwise);
 - iii. whether and to what extent development is concentrated/clustered in areas with a high potential to absorb development while retaining areas that are more sensitive in their natural state.

27.3.7 Objective - Wyuna Station Rural Lifestyle Zone - To provide for a deferred rural lifestyle zone on the terrace to the east of, and immediately adjoining, the Glenorchy Township.

Policies

- 27.3.7.1 Prohibit or defer development of the zone until such a time that:
- i. the zone can be serviced by a reticulated wastewater disposal scheme within the property that services both the township and proposed zone. This may include the provision of land within the zone for such purpose; or
 - ii. the zone can be serviced by a reticulated wastewater disposal scheme located outside of the zone that has capacity to service both the township and proposed zone; or
 - iii. the zone can be serviced by an on-site (individual or communal) wastewater disposal scheme no sooner than two years from the zone becoming operative on the condition that should a reticulated scheme referred to above become available and have capacity within the next three years then all lots within the zone shall be required to connect to that reticulated scheme.

27.3.8 Objective - Wyuna Station Rural Lifestyle Zone - Subject to Objective 27.3.7 rural living development is enabled in a way that maintains the visual amenity values that are experienced from the Glenorchy Township, Oban Street and the Glenorchy-Paradise Road.

Policies

- 27.3.8.1 The subdivision design, identification of building platforms and associated mitigation measures shall ensure that built form and associated activities within the zone are reasonably inconspicuous when viewed from

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Glenorchy Township, Oban Street or the Glenorchy-Paradise Road.
Measures to achieve this include:

- i. Prohibiting development over the sensitive areas of the zone via building restriction areas;
- ii. Appropriately locating buildings within the zone, including restrictions on future building bulk;
- iii. Using excavation of the eastern part of the terrace to form appropriate building platforms;
- iv. Using naturalistic mounding of the western part of the terrace to assist visual screening of development;
- v. Using native vegetation to assist visual screening of development;
- vi. The maximum height of buildings shall be 4.5m above ground level prior to any subdivision development.

27.3.8.2 Maintain and enhance the indigenous vegetation and ecosystems within the building restriction areas of the zone and to suitably and comprehensively maintain these areas into the future. As a minimum, this shall include:

- i. Methods to remove or kill existing wilding exotic trees and weed species from the lower banks of the zone area and to conduct this eradication annually;
- ii. Methods to exclude and/or suitably manage pests within the zone in order to foster growth of indigenous vegetation within the zone, on an ongoing basis;
- iii. A programme or list of maintenance work to be carried out on a year to year basis in order to bring about the goals set out above.

27.3.9 Objective - Industrial B Zone

Policies

- i. Reserved for Stage 2 of the District Plan Review.

27.3.10 Objective - Industrial B Zone

Policies

- i. Reserved for Stage 2 of the District Plan Review.

27.3.11 Objective - Industrial B Zone

Policies

- i. Reserved for Stage 2 of the District Plan Review.

27.3.12 Objective - Industrial B Zone

Policies

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- i. Reserved for Stage 2 of the District Plan Review.

27.3.13 Objective - Jacks Point Zone - Subdivision shall have regard to identified location specific opportunities and constraints identified within the Jacks Point Structure Plan located within Chapter 41.

Policies

27.3.13.1 Ensure that subdivision and development achieves the objectives and policies located within Chapter 41.

27.3.13.2 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Jacks Point Structure Plan located within Chapter 41.

27.3.13.3 The extent to which the subdivision achieves the matters of control listed under Rule 27.7.4 and as they relate to the Jacks Point Structure Plan located within Chapter 41.

27.3.14 Objective – Waterfall Park - Subdivision shall provide for a range of visitor, residential and recreational facilities, sympathetic to the natural setting have regard to identified location specific opportunities and constraints.

Policies

27.3.14.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Waterfall Park Structure Plan located within Chapter 42.

27.3.14.2 The extent to which the subdivision achieves the matters of control listed under Rule 27.7.1 and as they relate to the Waterfall Park Structure Plan located within Chapter 42.

27.3.15 Objective – Millbrook - Subdivision shall provide for resort development while having particular regard to landscape, heritage, ecological, water and air quality values.

Policies

27.3.15.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Millbrook Structure Plan located within Chapter 43.

27.3.15.2 The extent to which the subdivision achieves the matters of control listed under Rule 27.6.1 and as they relate to the Millbrook Structure Plan located within Chapter 43.

27.4 Other Provisions and Rules

27.4.1 District Wide

The rules of the zone the proposed subdivision is located within are applicable. Attention is drawn to the following District Wide chapters. All provisions referred to

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are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 Operative)	25 Earthworks (22 Operative)	26 Historic Heritage
28 Natural Hazards	29 Transport (14 Operative)	30 Utilities and Renewable Energy
31 Hazardous Substances (16 Operative)	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

27.4.2 Earthworks associated with subdivision

27.4.2.1 Earthworks undertaken for the development of land associated with any subdivision shall be considered against the matters of control or discretion of the District Wide Earthworks Chapter as part of any subdivision activity and in particular Rule 15.2.20.

27.4.3 Zones exempt from the Proposed District Plan and subdivision chapter

27.4.3.1 The following zones are not subject to this subdivision chapter:

- a Frankton Flats A Zone
- b Frankton Flats B Zone
- c Remarkables Park Zone
- d Mount Cardrona Station Zone
- e Three Parks Zone
- f Kingston Village Special Zone
- g Open Space Zone

Subdivision in the above zones is subject to the relevant provisions of Chapter 15 of the Queenstown Lakes Operative District Plan 2009.

27.4.3.2 In addition, all the Special Zones within Chapter 12 of the operative District Plan, except as identified below, are excluded from the proposed District Plan subdivision chapter:

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- a Jacks Point
- b Waterfall Park
- c Millbrook

27.5 Rules – Subdivision

27.5.1 All subdivision requires resource consent unless specified as a permitted activity. The abbreviations set out below are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

	Boundary Adjustments	Activity status
27.5.2	<p>An adjustment to existing cross-lease or unit title due to an alteration to the size of the lot by alterations to the building outline, the conversion from cross-lease to unit title, the addition of an accessory building, or the relocation of accessory buildings providing the activity complies with all other provisions of the District Plan or has obtained a land use resource consent.</p> <p>In order to adhere to this rule a certificate of compliance must be issued under section 223(1)(b) of the Act.</p>	P

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	Boundary Adjustments	Activity status
27.5.3	<p>For boundary adjustment subdivision activities where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</p> <ul style="list-style-type: none"> (i) In the case of the Rural, Gibbston Character and Rural Lifestyle Zones the building platform is retained in its approved location; (ii) No new residential building platform shall be identified and approved as part of a boundary adjustment within Rural, Gibbston Character and Rural Lifestyle Zones; (iii) No additional separately saleable lots are created; (iv) The areas of the resultant lots comply with the minimum lot size requirement for the zone (where applicable); and (v) Lots must be immediately adjoining each other. <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> • The location of the proposed boundaries; • Boundary treatment; • Easements for existing and proposed access and services. 	C

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	Boundary Adjustments	Activity status
27.5.4	<p>For boundary adjustments involving any site that contains a heritage or any other protected item in the District Plan and in the case of Arrowtown within the urban growth boundary where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</p> <p>(i) No additional separately saleable lots are created.</p> <p>(iii) The areas of the resultant lots comply with the minimum lot size requirement for the zone.</p> <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> • The impact on the heritage values of the protected item; • The maintenance of the historic character of the Arrowtown Residential Historic Management Zone; • The location of the proposed boundaries; • Boundary treatment; • Easements for access and services. 	RD

	Unit Title, Strata Title or Cross Lease Subdivision	Activity status

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	Unit Title, Strata Title or Cross Lease Subdivision	Activity status
27.5.5	<p>Where land use consent is approved for a multi unit commercial or residential development, including visitor accommodation development and a unit title, strata-title or cross lease subdivision is undertaken in accordance with the approved land use consent, provided:</p> <ul style="list-style-type: none"> i All buildings must be in accordance with an approved land use resource consent; ii. All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose. iii All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism. <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> • the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces; • the effects of infrastructure provision; <p>For the purposes of clarity, this rule does not apply to fee simple subdivision of land where the intent is to subdivide a lot containing an approved land use consent for the above identified activities.</p>	C

	Subdivision Activities – District Wide	Activity status
27.5.6	<p>All urban subdivision activities, unless otherwise stated, within the following zones:</p> <ol style="list-style-type: none"> 1. Low Density Residential Zones; 2. Medium Density Residential Zones; 3. High Density Residential Zones; 4. Town Centre Zones; 5. Arrowtown Residential Historic Management Zone; 	RD

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	<p>6. Large Lot Residential Zones;</p> <p>7. Local Shopping Centres;</p> <p>8. Business Mixed Use Zones;</p> <p>9. Queenstown Airport Mixed Use Zone.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Lot sizes and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land; • Subdivision design and layout of lots; • Property access and roading; • Esplanade provision; • On site measures to address the risk of natural and other hazards on land within the subdivision; • Fire fighting water supply; • Water supply; • Stormwater design and disposal; • Sewage treatment and disposal; • Energy supply and telecommunications; • Open space and recreation; and • Ecological and natural values; • Historic Heritage; • Easements; and • Bird strike and navigational safety. <p>For the avoidance of doubt, where a site is governed by a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan, subdivision activities shall be assessed in accordance with Rule 27.7.1.</p>	
27.5.7	<p>All subdivision activities in the District’s Rural Residential and Rural Lifestyle Zones</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • In the Rural Lifestyle Zone the location of building platforms; • Lot sizes and dimensions in respect of internal roading design and provision, relating to access and service 	RD

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	<p>easements for future subdivision on adjoining land;</p> <ul style="list-style-type: none"> • Subdivision design and lot layout; • Property access and roading; • Esplanade provision; • On site measures to address the risk of natural and other hazards on land within the subdivision; • Fire fighting water supply; • Water supply; • Stormwater disposal; • Sewage treatment and disposal; • Energy supply and telecommunications; • Open space and recreation; • Ecological and natural values; • Historic Heritage • Easements; and • Bird strike and navigational safety. 	
27.5.8	<p>Subdivision of land in any zone within the National Grid Subdivision Corridor where all allotments identify a building platform for the principal building and any dwelling to be located outside of the National Grid Yard.</p> <p>Discretion is restricted to the following:</p> <ol style="list-style-type: none"> a) Impacts on the operation, maintenance, upgrade and development of the National Grid. b) The ability of future development to comply with NZECP34:2001. c) The location, design and use of any proposed building platform as it relates to the National Grid transmission line. 	RD
27.5.9	<p>Subdivision of land in any zone within 32 metres of the centre line of Electricity Sub-Transmission Lines identified on the</p>	RD

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	<p>planning maps.</p> <p>Discretion is restricted to all of the following:</p> <p>a) Impacts on the operation, maintenance, upgrade and development of Electricity Sub-Transmission Lines.</p> <p>b) The ability of future development to comply with NZECP34:2001;</p> <p>c) Effects on public health and safety;</p>	
27.5.10	All subdivision activities in the Rural General and Gibbston Character Zones, with the exception of unit title, strata-title or cross lease subdivision undertaken in accordance with Rule 27.5.5.	D
27.5.11	The subdivision of land containing a heritage or any other protected item and scheduled in the District Plan. This rule does not apply to boundary adjustments under Rule 27.4.2.	D
27.5.12	The subdivision of land identified on the planning maps as a Heritage Landscape.	D
27.5.13	The subdivision of a site containing a known archaeological site, whether identified and scheduled in the District Plan or not.	D
27.5.14	Subdivision that would alter, or create a new boundary within a Significant Natural Area scheduled in the District Plan.	D
27.5.15	Within the Jacks Point Zone, subdivision that does not comply with the standards in Part 27.56 and location specific standards in part 27.87, excluding the Hanley Downs part of the Jacks Point Zone, where the creation of lots less than 380m ² minimum lot size within the R(HD) Activity Area shall be assessed as a RD under Rule 27.7.11.3.	D
27.5.16	Subdivision that does not comply with the standards in Part 27.6 with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.15.	NC
27.5.17	The further subdivision of an allotment that has previously been used to calculate the minimum average densities for subdivision in the Rural Lifestyle Zone and Rural Residential Zone.	NC
27.5.18	The subdivision of land resulting in the division of a building platform.	NC

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27.5.19	The subdivision of a residential flat from a residential unit.	NC
27.5.20	A subdivision under the Unit Titles Act where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings.	NC
27.5.21	Any subdivision of land in any zone within the National Grid Subdivision Corridor, which does not comply with Rule 27.5.8.	NC
27.5.22	A Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use resource consent.	D
27.5.23	Subdivision that does not comply with the standards related to servicing and infrastructure under Rule 27.7.15.	NC

27.6 Rules - Standards for Subdivision Activities

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

Zone		Minimum Lot Area
Town Centres		No minimum
Local Shopping Centre		No minimum
Business Mixed Use		200m ²
Airport Mixed Use		No minimum
Residential	High Density	450m ²
	Medium Density	250m ²
	Low Density	450m ² Within the Queenstown Airport Air Noise Boundary and Outer Control Boundary 600m ²
	Queenstown Heights Sub	1500m ²

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Zone	Zone	Minimum Lot Area
	Zone	
	Arrowtown Residential Historic Management	800m ²
	Large Lot Residential	4000m ² 2000m ² in the following locations: Between Studholme Road and Meadowstone Drive
Rural	Rural. Gibbston Character. Hydro Generation.	No minimum
Rural Lifestyle	Rural Lifestyle	One hectare providing the average lot size is not less than 2 hectares. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.
	Rural Lifestyle at Makarora.	No minimum, providing the average lot size is not less than 2 hectares.
	Rural Lifestyle Deferred A and B.	No minimum, but each of the two parts of the zone identified on the planning map shall contain no more than two allotments.
	Rural Lifestyle Buffer.	The land in this zone shall be held in a single allotment
Rural Residential	Rural Residential	4000m ²
	Rural Residential Bob's Cove sub-zone	No minimum, providing the total lots to be created, inclusive of the entire area within the zone shall have an average of 4000m ²
	Rural Residential Ferry Hill Subzone	4000m ² with no more than 17 lots created for residential activity

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Zone		Minimum Lot Area
	Rural Residential Zone at the north of Lake Hayes	4000m ² provided that the total lots to be created by subdivision, including balance lots, shall not be less than an 8,000m ² lot average.
Jacks Point	Residential Activity Areas	380m ²
	FP-1 Activity Area	4000m ² Average 2ha
	FP-2 Activity Area	2 hectares Average 40ha
	All other Activity Areas	Subdivision shall comply with the average density requirements set out in Rule 41.5.8.
Millbrook		No minimum
Waterfall Park		No minimum

27.7 Rules – Zone and Location Specific Standards

	Zone Specific Standards	Activity status
27.7.1	<p>Subdivision undertaken in accordance with a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan.</p> <p>Control is restricted to all of the following:</p> <ul style="list-style-type: none"> • Lot sizes, averages and dimensions; • Subdivision design; • Property access and roading; • Landscaping and vegetation; • Heritage; • Esplanade provision; • Natural and other hazards; • Fire fighting water supply; • Water supply; 	C

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	Zone Specific Standards	Activity status
	<ul style="list-style-type: none"> • Stormwater design and disposal; • Sewage treatment and disposal; • Energy supply and telecommunications; • Open space and reserves; • Easements; and • Ecological and natural values 	
27.7.2	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the principal roading layout depicted in the Kirimoko Structure plan shown in part 27.14, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • Consistency with the Kirimoko Structure Plan; • Subdivision design and roading layout; • The provision and location of walkways and the green network; • The protection of native species as identified on the structure plan as green network. 	C
27.7.3	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Ferry Hill Concept Development Plan shown in part 22.7.2, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • Consistency with the Ferry Hill Concept Development Plan; and • The number, location and design of access points; 	C
27.7.4	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Jacks Point Zone Structure Plan identified in 41.7, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • Consistency with the Jacks Point Zone Structure Plan; 	C

