

Queenstown Lakes District Proposed District Plan
Section 32 Evaluation
Stage 3 Components 2019

For the:
Residential Zone Design Guide

And consequential Variations to Proposed District Plan

Chapter 7 Lower Density Suburban Residential
Chapter 8 Medium Density Residential
Chapter 9 High Density Residential

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1. EXECUTIVE SUMMARY

- 1.1. This report provides an evaluation under Section 32 of the Resource Management Act 1991 ('the Act' or 'the RMA') of a variation to the Queenstown Lakes Proposed District Plan 2015 (the Proposed District Plan), which seeks to incorporate a Residential Zone Design Guide by reference, which have been developed as a non-statutory document that can be read independently, into Chapters 7, 8 and 9.
- 1.2. The purpose of this report is to evaluate whether the Residential Zone Design Guide, developed to clarify and support high quality urban design outcomes across the Lower Suburban Density Residential Zone (Chapter 7), the Medium Density Residential Zone (Chapter 8) and the High Density Residential Zone (Chapter 9), of the Proposed District Plan (PDP), are the most appropriate method to fulfil the purpose of the Act being the sustainable management of natural and physical resources.
- 1.3. Chapters 7, 8 and 9 were components of Stage 1 of the District Plan Review and were heard in Hearing Stream 06 that ran 10-27 October 2016. These zones form the baseline for this evaluation, and the Residential Zone Design Guide as recommended, have been developed to support the residential provisions pertaining to urban design in Chapters 7, 8 and 9.
- 1.4. During the course of a Stage 1 hearing, the potential benefits of providing additional design guidance to assist with implementing residential zones' objectives and provisions that relate to buildings and urban design were discussed by the Independent Hearing Panel (the Panel). It is also mentioned in the Panel's recommendation report for the residential Chapters of the PDP – Chapters 7-11¹. (Appendix 1 provides the relevant excerpts).
- 1.5. This evaluation recommends that a Residential Zone Design Guide is incorporated by reference into the Lower Density Suburban, Medium Density and High Density Zone provisions. The recommended Residential Design Guide is attached in **Appendix 4**, and the recommended variations to the Lower Density Suburban, Medium Density and High Density Zone provisions to incorporate the Design Guide by reference, as attached in **Appendix 5**.
- 1.6. The Residential Zone Design Guide supports high quality urban design outcomes by providing updated guidance and exemplars to property owners, developers, designers and processing planners (assisting Council to fulfil its statutory functions and responsibilities as required by the Act).

¹ Recommendation Report

<https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-09A-Stream-6-Chapters-7-8-9-10-11.pdf>

2. INTRODUCTION

- 2.1. Section 32 of the Act requires objectives in proposals to be examined for their appropriateness in achieving the purpose of the Act, and for the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives.
- 2.2. The purpose of this report is to provide an analysis of the issues and to introduce a Design Guide that assists in the implementation of the Lower Density Suburban, Medium Density and High Density Residential Zone provisions, and in achieving high quality design outcomes within each zone. This proposal also recommends associated variations to PDP Chapters 7, 8 & 9 to incorporate the Residential Zone Design Guide by reference.
- 2.3. Whilst the objectives and policies of the Residential Zones do not form part of this proposal as they were reviewed and heard in Stage 1 of the District Plan review, this proposal recommends an additional method to achieve the outcomes sought by these zones. As a result, this proposal recommends a discrete variation to Chapters 7, 8 and 9, so that the Residential Zone Design Guide is incorporated by reference. Chapters 7, 8 and 9, which sit within Part 3 (Urban Environment), of the Proposed District Plan, alongside other urban zones within the District. This is to occur through a variation.
- 2.4. The same approach used to incorporate the Arrowtown Design Guide by reference into Chapters 7, 8, 10 and 14 of the PDP has been followed here, with the Residential Zone Design Guide being referenced by the, policies and rules, pertaining to design, that this guide further supports and illustrates.
- 2.5. The purpose of the Lower Density Suburban Residential, Medium Density Residential and High Density Residential Zones is to enable a range of different and increased densities, and thereby increase the District's Housing supply through site responsive built forms that are reflective of their connections to public spaces, community facilities and active transport networks, so that high quality urban design outcomes can be achieved.
- 2.6. At the time of writing, the Lower Density Suburban Residential, Medium Density Residential and High Density Residential Zones apply to land on decisions version planning Maps 19, 20, 21, 22, 23, 24, 30a, 31, 32, 33, 34, 35, 37 and 39.
- 2.7. There are no current appeals on any development controls of the Lower Density Suburban, Medium Density and High Density Residential Zones.

2.8. This evaluation of the appropriateness of the introduction of a Residential Zone Design Guide, is based upon addressing the following broad resource management issue:

Issue 1: The effects of growth and increased density on urban design outcomes and amenity values, and the effects it has on the social, economic and cultural wellbeing of the community.

2.9. During Hearings members of the Panel asked: “Whether the proposed methods to implement the [residential chapters] framework were the most appropriate”, and noted that the Council had advised that it intends to introduce design guideline provisions by way of separate variation (IHP Report 09A, para. 35).

2.10. In terms of supporting higher densities: “There was wide support for an increased use of design guidelines to help manage this and other design issues within the zone (para. 104).”

2.11. Specific resource management issues identified with the Decisions Version provisions are summarised as follows:

a. Development within the residential zones, particularly the medium and high density zones, is expected to achieve high quality urban design outcomes, however in the absence of guidance regarding the design elements that require consideration to achieve high quality outcomes, there is currently uncertainty for plan users, and risk of inconsistent plan interpretation and administration.

b. As discussed in IHP Report 09A, Mr Falconer’s evidence supported the future addition of “design guidelines as a support reference that could help give designers practical ideas” (para. 143).

c. The report continues to state: “on design matters more generally, we strongly prefer that the Plan continue a pragmatic non-regulatory approach given the subjectivity of the matter and obvious disagreement surrounding which sub-group of local design experts should have their preferred aesthetic endorsed in a regulatory sense (para. 145). The issue of the subjectivity of preferred aesthetics can be addressed by confining the guidelines to matters that are clearly relevant to resource management under the Proposed District Plan and with the use of skilled expert input as is typically provided by both applicants and the Council.

2.12. Addressing the issues set out above will result in a more appropriate regime of managing the effects of activities in the Lower Density Suburban, Medium Density, and High Density Residential Zones and is consistent with achieving the purpose of the Act.

2.13. The Residential Zone Design Guide and associated variations (part of Stage 3 of the District Plan Review) apply to land zoned either, Lower Density Suburban, Medium Density or High Density Residential; notified in Stage 3 of the Proposed District Plan review and is shown on the Planning Maps attached to the Stage 3 bundle.

3. DISTRICT PLAN REVIEW

3.1 The review of the Operative District Plan ('ODP') is being undertaken in stages. Stage 1 commenced in April 2014 and was publicly notified on 26 August 2015. Hearings on Stage 1 components comprising ten individual hearing streams for 33 chapters, 1 variation² and three separate hearing streams for rezoning requests and mapping annotations³ were held from March 2016 to September 2017.

3.2 On 29 September 2016 the Council approved the commencement of Stage 2. As part of these resolutions, the Council addressed what the plan outcome would be at the end of the partial review, and approved the separation of the district plan into two volumes, Volume A and Volume B.

3.3 Volume A (at the point in time of notification of Stage 3) consists of the PDP chapters notified in Stages 1 and 2 of the PDP.

3.4 Stage 3 of the District Plan Review comprises of the following topics:

- Mapping sites of significance to Wāhi Tūpuna
- Township Zones
- Design Guide to assist with the implementation of the Residential and BMUZ (PDP Chapters 7, 8, 9 and 16)
- Industrial A & B Zones
- Rural Visitor Zone
- Ballantyne Road Mixed Use Zone
- Three Parks Special Zone
- Various minor variations

3.5 The Stage 3 maps show the land that is subject to stage 3 of the District Plan review, however this proposal does not seek to make any amendments to the planning maps.

3.6 All land that is not subject to Stages 1-3 of the District Plan Review currently forms Volume B of the District Plan. This includes zones that have not yet been reviewed and notified, land that has

² Variation 1 – Arrowsmith Design Guidelines 2016

³ Ski Area Sub Zones, Upper Clutha Area and the Queenstown Area (excluding the Wakatipu Basin).

been withdrawn from the District Plan Review (i.e. the land subject to parts of Plan Changes 46 - Ballantyne Road Industrial and Residential Extensions, 50 - Queenstown Town Centre extension and 51 – Peninsula Bay North) and the Frankton Flats B Special Zone and the Remarkables Park Special Zone. All Volume B land is subject to the Operative District Plan.

Jurisdictional Matters

3.7 At the time of notification of Stage 3, decisions have been made on Stages 1 & 2, and the subsequent appeal process is in train.

4. PURPOSE OF THE REPORT

4.1. Section 32 of the Resource Management Act 1991 (**'the Act'** or **'the RMA'**) requires objectives in proposals to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their efficiency, effectiveness and risk in achieving the objectives (MFE, 2014). The analysis set out below (within sections 5 to 12) should be read together with the text of Chapters 7, 8 & 9 and the Residential Zone Design Guide.