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	Zone Specific Standards	Activity status
27.7.5	Peninsula Bay	
27.7.5.1	<p>Subdivision or development within the Low Density Residential Zone at Peninsula Bay which is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council.</p> <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> • The matters of control listed under Rule 27.7.1; and • Landscape and visual effects 	C
27.7.6	Subdivision or development within the Low Density Residential Zone at Peninsula Bay which is inconsistent with an Outline Development Master Plan that has been lodged with and approved by the Council.	NC
27.7.7	Kirimoko	
27.7.7.1	<ol style="list-style-type: none"> i. Any subdivision that does not comply with the principal roading layout and reserve network depicted in the Kirimoko Structure Plan shown in Part 27.4315 (including the creation of additional roads, and/or the creation of access ways for more than 2 properties). ii. Any subdivision of land zoned Rural proposed to create a lot entirely within the Rural Zone, to be held in a separate certificate of title. iii. Any subdivision of land described as Lots 3 to 7 and Lot 9 DP300734, and Lot 1 DP 304817 (and any title derived therefrom) that creates more than one lot that has included in its legal boundary land zoned Rural General. 	NC
27.7.8	Bob's Cove Rural Residential sub-zone	
27.7.8.1	<p>Activities that do not meet the following standards:</p> <ol style="list-style-type: none"> i. Boundary Planting – Rural Residential sub-zone at Bobs Cove: <ol style="list-style-type: none"> a. Within the Rural Residential sub-zone at Bobs 	NC

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	Zone Specific Standards	Activity status
	<p>Cove, where the 15 metre building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre; and</p> <p>b. Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous planting shall be established to a height of 2 metres and shall have survived for at least 18 months prior to any residential buildings being erected.</p> <p>ii. Development Areas and Undomesticated Areas within the Rural Residential sub-zone at Bob's Cove:</p> <p>a. Within the Rural Residential sub-zone at Bob's Cove, at least 75% of the zone shall be set aside as undomesticated area, and shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all lot holders and the Council.</p> <p>b. At least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover. This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.</p> <p>c. The remainder of the area shall be deemed to be the 'development area' and shall be shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all holders and the Council.</p> <p>d. The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This Landscaping Plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years; and</p> <p>e. This area shall be established and maintained in indigenous vegetation by the subdividing owner and subsequent owners of any individual allotment on a continuing basis. Such areas shall be shown on the Subdivision Plan and given effect to by consent</p>	

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	Zone Specific Standards	Activity status
	<p>notice registered against the title of the lots.</p> <p>f Any lot created that adjoins the boundary with the Queenstown-Glenorchy Road shall include a 15 metre wide building restriction area, and such building restriction area shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.</p>	
27.7.9	Ferry Hill Rural Residential sub-zone	
27.7.9.1	Any subdivision of the Ferry Hill Rural Residential sub-zone that is inconsistent with the subdivision design as identified in the Concept Development Plan for the Ferry Hill Rural Residential sub-zone.	NC
27.7.9.2	<p>Activities that do not meet the following standards:</p> <p>i. Retention of Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone which shall be retained for Landscape Amenity Purposes and shall be held in undivided shares by the owners of Lots 1-8 and Lots 11-15 as shown on the Concept Development Plan.</p> <p>ii. Any application for subdivision consent shall:</p> <p>a Provide for the creation of the landscape allotments(s) referred to in rule 27.8.6.2 above;</p> <p>b Be accompanied by details of the legal entity responsible for the future maintenance and administration of the allotments referred to in rule 27.6.9.2(i) 27.7.9.2(i) above;</p> <p>c Be accompanied by a Landscape Plan that shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape Plan shall ensure:</p> <p>i. That the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone is planted with a predominance of indigenous species in a manner that enhances naturalness; and</p>	NC

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	Zone Specific Standards	Activity status
	<ul style="list-style-type: none"> ii. That residential development is subject to screening along Tucker Beach Road, iii. Plantings at the foot of, on, and above the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall include indigenous trees, shrubs, and tussock grasses. iv. Plantings elsewhere may include maple as well as indigenous species. v. The on-going maintenance of plantings established in terms of rule 27.8.6.3 above shall be subject to a condition of resource consent, and given effect to by way of consent notice that is to be registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act. vi. Any subdivision shall be subject to a condition of resource consent that no buildings shall be located outside the building platforms shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone. The condition shall be subject to a consent notice that is registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act. vii. Any subdivision of Lots 1 and 2 DP 26910 shall be subject to a condition of resource consent that no residential units shall be located and no subdivision shall occur on those parts of Lots 1 and 2 DP 26910 zoned Rural General and identified on the planning maps as a building restriction area. The condition shall be subject to a consent notice that is to be registered and deemed to be a covenant pursuant to section 221(4) of the Act. 	
27.7.10	Ladies Mile	
27.7.10.1	<ul style="list-style-type: none"> i. Subdivision of land situated south of State Highway 6 (“Ladies Mile”) and southwest of Lake Hayes that is zoned Low Density Residential or Rural Residential as shown on the Planning Maps and that does not meet the following standards: <ul style="list-style-type: none"> a The landscaping of roads and public places is an important aspect of property access and subdivision design. No subdivision consent shall be granted without consideration of appropriate landscaping of roads and public places shown 	NC

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	Zone Specific Standards	Activity status
	<p>on the plan of subdivision.</p> <p>b No separate residential lot shall be created unless provision is made for pedestrian access from that lot to public open spaces and recreation areas within the land subject to the application for subdivision consent and to public open spaces and rural areas adjoining the land subject to the application for subdivision consent.</p>	
27.7.11	Jacks Point	
27.7.11.1	<p>Subdivision Activity failing to comply with the Jacks Point Structure Plan located within Chapter 41.7. For the purposes of interpreting this rule, the following shall apply:</p> <p>a. A variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Road, and their intersection with State Highway 6, shall be acceptable;</p> <p>b Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey;</p> <p>c Subdivision shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable;</p> <p>d Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process.</p>	D
27.7.11.2	<p>Subdivision failing to comply with standards for the Jacks Point Zone Conservation Lots.</p> <p>i. Within the Farm Preserve 1 (FP-1) Activity Area, any subdivision shall:</p> <p>a. Provide for the creation and management of open space, which may include native re-vegetation, within the “open space” areas shown on the Structure Plan, through the following:</p> <p>(i) The creation of a separate lot that can be</p>	RD

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	Zone Specific Standards	Activity status
27.7.11.3	<p>transferred into the ownership of the body responsible for the management of the open space land within the zone; or</p> <p>(ii) Held within private ownership and protected by way of a covenant registered on the relevant title protecting that part of the site from any future building development.</p> <p>Subdivision failing to comply with the 380m² minimum lot size for subdivision within the Hanley Downs part of the Jacks Point Zone.</p> <p>For Rules 27.7.11.2 and 27.7.11.3 Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> i. Subdivision design ii. Traffic generation; iii. Access; and iv. Landscape and visual effects. 	RD
27.7.12	Any subdivision of the Millbrook Resort Zone that is inconsistent with the Mill Brook Resort Zone Structure Plan specified in part 43.7.	D

27.7.12.1 In the following zones, every allotment created for the purposes of containing residential activity shall identify one building platform of not less than 70m² in area and not greater than 1000m² in area.

- a Rural Zone.
- b Gibbston Character Zone.
- c Rural Lifestyle Zone.

27.7.12.2 The dimensions of sites in the following zones, other than for access, utilities, reserves or roads, shall be able to accommodate a square of the following dimensions:

Zone		Minimum Dimension (m = metres)
Residential	Medium Density	12m x 12m

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	Large Lot Urban	30m x 30m
	Township and All others	15m x 15m
Rural Residential	Rural Residential (inclusive of sub-zones)	30m x 30m

27.7.12.3 Lots created for access, utilities, roads and reserves shall have no minimum size.

27.7.13 Subdivision associated with infill development

- a The specified minimum allotment size in Rule 27.56.1, and minimum dimensions in Rule 27.7.12.2 shall not apply in the High Density Residential Zone, Medium Density Residential Zone and Low Density Residential Zone where each allotment to be created, and the original allotment, all contain at least one established residential unit (established meaning a Building Code of Compliance Certificate has been issued or alternatively where a Building Code of Compliance Certificate has not been issued, construction shall be completed to not less than the installation of the roof).

27.7.14 Subdivision associated with residential development on sites less than 450m² in the Low Density Residential Zone

27.7.14.1 In the Low Density Residential Zone, the specified minimum allotment size in Rule 27.6.1 shall not apply in cases where the residential units are not established, providing;

- a A certificate of compliance is issued for a residential unit(s) or,
- b A resource consent has been granted for a residential unit(s).

In addition to any other relevant matters, pursuant to s221 of the Act, the consent holder shall register on the computer freehold register of the applicable allotments:

- c That the construction of any residential unit shall be undertaken in accordance with the applicable certificate of compliance or resource consent (applies to the additional undeveloped lot to be created).
- d The maximum building height shall be 5.5m (applies to the additional undeveloped lot to be created).
- e There shall be not more than one residential unit per lot (applies to all lots).

27.7.14.2 Rule 27.7.14.1 shall not apply to the Low Density Residential Zone within the Queenstown Airport Air Noise Boundary and Outer Control Boundary.

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27.7.15 Standards related to servicing and infrastructure

Water

27.7.15.1 All lots, other than lots for access, roads, utilities and reserves except where irrigation is required, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:

To a Council or community owned and operated reticulated water supply:

- a All Residential, Industrial, Business, Town Centre Corner Shopping Centre, and Airport Mixed Use Zone.
- b Rural-Residential Zones at Wanaka, Lake Hawea, Albert Town, Luggate and Lake Hayes.
- c Resort Zone, Millbrook and Waterfall Park.

27.7.15.2 Where any reticulation for any of the above water supplies crosses private land, it shall be accessible by way of easement to the nearest point of supply.

27.7.15.3 Where no communal owned and operated water supply exists, all lots other than lots for access, roads, utilities and reserves, shall be provided with a potable water supply of at least 1000 litres per day per lot.

27.7.15.4 Telecommunication reticulation to all allotments in new subdivisions (other than lots for access, roads, utilities and reserves).

27.8 Rules - Exemptions

27.8.1 The following activities are permitted and shall not require resource consent.

27.8.1.1 The following activities shall not be considered for the provision of Esplanade reserves or strips:

- a Activities that qualify as exempt under rules (27.8.1) above.
- b Where a proposed subdivision arises solely due to land being acquired or a lot being created for a road designation, utility or reserve, then section 230 of the Act shall not apply.

27.8.2 Industrial B Zone

- i. Reserved for Stage 2 of the District Plan Review.

27.8.3 Riverside Stage 6 - Albert Town

- ii. Reserved for Stage 2 of the District Plan Review.

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27.9 Assessment Matters for Resource Consents

27.9.1 Controlled Activity Boundary Adjustments

In considering whether or not to impose conditions in respect to boundary adjustments under Rules 27.5.3 and 27.5.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.5.3 Assessment Matters (Boundary Adjustments)	
	<ul style="list-style-type: none"> • The location of the proposed boundaries, including their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses; • The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces: <ul style="list-style-type: none"> (i) is able to accommodate development in accordance with the relevant district-wide and zone rules; (ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access; • Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection; • Refer Policies 27.2.1.7, 27.2.3.2, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.

27.5.4 Assessment Matters (Boundary Adjustments involving Heritage Items and within Arrowtown's urban growth boundary)	
	<ul style="list-style-type: none"> • The location of the proposed boundaries, including their relationship to existing buildings and vegetation patterns and existing or proposed accesses; • The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces: <ul style="list-style-type: none"> (i) is able to accommodate development in accordance with the relevant district-wide and zone rules; (ii) the potential effects on the safety of pedestrians and cyclists and other users of the space or access; • Whether any landscape features or vegetation, including mature trees, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;

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	27.5.4 Assessment Matters (Boundary Adjustments involving Heritage Items and within Arrowtown’s urban growth boundary)
	<ul style="list-style-type: none"> • The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance. • Where lots are being amalgamated within the Medium Density Residential Zone and Low Density Residential Zone, the extent to which future development will effect the historic character of the Arrowtown Residential Historic Management Zone; • Refer Policies 27.2.1.7, 27.2.3.2, 27.2.4.2, 27.2.4.5, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.

27.9.2 Controlled Unit Title Subdivision Activities

In considering whether or not to impose conditions in respect to unit title, strata-title or cross lease subdivision under Rules 27.5.5, the Council shall have regard to, but not be limited by, the following assessment criteria:

	27.5.5 Assessment Matters (Unit Title, Strata Title and Cross Lease Subdivision)
	<ul style="list-style-type: none"> • Compliance with an approved resource consent; • The location of the proposed boundaries, including their relationship to existing buildings existing or proposed accesses; • The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces: <ul style="list-style-type: none"> (i) is able to accommodate development in accordance with the relevant district-wide and zone rules; (ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access; • The effects of infrastructure provision; • Refer Policies 27.2.1.7, 27.2.3.1, 27.2.3.2, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.3.

27.9.3 Restricted Discretionary Activity Subdivision Activities

In considering whether or not to grant consent or impose conditions in respect to boundary adjustments under Rules 27.5.6, 27.5.7, 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:

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	27.5.6 Assessment Matters (Urban Subdivision Activities)
	<ul style="list-style-type: none"> i. Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land. ii. Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines; iii. Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection; iv. The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance; v. The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency; vi. The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities; vii. The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act; viii. The provision of services in accordance with Council's Code of Practice for Subdivision; ix. The extent to which the safe and efficient operation of aircraft may be compromised by subdivision and its ancillary activities that encourage the congregation of birds within aircraft flight paths. x. Easements for existing and proposed access and services. xi. Refer Policies 27.2.1.1, 27.2.1.2, 27.2.1.3, 27.2.3.2, 27.2.4.5, 27.2.4.6, 27.2.5.5, 27.2.5.6, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.

	27.5.7 Assessment Matters (Rural Residential and Rural Lifestyle Subdivision Activities)
	<ul style="list-style-type: none"> • The extent to which the design maintains and enhances rural living character, landscape values and visual amenity; • The extent to which the location of building platforms could adversely affect adjoining non residential land uses; • Orientation of lots to optimise solar gain for buildings and

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	27.5.7 Assessment Matters (Rural Residential and Rural Lifestyle Subdivision Activities)
	<p>developments;</p> <ul style="list-style-type: none"> • Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land. • Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection; • The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance; • The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency; • The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities; • The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act; • The provision of services in accordance with Council's Code of Practice for Subdivision; • In the case of the Makarora Rural Lifestyle Zone, the concentration or clustering of built form to areas with high potential to absorb development, while retaining areas which are more sensitive in their natural state; • In the Rural Residential Zone at the north end of Lake Hayes, the protection and restoration of wetland areas; • Easements for existing and proposed access and services; • Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided. • Refer Policies 27.2.1.2, 27.2.4.5, 27.2.4.6, 27.2.5.4, 27.2.5.5, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.

27.9.4 Restricted Discretionary Activity - Subdivision Activities with National Grid Subdivision Corridor and Electricity Sub-Transmission Lines

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In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rules 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.5.8 Assessment Matters (National Grid Subdivision Corridor)	
	<ul style="list-style-type: none"> • Whether the allotments are intended to be used for residential or commercial activity; • The need to identify a building platform to ensure future buildings are located outside the National Grid Yard; • The ability of future development to comply with NZECP34:2001; • The location and planting of vegetation; • Ensure the operation, maintenance and upgrade of the National Grid is not restricted; • Refer Policy 27.2.2.9.

27.5.9 Assessment Matters (Electricity Sub-Transmission Lines)	
	<ul style="list-style-type: none"> • Whether the allotments are intended to be used for residential or commercial activity; • The need to provide restricted areas to limit activities to outside the Electricity Sub-Transmission Lines; • Ensure the operation, maintenance and upgrade of the Electricity Sub-Transmission Lines is not restricted; • The ability of future development to comply with NZECP34:2001; • The location and planting of vegetation; • Refer Policy 27.2.2.9.

27.9.5 Controlled Subdivision Activities – Structure Plan spatial layout plan, or concept development plan

In considering whether or not to impose conditions in respect to subdivision activities undertaken in accordance with a structure plan, spatial layout plan, or concept development plan under Rules 27.7.1, 27.7.2, 27.7.3, 27.7.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

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27.7.1 Assessment Matters	
	<ul style="list-style-type: none">• Consistency with the relevant location specific objectives and policies in part 27.3;• Consistency with the relevant structure plan, spatial layout plan or concept development plan;• The assessment criteria identified under Rule 27.7.1.

27.7.2 Assessment Matters	
	<ul style="list-style-type: none">• The assessment criteria identified under Rule 27.7.1.• Any earthworks required to create any road, vehicle accesses, or building platforms or modify the natural landform;• The design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways);• Creation and planting of road reserves• The provision and location of walkways and the green network as illustrated on the Structure Plan for the Kirimoko Block in part 27.13;• The protection of native species as identified on the structure plan as green network.• Refer Policies 27.3.2.1 to 27.3.2.10.

27.7.3 Assessment Matters	
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27.7.3 Assessment Matters	
	<ul style="list-style-type: none"> • The assessment criteria identified under Rule 27.7.1; • Minimising the number of accesses to roads; • The location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access; • The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 (as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone); • The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road. • Refer Policy 27.3.5.1.

27.7.4 Assessment Matters	
	<ul style="list-style-type: none"> • The assessment criteria identified under Rule 27.7.1. • The provision of public access routes, primary, secondary and key road connections. • Within the R(HD) Activity Areas, the extent to which the structure plan provides for the following matters: <ul style="list-style-type: none"> - The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area. - Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu. - Road and street designs. - The location and suitability of proposed open spaces. - Management responses to remove wilding trees. • Within the R(HD-SH) Activity Areas, the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6. • Within the R(HD) Activity Area, the creation of sites sized between 380m² and 550m², without limiting any other matters of control that

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	27.7.4 Assessment Matters
	<p>apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over:</p> <ul style="list-style-type: none">- Building setbacks from boundaries.- Location and heights of garages and other accessory buildings.- Height limitations for parts of buildings, including recession plane requirements.- Window locations.- Building coverage.- Roadside fence heights. <ul style="list-style-type: none">• Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, measures to provide for the establishment and management of open space, including native vegetation.• Within the R(HD) A - E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).• In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 380m² in area:<ul style="list-style-type: none">- The extent to which such sites are configured:<ul style="list-style-type: none">▪ with good street frontage.▪ to enable sunlight to existing and future residential units.▪ To achieve an appropriate level of privacy between homes.- The extent to which parking, access and landscaping are configured in a manner which:<ul style="list-style-type: none">▪ minimises the dominance of driveways at the street edge.▪ provides for efficient use of the land.▪ maximises pedestrian and vehicular safety.▪ addresses nuisance effects such as from vehicle lights.- The extent to which subdivision design satisfies:<ul style="list-style-type: none">▪ public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.

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27.7.4 Assessment Matters	
	<ul style="list-style-type: none"> • Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping. • Refer Policies 27.3.13.1 to 27.3.13.3.

27.7.5.1 Assessment Matters	
	<ul style="list-style-type: none"> • Orientation of lots to optimise solar gain for buildings and developments; • Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines; • Whether any landscape features or vegetation, on the site are of a sufficient amenity value that they should be retained and the proposed means of protection; • The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency; • The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act; • The provision of services in accordance with Council's Code of Practice for Subdivision; • Refer Policies 27.3.1.1 to 27.3.1.3.

27.7.11.2 Assessment Matters	
	<ul style="list-style-type: none"> • The assessment criteria identified under Rules 27.7.1 and 27.7.4. • The visibility of future development from State Highway 6 and Lake Wakatipu. • The number, location and design of access points • Maintenance or enhancement of nature conservation values. • Creation of open space and infrastructure

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27.10 Rules - Non-notification of Applications

27.10.1 Except where as specified in Rule 27.10.2, applications for resource consent for the following activities shall not require the written consent of other persons and shall not be notified or limited-notified;

- b Controlled Activity Boundary adjustments.
- c All controlled and restricted discretionary activities.

27.10.2 Rule 27.10.1 does not apply to the following. The provisions of the RMA Act apply in determining whether an application needs to be processed on a notified basis.

Where the application site or activity:

- a. Adjoins or has access onto a State highway;
- b. Contains an archaeological site or any item listed under the Heritage New Zealand Pouhere Taonga Act 2014;
- c. Requires the Council to undertake statutory consultation with iwi;
- d. Is in the Makarora Rural Lifestyle Zone and within an area subject to any natural hazards including erosion, flooding and inundation, landslip, rockfall, alluvion, avulsion or subsidence.
- e. Prior to any application for subdivision within 32m of the centreline of the Frankton – Cromwell A 110kV high voltage transmission line traversing the Shotover Country Special Zone being processed on a non-notified basis the written approval as an affected party is required from Transpower New Zealand Limited;
- f. Discretionary activities within the Jacks Point Zone.

27.11 General provisions

27.11 State Highways

27.11.1 Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions with access onto state highways that are declared Limited Access Roads (LAR). Refer to the Designations Chapter of the District Plan for sections of state highways that are LAR. Where a subdivision will change the use, intensity or location of the access onto the state highway, subdividers should consult with the New Zealand Transport Agency.

27.8.3 Esplanades

27.8.3.1 The opportunities for the creation of esplanades are outlined in objective and policies 27.2.7 5. Unless otherwise stated, section 230 of the RMA applies to the standards and process for esplanades.

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27.12 Natural Hazards

The Natural Hazards Chapter of the District Plan sets a policy framework to address land uses and natural hazards throughout the District. All subdivision is able to be assessed against a natural hazard through the provisions of section 106 of the Act. In addition, in some locations natural hazards have been identified and specific provisions apply.

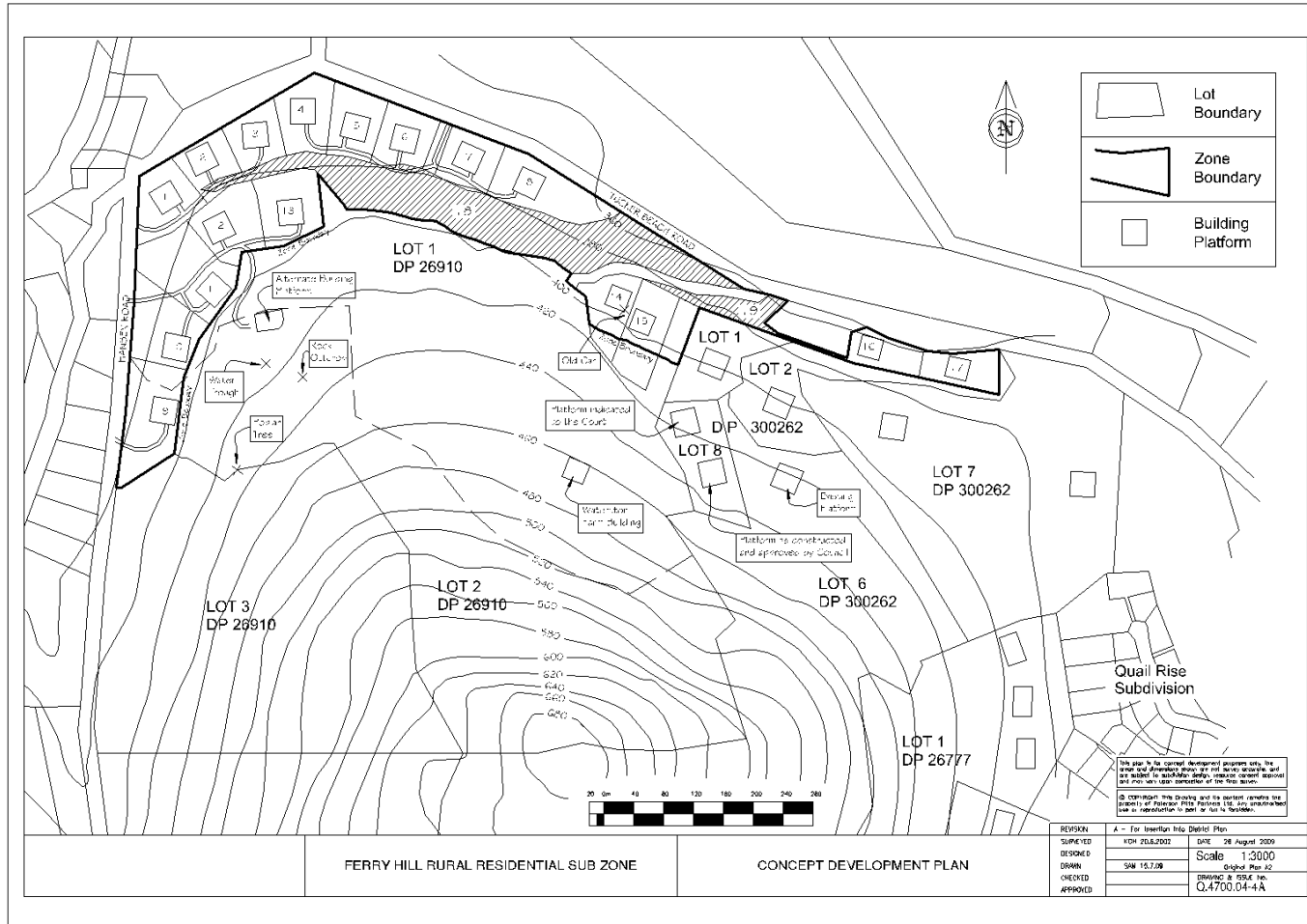
27.13 Development and Financial Contributions

The Local Government Act 2002 provides the Council with an avenue to recover growth related capital expenditure from subdivision and development through development contributions. The Council forms a development contribution policy as part of its 10 Year Plan and actively imposes development contributions via this process.

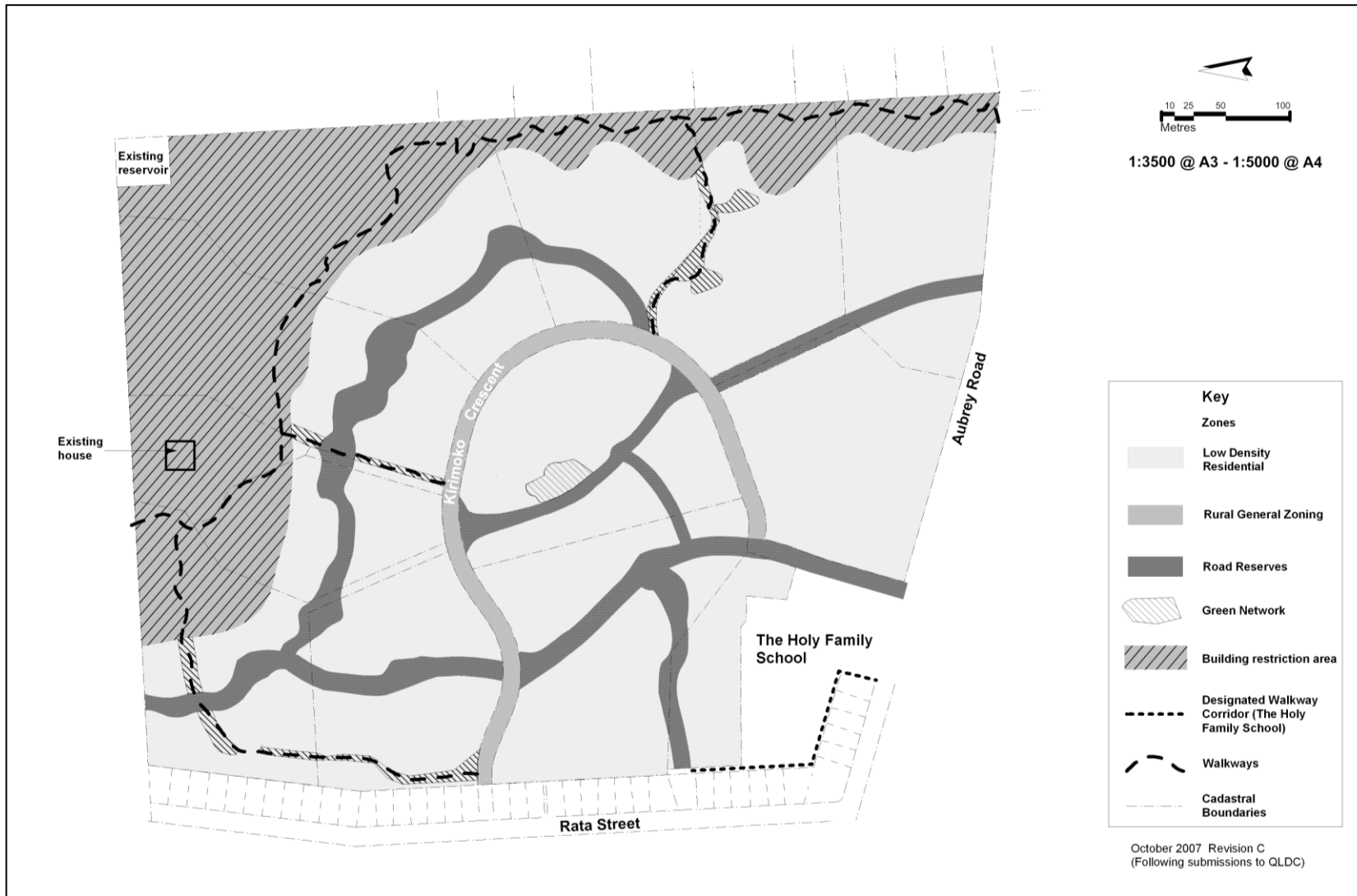
The Council acknowledges that Millbrook Country Club has already paid financial contributions for water and sewerage for demand up to a peak of 5000 people. The 5000 people is made up of hotel guests, day staff, visitors and residents. Should demand exceed this then further development contributions will be levied under the Local Government Act 2002.

27.14 Structure Plans and Spatial Layout Plans

27.14.1 Ferry Hill Rural Residential Subzone



27.14.2 Kirimoko Structure Plan



APPENDIX 3
SECTION 32AA EVALUATION

APPENDIX 3
SECTION 32AA EVALUATIONS AND RECOMMENDED AMENDMENTS
– CHAPTER 27 (SUBDIVISION and DEVELOPMENT)

Note: The relevant provisions from the revised chapter are set out below, showing additions to the notified text in underlining and deletions in strike through text (i.e. as per the revised chapter, Appendix 1). The section 32AA assessment then follows in a separate table underneath each of the provisions.

Key:

Red underlined text for additions and ~~strike through~~ text for deletions or relocated, Appendix 1 to Nigel Bryce's Right of Reply, dated 26 August 2016

Green underlined text for additions and ~~strike through~~ text for deletions, dated 29 July 2016 (Additional Information)

Red text in comment bubbles for additions as at 19 July 2016, which updates referencing in response to the Panel's Minute dated 7 July 2016 concerning references to PDP provisions.

Black underlined text for additions and ~~strike through~~ text for deletions or relocated, Appendix 1 to Nigel Bryce's s42A report, dated 29 June 2016.