4.2. This report provides an analysis of the key issues, objectives and the policy response for residential design in the proposed District Plan under the following headings;

- a) The **Consultation** undertaken, including engagement with iwi authorities on the draft plan.
- b) An overview of the applicable **Statutory Policy Context** (Section 6)
- c) Description of the **Non-Statutory Context** (strategies, studies and community plans), which have informed the proposed provisions (Section 6.31);
- d) A description of the **Resource Management Issues**, which provide the driver for the proposed provisions (Section 6.1);
- e) A **level of detail** that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal (Section 32(1)(c)) (Section 8);
- f) An **Evaluation** against Section 32(1)(a) and Section 32(1)(b) of the Act (Sections 9 and 10), that is
 - (a) Whether the objectives are the most appropriate way to achieve the RMA's purpose (Section 32(1)(a)).
 - (b) Whether the provisions (policies and methods) are the most appropriate way to achieve the objectives (Section 32(1)(b)), including:
 - (i) identifying other reasonably practicable options for achieving the objectives

- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives, and
 - (iii) summarising the reasons for deciding on the provisions; and
- g) Consideration of **Risk** (Section 12).

5. CONSULTATION

- 5.1. The Residential provisions that this proposal will assist with implementing were subject to the statutory schedule 1 RMA process in Stage 1 of the District Plan review and extensive pre-notification consultation. As this proposal does not revisit the matters addressed in Stage 1, and rather only seeks to provide an additional method to more effectively and efficiently implement the objectives and provisions of the LDSRZ, MDRZ and HDRZ, consultation in addition to the formal consultation prescribed by the Act was not considered necessary.
- 5.2. A summary of this proposal and the associated variation text was, along with the other topics included in Stage 3 of this District Plan Review, presented to iwi in late June 2019.
- 5.3. A statement was received from Aukaha on 21 July 2019 confirming that they had no issues or comments in relation to this variation as part of Stage 3 of the Proposed District Plan. Therefore, there is no feedback to consider or incorporate into this report.

6. STATUTORY POLICY CONTEXT

Resource Management Act 1991

- 6.1. Section 5 sets out the purpose of the RMA, which requires an integrated planning approach and direction to promote the sustainable management of natural and physical resources. Guidance as to how the overall sustainable management purpose is to be achieved is provided in the other sections, including sections 6, 7 and 8 of Part 2 of the Act:

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people

and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

6.2. Section 6 of the RMA sets out a number of matters of national importance that are to be recognised and provided for. The following section 6 matters are applicable:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights:*
- (h) the management of significant risks from natural hazards.*

6.3. Section 7 lists “other matters” that Council shall have particular regard to and those most relevant to the Residential Zone Design Guide include the following:

- (a) kaitiakitanga:*
 - (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
 - (ba) the efficiency of the end use of energy:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (e) [repealed]*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

6.4. Section 8 requires that Council take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The principles as they relate to resource management derive from Te Tiriti o Waitangi itself and from resource management case law and practice. They can be summarised as follows:

- a) That there must be active protection of the partnership between the two parties;
- b) That there is an obligation to act with reasonableness and good faith, with both parties being prepared to compromise; and
- c) That dialogue and consultation will be the main way in which to give effect to the three principles outlined above.

6.5. The sustainable use and development of land but the potential adverse effects need to be managed to ensure the Council, in exercising its functions, gives effect to sections 6 and 7 of the Act.

6.6. Section 31 of the RMA states (relevant areas underlined to emphasise the provisions relevant to this evaluation):

31 Functions of territorial authorities under this Act

(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:

(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:

(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(i) the avoidance or mitigation of natural hazards; and

(ii) [Repealed]

(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:

(iii) the maintenance of indigenous biological diversity:

(c) [Repealed]

(d) the control of the emission of noise and the mitigation of the effects of noise:

(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:

(f) any other functions specified in this Act.

(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision

- 6.7. The proposed provisions help to achieve the integrated management of natural and physical resources by ensuring that any losses in amenity and negative externalities that could occur at higher densities are minimised and offset by quality design.
- 6.8. The Lower Density Suburban, Medium Density, and High Density Residential Zones are intended primarily for residential use and other complementary activities, and the provisions aim to manage the compatibility of these uses. The medium and high density zones also encourage higher residential densities, including apartments and other attached housing typologies. The sustainable use and development of land and the management of potential adverse effects are addressed in the different Residential Zone Chapters- assisted by these provisions, and should assist with achieving the integrated management of natural and physical resources and therefore the purpose of the Act.
- 6.9. Section 31 of the RMA provides the basis for objectives, policies and methods within a District Plan, to manage the effects of development. With regard to the Residential Zone Design Guide, the recommendations outlined in this report have been developed in accordance with QLDC's function under Section 31 to manage the potential adverse effects of urban growth and development.
- 6.10. This is consistent with section 5(a) of the Act, which addresses sustaining the potential of natural and physical resources. It is also consistent with 7(b), 7(c), 7(f) and 7(g) which state that particular regard must be given to the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, the quality of the environment and any finite characteristics of natural and physical resources.

6.11.

RMA Schedule 1 Part 3 S30

Part 3

Incorporation of documents by reference in plans and proposed plans

Schedule 1 Part 3: inserted, on 10 August 2005, by [section 129\(1\)](#) of the Resource Management Amendment Act 2005 (2005 No 87).

30 Incorporation of documents by reference in plans and proposed plans

- (1) The following written material may be incorporated by reference in a plan or proposed plan:
 - (a) standards, requirements, or recommended practices of international or national organisations:
 - (b) standards, requirements, or recommended practices prescribed in any country or jurisdiction:
 - (c) any other written material that deals with technical matters and is too large or impractical to include in, or print as part of, the plan or proposed plan.
- (2) Material may be incorporated by reference in a plan or proposed plan—
 - (a) in whole or in part; and
 - (b) with modifications, additions, or variations specified in the plan or proposed plan.
- (3) Material incorporated by reference in a plan or proposed plan has legal effect as part of the plan or proposed plan.

Schedule 1 clause 30: inserted, on 10 August 2005, by [section 129\(1\)](#) of the Resource Management Amendment Act 2005 (2005 No 87).

- 6.12. Considering the nature of the Residential Design Guidance that has been developed as part of this proposal, subclauses (1)(b) and (2)(b) provide for its incorporation into the Proposed District Plan, through the variation text, as drafted.

Other National Legislation or Policy Statements

- 6.13. When preparing district plans, district councils must give effect to any National Policy Statement (NPS) or National Environmental Standard (NES).

- 6.14. The following NPS that are relevant are:

- (a) NPS on Urban Development Capacity
- (b) NPS on Freshwater Management
- (c) NPS for Renewable Electricity Generation
- (d) National Policy Statement on Electricity Transmission

- 6.15. The following NES that are relevant are:

- (a) NES for Air Quality
- (b) NES for Sources of Drinking Water
- (c) NES for Telecommunication Facilities
- (d) NES for Electricity Transmission Activities
- (e) NES for Assessing and Managing Contaminants in Soil to Protect Human Health
- (f) NES for Plantation Forestry

National Planning Standards 2019

6.16. The planning standards that are required to be implemented by April 2026 are the following:

1. *Foundation*

a. *Mandatory Directions*

7. Unless otherwise directed in these planning standards, local authorities may use cross-references and links within the policy statement or plan. Any references or links to external reference not incorporated by reference by Schedule 1 Part 3 must be identified as not having legal effect beyond the scope provided for in the policy statement or plan.

4. *District Plan Structure*

6. *Introduction and general provisions*

7. *District-wide matters*

8. *Zone Framework*

9. *Designations*

10. *Format*

12. *District spatial layers*

13. *Mapping*

15. Noise and vibration metrics

Notably, the above list does not include Standard 14 – Definitions Standard, which is required to be implemented by QLDC within 9 years (by April 2028).

6.17. Whilst for the reasons outlined above, implementing the planning standards is not a requirement at this time, the standards do provide for documents to be incorporated by reference into a district plan, as highlighted in 1a.

Iwi Management Plans

6.18. When preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Councils must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

6.19. The following iwi management plans are relevant, and these are discussed in turn below: (1) The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (MNRMP 2008); and (2) Kāi Tahu ki Otago Natural Resource Management Plan 2005 (KTKO NRMP 2005)

The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

Provision	Detail
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3.3.12.6 Ngā Roto Waimāori (Lakes)	Avoid the use of ngā roto waimāori as a receiving environment for the discharge of contaminants (e.g. industrial, <u>residential</u> , recreational or agricultural sources).
3.5.3 Solid Waste Management	Encourage zero waste, including reduce, re-use and recycle programmes, in both commercial and residential contexts
3.5.7 Policy	<p>7. Avoid adverse effects on the natural environment as a consequence of increased demands placed upon land, water and community infrastructure resulting from the granting of new subdivision consents for residential or commercial development.</p> <p>9. Encourage installation of rainwater storage facilities for external water use (e.g. on gardens) by residential or commercial development.</p>

- 6.20. These natural resource management provisions can be partially addressed and given effect to through consistent application of Design Element 09 – Site coverage and low impact design, across developments in the District’s residential zones.

Kāi Tahu ki Otago Natural Resource Management Plan 2005

Provision	Detail
7.5.2 Cultural Landscapes in the East Otago Catchments	Impact of inappropriately designed housing or urban development which intrudes into historic interpretation or key views of pā sites or other significant cultural landscapes

- 6.21. This provision is not directly relevant as it focuses on East Otago and its coastline, but addressing of the impacts of inappropriately designed housing on landscapes is an overarching directive of the Residential Zone Design Guide.