References to provisions within Chapters 1, 3, 4, 5, 6, 21, 22, 33 and 34 (if any) are to the Council's Right of reply position on those provisions.

27.1 Purpose

Recommended Amendments to 27.1 Purpose

[paragraph 4]

Good subdivision design will be encouraged by the use of the QLDC Land Development and Subdivision Code of Practice, and the ~~QLDC Subdivision Design Guidelines 2015. The Subdivision Design Guidelines 2015 include subdivision and urban design principles and outcomes that ~~so are~~ guiding principles to give effect to the objectives and policies of the Subdivision and Strategic Directions Chapters, in both designing and assessing subdivision proposals. Proposals at odds with these documents are not likely to be consistent with the policies of the Subdivision and Strategic Directions chapters, and therefore, may not achieve the purpose of the RMA. The purpose of the QLDC Land Development and Subdivision Code of Practice is to provide a best practice guideline for subdivision and development infrastructure in the District.~~

[paragraph 6]

Infrastructure upgrades necessary to support subdivision and future development are to be undertaken and paid for by subdividers and developers in accordance with the Council's 10 Year Plan Development Contributions Policy.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> No costs have been identified. 	<ul style="list-style-type: none"> The proposed changes provide clearer guidance as to 	<ul style="list-style-type: none"> The proposed changes to section 27.1 Purpose is to

	<p>the purpose of each of the referenced documents as they relate to the subsequent Objectives and Policies.</p>	<p>provide clarification to Plan users. The amendments differentiate between the purpose of the Subdivision Design Guidelines 2015 and the QLDC Land Development and Subdivision Code of Practice. The purpose of the Design Guidelines is to influence subdivision design and urban design outcomes, whilst the Code of Practice identifies best practice predominantly for infrastructure provision.</p>
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27.2 – Objectives and Policies – District Wide

Recommended Amendments to Objective 27.2.1

27.2.1 Objective - Subdivision will ~~create~~ enable quality environments that ensure the District is a desirable place to live, visit, work and play.

Appropriateness (s32(1)(a))

The proposed amendment replaces the term ‘create’ with the term ‘enable’. The proposed change reflects the intent of the Objective, to enable quality environmental outcomes. Further, the changes result in the objective becoming more directive.

It is considered that the change sets the direction for the subsequent policies that are seeking to drive ‘good design’ based outcomes, with reference to the Code of Practice and Subdivision Design Guidelines.

Recommended Amendments to Policy 27.2.1.4

27.2.1.4 ~~Where m-Discourage non-compliance with minimum~~ allotment sizes, ~~are not proposed to be achieved, however where minimum allotment sizes are not achieved consideration will be given to whether the extent to which~~ any adverse effects are mitigated or compensated by ~~achieving~~ providing:

- i. desirable urban design outcomes.
- ii. greater efficiency in the development and use of the land resource.
- iii. affordable or community housing.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> The words 'discourage non-compliance with' could increase the level of uncertainty for a developer / subdivider, however this is considered to be offset by the clear guidance provided by the policy where minimum allotment sizes are not adhered to. 	<ul style="list-style-type: none"> The proposed changes to Policy 27.2.1.4 provide clearer guidance as to the intent of the policy. 	<ul style="list-style-type: none"> The proposed changes to the policy are considered to be effective as they provide increased clarity as to what is intended in order to address adverse effects when minimum allotment sizes cannot be achieved. Further, the proposed changes aid with the administration of the Plan.

Recommended Amendments to Policy 27.2.1.7

27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that ~~are undertaken only for ownership purposes and~~ will not require the provision of services.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> The proposed changes to Policy 27.2.1.7 provide clearer guidance as to the intent of the policy. 	<ul style="list-style-type: none"> The proposed changes to Policy 27.2.1.7 are considered to be effective as they provide increased clarity.

Recommended new Policies 27.2.1.8 and 27.2.1.9

27.2.1.8 Avoid subdivision of a residential flat from a residential unit, except where it can be demonstrated that the subdivision will not result in an increase in the level of non-compliance with the standards of the underlying zone.

27.2.1.9 Avoid the subdivision of land resulting in the division of a residential building platform.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> Proposed new policies 27.2.1.8 and 27.2.1.9 are intended to provide guidance to the appropriate 	<ul style="list-style-type: none"> Proposed new policies 27.2.1.8 and 27.2.1.9 support Rules 27.5.17 and 27.5.18, as such these policies are

	<p>intensification of existing development.</p> <ul style="list-style-type: none"> • The policies provide support to the consideration under section 104D (1)(b) for applications for resource consent under rules 27.5.17 and 27.5.18, being non-complying activities. 	<p>considered to be effective as they provide increased clarity and direction.</p>
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Recommended Amendments to Policy 27.2.2.4

27.2.2.4 Subdivision ~~shall seek to provide for~~ will have good and integrated connections and accessibility to:

- ~~i. existing and planned areas of employment;~~
- ~~ii. community activities and facilities;~~
- ~~iii. services;~~
- ~~iv. trails and trail connections;~~
- ~~v. public transport; and~~
- ~~vi. existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.~~

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed changes provide further guidance and certainty as to the intent of the policy as they expand upon the activities that are to be accessed by good and integrated connections created at the time of subdivision. • The changes will benefit the community by encouraging development with enhanced and planned integration to amenities. 	<ul style="list-style-type: none"> • The proposed changes to Policy 27.2.2.4 are considered to be effective as they provide increased clarity and direction and integrate the outcomes of Policy 27.2.2.5 (which has now been deleted).

Recommended Amendment of Policies 27.2.2.5 and 27.2.2.6

~~27.2.2.5 Subdivision design will provide for safe walking and cycling connections that reduce vehicle dependence within the subdivision.~~

27.2.2.6 Subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> It is considered that the amalgamation of Policy 27.2.2.5 and the adjoining policies will result in efficiencies and clarification for Plan users. The policies were seeking similar outcomes and combining them will result in the better integration with the desired outcomes. 	<ul style="list-style-type: none"> The amalgamation of the policies reduces duplication in Plan provisions and results in a comprehensive policy direction with regard to subdivision design.

Recommended Amendment of Policy 27.2.2.9

27.2.2.9 Manage subdivision within or near to electricity transmission corridors and electricity sub-transmission lines to facilitate good amenity and urban design outcomes, while minimising avoiding potential adverse effects (including reverse sensitivity effects) on the National Grid and electricity sub-transmission lines transmission network.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> Policy 27.2.2.9 may bring about a potential increase in costs for those who propose to subdivide / developers through having to avoid reverse sensitivity issues as part of subdivision design, particularly as this relates to the National Grid. 	<ul style="list-style-type: none"> Policy 27.2.2.9 seeks to provide for the ongoing operation and provision of infrastructure that is critically important for the Queenstown community. The policy provides for improved connection with Chapter 30 – Utilities and Renewable Energy of the PDP 	<ul style="list-style-type: none"> The policy is effective in giving effect to the policy direction set out within the NPSET, Objective 3.5 and Policy 3.5.1 of the PRPS and Strategic Direction Goal 3.2.8 and supporting Objective 3.2.8.1 and Policy 3.2.8.1.1, which seek to provide for the on-going operation and provision

	<p>and will provide for improved plan administration.</p> <ul style="list-style-type: none"> • The policy provides direction by specifically identifying the management of activities around electricity transmission corridors and sub-transmission lines, while directing the avoidance of effects (including reverse sensitivity effects) on the National Grid and effects on sub-transmission lines. • Further, the policy assists in providing security of energy supply. 	of infrastructure.
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Recommended Amendment of Policy 27.2.4.3

27.2.4.3 Encourage Provide for the protection of heritage and archaeological sites, and avoid the ~~unacceptable~~ loss of archaeological sites and heritage items in the first instance, and where effects on these features cannot be reasonably avoided, effects shall be mitigated to an extent that is proportionate to the level of significance of the feature.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed changes to Policy 27.2.4.3 may bring about potential increased costs for those who propose to subdivide / developers through having to respond to the protection of heritage and archaeological sites. 	<ul style="list-style-type: none"> • The proposed changes remove ambiguity around what is an 'unacceptable loss'. • Further, the additions provide clearer guidance as to the intent of the policy and enable an assessment of the effects of development relevant to the level of significance of the archaeological site or heritage item. • The policy is more effective in responding to section 6(f) of the RMA. 	<ul style="list-style-type: none"> • The proposed changes to the policy are considered to be more effective in achieving Strategic Direction Objective 3.2.3.2 of the PDP and section 6(f) of the RMA. • The introduction of the significance criteria allows for a case-by-case assessment of the appropriate response based on the values of the site or item. This is considered more effective in aligning with similar policy outcomes contained within Chapter 26 Historic Heritage.

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Recommended Amendment of Policy 27.2.4.6

27.2.4.6 Ensure that new subdivisions and developments recognises, incorporates and ~~where appropriate adopt suitable measures to enhance~~ existing established protected indigenous vegetation.

For the purposes of this policy, the adoption of suitable measures to enhance existing established protected indigenous vegetation may include, but not be limited to protective fencing, destocking, removal of existing wilding species and invasive weeds or active ecological restoration with indigenous tree and shrub species common to the area.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> The policy brings about a potential increase in costs for those who propose to subdivide / developers through having to respond to the enhancement of existing established protected indigenous vegetation as part of the subdivision process. 	<ul style="list-style-type: none"> The policy provides clearer guidance as to the intent of Objective 27.2.4 for plan users and results in improved plan administration. The policy is directive to ensure that the Subdivision and Development provisions are more effective in responding to those matters set out in sections 6(a), 6(c), and section 7(d) of the RMA. The policy integrates with Chapter 33: Indigenous Vegetation and Biodiversity, in particular any indigenous vegetation identified as a Significant Natural Area in Schedule 33.8 of the PDP and indigenous vegetation identified as significant through a development project using the significance criteria in Policy 33.10.¹ Policy 27.2.4.7 broadens the scope of the policy framework set by Objective 27.2.4 to 	<ul style="list-style-type: none"> The policy is considered to be effective in achieving Strategic Direction Objective 3.2.4 of the PDP, Objective 2.2 of the PRPS and those matters set out in sections 6(a), 6(c), and section 7(d) of the RMA. The addition of a guidance note within the policy assists with the effective implementation of the Plan by providing clarity to users.

¹ Revised Chapters -Council's right of reply version 3-6-16

	<p>better give effect to Strategic Direction 3.2.4 Goal.² This is achieved through the protection of the District's natural environment and ecosystems.</p> <ul style="list-style-type: none"> • The insertion of a guidance note assists with the implementation of the Plan and provides additional guidance to Plan users. 	
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Recommended Amendment of Policy 27.2.5.1

27.2.5.1 Integrate subdivision roading with the existing road networks in ~~an a~~ a safe and efficient manner that reflects ~~expected~~ potential traffic levels and the provision for safe and convenient walking and cycling.

For the purposes of this policy, reference to 'potential traffic levels' refers to those traffic levels anticipated by the zoning of the District Plan.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The addition of a guidance note within the policy assists with the effective implementation of the Plan by providing clarity to users. 	<ul style="list-style-type: none"> • The addition of a guidance note within the policy assists with the effective implementation of the Plan by providing clarity to users.

Recommended Amendment of Policy 27.2.5.11

27.2.5.11 Ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers ~~in accordance with the Council's 10 Year Plan Development Contributions Policy.~~

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The removal of the reference to Council's 10 Year Plan Development Contributions Policy simply ensures that this matter sits outside of the 	<ul style="list-style-type: none"> • The amendment simply recognises that there is no need to refer to the Development Contributions Policy within the policy itself.

² Revised Chapters -Council's right of reply version 7-4-16

	<p>District Plan (given that the Development Contributions Policy is promulgated under the Local Government Act).</p> <ul style="list-style-type: none"> • The intent of the policy remains unchanged, that is, to ensure that infrastructure required by growth is provided for by development. 	
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Recommended Amendment of Policy 27.2.5.13

27.2.5.13 The Council will support subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise, provided maintenance and operation requirements are acceptable to Council if the assets are to be vested.

For the purpose of this policy, term 'acceptable to Council' means that any system shall be appropriate from a Council maintenance and operation perspective and shall be fit for purpose once vested. Where land is to be vested as reserve, Council will ensure that the open space area is of a sufficient size, gradient and surface to be useful, and can be maintained at a reasonable cost to the Council.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The addition of a guidance note within the policy assists with the effective implementation of the Plan by providing clarity to users. 	<ul style="list-style-type: none"> • The addition of a guidance note within the policy assists with the effective implementation of the Plan by providing clarity to users.

Recommended Amendment of Policy 27.2.5.14

27.2.5.14 Treating and disposing of sewage is provided for in a manner that:

- i. is consistent with ~~m~~ Maintains ing public health; and
- ii. ~~a~~ Avoids or mitigates adverse effects on the environment in the first instance; and
- iii. Where effects on the environment cannot be reasonably avoided, effects shall be minimised to an extent that is proportionate to the level of significance of the effects.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> The proposed changes to Policy 27.2.5.14 may bring about potential increased costs for those who propose to subdivide / developers through having to provide for a higher level of treatment necessary to respond to this policy. 	<ul style="list-style-type: none"> The amendments proposed provide clearer guidance as to the intent of the policy for Plan users and improved Plan administration. Further, the additions enable an assessment of the effects of development relevant to their level of significance, which is considered to be consistent with the intent of the RMA. The amendments do not change the intent of the policy. 	<ul style="list-style-type: none"> The proposed changes to Policy 27.2.5.14 are considered to be effective as they assist in providing increased clarity within the Policy.

Recommended Amendment of Policy 27.2.5.17

27.2.5.17 To ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:

- i. Providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;
- ii. Ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that does not adversely impact upon visual amenity and landscape values of the receiving environment;
- iii. Have regard to the design, location and direction of lighting to avoid upward light spill, recognising the night sky as an element that contributes to the District's sense of place;
- iv. Generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves. Where the subdivision provides for a residential building platform the proposed connections to electricity supply and telecommunications systems shall be established to the residential building platform.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> There are potentially additional costs to subdividers / developers 	<ul style="list-style-type: none"> The amendments proposed within sub-clause ii. provide clearer guidance to the extent 	<ul style="list-style-type: none"> The proposed changes to sub-clause ii. represent a practical response to the provision of

<p>through the requirement in sub-clause iv. to provide electricity and telecommunications connections up to residential building platforms rather than to the boundary of the Lot.</p>	<p>of effects to be considered on the values of an area from the installation of infrastructure reticulation.</p> <ul style="list-style-type: none"> • Further to this, the amendment recognises that the provision of services underground is not always practical and that when services can not be located underground consideration should be given to addressing the effects of above ground service provision. • The amendments proposed within sub-clause iv. seek to provide certainty to future property purchasers that services are located in an appropriate location and as a result, will ensure that accurate development costs are reflected in section prices. 	<p>services whilst ensuring that the adverse visual and amenity effects are appropriately considered and addressed.</p> <ul style="list-style-type: none"> • The proposed changes to sub-clause iv. ensure that services are provided up to building platforms, where appropriate, and as a result, will provide a greater degree of certainty to future purchasers of the full development costs associated with the property.
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Recommended New Policy 27.2.7.2	
<u>27.2.7.2</u>	<p><u>Avoid reducing the width of esplanade reserves or strips, or the waiving of the requirement to provide an esplanade reserve or strip, except where the following apply:</u></p> <ul style="list-style-type: none"> <u>i. safe public access and recreational use is already possible and can be maintained for the future;</u> <u>ii. it can be demonstrated that a full width esplanade reserve or strip is not required to maintain the natural functioning of adjoining rivers or lakes;</u> <u>iii. a reduced width in certain locations can be offset by an increase in width in other locations or areas, which would result in a positive public benefit in terms of access and recreation.</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The addition of Policy 27.2.7.2 provides the ability for Council to assess the requirement for 	<ul style="list-style-type: none"> • The proposed policy provides direction on the anticipated need for and use of esplanade

	<p>esplanade reserves and strips and consider the practical constraints and future uses for the land.</p> <ul style="list-style-type: none"> • Enabling the reduction in width of esplanade reserves and strips where a lesser area of land is required will result in the more efficient use of land. 	<p>reserves and strips. The guidance will assist subdividers / developers in anticipating the area of land required to be set aside at the time of subdivision.</p> <ul style="list-style-type: none"> • Further, the ability to reduce the width of esplanade reserves and strips enables the constraints of a site and needs of the community to be considered at the time of development. The potential reductions in esplanade reserves and strips may result in a great area of land to be made available for future development.
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Recommended Amendments of Policy 27.2.8.1

27.2.8.1 Enable minor cross-lease and unit title subdivision of existing units without the need to obtain resource consent where there is no potential for adverse effects associated with the change in boundary location.