Regional Policy Statements

- 6.22. Section 74 of the Act requires that a district plan prepared by a territorial authority must “give effect to” any operative Regional Policy Statement. The Partially Operative Otago Regional Policy Statement 2019 (**PORPS 19**) and the Partially Operative Otago Regional Policy Statement 1998 (**PORPS 98**) are the relevant regional policy statements to be given effect to within the PDP.
- 6.23. The following objectives and policies from Part B Chapter 4 - Communities in Otago are resilient, safe and healthy - of the PORPS 19 are relevant:

Partially Operative Regional Policy Statement 2019

Relevant Objectives and Policies

Objective 4.5	Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments
Policy 4.5.3 Urban Design	<ul style="list-style-type: none"> a) A resilient, safe and healthy community; b) A built form that relates well to its surrounding environment; c) Reducing risk from natural hazards; d) Good access and connectivity within and between communities; e) A sense of cohesion and recognition of community values; f) Recognition and celebration of physical and cultural identity, and the historic heritage values of a place; g) Areas where people can live, work and play; h) A diverse range of housing, commercial, industrial and service activities; i) A diverse range of social and cultural opportunities.
Policy 4.5.4 Low Impact Design	Encourage the use of low impact design techniques in subdivision and development to reduce demand on stormwater, water and wastewater infrastructure and reduce potential adverse environmental effects.
Policy 4.5.6 Designing for public access	Design and maintain public spaces, including streets and open spaces, to meet the reasonable access and mobility needs of all sectors.
Method 4 City and District Plans	Policy 4.5.6: include subdivision and infrastructure design standards to recognise the access needs of different sections of the community, including the mobility impaired, the elderly and children.
Principle reasons and explanation	Well-designed and integrated urban growth, achieves effective and affordable infrastructure, and improves resilience. The best use of the natural and physical resources will reduce the effects of unanticipated growth. Well planned urban growth and development can achieve multiple benefits, including economic, social and environmental benefits. Concentrating activities in urban areas creates economies of scale for the development and maintenance of infrastructure and supports community facilities such as health care and educational facilities. This can also reduce pressure on the surrounding productive and natural environment. Urban areas that are well designed will improve quality of life, resilience and create more attractive opportunities for business investment. The quality of the urban environment can affect quality of life and community viability. Built environments that relate well to their surroundings, have easy connectivity access to key services and reflect the distinctive character of their locality make a positive contribution to the community. Poor quality or badly coordinated development presents social, environmental, and economic risks. Integrating the natural environment into urban areas has been shown to achieve multiple benefits. Urban design choices can allow natural processes to continue through and around everyday activities with minimal adverse impact to either.

6.24. The following objectives and policies from Part 5 – Land of the PORPS 1998 are relevant:

Partially Operative Regional Policy Statement 1998

Reference	Detail
Objective 5.4.1	To promote the sustainable management of Otago’s land resources in order: (a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and (b) To meet the present and reasonably foreseeable needs of Otago’s people and communities.
Objective 5.4.2	To avoid, remedy or mitigate degradation of Otago’s natural and physical resources resulting from activities utilising the land resource.
Objective 5.4.3	To protect Otago’s outstanding natural features and landscapes from inappropriate subdivision, use and development.
Policy 5.5.2	To promote the retention of the primary productive capacity of Otago’s existing high class soils to meet the reasonably foreseeable needs of future generations and the avoidance of uses that have the effect of removing those soils or their life-supporting capacity and to remedy or mitigate the adverse effects on the high class soils resource where avoidance is not practicable.
Policy 5.5.3	To maintain and enhance Otago’s land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to, among other adverse effects: (a) Reduce the soil’s life-supporting capacity (b) Reduce healthy vegetative cover (c) Cause soil loss (d) Contaminate soils (e) Reduce soil productivity (f) Compact soils (g) Reduce soil moisture holding capacity.
Policy 5.5.4	To promote the diversification and use of Otago’s land resource to achieve sustainable landuse and management systems for future generations.
Policy 5.5.5	To minimise the adverse effects of landuse activities on the quality and quantity of Otago’s water resource through promoting and encouraging the: (a) Creation, retention and where practicable enhancement of riparian margins; and (b) Maintaining and where practicable enhancing, vegetation cover, upland bogs and wetlands to safeguard land and water values; and (c) Avoiding, remedying or mitigating the degradation of groundwater and surface water resources caused by the introduction of contaminants in the form of chemicals, nutrients and sediments resulting from landuse activities.

Objective 6.4.2	To maintain and enhance the quality of Otago's water resources in order to meet the present and reasonably foreseeable needs of Otago's communities.
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Proposed District Plan - Notified 26 August 2015

6.25. The following objectives and policies (or parts thereof) of the PDP (Part 2 Strategic) are relevant to the Residential Zones Design Guide, and the Chapters 7, 8 & 9 should take into account and give effect to these provisions:

Strategic Direction Chapter 3

Reference	Detail
Objective 3.2.2	Urban growth is managed in a strategic and integrated manner (addresses Issue 2)
Policy 3.2.2.1	Urban development occurs in a logical manner so as to: <ul style="list-style-type: none"> a. promote a compact, well designed and integrated urban form; b. build on historical urban settlement patterns; c. achieve a built environment that provides desirable, healthy and safe places to live, work and play; d. minimise the natural hazard risk, taking into account the predicted effects of climate change; e. protect the District's rural landscapes from sporadic and sprawling development; f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in; g. contain a high quality network of open spaces and community facilities; and h. be integrated with existing, and planned future, infrastructure.
Policy 3.2.6	The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.

6.26. The Strategic Directions seek to enable development while protecting the valued natural and physical resources of the District. The Residential Zone Design Guide is required to give effect to these obligations.

Urban Development Chapter 4:

Reference	Detail
Objective 4.2.2 A	A compact and integrated urban form within the Urban Growth Boundaries that is coordinated with the efficient provision and operation of infrastructure and services
Policy 4.2.2.3	Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area
Policy 4.2.2.5	Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.
Policy 4.2.2.9	Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting “Crime Prevention Through Environmental Design”

6.27. The Urban Development objectives and policies encourage consolidation of urban growth within the urban growth boundaries and existing settlements. The Residential Zone Design Guide, as proposed, supports these higher level objectives and policies in Chapter 4, as community acceptance and buy-in to higher density living are likely to be greater if it can be demonstrated that they can be well-connected and offer higher amenity.

The Tangata Whenua objectives and policies

Tangata Whenua Chapter 5:

6.28. The PDP identifies that the key environmental issues for tangata whenua in the Queenstown Lakes District include:

- Increasing land use intensification, especially increasing dairying and subdivision;
- Taonga species and related habitats.

6.29. Environmental outcomes sought from tangata whenua, relevant to urban design in residential zones include:

- Provision for a strong Ngāi Tahu presence in the built environment.

Objective or provision	Detail
Objective 5.3.1	Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan policies.
Policy 5.3.1.1	Ensure that Ngai Tahu Papatipu Runanga are engaged in resource management decision-making and implementation on matters that affect Ngai Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.
Policy 5.3.1.3	When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account lwi management plans.

Landscapes and Rural Character Chapter 6:

- 6.30. The purpose of this chapter is to provide greater detail as to how the landscape, particularly outside urban settlements, will be managed in order to implement the strategic objectives and policies in Chapter 3.
- 6.31. This chapter is not directly relevant to urban design in urban residential zones, although these RDGs are a method facilitating well-designed growth in urban areas, which is complimentary to preserving rural landscapes and character, a key focus of Chapter 6 and the District-wide zoning.

Other Council Documents Considered

- 6.32. The following Council documents and projects have informed this Section 32 evaluation.

Urban Design Strategy 2009

Urban Design Goals for the District

1. Distinctive Built Form: Creating neighbourhoods that reflect their people, culture and history
 - a. A major contribution to identity and character of a place comes from the buildings that form its edges, creating a sense of containment and opportunities for active frontages. Queenstown and Arrowtown currently have guidelines aimed at ensuring new buildings are consistent with the prevailing built character.
 - b. There is a case for other centres to have similar guidelines (work in importance for the case of RDGs)
2. High Quality Public Spaces: That complement the appeal of the natural setting and foster economic vitality and well-being.
 - a. Quality of design and construction has a direct influence on the appeal and acceptability of a development to the community. It also influences the durability and ongoing costs over its lifespan.

3. Consolidated Growth: within urban boundaries with walkable mixed use neighbourhoods that reduce travel times and urban sprawl

a. For both higher density residential and mixed use zones to succeed, the provision of adequate open space is needed. This includes public squares, pocket parks and shared courtyard spaces within private residential developments, to offset the loss of the traditional back yard. This helps counter any implication that urban consolidation means lower amenity or cramming.

4. Connected Urban Form: ensuring people have clear options of transport mode that are convenient, efficient and affordable

a. Provide or encourage new connections and green linkages through existing larger blocks. To improve accessibility in our built up areas and to encourage walking and cycling.

5. Sustainable Urban Environments: where the natural environment, land uses and the transport network combine towards a healthier environment for everyone

a. Ensure large scale urban projects, including new subdivisions and neighbourhoods, deliver and/or contribute to sustainable urban settlement patterns.

b. Raise awareness of best practice sustainability and urban design principles. To demonstrate the wider benefits for individuals, communities and the District as a whole

6. Cohesive Communities: where the urban environment promotes a stronger sense of local community by encouraging participation in public life.

a. Advocate for a greater range of house types, tenures, and affordable housing units within any new multi-unit residential development. To create more socially balanced and equitable communities.

b. Ensure that new development contributes towards a safer public environment by creating strong visual links between public and private space. To encourage mutual passive surveillance, and a clear distinction between public and private spaces in urban areas.

c. Alter the priority of neighbourhood streets and public spaces through improved and more sensitive design. So that the pedestrian is given greater priority over the private car.

Other documents

The New Zealand Urban Design Protocol

6.33. Urban design seeks to ensure that the design of buildings, places, spaces and networks that make up our towns and cities, work for all of us, both now and in the future.