For clarity this policy does not provide for the subdivision of approved residential building platforms located within the Rural and Rural Lifestyle Zones.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The addition of a guidance note within the policy assists with the effective implementation of the Plan by providing clarity to users. 	<ul style="list-style-type: none"> • The addition of a guidance note within the policy assists with the effective implementation of the Plan by providing clarity to users.

Recommended New Policy 27.2.8.3

27.2.8.3 Provide for unit title, strata title or cross lease subdivision of existing approved buildings where land use consent is approved for a multi unit commercial or residential development, including visitor accommodation development and a unit title, strata title or cross lease subdivision accords with the approved land use consent.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The policy framework as notified does not provide any guidance for the consideration of unit title, strata title and cross lease subdivision. The proposed Policy addresses this by specifically recognising that these forms of subdivision are appropriate where land use consent has been issued for the development. It is considered that the subdivision of these developments results in a change in ownership rather than a change in built form or operational responsibilities. • Further, a change in land / unit ownership allows for capital to be released within the development and as such results in economic benefits by assisting with the viability of the project. • The proposed Policy enables the insertion of Rule 27.5.5. This rule provides for unit titles, strata titles and cross lease subdivision as a controlled activity. There are efficiencies in considering such development as a controlled activity, rather than as a discretionary or restricted discretionary activity. The matters of control ensure that the provision of infrastructure and appropriate maneuvering 	<ul style="list-style-type: none"> • The proposed Policy provides a framework for the introduction of a controlled activity rule for multi unit subdivision. The policy and subsequent rule provide the concise control for subdivision which ensures certainty for Plan users and as a result, efficient implementation of the Plan.

	areas are addressed.	
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Recommended Amendment to Policy 27.3.3.2

~~27.3.3.2~~ Subdivision and development within land ~~located on the northern side of Studholme Road identified as 'Urban Landscape Protection' by the 'Wanaka Structure Plan 2007'~~ shall have regard to the adverse effects of development and associated earthworks on slopes, ridges and skylines.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • Removing the specific reference to the Wanaka Structure Plan, given that this is a non-statutory document, provides clarity. • The amended wording more effectively identifies the area of sensitive land and the adverse effects to be avoided. • The amended wording provides appropriate guidance in the consideration of resource consent applications and will support improved plan administration as a consequence. 	<ul style="list-style-type: none"> • The proposed changes to Policy 27.3.3.2 are considered to be effective as they assist in providing increased clarity within the Policy, who will not need to refer to a non-statutory document sitting outside of the District Plan.

Recommended Amendment to Policy 27.3.4.1

~~27.3.4.1~~ ~~Have regard to the need to provide for street lighting in the proposed subdivision. If street lighting is required in the proposed subdivision to satisfy the Council's standards, then i~~ In order to maintain the rural character of the zone, ~~the~~ all street lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on the night sky.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed amendments reduce duplication by removing the reference to Council development standards, given that policies within the District Wide section of the Plan specifically 	<ul style="list-style-type: none"> • The proposed changes reduce duplication with policies in the District Wide section of the Plan and clarify the intent, being to maintain rural character through appropriate infrastructure provision. It is

	<p>address this.</p> <ul style="list-style-type: none"> • The revised wording clarifies the intent of the policy to address the effects from street lighting on rural character. This clarification assists in the implementation of the Plan. 	<p>considered that the amendments will result in efficiencies with the implementation of the Plan.</p>
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Recommended Amendment to Policy 27.3.5.1

27.3.5.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Concept Development Plan for the Ferry Hill Rural Residential sub-zone located in Chapter 22 (at part 22.7.2) and in accordance with the Concept Development Plan set out in part 27.14.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed amendments provide clarification by directly incorporating the Concept Development Plan for the Ferry Hill Rural Residential sub-zone into Chapter 27 of the Plan. 	<ul style="list-style-type: none"> • The proposed amendments provide clarification by directly incorporating the Concept Development Plan for the Ferry Hill Rural Residential sub-zone into chapter 27 which will assist with the implementation of the Plan.

Recommended Amendments to Objective 27.3.13

27.3.13 **Objective - Jacks Point Zone - Subdivision shall have regard to identified location specific opportunities and constraints identified within the Jacks Point Structure Plan located within Chapter 41.**

Appropriateness (s32(1)(a))

The proposed changes are an administrative modification to Objective 27.3.13 to provide reference to the Jacks Point Structure Plan that is located in Chapter 41 of the Plan.
The change will result in efficiencies in the implementation of the Plan for users.

Recommended Reinsert Rule 27.4.2 [Notified Rule 27.3.2, pg. 27-10]

27.4.2 Earthworks associated with subdivision

27.4.2.1 Earthworks undertaken for the development of land associated with any subdivision shall ~~not require a separate resource consent under the rules of the District Wide Earthworks Chapter, but be shall~~ be considered against the matters of control or discretion of the District Wide Earthworks Chapter as part of any subdivision activity and

in particular Rule 15.2.20.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed rule provides guidance to how earthworks are to be considered in association with a subdivision application and links back to the Operative Earthworks Chapter. • Providing for the consideration of the earthworks as part of the subdivision process results in efficiencies by ensuring that a comprehensive assessment of the potential effects are considered. 	<ul style="list-style-type: none"> • The proposed rule provides a 'sign post' for plan users as to how earthworks are to be considered under the Operative Earthworks Chapter.

Recommended Reinsert Rule 27.4.3 [Notified Rule 27.3.3, pg. 27-9 and 10]

27.4.3 Zones exempt from the Proposed District Plan and subdivision chapter

27.4.3.1 The following zones are not ~~subject to this part of the Proposed District Plan: stage 1 (at the date of notification: 26 August 2015) and the subdivision chapter shall not apply to the following:~~

- a Frankton Flats A Zone
- b Frankton Flats B Zone
- c Remarkables Park Zone
- d Mount Cardrona Station Zone
- e Three Parks Zone
- f Kingston Village Special Zone
- g Open Space Zone

Subdivision in the above zones is subject to the relevant provisions of Chapter 15 of the Queenstown Lakes Operative District Plan 2009.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed Rule clarifies the status of the provisions 	<ul style="list-style-type: none"> • The proposed rule clarifies the status of the Plan provisions

	<p>within the identified zones in relation to the progression of the District Plan review.</p> <ul style="list-style-type: none"> • The change is largely an administrative change to the proposed wording but is considered to provide clarification and ease of administration to Plan users. 	<p>during the District Plan review process. As such, it is considered to be both an efficient and effective provision..</p>
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27.5 – Rules – Subdivision – District Wide

Recommended Amendments to Rule 27.5.2 – Boundary Adjustments – Permitted Activity	
27.5.2	<p>An adjustment to existing cross-lease or unit title due to an alteration to the size of the lot by alterations to the building outline, the conversion from cross-lease to unit title, the addition of an accessory building, or the relocation of accessory buildings providing the activity complies with all other provisions of the District Plan or has obtained <u>a land use resource consent</u>.</p> <p><u>In order to adhere to this rule a certificate of compliance must be issued under section 223(1)(b) of the Act.</u></p>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No specific new costs associated with the proposed changes to Rule 27.5.2 as the changes simply reflect the requirements of section 223 of the RMA to allow for the approval of a survey plan. 	<ul style="list-style-type: none"> • The proposed changes provide clearer guidance as to the intent of the rule for plan users. The changes bring about improved plan administration. In this regard, the rules are provided within a table structure as a consequence of the amendment, which better links to section 223(1)(b) of Act. 	<ul style="list-style-type: none"> • The rule is considered to be effective in that it provides guidance on those boundary adjustments that meet the permitted activity requirements in accordance with the rule.

Recommended Amendments to Rule 27.5.3 – Boundary Adjustments – Controlled Activity

27.5.3 For boundary adjustment subdivision activities where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:

- (i) In the case of the Rural, Gibbston Character and Rural Lifestyle Zones the building platform is retained in its approved location;
- (ii) No new residential building platform shall be identified and approved as part of a boundary adjustment within Rural, Gibbston Character and Rural Lifestyle Zones;
- (iii) No additional separately saleable lots are created;
- (iv) The areas of the resultant lots comply with the minimum lot size requirement for the zone (where applicable); and
- (v) Lots must be immediately adjoining each other.

The matters over which the Council reserves control are:

- The location of the proposed boundaries; ~~including their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses;~~
- Boundary treatment;
- Easements for existing and proposed access and services.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed insertion of condition ii. ensures that a boundary adjustment under this rule does not result in the formation of an additional building platform, and as such additional development rights, without an appropriate assessment of the suitability of its location. This provides certainty to the community that the mechanical reorganisation of boundaries through boundary adjustments will not lead to unanticipated development. • The amendments to the matters of control reflect good 	<ul style="list-style-type: none"> • The proposed changes ensure that boundary adjustment subdivision is enabled while being controlled appropriately to enable the practical movement of boundaries without resulting in additional development rights, therefore providing certainty for the community. • The refined matters of control and assessment matters provide greater guidance and certainty for Plan users as to the issues relevant to boundary adjustments.

	<p>resource management and planning practice by providing the clear identification of the matters to be addressed at the time of development.</p> <ul style="list-style-type: none"> • The matters of control are to be considered in conjunction with the assessment matters introduced into section 27.9. The assessment matters provide clarity and certainty for Plan users of the scope of matters to be addressed. 	
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Recommended New Rule 27.5.4 – Boundary Adjustments – Restricted Discretionary Activity

27.5.4 For boundary adjustments ~~within Arrowtown’s urban growth boundary and on involving any site that contains a heritage or any other protected item or schedule~~ in the District Plan and in the case of Arrowtown within the urban growth boundary where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:

- (i) No additional separately saleable lots are created.
- (iii) The areas of the resultant lots comply with the minimum lot size requirement for the zone.

The matters over which the Council reserves control are:

- The impact of the proposed subdivision on the heritage values of the protected item;
- ~~In situations where lots are being amalgamated within the Medium Density Residential Zone and Low Density Residential Zone, the extent to which future development will~~
- The maintenance of the historic character of the Arrowtown Residential Historic Management Zone;
- The location of the proposed boundaries including their relationship to, existing buildings and vegetation patterns and existing or proposed accesses;
- Boundary treatment;
- Easements for access and services.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed amendments to 	<ul style="list-style-type: none"> • The refined matters of control

	<p>the wording of the rule are considered to be administrative in nature and assist in providing clarification within the provision.</p> <ul style="list-style-type: none"> • The amendments to the matters of control reflect good resource management and planning practice by providing the clear identification of the matters to be addressed at the time of development. • The matters of control are to be considered in conjunction with the assessment matters introduced into section 27.9 of the Plan. The assessment matters provide clarity and certainty for Plan users of the scope of matters to be addressed. 	<p>and assessment matters provide greater guidance and certainty for Plan users as to the issues relevant to boundary adjustments.</p>
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Recommended New Rule 27.5.5 – Subdivision Activities – District Wide – Unit Title, Strata Title or Cross Lease Subdivision

<p>27.5.5</p>	<p><u>Where land use consent is approved for a multi unit commercial or residential development, including visitor accommodation development and a unit title, strata-title or cross lease subdivision is in accordance with the approved land use consent provided:</u></p> <ul style="list-style-type: none"> <u>i All buildings must be in accordance with an approved land use resource consent;</u> <u>ii. All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose.</u> <u>iii All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.</u> <p><u>The matters over which the Council reserves control are:</u></p> <ul style="list-style-type: none"> • <u>the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces; and</u> • <u>the effects of infrastructure provision.</u>
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For the purposes of clarity, this rule does not apply to fee simple subdivision of land where the intent is to subdivide a lot containing an approved land use consent for the above identified activities.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. • It is considered that the proposed rule leads to reduced costs for those proposing to subdivide consented multi unit developments as a result of the change proposed to the activity status. 	<ul style="list-style-type: none"> • The policy and rule framework as notified does not specifically provide for the consideration of unit title, strata title and cross lease subdivision. The proposed additional Policies 27.2.8.3 and 27.2.8.4 and proposed Rule 27.5.5 address this by recognising that these forms of subdivision are an appropriate means of formalising existing development. Conditions applying to the rule require land use resource consent to already be in place and therefore the appropriateness of the location and form of development has already been determined. • A change in land / unit ownership allows for capital to be released within the development and as such results in economic benefits by assisting with the viability of the project. • The proposed rule provides for this form of multi unit subdivision to be considered as a controlled activity, subject to conditions. The conditions include alignment with approved landuse consents, 	<ul style="list-style-type: none"> • The proposed Policies and Rule provide the consideration of a controlled activity rule for consented multi unit subdivision. The rule provides the concise control for subdivision which ensures certainty for Plan users and as a result efficient implementation of the Plan. • The matters of control are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

	<p>the delineation of common and parking spaces and the provision of services.</p> <ul style="list-style-type: none">• There are efficiencies in considering such development as a controlled activity, rather than a discretionary or restricted discretionary activity, such as providing certainty to subdividers and the community that the change in ownership of consented developments is able to be achieved without the risk of the proposal being declined or requiring a wide ranging assessment.	
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Recommended Amendments to Rule 27.5.6 – Subdivision Activities – District Wide – Restricted Discretionary Activity

27.5.6 ~~All urban subdivision activities, unless otherwise stated, contained within urban areas identified within the District's Urban Growth Boundaries and including the following zones:~~

1. Low Density Residential Zones;
2. Medium Density Residential Zones;
3. High Density Residential Zones;
4. Town Centre Zones;
5. Arrowtown Residential Historic Management Zone;
6. Large Lot Residential Zones;
7. Local Shopping Centres;
8. Business Mixed Use Zones;
9. Queenstown Airport Mixed Use Zone.

Discretion is restricted to ~~all of~~ the following:

- ~~Lot sizes, averages and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land; including whether the lot is of sufficient size and dimensions to effectively fulfil the intended purpose of the land use where Council would apply its discretion to the following situations;~~
 - ~~(i) any requirement for widening, formation or upgrading of existing roads; and~~
 - ~~(ii) any provisions relating to access and service easements for future subdivision on adjoining land, which may necessitate changes to lot size and dimensions.~~
- ~~The extent to which the subdivision design and layout of lots; achieves the subdivision and urban design principles and outcomes set out in QLDC Subdivision Design Guidelines;~~
- Property access and roading;
- Esplanade provision;
- On site measures to address the risk of natural and other hazards on land within the subdivision;
- Fire fighting water supply;
- Water supply;
- Stormwater design and disposal;
- Sewage treatment and disposal;
- Energy supply and telecommunications;
- Open space and recreation; and
- Ecological and natural values;

- Historic Heritage;
- Easements; and
- Bird strike and navigational safety.

For the avoidance of doubt, where a site is governed by a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan, subdivision activities shall be assessed in accordance with Rule 27.7.1.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed amendments to the rule introduce additional matters of discretion, being ecological and natural values, historic heritage and bird strike and navigational safety considerations. There is a cost associated with the consideration of these additional matters. 	<ul style="list-style-type: none"> • The proposed amendments provide clarification of the zones that the rule applies to, resulting in efficiencies for Plan users. • The proposed changes ratify the matters of discretion in order to provide clarity for the matters relevant for consideration. In addition to this ratification, the introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of resource consent application. • The insertion of an advice note at the end of the rule provides direction on the applicability of the rule when considering development within a structure plan, spatial layout plan or concept development plan area. 	<ul style="list-style-type: none"> • The proposed amendments look to clarify the zones that the rule applies to and provide greater certainty to the matters of control, resulting in efficiencies to Plan users. • The matters of discretion are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended Amendments to Rule 27.5.7 – Subdivision of Land in the District’s Rural Residential and Rural Lifestyle Zones – Restricted Discretionary Activity

27.5.7 All subdivision activities in the District’s Rural Residential and Rural Lifestyle Zones

Discretion is restricted to all of the following:

- In the Rural Lifestyle Zone the location of building platforms;
- Lot sizes, ~~averages~~ and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land; including whether the lot is of sufficient size and dimensions to effectively fulfil the intended purpose of the land use where Council would apply its discretion to access and;
- ~~(i) any requirement for widening, formation or upgrading of existing and proposed roads; and~~
- ~~(ii) any provisions relating to access and service easements for future subdivision on adjoining land, which may necessitate changes to lot size and dimensions;~~
- Subdivision design and lot layout; including:
 - ~~the extent to which the design maintains and enhances rural living character, landscape values and visual amenity;~~
 - ~~the extent to which the location of building platforms could adversely affect adjoining non residential land uses;~~
 - ~~orientation of lots to optimise solar gain for buildings and developments;~~
 - ~~the effects of potential development within the subdivision on views from surrounding properties;~~
 - ~~In the case of the Makarora Rural Lifestyle Zone, the concentration or clustering of built form to areas with high potential to absorb development, while retaining areas which are more sensitive in their natural state;~~
 - ~~In the Rural Residential Zone at the north end of Lake Hayes, whether and to what extent there is an opportunity to protect and restore wetland areas in order to assist in reducing the volume of nutrients entering Mill Creek and Lake Hayes;~~
- Property access and roading;
- Esplanade provision;
- On site measures to address the risk of natural and other hazards on land within the subdivision;
- Fire fighting water supply;
- Water supply;
- Stormwater disposal;
- Sewage treatment and disposal;
- Energy supply and telecommunications;
- Open space and recreation; and

- Ecological and natural values;
- Historic Heritage;
- Easements; and
- Bird strike and navigational safety.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed amendments to the rule introduce additional matters of discretion, being ecological and natural values, historic heritage and bird strike and navigational safety considerations. There is a cost associated with the consideration of these additional matters. 	<ul style="list-style-type: none"> • The proposed changes ratify the matters of discretion in order to provide clarity for the matters relevant for consideration. In addition to this ratification, the introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of the resource consent application being prepared and processed. 	<ul style="list-style-type: none"> • The proposed amendments provide greater certainty to the matters of discretion, resulting in efficiencies to Plan users. • The matters of discretion are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended Amendments to Rule 27.5.8 and New Rule 27.5.9 – Subdivision of land containing the National Grid – Restricted Discretionary Activity

<p>27.5.8</p>	<p>Subdivision of land in any zone within the National Grid <u>Subdivision Corridor where all allotments identify a building platform for the principal building and any dwelling to be located outside of the National Grid Yard.</u></p> <p>Discretion is restricted to all of the following:</p> <p>a) Whether the allotments are intended to be used for residential or commercial activity and whether there is merit with identifying a building platform to ensure future buildings are located outside the National Grid Yard.</p> <p>a) <u>Impacts on the operation, maintenance, upgrade and development of the National Grid.</u></p> <p>b) <u>The ability of future development to comply with NZECP34:2001.</u></p> <p>c) Technical details of the characteristics and risks on and from the National Grid infrastructure.</p> <p>e) The ability of the applicant to provide a complying building platform.</p> <p>c) <u>The location, design and use of any proposed building platform as it relates to</u></p>
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the National Grid transmission line.

~~e) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.~~

~~f) Whether the subdivision would result in the planting of trees or shrubs in the vicinity of the National Grid transmission lines and the potential for effects on the operation and security of the national Grid Transmission Lines.~~

27.5.9 Subdivision of land in any zone within 32 metres of the centre line of Electricity Sub-Transmission Lines identified on the planning maps.

Discretion is restricted to all of the following:

a) Impacts on the operation, maintenance, upgrade and development of Electricity Sub-Transmission Lines;

b) The ability of future development to comply with NZECP34:2001;

c) Effects on public health and safety.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The introduction of an additional rule to assess subdivision and the identification of building platforms within the National Grid yard setback results in the potential increase in costs for those proposing to subdivide / developers through having to address potential reverse sensitivity issues as part of the design of the subdivision. • The addition of matters of discretion relating to health and safety introduce additional matters and there are likely to be costs associated with their assessment. 	<ul style="list-style-type: none"> • The proposed amendments to Rule 27.5.8 seek to clarify the consideration of the subdivision of land that contains the National Grid infrastructure. The changes result in the introduction of an additional rule (27.5.9) to consider subdivision within the National Grid setback. Separating the rules out allows for specification of assessment matters and in particular the consideration of adverse health and safety effects from development in close proximity of the National Grid. • The proposed changes ratify the matters of discretion in order to provide clarity for the matters relevant for consideration. In addition to this ratification, the 	<ul style="list-style-type: none"> • The proposed amendments provide greater certainty to the matters of discretion, resulting in efficiencies to Plan users. • The matters of discretion are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision. • The refined assessment matters are considered to ensure the appropriate protection of the National Grid, being a significant piece of infrastructure.

	<p>introduction of assessment matters will assist with ensuring to ensure the appropriate protection of the National Grid, being a significant piece of infrastructure.</p> <ul style="list-style-type: none"> • The matters in section 27.9 further refines the issues to be addressed at the time of resource consent application 	
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Recommended Amendments to Relocated Rule 27.5.10 – Discretionary Activity Subdivision

27.5.10 All subdivision activities in the Rural General and Gibbston Character Zones with the exception of unit title, strata-title or cross lease subdivision activities undertaken in accordance with Rule 27.5.5.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed amendment recognises the introduction of Policies 27.2.8.3 and Rule 27.5.5 that provide for unit title, strata title and cross lease subdivision of consented multi unit developments. • There are efficiencies in considering such development as a controlled activity, rather than a discretionary or restricted discretionary activity, such as providing certainty to subdividers and the community that the change in ownership of consented developments is able to be achieved through a controlled activity process. 	<ul style="list-style-type: none"> • The proposed amendments seek to exempt unit title, strata title or cross lease subdivision of existing approved buildings being caught by Rule 27.5.10. The rule provides the concise control for subdivision which ensures certainty for Plan users and as such, more efficient implementation of the Plan than consideration of such developments as discretionary activities.

Recommended Amendments to Rule 27.5.15

27.5.15 Within the Jacks Point Zone, subdivision that does not comply with the standards in Part 27.56 and location specific standards in part 27.87 excluding the Hanley Downs part of the Jacks Point Zone, where the creation of lots less than 380m² minimum lot size within the R(HD) Activity Area shall be assessed as a RD under Rule 27.7.11.3.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed provisions allow for the consideration of subdivision below the identified minimum allotment size within the Hanley Downs part of the Jacks Point Zone as a restricted discretionary activity through Rule 27.7.11.3. The amended provisions reflect the proposed and potential future scale of development in this area. • As a restricted discretionary activity with specific matters of control and assessment matters, subdividers are provided with a greater level of certainty with regard to the anticipated level of development and matters to be addressed at the time of application. • Consideration of applications below the minimum allotment size may result in an increased yield and as a result the more efficient use of land. • The matters of control will ensure that design, infrastructure and the form of 	<ul style="list-style-type: none"> • The proposed amendments result in a clear explanation regarding what rules development in Hanley Downs should be considered under. • A restricted discretionary activity status allows for appropriate consideration, and the ability to turn down an application, that does not comply with the environmental outcomes of the zone.

	<p>development are controlled to an appropriate level.</p> <ul style="list-style-type: none"> • A restricted discretionary activity status allows Council to decline an application if it is not considered to meet the anticipated outcomes of the zone. 	
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Recommended Amendments to Rule 27.5.16

27.5.16 Subdivision that does not comply with the standards in Part 27.6_5 and location-specific standards in part 27.8 with the exception of the Jacks Point Zone, which is assessed pursuant to Rule 27.5.15.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified 	<ul style="list-style-type: none"> • The proposed amendments result in a clear explanation regarding what rules should be considered for development to be undertaken in the Jacks Point Zone. 	<ul style="list-style-type: none"> • The proposed amendments result in a clear explanation regarding what rules should be considered for development to be undertaken in the Jacks Point Zone..

Recommended Amendments to Rule 27.5.20

27.5.21 Any subdivision of land in any zone within the National Grid Subdivision Corridor, which does not comply with ~~matter of discretion (a) under~~ Rule 27.5.8

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed amendments reflect the proposed change in rule structure for subdivision near the National Grid. • The amendments assist with the clear administration of the Plan. 	<ul style="list-style-type: none"> • The proposed amendments reflect the proposed change in rule structure for subdivision near the National Grid. • The amendments assist with the clear administration of the Plan and as such are considered to both be

		effective and provide efficiencies.
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27.7 – Rules – Zone and Location Specific Standards

Recommended Amendments to Rule 27.7.1 Controlled Activity	
27.7.1	<p><u>Subdivision undertaken in accordance with a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan.</u></p> <p><u>Control is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • The extent to which the subdivision is consistent with the relevant location specific objectives and policies in part 27.3; • <u>Lot sizes, averages and dimensions;</u> • Subdivision design, lot configuration, roading patterns (including footpaths and walkways) in accordance with the applicable structure plan or spatial layout plan; • The extent to which the subdivision design achieves the subdivision and urban design outcomes set out in QLDC Subdivision Design Guidelines; • <u>Property access and roading;</u> • <u>Landscaping and vegetation;</u> • Heritage, where applicable; • <u>Esplanade provision;</u> • <u>Natural and other hazards;</u> • <u>Fire fighting water supply;</u> • <u>Water supply;</u> • <u>Stormwater design and disposal;</u> • <u>Sewage treatment and disposal;</u> • <u>Energy supply and telecommunications;</u> • <u>Open space and reserves;</u> • <u>Easements; and</u> • <u>Ecological and natural values.</u> • Opportunities for enhancement of ecological and natural values; • Provision for internal walkways, cycle ways and pedestrian linkages; • The nature, scale and adequacy of environmental protection measures associated with earthworks.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> The proposed amendments to the rule introduce additional matters of discretion, being ecological and natural values. There is a cost associated with the consideration of these additional matters. 	<ul style="list-style-type: none"> The proposed changes ratify the matters of discretion in order to provide clarity for the matters relevant for consideration. In addition to this ratification, the introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of resource consent application. 	<ul style="list-style-type: none"> The proposed amendments provide greater certainty to the matters of control, resulting in efficiencies to Plan users. The matters of discretion are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended Amendments to Rule 27.7.2	
27.7.2	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the principal roading layout depicted in the Kirimoko Structure plan shown in part 27.14, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> <u>Consistency with the Kirimoko Structure Plan;</u> <u>Subdivision design and roading layout;</u> <u>The provision and location of walkways and the green network;</u> <u>The protection of native species as identified on the structure plan as green network;</u> Any earthworks required to create any road, vehicle accesses, of building platforms or modify the natural landform; The design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways); Creation and planting of road reserves; The provision and location of walkways and the green network as illustrated on the Structure Plan for the Kirimoko Block in part 27.13; The protection of native species as identified on the structure plan as green network.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> The proposed amendments to 	<ul style="list-style-type: none"> The proposed changes ratify 	<ul style="list-style-type: none"> The proposed amendments

<p>the rule introduce additional matters of discretion. There is a cost associated with the consideration of these additional matters.</p>	<p>the matters of discretion in order to provide clarity for the matters relevant for consideration. In addition to this ratification, the introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of resource consent application.</p>	<p>provide greater certainty to the matters of control, resulting in efficiencies to Plan users.</p> <ul style="list-style-type: none"> • The matters of discretion are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.
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Recommended Amendments to Rules 27.7.3

<p>27.7.3</p>	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Ferry Hill Concept Development Plan shown in part 22.7.2, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • <u>Consistency with the Ferry Hill Concept Development Plan; and</u> • <u>The number, location and design of access points.</u> • The subdivision design has had regard to m Minimising the number of accesses to roads; • The location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access; • The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 (as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone); • The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed changes ratify the matters of discretion in order to provide clarity for the matters relevant for consideration. In addition to this ratification, the introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of preparing and processing resource consent application. 	<ul style="list-style-type: none"> • The proposed amendments provide greater certainty to the matters of control, resulting in efficiencies to Plan users. • The matters of discretion are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended Amendments to Rules 27.7.4	
<p>27.7.4</p>	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Jacks Point Zone Structure Plan identified in 41.7, the following additional matters of control shall be had regard to:</p> <ul style="list-style-type: none"> • <u>Consistency with the Jacks Point Zone Structure Plan:</u> • The provision of public access routes, primary, secondary and key road connections. • Within the R(HD) Activity Areas, the extent to which the structure plan provides for the following matters: <ul style="list-style-type: none"> iv. The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area. v. Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu. vi. Road and street designs. vii. The location and suitability of proposed open spaces. viii. Management responses to remove wilding trees. • Within the R(HD-SH) Activity Areas, the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6. • Within the R(HD) Activity Area, the creation of sites sized between 380m² and 550m², without limiting any other matters of control that apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over: <ul style="list-style-type: none"> i. Building setbacks from boundaries. ii. Location and heights of garages and other accessory buildings.

- ~~iii. Height limitations for parts of buildings, including recession plane requirements.~~
- ~~iv. Window locations.~~
- ~~v. Building coverage.~~
- ~~vi. Roadside fence heights.~~
 - ~~• Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, measures to provide for the establishment and management of open space, including native vegetation.~~
 - ~~• Within the R(HD) A - E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).~~
 - ~~• In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 550m² in area:~~
 - ~~b The extent to which such sites are configured:~~
 - ~~i. with good street frontage.~~
 - ~~ii. to enable sunlight to existing and future residential units.~~
 - ~~iii. To achieve an appropriate level of privacy between homes.~~
 - ~~c The extent to which parking, access and landscaping are configured in a manner which:~~
 - ~~i. minimises the dominance of driveways at the street edge.~~
 - ~~ii. provides for efficient use of the land.~~
 - ~~iii. maximises pedestrian and vehicular safety.~~
 - ~~iv. addresses nuisance effects such as from vehicle lights.~~
 - ~~d The extent to which subdivision design satisfies:~~
 - ~~i. public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.~~
 - ~~ii. Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.~~

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed changes ratify the matters of discretion in order to provide clarity regarding the matter relevant for consideration. In addition to this ratification, the 	<ul style="list-style-type: none"> • The proposed amendments provide greater certainty to the matters of control, resulting in efficiencies to Plan users. • The matters of discretion are to be read and considered in

	introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of resource consent application.	conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.
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Recommended Amendments to Rule 27.7.5.1

27.7.5 Peninsula Bay

27.7.5.1 Subdivision or development within the Low Density Residential Zone at Peninsula Bay which is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council.