6.34. The Urban Design Protocol identifies seven essential design qualities that together create quality urban design (The 7 C's):

- **Context:** seeing buildings, places and spaces as part of whole towns and cities
- **Character:** reflecting and enhancing the distinctive character, heritage and identity of our urban environment
- **Choice:** ensuring diversity and choice for people
- **Connections:** enhancing how different networks link together for people
- **Creativity:** encouraging innovative and imaginative solutions
- **Custodianship:** ensuring design is environmentally sustainable, safe and healthy
 - **CPTED:** *Custodianship* also encourages the use of Crime Prevention through Environmental Design (CPTED) principles to improve community safety. This should promote qualities like territorial definition, natural surveillance and active ground level uses and other techniques to reduce opportunities for crime.
- **Collaboration:** communicating and sharing knowledge across sectors, professions and with communities

6.35. Of particular relevance to the District's residential zones, the Urban Design Protocol recognises that:

- quality urban design is an essential component of successful towns and cities
- urban design needs to be an integral part of all urban decision-making
- urban design requires alliances across sectors and professionals
- urban design applies at all scales, from small towns to large cities
- urban design has a significant influence on people and how they live their lives

6.36. Quality urban design values and protects the cultural identity and heritage of our towns and cities and provides for creativity. It reinforces New Zealand's distinctive identity. Quality urban design also adds social, environmental and cultural benefits by creating well connected, inclusive and accessible places, and by delivering the mix of houses, uses and facilities that we need. It can enhance safety, reduce crime and fear of crime and enhance energy efficiency. Quality urban design can provide us with more and better opportunities for physical activity, resulting in improved physical and social wellbeing.

6.37. Local Government can contribute to quality urban design through the following actions:

- Lead at a regional/local level
- Demonstrate quality urban design through its own development and activities
- Develop appropriate statutory policies, rules and guidance
- Manage statutory decision-making processes to ensure quality urban design outcomes
- Promote regional/local awareness of urban design
- Share research and 'best practice'

- Integrate urban management
- Work collaboratively with the private sector

6.38. The underlined actions are those in which this Residential Zone Design Guide can be integrated in existing Council processes.

7. INTRODUCTION TO EVALUATION

7.1. The purpose of the Residential Zone Design Guide, is not to impose specific design solutions, but to identify design principles that will promote better development and enhance existing urban environments.

7.2. The following key issue is addressed by this proposal:

7.3. Development within the residential zones, particularly the medium and high density zones, is expected to achieve high quality urban design outcomes, however in the absence of guidance regarding the design elements that require consideration to achieve high quality outcomes, there is currently uncertainty for plan users, and risk of inconsistent plan interpretation and administration.

8. SCALE AND SIGNIFICANCE EVALUATION

8.1. Section 32(1)(c) requires an evaluation report to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal. Scale means the anticipated size or magnitude of the effects. Significance refers to the importance or impact of the anticipated effects.

8.2. This proposal is considered to be of low scale and significance for the following reasons:

Determinant of scale and/or Significance	Consideration of anticipated effects
Reason for variation	<p>The proposal improves design guidance and seeks an appropriate level of discretion to be reserved for Council to minimise or avoid poor development outcomes which are not consistent with current plan objectives.</p> <p>This variation originated from panel discussion, highlighting a gap in the methods in the plan to implement objectives and policies pertaining to high-quality urban design.</p>

Degree of change from the status quo	<p>This variation proposes the following changes to the residential chapters:</p> <p>Ch. 7: 1 additional policy and 1 additional interpretation note A new matter of discretion for 3 activities and 2 standards</p> <p>Ch. 8: 1 additional policy and 1 additional interpretation note A new matter of discretion for 4 activities and 6 standards</p> <p>Ch. 9: 1 additional policy & 1 additional interpretation note A new matter of discretion for 6 standards</p> <p>If the PDP – Decisions version is taken to be the status quo, then the incorporation of the guideline by reference, as an additional matter of discretion for 21 rules across 3 residential zones is only a minor change, compared to the scale of the full District Plan review.</p>
Number of individuals likely to be affected	<p>In the Queenstown High Density Monitoring report, consents for Development and Alterations, therefore likely to affect the external appearance, comprised 375 (75%) of the 500 (total) resource consents issued between 1995-2011. They comprised 432 (74%) of the 581 building consents issued in the Low Density Residential Zone. These are relatively similar proportions. Overall, applications for Development and Alterations, accounted for 75% of consents issued within residential zones.</p> <p>The Residential Zone Design Guide is likely to be considered as a matter of discretion for a similar percentage of resource consents going forward. Therefore, it is able help shape residential design for the majority of new development the will be assessed under the PDP going forward.</p>
Geographic scale of impact	<p>The geographic scale of this proposal is limited to land zoned Lower Density Suburban-, Medium Density- and High Density Residential on decisions version planning Maps 19, 20, 21, 22, 23, 24, 30a, 31, 32, 33, 34, 35, 37 and 39.</p>
Type of effect	<p>The overall effects of this proposal are likely to be positive in nature. The environmental, economic, social and cultural effects of the proposal are discussed in more detail in Section 10 of this report.</p>
Degree of policy risk	<p>The proposal is considered to be of medium policy risk. No significant policy risks are proposed, however the benefits are</p>

	<p>dependent on the level of uptake within the development community, and there could be some initial resistance from those who view the guidelines as an unnecessary step in the consenting process, before there full value is realised.</p>
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- 8.3. The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions. In making this assessment, regard has been had to the following, namely whether the proposed objectives and provisions:
- Result in a significant variance from the existing baseline in Operative District Plan Chapter 7 Residential Areas
 - Have effects on matters of national importance.
 - Adversely affect those with specific interests.
 - Involve effects that have been considered implicitly or explicitly by higher order documents.
 - Impose increased costs or restrictions on individuals, communities or businesses.
 - Are more appropriate than the existing.
- 8.4. The level of detail of analysis in this report is **low to moderate**. The Operative District Plan Chapter 7 Residential Areas has been used as a basis for the revised provisions of the PDP and subsequent variations of this proposal, with the most notable changes within the proposed rules being an additional policy and an additional matter of discretion for **21 rules across 3 residential zones, as shown in Appendix 2**. The policies and other associated methods have been revised to provide greater clarity regarding the desired environmental outcomes. Although articulated in a more comprehensive manner, these outcomes align with those generally anticipated by the LDSR, MDR and HDR zones of the PDP.
- 8.5. The proposed changes to definitions improve their operability and the operability of the objectives and provisions that utilise those terms. In the same vein, rules in the operative chapter that have been identified as having uncertain application or being open to ambiguous interpretation have been reworded to ensure that they can be implemented and enforced more effectively and efficiently than the status quo.
- 8.6. The format and structure of the operative chapter has not been continued, and rather the chapter structure developed for the PDP has been used. This results in a departure from the ODP, as most notably the tables for activities have been re-ordered. Maintaining consistency with the PDP chapter structure is considered important to ensure that the PDP is implemented as a cohesive whole. Accordingly, the drafting style conventions that have been established in Stages 1 and 2 of the District Plan Review have been applied to this proposal.
- 8.7. An analysis of alternatives has been undertaken, including consideration of the option incorporating a Residential Zone Design Guide into Chapters 7, 8 & 9 of the PDP by reference.
- 8.8. In summary the proposal will result in variance from the existing baseline, however in most instances the current approach to managing the effects of residential form, scale and ancillary activities is recommended to remain.

9. EVALUATION OF PROPOSED OBJECTIVES SECTION 32(1)(A)

- 9.1. The identification and analysis of issues has helped define how Section 5 of the RMA should be applied. This has informed determination of the most appropriate objectives to give effect to Section 5 of the RMA in light of the issues.
- 9.2. Section 32(1)(a) requires an examination of the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act. **There are no objectives proposed as part of this variation.**

10. EVALUATION OF THE PROPOSED PROVISIONS SECTION 32(1)(B)

- 10.1. The following tables consider whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions and whether they are effective and efficient. For the purposes of this evaluation the proposed provisions are grouped by the resource management issue.

Proposed Policy	Linkages to existing objectives
<p>7.2.1.5 Encourage buildings and development to be consistent with the design outcomes sought by the Residential Zone Design Guide 2019. (Lower Density Suburban Residential text).</p> <p>Repeated as Policy 8.2.2.6 in the Medium Density Residential Zone and as Policy 9.2.2.3 in the High Density Residential Zone text.</p>	<p>The policy provides a framework for addressing the effects of poor urban design in residential developments. It provides guidance regarding the matters relating to design outcomes that require management to assist plan users and to focus the policies and provisions on those matters. These policies will be effective in achieving the following objectives:</p> <p>7.2.3. Encourage higher density development where it responds sensitively to the context and character of the locality and is <i>designed</i> to maintain local amenity values.</p> <p>8.2.2. Development contributes to the creation of a new, high quality built character within the zone through quality urban design solutions which positively respond to the site, neighbourhood and wider context.</p> <p>8.2.3. Development provides high quality living environments for residents and provides reasonable maintenance of amenity values enjoyed on adjoining sites taking into account the changed future character intended within the zone.</p> <p>9.2.2. High density residential development that provides a positive contribution to the environment through quality urban design.</p> <p>9.2.3. High density residential development maintains a minimum of existing amenity values for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone.</p>

S32 (1) (b) (i): Other reasonably practicable options for achieving the objectives

Four options have been identified as reasonably practicable for achieving high quality design in residential zones across the District, as listed below:

Option 1 – Proposed District Plan 2015 Approach (with no Design Guidance)

Option 2 – Non-statutory Design Guidance (separate to the PDP)

Option 3 – Residential Zone Design Guide to incorporated by reference in the PDP

Option 4 – Design Guidance to be fully contained within the Residential Chapters

The approach taken by the Operative District Plan (status quo) has been discounted as the District’s planning framework has evolved with parts of the PDP able to be treated as operative, and retaining this approach would not be compatible with the changed zoning and associated provisions.

The four options identifies here are further described, and there costs, benefits, appropriateness and efficiency, and effectiveness are evaluated in the following table:

	<u>Option 1</u> – Proposed District Plan 2015 Approach (with no Design Guidance)	<u>Option 2</u> – Non-statutory Design Guidance (separate to the PDP)	<u>Option 3</u> – Residential Zone Design Guide to be incorporated by reference in the PDP (preferred approach)	<u>Option 4</u> – Design Guidance to be fully contained within the Residential Chapters
Description	This alternative would entail the administration of the residential chapters of the District Plan 2015 without additional design guidance.	There is opportunity to expand and support Chapters 7, 8 and 9 of the Proposed District Plan. Design guidelines are one method of describing and illustrating the type of design	Guidance is given for incorporating the key design elements (listed in Option 2) for permitted activities and those requiring consent, in the LDSR, MDR and HDR zones, through consideration of key design	Guidance is given for incorporating the key design elements (listed in Option 2) for permitted activities and those requiring consent, in the LDSR, MDR and HDR zones, through consideration of key design

	<p>There would be no variation required to the LDSR, MDR and HDR Zones, which would stand as is (subject to appeal), leaving the objectives, and to a certain extent, the policies, to guide urban design decisions when zone rules were infringed.</p> <p>For an overview of the objectives and policies of particular relevance to urban design, refer to Appendix 1 of this report.</p>	<p>solutions that are envisaged in the LDSR, MDR and HDR Zones.</p> <p>Key design elements that could be addressed are: Entrances and detailing, building height, sight coverage, recession planes, connections to open space, outdoor living space, access, waste and service areas, privacy and safety, and building and landscaping materials.</p>	<p>elements and their application in exemplar developments, in a separate document.</p> <p>The guidelines are not part of the District Plan, although have status under Section 104 of the Resource Management Act. They would be considered as part of the assessment of resource consent applications, as a matter of discretion, and are incorporated by reference into the Residential Zones of the District Plan 2015 as so.</p>	<p>elements and their application in exemplar developments, after the corresponding development controls.</p> <p>The guidelines are fully contained within the District Plan Chapters.</p>
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<p>Costs</p>	<p>The Proposed District Plan 2015, classifies minor to moderate infringements of building height and recession planes, coverage controls, density and intensity, as Restricted Discretionary Activities (see Appendix 5 – Design-Related Residential Development Controls).</p> <p>The applicant is also likely to incur additional time delays and costs in Council processing planners in undertaking separate context analysis to determine consistency with objectives and policies. There may also be a risk of inconsistency between the discretion used by individual planners, with the potential for inconsistent plan administration, and resultant uncertainty for plan users.</p>	<p>Due to their non-statutory nature, applicants would not be required to have regard to them in resource consent applications and relatively little weight can be afforded to them as relevant and reasonably necessary to determine an application under s104(1)(c).</p> <p>Council would have limited ability to reject an application as incomplete under s. 88(3) of the RMA, to require further information under s. 92 in relation to a site’s context and design; or ultimately to refuse consent for development that is poorly designed or not in keep with the desired characteristics within a residential zone.</p> <p>Financial and time costs preparing the guideline, and limited return on this investment due to limited weight able to be given to the Residential Zone Design Guide under this scenario.</p>	<p>There is potential for a perceived increase in the amount of information required to be submitted as part of a resource consent application.</p> <p>However, most of the design considerations suggested for incorporation into the architectural and site plans for individual residential units also specified in the information requirements for all resource consent applications (See PDP Ch. 1.7.3 and Schedule 4 of the Act).</p> <p>The additional information elements would be triggered for larger scale and complex applications, and are necessary to assess their effects.</p> <p>Financial and time costs in preparing the guideline and the additional costs of a of plan change schedule 1 process.</p>	<p>Like Option 3, this option has the potential to increase information requirements and processing times for consents and includes financial and time costs in preparing the guideline and the additional costs of a of plan change schedule 1 process.</p> <p>Adding design guidance to multiple residential chapters would significantly lengthen each chapter and could make it difficult to read. Given the illustrative nature of the Residential Zone Design Guides, it would be difficult to integrate them into the format of the PDP.</p> <p>It also decreases the potential for urban design considerations to be addressed in a fragmented manner, and to not be integrated holistically across the site(s) being developed.</p>
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<p>Benefits</p>	<p>In reviewing the District Plan, there is opportunity to provide greater clarity and certainty around development matters in the District. The PDP has the potential provide a better statutory basis for well-designed urban development, given that it has been developed by refining and updating certain ODP provisions.</p> <p>Direct benefit to developers who would not otherwise have to directly respond to the outcomes expressed within the guidelines. This would decrease the onus on applicants to show that their development positively contributed to the urban design outcomes envisaged by Council.</p> <p>No financial or time cost associated with developing the guidelines and any associated schedule 1 process.</p>	<p>Design Guides as a tool can be supported by a wider range of explanatory information including case studies. Applicants would be able to choose whether or not to use the design guidelines when designing their proposal.</p> <p>The guides provide greater advocacy for positive urban design outcomes and supports the policies and objectives. It provides moderate support to the residential zone development controls, where amenity needs to be considered.</p> <p>In promoting positive urban outcomes for communities, they extend beyond the effects-management approach of the RMA and therefore can be more comprehensive in being separate to the District Plan.</p> <p>However, the guideline alone cannot ensure that new buildings are appropriately designed and situated, both at site, street and neighbourhood scales.</p>	<p>The Design Guidelines would assist in improving the quality of design and development throughout the Queenstown Lakes District by supporting development that successfully responds to the unique qualities of its surrounding context. They also help applicants/developers through providing practical design guidance to assist in achieving the design outcomes sought be the provisions.</p> <p>Design Guidelines improve efficiency within the consent process by clearly outlining Council's expectations for information to be submitted. The predominantly visual approach to presenting this information also enables quicker assessment of a development proposal.</p> <p>The Residential Zone Design Guidelines are applicable across a range of densities, intensities and activities, providing a single reference point to a design methodology, and can help applicants to demonstrate how their developments respond to zone objectives, rather than focussing on infringements.</p>	<p>This option would also assist in improving the quality of development across the District through the provision of practical design guidance.</p> <p>There would be no confusion or time costs in transferring from the District Plan to the Residential Zone Design Guide and vice versa.</p> <p>Design Guidelines within the plan chapters improve efficiency within the consent process by clearly outlining Council's expectations for information to be submitted. It would also give applicants the ability to gauge what would need to be addressed through there resource consent application (in particular, their assessment of environmental effects), when the development infringes one or more standards.</p>
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<p>Appropriateness and Efficiency</p>	<p>The principle aims of the district plan review were to simplify the District Plan 2005, where appropriate, and to provide greater clarity and certainty around development matters in the District. If these aims are achieved, then the District Plan 2015, will provide a better statutory basis for well-designed urban development. This can only be determined by future monitoring reports.</p> <p>Time delays in processing of applications are likely to result from further information requests to provide sufficient information to adequately assess the application against design related assessment criteria. This could more effectively be dealt with through up-front information requirements, as communicated through the reviewed District Plan.</p>	<p>Given the strategic and regional importance of achieving a quality built environment, this alternative is inappropriate. Its non-statutory nature, as guidance only, gives it little weight.</p> <p>The alternative is not efficient as, while up front information requirements are reduced for applicants, processing times may be increased as council officers request further information to satisfy matters of discretion and assessment criteria.</p> <p>Even if the development community adopts a Residential Zone Design Guideline as a best practice document, the time taken to take up that guidance and educate applicants on best-practice approaches will be significantly longer than a regulatory approach.</p>	<p>Option 3 supports Objective 4.5 of the PORPS, recognising the importance of good urban design being at a regional scale. This approach is aligned with also other high growth urban areas across NZ, where local authorities have produced similar documents (Auckland Design Manual, Christchurch City Council Building multi-unit housing, Hamilton residential Design Guide).</p> <p>It also acknowledges that good design is context specific and does not dictate a particular design response, rather it provides a methodology that enables the applicant to demonstrate why their design is appropriate for the site. It is an efficient means of achieving the objective due to the combination of design checklists and illustrated exemplars.</p> <p>Implementation costs will diminish over time as incorporating the principles and checklist items of the Design Guidelines, are likely to produce a proportionally larger return in terms of maintaining or improving residential amenity over the life of the District Plan 2015 (≈10 years).</p>	<p>There is potential for greater process efficiency with combining the documents as it would eliminate the need to refer to two documents.</p> <p>This option also raises the question of where in the residential chapters would it be best to insert the guidance, as the nature of the Guide as developed, addresses multiple design elements in singular visuals, and spans multiple policies to address residential design as a whole.</p> <p>Implementation costs will diminish over time.</p>
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Effectiveness	<p>The provisions in the District Plan 2015 have built on and updated those of the previous district plan. The District Plan 2005 provided a baseline from which the residential zone policy was drafted. However, these updated provisions have not been a direct rollover of the previous corresponding objective, policies and rules.</p> <p>Monitoring reports of the District Plan 2005 were completed in 2011, and their findings in relationship to policy effectiveness and changing desired environmental outcomes (along with updated methods) have been incorporated into the different residential zones of the District Plan 2015.</p>	<p>This option is not effective in achieving the purpose of Objective 4.5 due to its non-statutory nature and therefore lack of certainty that the design guidance will be incorporated into proposals for development.</p> <p>The effectiveness of any non-statutory guidance is likely to be limited due to a relatively weak imperative to use it.</p>	<p>This option is an effective means of achieving Objective 4.5 as it is applied across a range of scales and activities, enabling a framework to support good design in all development. It provides a clear design methodology, guiding an applicant to record and analyse their site's context, identify opportunities and constraints, and respond to those as part of their development proposal. This methodology will enable the creation of quality built environments across a range of zones and scales.</p> <p>Having the guidelines referenced in corresponding matter of discretion pertaining to urban design, creates a stronger link to the guideline, ensuring that it is considered and applied. The amended provisions have a greater chance of being implemented as intended and therefore more likely to achieve an urban form that is reflective of the relevant objectives. This option is very efficient, and likely to produce a proportionally larger return in terms of maintaining or improving residential amenity.</p>	<p>This option is an effective means of achieving Objective 4.5 as it is applied across a range of scales and activities, enabling a framework to support good design in all development.</p> <p>Having the guidelines incorporated in the rules and matter of discretion pertaining to urban design, removes the distinction between the District Plan and the Residential Zone Design Guide, ensuring that it is considered and applied</p>
Ranking	4	3	1	2

11. EFFICIENCY AND EFFECTIVENESS OF THE PROVISIONS

11.1. The proposed provisions strike an appropriate balance to achieve the integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. In doing so, the proposed provisions are more appropriate than the alternatives considered.