The matters over which the Council reserves control are:

- The matters of control listed under Rule 27.7.1; and
- Landscape and visual effects.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed changes introduce matters of control where previously there were none and as such may incur an additional cost on applicants regarding the increased thoroughness of the assessment required. 	<ul style="list-style-type: none"> • The proposed changes introduce matters of control and as such reflect good planning practice. • The changes provide clarity for the matters relevant for consideration. In addition to this, the introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of preparing and processing resource consent application. 	<ul style="list-style-type: none"> • The proposed amendments provide greater certainty to the matters of control, resulting in efficiencies to Plan users. • The matters of control are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended Amendments to Rule 27.7.11.3 – Jacks Point

27.7.11.3 Subdivision failing to comply with the 380m2 minimum lot size for subdivision within the Hanley Downs part of the Jacks Point Zone.

For Rules 27.7.11.2 and 27.7.11.3 Discretion is restricted to all of the following:

- i. Subdivision design
- ii. Traffic generation;
- iii. Access; and
- iv. Landscape and visual effects.
- ~~i. The visibility of future development from State Highway 6 and Lake Wakatipu.~~
- ~~ii. Traffic, access.~~
- ~~iii. Maintenance or enhancement of nature conservation values.~~
- ~~iv. Creation of open space and infrastructure~~

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The changes provide clarity for the matters relevant for consideration. In addition to this, the introduction of assessment matters in section 27.9 further refines the issues to be addressed at the time of preparing and processing resource consent application. 	<ul style="list-style-type: none"> • The proposed amendments provide greater certainty to the matters of control, resulting in efficiencies to Plan users. • The matters of control are to be read and considered in conjunction with the relevant assessment matters in section 27.9, and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended Amendments to Rule 27.7.14.1 – Subdivision associated with residential development on sites less than 450m² in the Low Density Residential Zone

27.7.14.1	<p>In the Low Density Residential Zone, the specified minimum allotment size in Rule 27.5.6.1 shall not apply in cases where the residential units are not established, providing;</p> <ul style="list-style-type: none"> a A certificate of compliance is issued for a residential unit(s) or, b A resource consent has been granted for a residential unit(s). <p>In addition to any other relevant matters, prior to certification under S224(c), pursuant to s221 of the Act, the consent holder shall register on the certificate of title <u>on the computer freehold register</u> of the applicable allotments:</p> <ul style="list-style-type: none"> c That the construction of any residential unit shall be undertaken in accordance with the applicable certificate of compliance or resource consent (applies to the
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<p>additional undeveloped lot to be created).</p> <p>d The maximum building height shall be 5.5m (applies to the additional undeveloped lot to be created).</p> <p>e There shall be not more than one residential unit per lot (applies to all lots).</p>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The proposed amendments result in a change of terminology to be consistent with the provisions of the Resource Management Act 1991. 	<ul style="list-style-type: none"> • The proposed amendments result in a change of terminology to be consistent with the provisions of the RMA and as such result in the more efficient and effective implementation of the Plan.

27.9 – Assessment Matters for Resource Consents

Recommended New Matters of Assessment 27.9.1 Controlled Activity Boundary Adjustment	
<p><u>27.9.1 Controlled Activity Boundary Adjustments</u></p> <p><u>In considering whether or not to impose conditions in respect to boundary adjustments under Rules 27.5.3 and 27.5.4, the Council shall have regard to, but not be limited by, the following assessment criteria:</u></p>	
<p><u>27.5.3 Assessment Matters (Boundary Adjustments)</u></p> <ul style="list-style-type: none"> • <u>The location of the proposed boundaries, including their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses;</u> • <u>The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:</u> <ul style="list-style-type: none"> <u>(i) is able to accommodate development in accordance with the relevant district-wide and zone rules;</u> <u>(ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access;</u> • <u>Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</u> • <u>Refer Policies 27.2.1.7, 27.2.3.2, 27.2.5.5, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.</u> 	
<p><u>27.5.4 Assessment Matters (Boundary Adjustments involving Heritage Items and within Arrowtown's urban growth boundary)</u></p> <ul style="list-style-type: none"> • <u>The location of the proposed boundaries, including their relationship to existing</u> 	

buildings and vegetation patterns and existing or proposed accesses:

- The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:
 - (i) is able to accommodate development in accordance with the relevant district-wide and zone rules;
 - (ii) the potential effects on the safety of pedestrians and cyclists and other users of the space or access;
- Whether any landscape features or vegetation, including mature trees, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;
- The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance.
- Where lots are being amalgamated within the Medium Density Residential Zone and Low Density Residential Zone, the extent to which future development will effect the historic character of the Arrowtown Residential Historic Management Zone;
- Refer Policies 27.2.1.7, 27.2.3.2, 27.2.4.2, 27.2.4.5, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed introduction of assessment matters will require a more thorough assessment than some of the Rules as notified and as such may result in additional costs to applicants. 	<ul style="list-style-type: none"> • The introduction of assessment matters refines the issues to be addressed at the time of resource consent application and as such provides certainty to Plan users and the community. 	<ul style="list-style-type: none"> • The assessment matters are to be read in conjunction with the refined matters of control and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended New Matters of Assessment 27.9.2 Controlled Unit Title Subdivision Activities

27.9.2 Controlled Unit Title Subdivision Activities

In considering whether or not to impose conditions in respect to unit title, strata-title or cross lease subdivision under Rules 27.5.5, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.5.5 Assessment Matters (Unit Title, Strata Title and Cross Lease Subdivision)

- Compliance with an approved resource consent;
- The location of the proposed boundaries, including their relationship to existing buildings existing or proposed accesses;
- The site design, size, shape, gradient and location, including existing buildings,

manoeuvring areas and outdoor living spaces:

- (i) is able to accommodate development in accordance with the relevant district-wide and zone rules;
- (ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access;
- the effects of infrastructure provision;
- Refer Policies 27.2.1.7, 27.2.3.1, 27.2.3.2, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.3.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed introduction of assessment matters will require a more thorough assessment than some of the Rules as notified and as such may result in additional costs to applicants. 	<ul style="list-style-type: none"> • The introduction of assessment matters refines the issues to be addressed at the time of resource consent application and as such provides certainty to Plan users and the community. 	<ul style="list-style-type: none"> • The assessment matters are to be read in conjunction with the refined matters of control and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended New Matters of Assessment 27.9.3 Restricted Discretionary Subdivision Activities

- 27.9.3 Restricted Discretionary Activity Subdivision Activities
In considering whether or not to grant consent or impose conditions in respect to boundary adjustments under Rules 27.5.6, 27.5.7, 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:
- 27.5.6 Assessment Matters (Urban Subdivision Activities)
- i. Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land.
 - ii. Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;
 - iii. Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;
 - iv. The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;
 - v. The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency;
 - vi. The extent to which the provision for open space and recreation is consistent with

the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities;

- vii. The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;
- viii. The provision of services in accordance with Council's Code of Practice for Subdivision;
- ix. The extent to which the safe and efficient operation of aircraft may be compromised by subdivision and its ancillary activities that encourage the congregation of birds within aircraft flight paths.
- x. Easements for existing and proposed access and services.
- xi. Refer Policies 27.2.1.1, 27.2.1.2, 27.2.1.3, 27.2.3.2, 27.2.4.6, 27.2.5.5, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.

27.5.7 Assessment Matters (Rural Residential and Rural Lifestyle Zones Subdivision Activities)

- The extent to which the design maintains and enhances rural living character, landscape values and visual amenity;
- The extent to which the location of building platforms could adversely affect adjoining non residential land uses;
- Orientation of lots to optimise solar gain for buildings and developments;
- Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land.
- Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;
- The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;
- The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency;
- The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities;
- The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;
- The provision of services in accordance with Council's Code of Practice for Subdivision;
- In the case of the Makarora Rural Lifestyle Zone, the concentration or clustering of built form to areas with high potential to absorb development, while retaining areas which are more sensitive in their natural state;
- In the Rural Residential Zone at the north end of Lake Hayes, the protection and restoration of wetland areas;
- Easements for existing and proposed access and services;

- Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided.
- Refer Policies 27.2.1.2, 27.2.4.5, 27.2.4.6, 27.2.5.4, 27.2.5.5, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed introduction of assessment matters will require a more thorough assessment than some of the Rules as notified and as such may result in additional costs to applicants. 	<ul style="list-style-type: none"> • The introduction of assessment matters refines the issues to be addressed at the time of resource consent application and as such provides certainty to Plan users and the community. 	<p>The assessment matters are to be read in conjunction with the refined matters of control and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.</p>

Recommended New Matters of Assessment 27.9.4 Restricted Discretionary Activity - Subdivision Activities with National Grid Subdivision Corridor and Electricity Sub-Transmission Lines	
<u>27.9.4</u>	<p><u>Restricted Discretionary Activity - Subdivision Activities with National Grid Subdivision Corridor and Electricity Sub-Transmission Lines</u> <u>In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rules 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:</u></p>
<u>27.5.8</u>	<p><u>Assessment Matters (National Grid Subdivision Corridor)</u></p> <ul style="list-style-type: none"> • <u>Whether the allotments are intended to be used for residential or commercial activity;</u> • <u>The need to identify a building platform to ensure future buildings are located outside the National Grid Yard;</u> • <u>The ability of future development to comply with NZECP34:2001;</u> • <u>The location and planting of vegetation;</u> • <u>Ensure the operation, maintenance and upgrade of the National Grid is not restricted;</u> • <u>Refer Policy 27.2.2.10.</u>
<u>27.5.9</u>	<p><u>Assessment Matters (Electricity Sub-Transmission Lines)</u></p> <ul style="list-style-type: none"> • <u>Whether the allotments are intended to be used for residential or commercial activity;</u> • <u>The need to provide restricted areas to limit activities to outside the Electricity Sub-</u>

Transmission Lines:

- Ensure the operation, maintenance and upgrade of the Electricity Sub-Transmission Lines is not restricted;
- The ability of future development to comply with NZECP34:2001.;
- The location and planting of vegetation;
- Refer Policy 27.2.2.10.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed introduction of assessment matters will require a more thorough assessment than some of the Rules as notified and as such may result in additional costs to applicants. 	<ul style="list-style-type: none"> • The introduction of assessment matters refines the issues to be addressed at the time of resource consent application and as such provides certainty to Plan users and the community. 	<ul style="list-style-type: none"> • The assessment matters are to be read in conjunction with the refined matters of discretion and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

Recommended New Matters of Assessment 27.9.5 Controlled Subdivision Activities – Structure Plan spatial layout plan, or concept development plan

27.9.5 Controlled Subdivision Activities – Structure Plan spatial layout plan, or concept development plan
In considering whether or not to impose conditions in respect to subdivision activities undertaken in accordance with a structure plan, spatial layout plan, or concept development plan under Rules 27.7.1, 27.7.2, 27.7.3, 27.7.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.7.1 Assessment Matters Whether the allotments are intended to be used for residential or commercial activity;

- Consistency with the relevant location specific objectives and policies in part 27.3;
- Consistency with the relevant structure plan, spatial layout plan or concept development plan;
- The assessment criteria identified under Rule 27.7.1.

27.7.2 Assessment Matters

- The assessment criteria identified under Rule 27.7.1.
- Any earthworks required to create any road, vehicle accesses, or building platforms or modify the natural landform;
- The design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways);
- Creation and planting of road reserves
- The provision and location of walkways and the green network as illustrated on the

Structure Plan for the Kirimoko Block in part 27.13;

- The protection of native species as identified on the structure plan as green network.
- Refer Policies 27.3.2.1 to 27.3.2.10.

27.7.3 Assessment Matters

- The assessment criteria identified under Rule 27.7.1;
- Minimising the number of accesses to roads;
- The location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access;
- The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 (as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone);
- The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.
- Refer Policy 27.3.5.1.

27.7.4 Assessment Matters

- The assessment criteria identified under Rule 27.7.1.
- The provision of public access routes, primary, secondary and key road connections.
- Within the R(HD) Activity Areas, the extent to which the structure plan provides for the following matters:
 - The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area.
 - Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu.
 - Road and street designs.
 - The location and suitability of proposed open spaces.
 - Management responses to remove wilding trees.
- Within the R(HD-SH) Activity Areas, the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6.
- Within the R(HD) Activity Area, the creation of sites sized between 380m² and 550m², without limiting any other matters of control that apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over:

- Building setbacks from boundaries.
- Location and heights of garages and other accessory buildings.
- Height limitations for parts of buildings, including recession plane requirements.
- Window locations.
- Building coverage.
- Roadside fence heights.
- Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, measures to provide for the establishment and management of open space, including native vegetation.
- Within the R(HD) A - E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).
- In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 380m² in area:
 - The extent to which such sites are configured:
 - with good street frontage.
 - to enable sunlight to existing and future residential units.
 - To achieve an appropriate level of privacy between homes.
 - The extent to which parking, access and landscaping are configured in a manner which:
 - minimises the dominance of driveways at the street edge.
 - provides for efficient use of the land.
 - maximises pedestrian and vehicular safety.
 - addresses nuisance effects such as from vehicle lights.
 - The extent to which subdivision design satisfies:
 - public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.
- Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.
- Refer Policies 27.3.13.1 to 27.3.13.3.

27.7.5.1 Assessment Matters

- Orientation of lots to optimise solar gain for buildings and developments;
- Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;

- Whether any landscape features or vegetation, on the site are of a sufficient amenity value that they should be retained and the proposed means of protection;
- The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency;
- The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;
- The provision of services in accordance with Council's Code of Practice for Subdivision;
- Refer Policies 27.3.1.1 to 27.3.1.3.

27.7.11.2 Assessment Matters

- The assessment criteria identified under Rules 27.7.1 and 27.7.4.
- The visibility of future development from State Highway 6 and Lake Wakatipu.
- The number, location and design of access points
- Maintenance or enhancement of nature conservation values.
- Creation of open space and infrastructure

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The proposed introduction of assessment matters will require a more thorough assessment than some of the Rules as notified and as such may result in additional costs to applicants. 	<ul style="list-style-type: none"> • The introduction of assessment matters refines the issues to be addressed at the time of resource consent application and as such provides certainty to Plan users and the community. 	<ul style="list-style-type: none"> • The assessment matters are to be read in conjunction with the refined matters of control and together provide greater guidance and certainty for Plan users as to the issues relevant to this form of subdivision.

APPENDIX 4
SUBDIVISION CONSENTS DATA

Application ID	Subdivision Activity	Zone	Zone	Sub-Zone	Full Details	Status	Stage/Decision	Comment
RM090300	N/A Appealed or Declined	High Density Sub Zone		HD	Subdivide By Way Of A Unit Title To Create 90 Units At Frankton Road, Queenstown	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM120645	N/A Appealed or Declined	High Density Sub Zone	HD	HDA	Undertake A Boundary Adjustment Subdivision To Amend The Location Of A Leg In Access At 3 & 5 Melbourne Street, Queenstown	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM130558	N/A Appealed or Declined	Low Density Residential	LD		Undertake A Boundary Adjustment Subdivision Between Lot 1 & 2 Dp 307630 And Pt Sec 1 Dp 24047 At 111 Atley Road, Arthurs Point	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved. This is the 'Larchmont Decision'
RM081555	N/A Appealed or Declined	Low Density Residential	LD	LD	Subdivide Lot 33 Of Rm081240 Into Two Lots, Remove Conditions A,B And C Of Consent Notice 5578891.2, Vary Covenant 7432501.1, And Construct A Retaining Wall On Coromandel Street, Wanaka.	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM110369	N/A Appealed or Declined	Low Density Residential	LD		Undertake A Two Lot Subdivision At 1 Haines Way, Arthurs Point.	Current	InProgress, In Progress, Y	Reviewed file consent approved. In progress at the time the data was obtained.
RM140012	N/A Appealed or Declined	Low Density Residential	LD		Subdivide To Create Two Lots And To Infringe Site Density At 21 Aeolus Place, Wanaka	Current	Appealed, Appealed, Y	Reviewed file consent approved.
RM120672	N/A Appealed or Declined	Low Density Residential	LD	VA	Undertake A Boundary Adjustment Subdivision And A Unit Title Subdivide Of Seven Units, Construct Seven Residential Units, Exceed The Permitted Building Height And Undertake Associated Earthworks At Goldridge Way, Queenstown	Past	Withdrawn, Withdrawn, Y	Section 357 objection relating to fees. Consent was granted.
RM090032	N/A Appealed or Declined	Low Density Residential	LD	LD	Subdivide The Site Into Two Lots At 12 Kuri Place, Wanaka.	Past	Hearing, Hearing in Progress, Y	Reviewed file consent approved.
RM090209	N/A Appealed or Declined	Remarkables Park - Urban		RPR	Subdivide By Way Of A Boundary Adjustment At Hawthorne Drive, Frankton	Current	Appealed, Appealed, Y	Reviewed file consent approved.