12. THE RISK OF NOT ACTING

12.1. Section 32(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is not considered that there is uncertain or insufficient information about the subject matter of the provisions.

12.2. The issues identified and options taken forward are the most appropriate way to achieve the purpose of the RMA. If these changes were not made there is a risk the District Plan would fall short of fulfilling its functions.

Appendices

- APPENDIX 1 Residential Zone Design Guide 2019
- APPENDIX 2 Variations to Chapters 7, 8 & 9 of the PDP Decisions Version
- APPENDIX 3 IHP Report 09A (Relevant Excepts)
- APPENDIX 4 Request for Proposal (Residential Zones and Business Mixed Use Zone Design Guidelines)
- APPENDIX 5 Design Related Residential Development Controls

SECTION 32 APPENDICES

APPENDIX B Variation Text

VARIATIONS TO CHAPTER 7 LOWER DENSITY SUBURBAN RESIDENTIAL ZONE

~~Strike through~~ indicates deletion.

Underline indicates additions.

7.2 Objectives and Policies

7.2.1.5 Encourage buildings and development to be consistent with the design outcomes sought by the Residential Zone Design Guide 2019.

7.3.2 Interpreting and Applying the Rules

7.3.2.9 For sites in Arrowtown, the Arrowtown Design Guidelines 2016 apply, instead of the Residential Zone Design Guide 2019.

7.4 Rules – Activities

	Activities located in the Lower Density Suburban Residential Zone	Activity Status
7.4.5A	Visitor Accommodation in the Visitor Accommodation Sub-Zone <u>Discretion is restricted to:</u> <u>g. Consistency with the Residential Zone Design Guide 2019.</u>	RD
7.4.6	Commercial activities – 100m ² or less gross floor area <u>Discretion is restricted to:</u> <u>h. Consistency with the Residential Zone Design Guide 2019.</u>	RD
7.4.7	Residential Units, where the density of development exceeds one residential unit per 450m ² net area but does not exceed one residential unit per 300m ² , excluding sites located within the Air Noise Boundary and the Outer Control Boundary of Queenstown Airport. <u>Discretion is restricted to:</u> <u>j. Consistency with the Residential Zone Design Guide 2019.</u>	RD

7.5 Rules – Standards

	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance Status
7.5.9	Building Separation within sites	RD <u>Discretion is restricted to:</u> <u>e. Consistency with the Residential Zone Design Guide 2019.</u>
7.5.10	Building Length	RD <u>Discretion is restricted to:</u> <u>c. Consistency with the Residential Zone Design Guide 2019.</u>

VARIATIONS TO CHAPTER 8 MEDIUM DENSITY RESIDENTIAL ZONE

8.2 Objectives and policies

8.2.2.6 Encourage buildings and development to be consistent with the design outcomes sought by the Residential Zone Design Guide 2019.

8.3.2 Interpreting and Applying the Rules

8.3.2.8 For sites in Arrowtown, the Arrowtown Design Guidelines 2016 apply, instead of the Residential Design Guide 2019.

8.4 Rules – Activities

	Activities located in the Medium Density Zone	Activity Status
8.4.8	Buildings within the Wanaka Town Centre Overlay f. <u>Consistency with the Residential Zone Design Guide 2019.</u>	RD
8.4.9	Commercial Activities in Queenstown, Frankton or Wanaka: 100m ² or less gross floor area g. <u>Consistency with the Residential Zone Design Guide 2019.</u>	RD
8.4.10	Residential Unit (<i>Density Controls</i>) k. <u>Consistency with the Residential Zone Design Guide 2019.</u>	RD
8.4.11	<u>Visitor Accommodation within the Visitor Accommodation Sub-Zone and Wanaka Town Centre Transition Overlay</u> k. <u>Consistency with the Residential Zone Design Guide 2019.</u>	RD

8.5 Rules – Standards

	Standards for activities in the Medium Density Zone	Non-compliance Status
8.5.4	<u>Building Coverage</u>	RD Discretion is restricted to the following: <u>f. Consistency with the Residential Zone Design Guide 2019</u>
8.5.5	<u>Density</u>	RD Discretion is restricted to the following: <u>h. Consistency with the Residential Zone Design Guide 2019</u>
8.5.6	<u>Recession Planes</u>	RD Discretion is restricted to the following: <u>e. Consistency with the Residential Zone Design Guide 2019</u>
8.5.7	<u>Landscaped permeable surface</u>	RD Discretion is restricted to the following: <u>d. Consistency with the Residential Zone Design Guide 2019</u>
8.5.8	<u>Minimum Boundary Setback</u>	RD Discretion is restricted to the following: <u>g. Consistency with the Residential Zone Design Guide 2019</u>
8.5.9	<u>Building Length</u>	RD Discretion is restricted to the following: <u>c. Consistency with the Residential Zone Design Guide 2019</u>

VARIATIONS TO CHAPTER 9 HIGH DENSITY RESIDENTIAL ZONE

9.2 Objectives and policies

9.2.2.3 Encourage buildings and development to be consistent with the design outcomes sought by the Residential Zone Design Guide 2019.

9.4 Rules – Activities

	Activities located in the High Density Zone	Activity Status
9.4.5	<u>Residential Unit comprising four (4) or more per site</u> Discretion is related to: i. <u>Consistency with the Residential Zone Design Guide 2019.</u>	RD
9.4.6	<u>Visitor Accommodation including licenced premises within a visitor accommodation development</u> Discretion is related to: g. <u>Consistency with the Residential Zone Design Guide 2019.</u>	RD

9.5 Rules – Standards

	Standards for activities in the High Density Zone	Non-compliance Status
9.5.1	<u>Building Height – Flat Sites in Queenstown</u>	RD Discretion is restricted to: g. <u>Consistency with the Residential Zone Design Guide 2019.</u>
9.5.2	<u>Building Height – Flat Sites in Wanaka</u>	RD g. <u>Consistency with the Residential Zone Design Guide 2019.</u>
9.5.3	<u>Building Height – Sloping Sites in Queenstown and Wanaka</u>	RD h. <u>Consistency with the Residential Zone Design Guide 2019.</u>
9.5.5	<u>Recession plane (applicable to all buildings, including accessory buildings)</u>	RD g. <u>Consistency with the Residential Zone Design Guide 2019.</u>
9.5.7	<u>Building Length</u>	RD b. <u>Consistency with the Residential Zone Design Guide 2019.</u>
9.5.8	<u>Building Length</u>	RD e. <u>Consistency with the Residential Zone Design Guide 2019.</u>

APPENDIX C *IHP Report 09A (Stream 6) Relevant Excerpts*

p.12 para. 35, the Panel found that “that the question raised was not whether or not the PDP had or had not identified all relevant resource management issues and environmental effects through the proposed policy framework; it was a question of whether the proposed methods to implement the framework were the most appropriate. That is ultimately a matter of, at most, refinement to the PDP’s core direction rather than one of fundamental reconsideration. We note on this particular matter that the Council has advised us that it intends to introduce design guideline provisions to the Residential zones by way of a separate Variation.”

Para 104: “Focus [on] how to ensure that the amenity and character values within the zone and in particular the areas within it that have already been developed can be maintained. In this respect, we are in general agreement with the urban design evidence of Mr Falconer that provided that the design, scale and form of development can be managed, subdivided lots down to 300 square metres, and effective or net densities of 1:150 square metres once residential flats are taken into account, will be appropriate. In reaching this conclusion, and although we accept that issues of amenity values involve an inherently subjective element of personal opinion and taste, we received no expert evidence that opposed the densities proposed (as will be discussed later, there was however wide support for an increased use of design guidelines to help manage this and other design issues within the zone.”

Para 135: “We record that there was widespread support and agreement for the use of design guidelines incorporated into the Plan to help guide the design of development. Theoretically a guideline could apply to permitted activities via a permitted activity condition requiring developers to have (unsupervised) regard to any guidelines. But it is more likely that any guidelines would mostly apply to proposals needing resource consent as an additional matter of consideration. We were helped in our understanding of how any future design guidelines may work with the Plan through the Variation 1 process, which was to add a guideline to the Plan for the purpose of Arrowtown’s unique historic heritage.”

Para 139. We were not convinced that design guidelines would be as reliable or necessary as their advocates believed and we struggled to understand the legal basis that the non-statutory Urban Design Panel or other bodies such as the Arrowtown Planning Advisory Group might rely on if encouraged to become more involved as quasi or full decision makers on resource consents. We lastly note our rejection of the principle that a resource consent activity status or a decision on an application for resource consent can be mandated to the support of a design body, group, or institution including the Council’s Urban Design Panel.

Para 143: We instead prefer the more studied analysis of Mr Falconer, who supported the addition of design guidelines in the future on the basis that they are a “nice to have, not a must have”⁹². In our view Mr Falconer demonstrated a sound understanding of the Act and the resource consent process, and saw a design guideline as a support reference that could help give developers practical ideas rather than a form part of a paint-by-numbers ‘rule book’ detailing a ‘Queenstown style’ to

be complied with. He remained of the view that the S.42A version of the Plan (for all residential zones) had sufficient design requirement and guidance that, with skilled expert input as is typically provided by both applicants and the Council, developments would achieve an adequate design quality.

Findings

144. We find that clear outcome-focused objectives and policies remain the superior resource management instruments to ensure high quality design outcomes eventuate in a manner that can be enforced by way of the refusal of consent where necessary.

145. We are comfortable that we can recommend approval of the PDP without design guidelines, and have no opinion on what material might go into any potential future design guideline or why. On design matters more generally, we strongly prefer that the Plan continue a pragmatic non-regulatory approach given the subjectivity of the matter and obvious disagreement surrounding which sub-group of local design experts should have their preferred aesthetic endorsed in a regulatory sense.

230. In terms of the policies, we agree with Ms Leith and Mr Falconer that the emphasis of new built form character should be public spaces (streets and parks) and this has been made clearer in our recommended provisions. We recommend deletion of notified Policy 8.2.2.6 on the basis that, if the Council determines to progress with design guidelines for the residential zones, it can propose changes to the add policies as part of any future plan variation or change. We also recommend deleting Policy 8.2.2.7. We find that incorporating existing features on a site is not inherently necessary or required, especially if it leads to an inefficient use of land purposefully zoned to accommodate housing. Likewise, we have not been convinced that there is any inherent risk of adverse effects from environmental modification given how urban and modified the character of the zone is planned to become.

APPENDIX D – REQUEST FOR PROPOSAL



Queenstown Lakes District Council

REQUEST FOR PROPOSAL (RFP)

**RESIDENTIAL ZONES AND BUSINESS MIXED USE ZONE DESIGN
GUIDELINES**

NOVEMBER 2018

1.0 INTERPRETATION

For the purposes of this RFP the following terms have the following meanings:

"**Consultant**" means the consultant engaged under this RFP to provide the services described in this RFP

"**Council**" means the Queenstown Lakes District Council or QLDC.

2.0 INTRODUCTION AND PURPOSE

Proposals are sought from consultants to assist the Council in developing Design Guidelines (**Guidelines**). The project will be structured into the following two components:

1. Draft a Guideline for development in the following residential zones of the Proposed District Plan (**PDP**):
 - High Density Residential (HDR) Zone
 - Medium Density Residential (MDR) Zone
 - Lower Density Suburban Residential (LDSR) Zone
2. Draft a Guideline for the Business Mixed Use (BMU) Zone of the PDP.

The purpose of the Guidelines is to assist with implementation of the PDP Objectives and provisions that apply to development within these zones, and to promote appropriate urban design outcomes.

The consultant will be required to develop Guidelines which are consistent with the purpose, provisions and anticipated built form of each zone.

It is our intention that the Guidelines will be incorporated into the PDP by reference within the provisions.

3.0 BACKGROUND

A staged review of the QLDC District Plan is currently being undertaken. The Independent Hearings Panel (**the Panel**) released their decisions on 34 Stage 1 chapters on 7 May 2018. Stage 1 of the District Plan Review included all PDP Chapters listed at section 2.0 above.

In considering the above zones, the Panel noted the absence of any design guidance to assist the implementation of design-related objectives, policies and assessment matters.

The only appeal point that directly impacts residential design outcomes seeks to increase the maximum permitted Building Coverage from 40% to 50% for lots between 450m² and 700m² in the Lower Density Suburban Residential Zone. The Business Mixed Use Zone is subject to appeals that are discrete in scope, and do not relate to matters relating to building and urban design.

Other Stage 1 topics that have relevance are the Town Centre zones (Queenstown, Wanaka and Arrowtown), which included Design Guidelines which have been incorporated into the PDP by reference (see links to these documents in the background material listed below).

Stage 2 of the PDP review commenced on 23 November 2017 with the notification of seven topics.

It is our intention that the two Guidelines comprised within this RFP will be notified in Stage 3 of the District Plan review. Notification of the Stage 3 topics is expected to occur mid-2019.

Background material

Background information on the PDP is available on the Council's website and the following material is of particular relevance:

Residential zones:

- [Decisions Version of the High Density Residential Zone](#) (Chapter 9 of the PDP)
- [Decisions Version of the Medium Density Residential Zone](#) (Chapter 8 of the PDP)
- [Decisions Version of the Lower Density Suburban Residential Zone](#) (Chapter 7 of the PDP)
- Decisions version of the relevant PDP Maps showing the locations of the High, Medium and Lower Density Suburban Residential Zones (namely Maps 21, 22, 32 and 35)
- [Expert planning evidence of Mr Garth Falconer](#) (urban design) for the residential zones hearing stream in Stage 1 of the District Plan Review (in particular, Sections 4 and 5)
- [Decisions of the Independent Hearing Panel on the residential zones](#) (in particular, paragraph 35 which discusses the potential for the PDP to include development design guidelines, **with a focus on the medium and high density residential zones**, and paragraph 38 which supports the approach of grouping and managing tiers of residential development in the PDP. Paragraphs 72 and 134-136 also provide further context to the decision to produce a design guideline to accompany the residential provisions.

Business Mixed Use Zone:

- [Decisions Version of the Business Mixed Use Zone](#) (Chapter 16 of the PDP)
- Decisions version of the relevant PDP Maps showing the locations of the Business Mixed Use Zone (namely Maps [20](#), [21](#), [31a](#), [32](#) & [33](#))
- [Expert planning evidence of Mr Timothy Church](#) (urban design) for the Business Mixed Use Zone component of the business zones hearing stream in Stage 1 of the District Plan Review (see pages 53 to 78 and the relevant graphics in Appendix A part [1](#) & [2](#) to Mr Church's evidence)
- [Decisions of the Independent Hearing Panel on the Business Mixed Use Zone](#) (in particular, report sections 41 to 49)

General

- [Decisions Version of the Urban Development Chapter](#) (Chapter 4 of the PDP, in particular policies 4.2.2.3 to 4.2.2.10)
- [QLDC Urban Design Strategy 2009](#)
- Examples of existing Design Guidelines that are incorporated by reference to the PDP:
 - [QLDC Wanaka Town Centre Character Guideline 2011](#)
 - [QLDC Queenstown Town Centre Special Character Area Design Guidelines 2015](#)

- [Decisions Version QLDC Arrowtown Design Guidelines 2016](#)
- [QLDC Subdivision Design Guidelines 2015](#)

4.0 PROJECT OUTCOMES

Scope

The project scope is to develop two Guidelines to apply to the zones listed at section 2.0 above.

The Consultant is requested to identify a methodology for developing the Guidelines, taking into account the key considerations outlined below.

The Consultant should include time and costs to present the final Guidelines to Council.

The scope does not include any consultation.

Key considerations:

The Guidelines will support the strategic aims of the PDP, through providing a practical, concise and user-friendly tool to assist in implementing the zone provisions. The Guidelines are intended to function as general planning and urban design guidance, and should address site layout and configuration in addition to built form and architectural controls.

The Guidelines will be required to assist with the implementation of the Decisions Version of the relevant PDP chapters. **Appendix A** provides an overview of the rules applied in each zone that will influence the urban form expressed in different parts of the District. The specific design parameters/requirements to be included from each will be confirmed by Council at the project inception.

The methodology proposed by the Consultant should account for, and provide advice on, the local context/environment of each zone, and any instances where tailored approaches may be necessary (such as between Queenstown and Wanaka, for flat and sloping sites, and for instances when location-specific provisions apply). The Guidelines should also be adaptable so they can readily apply to new areas that may be added to the zones in future. The level of detail applied to local context will also be discussed at the project inception.

The Guidelines should also provide advice and encouragement for sustainable and efficient building techniques, and the benefits to the occupants.

The methodology should consider the following desired outcomes for the Guidelines:

- A concise, user friendly, practical and modern format. An example of the balance of detail and quality desired is provided in **Appendix B**. This is intended to be a guide of content only, and guidelines produced do not have to conform to this structure. It is left for the consultant to determine if the guidelines should be structured by zone, housing typology, control type or other means.
- Assist with implementing the PDP provisions (and not conflict with or introduce matters that have been intentionally simplified or liberalised under the PDP).
- **Inclusion of diagrams and visual aids**, including possible mitigation solutions for breaches of permitted standards.

- Defining character of the zones, neighbourhood context (*QLDC will assist with this task*)
- Design advice and examples to address (but not limited to) the following key elements of the PDP provisions:
 - enhancement of sunshine and light access
 - flat and sloping sites, differing standards and treatment
 - building facades treatment and enhancement of adjoining public roads, spaces and reserves
 - building height and mitigation treatments for increased height
 - privacy
 - use of landscaping
 - articulation and connectivity to streets, public places and reserves
 - materials
 - access and location of parking
 - incorporation of active transport facilities
 - screening of utilities and waste
 - incorporation of signs and signage platforms into building design for non-residential development
 - encouragement and guidance for sustainable and efficient building techniques
 - methods of mitigation for external lighting and noise generation, with particular regards to residential visitor accommodation activities.
 - integration of mixed use activities and façade treatment within the Business Mixed Use Zone
- Be a reflection of the principles of the New Zealand Urban Design Protocol (2005), noting that best practice urban design has evolved considerably since 2005.

Note: The Council would welcome your input into finalising the scope for this work and the specific project outcomes sought.

Exclusions:

- For clarification, this project is limited to the preparation of Guidelines and will not require the development of any modifications to the PDP.
- Medium Density Zones in Arrowtown, as specific design guidance for these areas has previously been developed as part of the Arrowtown Design Guidelines 2016
- This project does not include design guidelines for public realm improvements, and rather should address the interaction between development and the public realm.
- Public consultation is not a requisite of this project.
- An evaluation pursuant to section 32 of the RMA is not a requisite of this project.
- Involvement in the Stage 3 hearing process is not a requisite of this project, however this may be requested at a later date.

5.0 PROJECT DELIVERABLES

Two Design Guidelines applying to the following zones of the QLDC PDP:

1. Residential Design Guideline:

- High Density Residential Zone

- Medium Density Residential Zone
- Lower Density Suburban Residential Zone

2. Business Mixed Use Zone Design Guideline.

A draft and final copy of the two Guidelines will be required in electronic format, able to be printed in A4 portrait format.

GIS and cadastre information will be provided to the Consultant by QLDC. ArcGIS online zone mapping can also be provided by QLDC.

6.0 PROJECT TEAM STRUCTURE

The following individuals will be key contacts on this project.

Project Leads:

- Residential Design Guideline: Tara Hurley – Policy Planner
- Business Mixed Use Zone Design Guideline: Amy Bowbyes – Senior Policy Planner

Project Team:

- Ian Bayliss – Planning Policy Manager
- Tony Avery, General Manager Planning and Development
- Others as identified by the Project leads

7.0 PROJECT TIMEFRAMES

RFP closes: **5.00PM on Friday 7 December 2018.**

Successful tender confirmed: **Friday 14 December 2018.**

Project delivery: To be completed by **Friday 1 March 2019** (or earlier if this suits the successful consultant). Within this time period the following timeframes will apply:

- Consultant to provide draft contents pages and section headings for the Guidelines by Friday 14 December 2018 for the Council to review and provide feedback
- Consultant to provide a complete set of draft Guidelines by Friday 25 January 2019 for the Council to review and provide feedback on any necessary changes within the proceeding 2 week period.
- Consultant to provide the final set of Guidelines by 15 February 2019.

8.0 SUBMITTING OF PROPOSALS

As a minimum, the Proposal should provide:

- a. Relevant organisational information.
- b. A description of tenderer's experience and expertise in the topic and related fields, including a brief resume of the relevant skills and experience of the personnel being proposed for the project, and indicating the extent of their proposed involvement (in terms of hours or day equivalents).

- c. Information on all issues relating to you or your firm's bid (e.g. any conflicts of interest, policies and procedures for managing these, etc.).
- d. Your ability to meet the specified deadlines and milestones, including any potential difficulties, which you perceive.
- e. A description of the process and methodology to be undertaken, including a description of all tasks and sub-tasks (including site visits and meetings, whether remote or in person and associated expenses).
- f. The fee should specify the rates for all labour and other charges and totals; any activity intended to be sub-contracted to third parties; travel time; and vehicle expenses, and an estimate of anticipated total disbursements.
- g. A fee should be provided as a total fixed price sum.
- h. Any exceptions to the general terms and conditions given in the RFP, clearly explaining your reasons and any proposed amendments.

Importantly, the Proposal must show:

- An understanding of the subject matter of the project and the process and methodology that will be undertaken to deliver the objectives.
- Any problems you foresee in terms of implementation, timeframes, technical feasibility and how these can be addressed/ overcome or avoided.

Performance and Payment

The total fee shall be invoiced to the Council in increments on a monthly time and costs basis. If it becomes apparent that the scale of the work is greater than initially estimated, then the successful consultant will be required to advise the Council of this at the earliest possible time and to negotiate any variation to the contract with the project manager. Any changes to project scope will be negotiated between the successful consultant and the Planning Policy Manager.

Conditions to be included in any contract that may arise from this RFP.

Potential consultants should note that the following requirements will be incorporated into any contract that might result from this RFP:

1. All materials produced by the successful consultant for any of the projects will remain the property of the QLDC at all times and shall be provided to the QLDC immediately upon request.
2. If the successful consultant proposes to use their own templates for reports and decisions and/or their own database structure then the QLDC is to be permitted unlimited access to use those report templates and database structures at any time in relation to the project or any other projects that the Council may have at any other time.
3. Any and all files (either in electronic or hard form) must be returned to the QLDC at the completion of the project if requested.
4. To the greatest extent possible files shall be created, maintained and exchanged between the successful consultant and the QLDC as electronic files.
5. Any media enquiries or public comment relating to this project shall be referred to the Council project manager.

8.0 SELECTION PROCESS

The successful consultant will be selected based on the following selection criteria:

1. An evident understanding, expertise and experience with the subject matter of the project; the RMA, related legislation; the background information, and the linkages between this project and others already undertaken and being undertaken by the Council (e.g. decisions on resource consents within the subject area.)
2. The proposed methodology, proposed process (including ability to meet timeframes).
3. Qualifications and experience of personnel relevant to this project.
4. Availability of key personnel.
5. The quality of the proposal, which includes structure, being free from errors etc. This section also relates to the quality control standards of the agency.
6. Policies/procedures for ensuring confidentiality and handling conflicts of interest.
7. Price, including coverage and level of components included in the bid.

9.0 FORMAT, TERMS AND CONDITIONS

The following standard format and instructions will apply.

The general terms and conditions of this RFP are:

1. The proposal shall be delivered by email before **5.00 pm Friday 7 December 2018** to firstname.lastname@qldc.govt.nz.
2. The QLDC reserves the right to accept or decline late proposals or proposals that do not conform to the requirements set out in this RFP, at its discretion.
3. Respondents' proposals must include at least that information outlined in the "Proposal" section of this RFP.
4. This RFP shall not be taken as an offer but rather as an invitation to submit a proposal.
5. The Queenstown Lakes District Council (QLDC) may:
 - Choose amongst the options provided.
 - Contract out only part of the programme described in the proposal.
 - Recommence or terminate the proposal process.
6. The requirements specified in the RFP reflect presently known requirements and preferred manner of purchasing the project. The QLDC reserves the right to vary final requirements.
7. The QLDC shall not be responsible for, or pay any expenses incurred by, a respondent in the preparation of the proposal or any costs incurred by a respondent in relation to the QLDC's selection process.
8. The QLDC will not disclose to third parties outside of this organisation any confidential or commercially sensitive information included in any proposal, excluding to independent contractors and consultants, who are being hired as part of the tender process and the project implementation, unless authorised by the respondents.

Respondents must explicitly identify any information that should be regarded as confidential or commercially sensitive. Once a contract has been agreed to, certain data, such as total price, and quality measures, are unlikely to be regarded as confidential. This does not forgo any obligations under the Official Information Act.

9. Neither this RFP nor the response to it creates any legal obligation.
10. The QLDC may at any time before or after the closing time amend this RFP. The QLDC will notify all potential respondents or short-listed respondents of the changes and give reasonable time to amend proposals to reflect the changes.
11. All information and reports associated with the project shall be deemed to be the property of the QLDC.

APPENDIX E Design Related Residential Development Controls

Development Control	LDSR	MDR	HDR
Intensity	2 per site Artn = 1 per site	3 per site Artn = 1 per site	3 per site = P 4+ per site = RD
Building Height (flat sites ≤ 6°) max	Q: 8m, W: 7m. A: 6.5m, Additional unit: 5.5m	8m, excl. Wnk/Artn = 7m	(Q) 12-15m = RD 15m+ = D (W) 8-10m = RD 10m+ = D
Building Height (sloping sites > 6°) max	7m excl. Artn: 6m, Additional unit: 5.5m	As above	(Q&W) 7-10m = RD 10m+ = D
Building Coverage (max)	40%	45%	70% (above this = NC)
Landscaped Permeable Surface Coverage (min)	30%	25%	20% (below this = NC)
Minimum Boundary Setbacks	Road: 4.5m, Side and Rear	Roads 3m, State Highways 4.5m	All: 2m, SH = 4.5m
Building Separation within sites	4m excl. attached buildings	N/A	N/A
Recession Planes (flat sites only)	N: 2m+55°, W,E: 2.5m+45°, S: 2.5m+35°	N: 2m+55°, W,E: 2.5m+45°, S: 2.5m+35°	N: 2m+55°, S,W,E: 2.5m+45°
Continuous Building Length	16m max (for buildings above 1 storey)	24m max (for buildings above 1 storey)	30m max (for buildings above 1 storey)
Density (max)	1 per 300m ²	1 per 250m ²	Nil
Waste and recycling storage space	To be provided for a 120L wheelie bin, 240L recycle bin per unit, suitable screening	To be provided for a 120L wheelie bin, 240L recycle bin per unit, suitable screening	Residential activities of 3 units or less shall provide, as a minimum, space for a 120L residential wheelie bin and 240L recycling wheelie bin per unit.
Glare	< 3 lux spill	< 3 lux spill	< 3 lux spill
Setback from water bodies	7m min	7m min	N/A
Parking – Residential Flat	No minimum parking requirement for a residential flat having no more than one bedroom 1 per residential flat, 2 per unit	0.7 per studio unit/ fl at and 1 bedroom unit/ fl at 1.0 per 2 bedroom unit/ fl at 1.5 per unit/ fl at comprising 3 or more bedrooms.	0.25 per studio unit/ flat and 1 bedroom unit/ flat 0.5 per unit/ flat for all other units.
Garages	N/A	< 50% front elevation width	Min Setback = 4.5m