RM120256	N/A Appealed or Declined	Rural General	RG	H I L LIMITED - SUBDIVISION CONSENT TO CREATE 5 NEW ALLOTMENTS AND 4 RESIDENTIAL BUILDING PLATFORMS & LAND USE CONSENT FOR ACCESS AND SERVICING AND CANCELLATION OF CN5749639.2 RELATING TO EXISTING LOT 1 DP400647 AT NORTH END OF HANSEN ROAD, QUEENSTOWN.	Current	AppealWdrn, Appeal Withdrawn, Y	Declined
RM110524	N/A Appealed or Declined	Rural General	RG	Undertake A Four Lot Subdivision And Create Two New Building Platforms Within The Internal Boundary Setback At 770 Mount Barker Road, Wanaka.	Current	OnHold, Application OnHold - Clock is Paused, Y	Reviewed file consent approved.
RM120475	N/A Appealed or Declined	Rural General	RG	Variation To Condition 1 Of Rm120420 To Allow A Subsidiary Roof To Be Replaced With Modern Material At The Bowling Club, Queenstown Gardens.	Past	Appealed, Appealed, Y	Not a subdivision consent.
RM100100	N/A Appealed or Declined	Rural General	RG	Undertake A Boundary Adjustment Subdivision Between Lot 3 Dp 325561 And Lot 20 Lt 386956 To Create Two New Allotments At Stalker Road, Wakatipu Basin	Past	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM090348	N/A Appealed or Declined	Rural General	RG	Subdivide By Way Of A Boundary Adjustment For A Three Lot Subdivision At Cardrona Valley Road, Cardrona	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM090590	N/A Appealed or Declined	Rural General	RG	Subdivide Site Into Four Allotments And Identify Residential Building Platforms On Each Lot At Malaghans Road, Wakatipu Basin	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM130386	N/A Appealed or Declined	Rural Lifestyle Zone	RLF	Subdivide To Create 11 Lots, Each With A Residential Building Platform, Breach Minimum Allotment Size And Internal Boundary Setbacks And Undertake Associated Earthworks At Tucker Beach Road, Wakatipu Basin	Current	AppealWdrn, Appeal Withdrawn, Y	Reviewed file consent approved.

RM110219	N/A Appealed or Declined	Rural Lifestyle Zone	RLF		Undertake A Two Lot Subdivision At 433 Mcdonnell Road, Wakatipu Basin	Current	Appealed, Appealed, Y	Reviewed file consent approved.
RM130376	N/A Appealed or Declined	Rural Residential	RRES		Vary Condition 1 Of Rm051067 To Amend The Subdivision Plan In Order To Include An Additional Access Lot And To Delete A Consent Notice At 15 Outlet Road, Wanaka	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM140546	N/A Appealed or Declined	Rural Residential	RRES		R & E CARSON - TO SUBDIVIDE THE SITE INTO TWO ALLOTMENTS AT 941 AUBREY ROAD, WANAKA	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM090868	N/A Appealed or Declined	Rural Residential	RRES	LD	Cancellation Of Consent Notices 5578891.2 & 6941958.5 For West Meadows Subdivision, Wanaka	Current	Processing, Processing Application, Y	Reviewed file consent approved.
RM120804	N/A Appealed or Declined	Rural Residential	RRES		Subdivide To Create One Additional Lot Below 4000M2 At 30 Golf Course Road, Wanaka	Current	InProgress, In Progress, Y	Reviewed file consent approved. In progress at the time the data was obtained.
RM130573	N/A Appealed or Declined	Shotover Country	SCS		Subdivide Lot 7 Dp 325561 And Lot 10 Dp 386956 And Cancel Consent Notices At Maxs Way, Queenstown Rural	Current	AppealDecn, Appeal Decision Issued, Y	Reviewed file consent approved.
RM130625	N/A Appealed or Declined	Shotover Country	SCS		To Undertake A Boundary Adjustment Subdivision Between 3 Allotments To Allow Titles To Align With Boundaries Of Activity Area 2A. Cancel Consent Notice 8481955.2 Relating To Servicing Requirements Under The Previous Zone And Associated Building Platforms Within Those Lots	Current	InProgress, In Progress, Y	Reviewed file consent approved. In progress at the time the data was obtained.

APPENDIX 5
OPERATIVE DISTRICT PLAN POLICIES

Operative District Plan	Proposed District Plan
<p>Objective 1 – Servicing</p> <p>The provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments.</p> <p>Policies:</p> <p>1.1 <i>To integrate subdivision roading with the existing road network in an efficient manner, which reflects expected traffic levels and the safe and convenient management of vehicles, cyclists and pedestrians.</i></p> <p>1.2 <i>To ensure safe and efficient vehicular access is provided to all lots created by subdivision and to all developments.</i></p> <p>1.3 <i>To achieve provision of pedestrian, cycle and amenity linkages, where useful linkages can be developed.</i></p> <p>1.4 <i>To avoid or mitigate any adverse visual and physical effects of subdivision and development roading on the environment.</i></p> <p>1.5 <i>To ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.</i></p> <p>1.6 <i>To ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers in accordance with Council’s Long Term Community Plan Development Contributions Policy.</i></p>	<p>27.2.5 Objective - Require infrastructure and services are provided to lots and developments in anticipation of the likely effects of land use activities on those lots and within overall developments.</p> <p>Policies:</p> <p>27.2.5.1 <i>Integrate subdivision roading with the existing road networks in an efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling.</i></p> <p>27.2.5.2 <i>Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.</i></p> <p>27.2.5.3 <i>Provide trail, walking, cycling and public transport linkages, where useful linkages can be developed.</i></p> <p>27.2.5.4 <i>The design of subdivision and roading networks to recognise topographical features to ensure the physical and visual effects of subdivision and roading are minimised.</i></p> <p>27.2.5.5 <i>Ensure appropriate design and amenity associated with roading, vehicle access ways, trails, walkways and cycle ways within subdivisions by having regard to:</i></p> <ul style="list-style-type: none"> <i>• The location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency.</i> <i>• The number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety</i>

<p>1.7 To ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity, with Council being responsible for meeting any additional capacity of infrastructure above that required for the subdivision then being consented to in accordance with Council's Long Term Community Plan Development Contributions Policy.</p> <p>1.8 To encourage the retention of natural open lakes and rivers for stormwater disposal, where safe and practical, and to ensure disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, and avoids inundation of land within the subdivision or adjoining land.</p> <p>1.9 To ensure, upon subdivision or development, that anticipated land uses are provided with means of treating and disposing of sewage in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.</p> <p>1.10 To ensure, upon subdivision or development, that all new lots or buildings are provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available.</p> <p>1.11 To ensure adequate provision is made for the supply of reticulated energy, including street lighting, and communication facilities for the anticipated land uses, and the method of reticulation is appropriate to the visual</p>	<p>and efficiency.</p> <ul style="list-style-type: none"> • The standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails. • The provision and vesting of corner splays or rounding at road intersections. • The provision for and standard of street lighting, having particular regard to the avoidance of upward light spill. • The provision of appropriate tree planting within roads. • Any requirements for widening, formation or upgrading of existing roads. • Any provisions relating to access for future subdivision on adjoining land. • The provision of public transport routes and bus shelters. <p>27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/ or sewage treatment and disposal system, where such systems are available or should be provided for.</p> <p>27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.</p> <p>27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide</p>
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amenity values of the area.

1.12 To ensure the requirements of other relevant agencies are fully integrated into the subdivision/development process.

primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.

27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.

27.2.5.10 Ensure appropriate water supply, design and installation by having regard to:

- The availability, quantity, quality and security of the supply of water to the lots being created;*
- Water supplies for fire fighting purposes;*
- The standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;*
- Any initiatives proposed to reduce water demand and water use.*

27.2.5.11 Ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers in accordance with the Council's 10 Year Plan Development Contributions Policy.

27.2.5.12 Ensure appropriate stormwater design and management by having regard to:

- Recognise and encourage viable alternative design for stormwater management that minimises run-*

	<p><i>off and recognises stormwater as a resource through re-use in open space and landscape areas;</i></p> <ul style="list-style-type: none"> • <i>The capacity of existing and proposed stormwater systems;</i> • <i>The method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;</i> • <i>The location, scale and construction of stormwater infrastructure;</i> • <i>The effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including the control of water-borne contaminants, litter and sediments, and the control of peak flow.</i> <p><i>27.2.5.13 Treating and disposing of sewage is provided for in a manner that is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.</i></p> <p><i>27.2.5.14 Ensure appropriate sewage treatment and disposal by having regard to:</i></p> <ul style="list-style-type: none"> • <i>The method of sewage treatment and disposal;</i> • <i>The capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;</i> • <i>The location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.</i> <p><i>27.2.5.15 Ensure that the design and provision of any necessary</i></p>
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	<p><i>infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.</i></p> <p><i>27.2.5.16 To ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:</i></p> <ul style="list-style-type: none"> <i>• Providing exibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;</i> <i>• Ensure the method of reticulation is appropriate for the visual amenity values of the area by generally requiring services are underground;</i> <i>• Have regard to the design, location and direction of lighting to avoid upward light spill, recognising the night sky as an element that contributes to the District’s sense of place;</i> <i>• Generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.</i> <p><i>27.2.5.17 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.</i></p> <p><i>27.2.5.18 Ensure that easements are of an appropriate size, location and length for the intended use.</i></p>
<p>Objective 2 - Cost of Services to be Met by Subdividers The costs of the provision of services to and within subdivisions and</p>	<p>27.2.6 Objective – Cost of Services to be met by subdividers <i>Policies:</i></p>

<p>developments, or the upgrading of services made necessary by that subdivision and development, to the extent that any of those things are necessitated by the subdivision or development to be met by subdividers.</p> <p>Policies:</p> <p><i>2.1 To require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), whether provided before or after the subdivision and/or development, and which are attributable to the effects of the subdivision or development, including where applicable:</i></p> <ul style="list-style-type: none"> • <i>roading and access;</i> • <i>water supply;</i> • <i>sewage collection, treatment and disposal;</i> • <i>stormwater collection, treatment and disposal;</i> • <i>trade waste disposal;</i> • <i>provision of energy;</i> • <i>provision of telecommunications.</i> <p><i>2.2 Contributions will be in accordance with Council's Long Term Community Plan Development Contributions Policy.</i></p>	<p><i>27.2.6.1 Require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), that are attributable to the effects of the subdivision or development, including where applicable:</i></p> <ul style="list-style-type: none"> • <i>roading, walkways and cycling trails;</i> • <i>water supply;</i> • <i>sewage collection, treatment and disposal;</i> • <i>stormwater collection, treatment and disposal;</i> • <i>trade waste disposal;</i> • <i>provision of energy;</i> • <i>provision of telecommunications and computer media;</i> • <i>provision of reserves and reserve improvements.</i> <p><i>27.2.6.2 Contributions will be in accordance with Council's 10 Year Plan Development Contributions Policy.</i></p>
<p>Objective 6 - To ensure effective public access is provided throughout the Peninsula Bay land.</p> <p>Policies:</p> <p><i>6.1 To ensure that before any subdivision or development occurs within the Peninsula Bay Low Density Residential Zone, a subdivision consent has been approved confirming easements for the purposes of public access through the Open Space Zone.</i></p>	<p>27.7.1 Objective - Peninsula Bay, Ensure effective public access is provided throughout the Peninsula Bay land.</p> <p>Policies:</p> <p><i>27.7.1.1 Ensure that before any subdivision or development occurs within the Peninsula Bay Low Density Residential Zone, a subdivision consent has been approved confirming easements for the purposes of public access through the Open Space Zone.</i></p> <p><i>27.7.1.2 Within the Peninsula Bay site, to ensure that public</i></p>

<p>6.2 <i>Within the Peninsula Bay site, to ensure that public access is established through the vesting of reserves and establishment of easements prior to any further subdivision.</i></p> <p>6.3 <i>To ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality recreation resource, with excellent linkages, and opportunities for different community groups.</i></p>	<p><i>access is established through the vesting of reserves and establishment of easements prior to any further subdivision.</i></p> <p><i>27.7.1.3 Ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality recreation resource, with excellent linkages, and opportunities for different community groups.</i></p>
<p>Objective 7 – Kirimoko Block, Wanaka</p> <p>To create a liveable urban environment which achieves best practice in urban design; the protection and incorporation of landscape and environmental features into the design of the area; and high quality built form.</p> <p>Policies:</p> <p>7.1 <i>To protect the landscape quality and visual amenity of the Kirimoko Block and to preserve sightlines to local natural landforms.</i></p> <p>7.2. <i>To require that the walkway from Scur Heights across the Kirimoko Block to Peninsula Bay is completed before any subdivision is applied for.</i></p> <p>7.3 <i>To protect the natural topography of the Kirimoko Block and to incorporate existing environmental features into the design of the site.</i></p> <p>7.4 <i>To ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies (all zoned Low Density Residential) and that visually sensitive areas such as the spurs are left undeveloped (building line restriction area).</i></p> <p>7.5 <i>To ensure the provision of open space and community</i></p>	<p>27.7.2 Objective - Kirimoko, Wanaka</p> <p>To create a liveable urban environment that achieves best practice in urban design; the protection and incorporation of landscape and environmental features into the design of the area; and high quality built form.</p> <p>Policies:</p> <p>27.7.2.1 <i>Protect the landscape quality and visual amenity of the Kirimoko Block and preserve sightlines to local natural landforms.</i></p> <p>27.7.2.2 <i>Protect the natural topography of the Kirimoko Block and incorporate existing environmental features into the design of the site.</i></p> <p>27.7.2.3 <i>Ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies (all zoned Low Density Residential) and that visually sensitive areas such as the spurs are left undeveloped (building line restriction area).</i></p> <p>27.7.2.4 <i>Ensure the provision of open space and community facilities that are suitable for the whole community and that are located in safe and accessible areas.</i></p> <p>27.7.2.5 <i>Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe,</i></p>

facilities that are suitable for the whole community and which are located in safe and accessible areas.

7.6 To develop an interconnected network of streets, footpaths, walkways and open space linkages which facilitate a safe, attractive and pleasant walking, cycling and driving environment.

7.7 To provide for road and walkway linkages to neighbouring developments

7.8 To ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site.

7.9 To minimise disturbance of existing native plant remnants and to enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value.

7.10 To design for stormwater management which minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas.

7.11 To require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas.

attractive and pleasant walking, cycling and driving environment.

27.7.2.6 Provide for road and walkway linkages to neighbouring developments.

27.7.2.7 Ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site.

27.7.2.8 Minimise disturbance of existing native plant remnants and enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value.

27.7.2.9 Design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas.

27.7.2.10 Require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas.