

In the Environment Court  
At Christchurch

ENV-2024-CHC-

I te Kōti Taiao o Aotearoa  
Ki Ōtautahi

**Under the** Resource Management Act 1991 (**Act**)

**In the matter** of an appeal under clause 14(1) of Schedule 1 of the Act

**Between** **PISA MOORINGS VINEYARD LIMITED AND PISA VILLAGE DEVELOPMENT LIMITED**

Appellant

**And** **CENTRAL OTAGO DISTRICT COUNCIL**

Respondent

---

**NOTICE OF APPEAL BY PISA MOORINGS VINEYARD LIMITED AND PISA VILLAGE DEVELOPMENT LIMITED**

**Dated: 2 August 2024**

---

---

**SIMPSON  
GRIERSON**

**Sarah Scott**  
T: +64 3 968 4018  
sarah.scott@simpsongrierson.com  
PO Box 874 Christchurch

**To:** The Registrar  
Environment Court  
Christchurch

- 1. Pisa Moorings Vineyard Limited and Pisa Village Development Limited (Appellant)**  
appeal against part of the decision of Central Otago District Council (**Council**) on Plan Change 19 (**PC19**) to the operative Central Otago District Plan (**ODP** or **District Plan**) (**Decision**).
- 2.** The Appellant made a submission and further submissions on PC19.
- 3.** The Appellant received notice of the Decision on 29 May 2024 and then again through a renotification of the Decision to make changes relating to the Future Growth Overlay Areas (text, and mapping), on 27 June 2024.
- 4.** The Appellant is not a trade competitor for the purposes of section 308D of the Act.
- 5.** The parts of the Decision that the Appellant is appealing are:
  - (a) The imposition of a Future Growth Overlay (**FGO**) over the Appellant's land at Pisa Moorings;
  - (b) Rule SUB-R8 as it applies to Pisa Moorings; and
  - (c) The failure to apply a Commercial Precinct Overlay and related provisions over part of the Appellant's land.

## **Background**

- 6.** The Appellant's Site is 24.3ha in area and was notified in PC19 as part Rural Resource Area, Low Density Residential (**LRZ**) and Large Lot Residential Precinct 1 (**LLRZ-P1**). The land is legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309. No FGO (relating to infrastructure constraints) was notified over the site, including over the notified LRZ or LLRZ-P1.
- 7.** The site is located between State Highway 6 (**SH6**) and the western edge of the existing urban settlement of Pisa Moorings. It contains an existing orchard, pack house and

worker accommodation in the northern half, and an existing vineyard with supporting infrastructure in the southern half.

8. The submission sought that the Site be rezoned to a combination of LRZ, Medium Density Residential (**MRZ**), and a Local Convenience Retail zone or precinct. The submission also sought the addition of a structure plan into the District Plan, with some location specific controls.
9. ODP Scheduled Activity 127 (**SA127**) is located on the Site. As it was not clear at notification of PC19 whether SA127 was under review, the Appellant's submission sought the retention of SA127 and its associated rules.
10. The submission on PC19 was comprehensively supported by rezoning plans and structure plans, an assessment of effects on the environment, a planning statement, s32 evaluation, servicing report, transport, landscape, a detailed site investigation, and acoustic assessments.
11. The Decision addressed the Appellant's Submission at Section 5.9.1 of its report. The Decision records the Hearings Panel's key findings as:<sup>1</sup>

336. *The Panel acknowledges that the submitter included a range of technical assessments in the original submission. Based on these, the Panel is of the view that the zoning be approved, subject to the following:*

- a) *To address servicing limitations, a Future Growth Overlay is to be applied in the interim until the servicing matters are resolved; and*
- b) *The removal of the Commercial Precinct within the site; and*
- c) *The application of MRZ within part of the site; and*
- d) *The changes recommended by Ms White, particularly in terms of changes to the Structure Plan proposed by the submitter and the related policy framework, that we note have been accepted by Mr Barr.*

337. *In relation to the application of a commercial precinct and inclusion of related provisions, the Panel does not agree with the inclusion and accept Ms White's recommendation that the site is zoned LRZ and MRZ, identified as the Pisa West – Zoning Plan attached to the evidence of Campbell Hills, with a Future Growth Overlay also applied (excluding the small portions of the site currently zoned Residential Resource Area (3) and (13)).*

338. *The Pisa West - Structure Plan attached to the evidence of Campbell Hills is inserted into the District Plan, subject to:*

---

1 Decision Report at [336].

- a) *The area marked as “Existing Scheduled Activity 127 (to remain)” being amended to read: “Scheduled Activity 127”; and b) The Commercial Precinct being removed as well as the related text in the “Notes” box.*
339. *The area delineated on the Pisa West - Structure Plan attached to the evidence of Campbell Hills as a “Building Line Restriction (Flood Risk)” should also be identified as such on the planning maps.*

12. The Decision therefore largely supports the Appellant’s submission to rezone the Site to a combination of LRZ and MRZ and to include a structure plan in the district plan. The Decision has included a permitted activity rule LRZ-RX for SA127 in the LRZ.
13. Through this appeal, the Appellant seeks that an alternative approach be taken to managing (infrastructure) servicing limitations at Pisa West. The Appellant also seeks the Commercial Precinct be applied over part of the Site, by adding it to the Structure Plan (or plan maps) along with the relevant provisions.

#### **Infrastructure constraints: Future Growth Overlay**

14. FGOs as a planning tool were used in PC19 as notified. Their purpose was to apply to land where the uptake for development was some years away and related to development capacity and demand in Alexandra. The FGO as notified did not alter the existing zoning (the land was to be retained as the relevant Rural zone), but signalled areas where future growth is anticipated to be accommodated, subject to future more detailed consideration, particularly in terms of servicing.<sup>2</sup> A plan change would have still been required to apply a residential zone to the land in question and allow the land to be developed.
15. Following concerns raised by submitters, the renotified Decision has accepted that relevant land should be rezoned to the residential zone that was held to be appropriate through the Decision, along with a FGO overlay. **Figure 1** below shows the renotified plan maps for the Site.

---

2 PC19 Section 32 Evaluation Report at [11].





**Figure 1.** Decisions PC19 Zone Map illustrating the LRZ (yellow) MRZ (orange) and the FGO overlay (yellow solid and dashed lines).

16. The land over the Appeal Site has been rezoned to a mix of LRZ and MRZ as sought by the Appellant. However, as can be seen in **Figure 1** an FGO has been applied over the majority of the Appeal Site<sup>3</sup> in order to trigger a specific rule that is intended to provide for infrastructure planning to be integrated with the development of the Site.<sup>4</sup> That rule is Rule SUB-R8, which states (relevantly):

<i>SUB-R8</i>	<i>Subdivision of Land within a Future Growth Overlay</i>	
<i>Future Growth Overlay – Pisa Moorings</i>	<i>RDIS</i>  <i>Where:</i>  <i>1. The Cromwell Wastewater Treatment plant has been upgraded to implement nitrogen removal and increase the capacity of the membrane treatment plant; and</i> <i>2. The Cromwell and Pisa Moorings Water schemes have been combined and a regional council water take consent issued.</i>	<i>Activity status when compliance is not achieved with R8.1 or R8.2: NC</i>

3 The FGO has correctly *not* been applied to a small area of land at the southern end of the Site, as it already had a residential zoning in the ODP (and notified PC19). That part of the Site is not under Appeal.  
 4 Section 42A Report Stage 2 Liz White at [257], as adopted in the Decision.

	<i>Matters of discretion are restricted to: Those matters set out in SUB-R6.</i>	
--	--	--

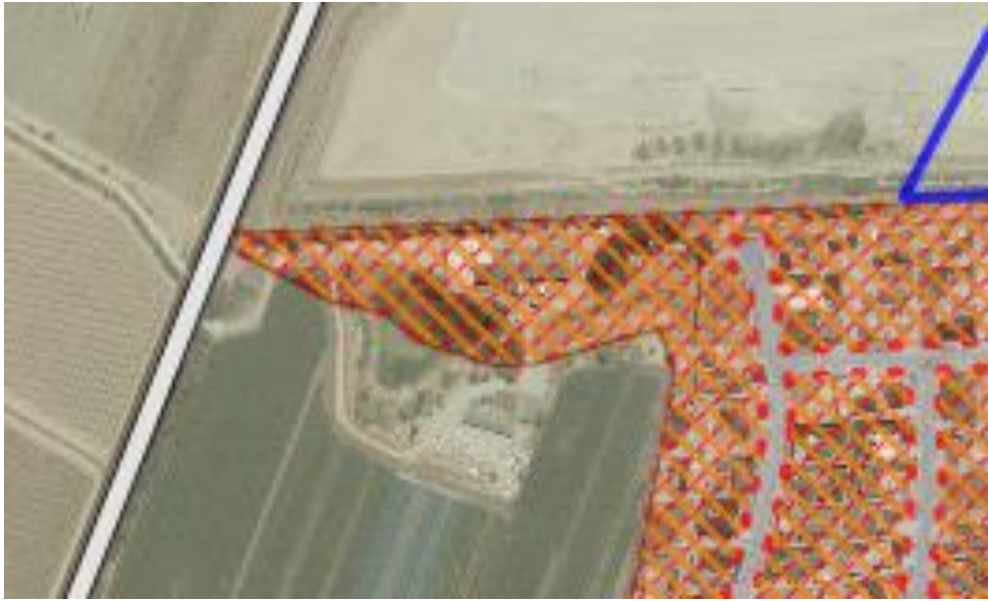
17. The Appellant’s expert evidence acknowledged that certain water and wastewater constraints applied to part of the Site (with the exception of the existing areas of LRZ and LLRZ-P1 on the Site that were notified with development rights and no associated FGO). The Appellant’s evidence supported alternative methods to an FGO such as a rule and/or policy which identifies and allows those infrastructure constraints to be engaged at the time of subdivision.
  
18. The PC19 process has identified that the Cromwell Ward (which Pisa Moorings is part of) is experiencing sustained and higher residential growth than Alexandra/Vincent Ward areas. The Appellant says that there are more efficient and effective methods available than an FGO to manage subdivision and development with identified water and wastewater network constraints.
  
19. More detailed reasons for opposing the FGO at Pisa West include:
  - (a) The FGO has been applied over land at the northern end of the Site that was already zoned in the ODP as Residential Resource Area (RRA-3), and that was notified in PC19 with a LLRZ-P1 area (refer to **Figures 1 and 2**). There was no suggestion in any related ODP or notified PC19 provision that there was an infrastructure constraint for this part of the Site, instead residential subdivision and development was provided for at a density of one residential unit/allotment per 1000m<sup>2</sup>, without any rules relating to servicing constraints. The Council therefore erred in imposing the FGO and associated rules over the area notified in PC19 as LLRZ-P1.
  - (b) While seeking the removal of the FGO over the notified LLRZ-P1 area, that area is irregularly shaped and a more efficient and effective method is available to provide for limited subdivision and development on the Site prior to applying water or wastewater servicing rules.
  - (c) Rule SUB-R8 has been introduced to apply specifically to the Pisa West Structure Plan area, being the Appellant’s Site. No explanation of the infrastructure upgrades / consent referred to in the two limbs is given in the Decision to provide more context. The Appellant says that both limbs are too

uncertain to be standards in a district plan rule, and are therefore void for uncertainty, and in respect of limb (ii), is unlawful as the activity status is triggered by the need for a third party obtaining resource consent from ORC.

By way of example:

- (i) Limb (i) refers to an increase in capacity of the membrane treatment plant system, but does not state how much the increase in capacity is to be in order to satisfy R8.1. The need to “implement nitrogen removal” is vague and uncertain;
- (ii) Limb (ii) requires “a regional council water take consent” to have been issued, following the combining of the Cromwell and Pisa Moorings Water schemes. It is not clear exactly what water take this standard is referring to (nor where), or what is required for the schemes to be “combined”.
- (iii) Through Limb (ii) the restricted discretionary activity (**RDA**) status cannot be utilised until a third-party has obtained a resource consent (permit). The activity status of residential activity within the Pisa Moorings FGO therefore relies on separate decision making by Otago Regional Council.
- (d) The FGO approach along with the RDA rule, is not the most appropriate framework.

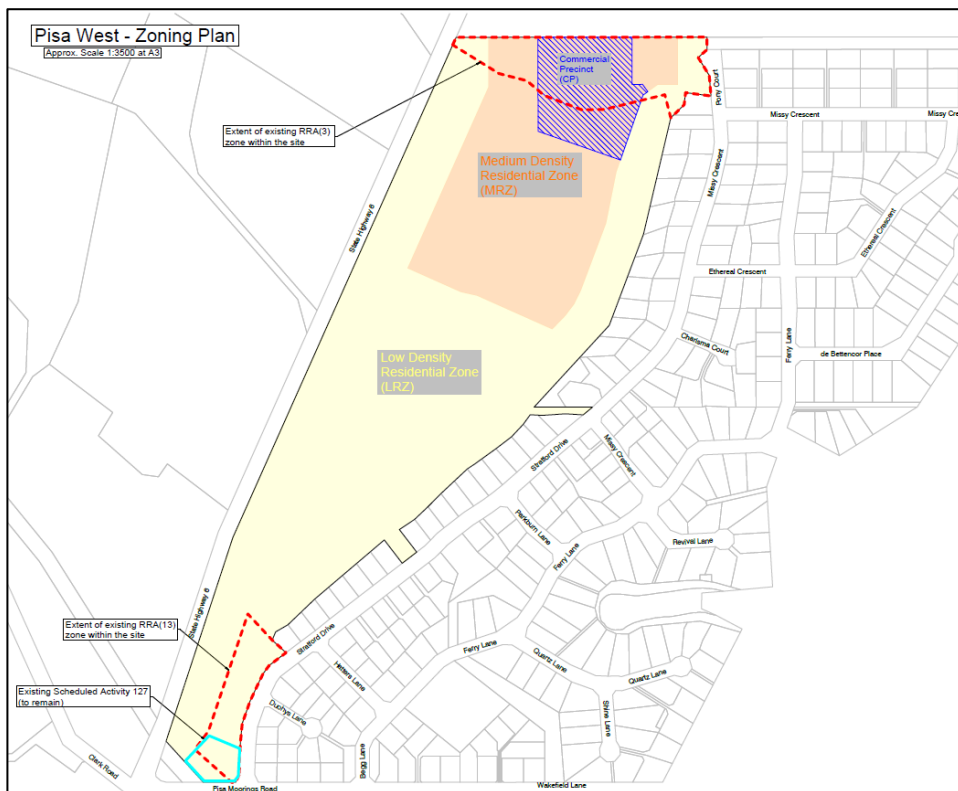
- 20.** The more efficient and effective approach is to instead rely on a Matter of Discretion which allows the Council to decline consent if the capacity in the wastewater or water supply schemes is not available. This approach will allow for the existing capacity in each system to be utilised, will give the Council sufficient certainty and control on when future development can proceed, allows for sufficient flexibility in the landowners choosing what part of the site can be more efficiently developed first, and means that the drafting deficiencies in SUB-R8 do not need to be resolved.



**Figure 2** Excerpt of ODP illustrating the existing area of RRA(3) zone on Pisa Village Development Limited's land.

### Commercial Precinct Overlay

21. At the Council hearing the Appellant requested a Commercial Precinct be applied to a 1.7ha area of proposed MRZ as illustrated in the Submission rezoning plan in **Figure 3**.



**Figure 3.** Submission rezoning plan illustrating the area of Commercial Precinct sought (blue hatching), the red dotted outline are the areas zoned in the ODP, and notified in PC19 as LLRZ-P1 (north) and LRZ (south).

- 22.** The submission sought a Commercial Precinct to address the shortfall of local convenience retail at Pisa Moorings and to provide for local retail and community activities such as an early childhood centre and health consulting rooms. The framework included the following proposed rules:
- (a) A restricted discretionary activity requirement for buildings, and for anticipated activities, so that the form, function and effects can be managed to ensure a good quality urban design outcome;
  - (b) A rule providing for a limited range of commercial activities so that the Precinct is used as intended for local services, and providing for residential units above ground floor; and
  - (c) Rules limiting the floor area of individual office and individual retail activities to ensure that the activities are of a small scale, fulfil a local need and do not have potential to detract from the role, function and viability of the existing Business Zoned land in Cromwell.
- 23.** The Decision adopted the S42A report recommendations which did not support the Commercial Precinct for the following reasons:<sup>5</sup>
- (a) PC19 only relates to residential areas and does not propose to alter the current Business Resource Area zonings or framework;
  - (b) A precinct with a retail function would not align with the National Planning Framework Standards, which describe the MRZ and LRZ as “areas used predominantly for residential activities”; with the types of activities anticipated by the proposed commercial precinct aligning instead with a commercial zoning, such as a neighbourhood centre or local centre zoning and it would therefore be inconsistent with the NP Standards to apply a precinct;
  - (c) A resource consent pathway is a viable option; and
  - (d) Alternatively, the Hearings Panel may consider it more prudent to apply a Business Resource Area zoning to the area identified in the submission as “Convenience Retail and Mixed Use” at this time, with the specific framework and zone reconsidered when the Business Resource Area is reviewed.

---

5 Section 42A Report Stage 2 Liz White at [249].

24. The Appellant says that the Decision erred, including for the following reasons:
- (a) The analysis of the existing and anticipated character of the Appellant Site and surrounding environment failed to properly give effect to the Appellant’s evidence, including the landscape evidence of Ms Gilbert;
  - (b) The Commercial Precinct is compatible with the National Planning Standards Framework;
  - (c) Applying a Commercial Precinct to the Site does not alter the current Business Resource Area Zone framework, that factor is irrelevant to whether the change can be made to the Submitter’s Site;
  - (d) The majority of the part of the Site sought to have a Commercial Precinct Overlay, was notified as part of PC19. The Submitter made a submission “on” the notified zoning, asking for a Commercial Precinct (or Zone) to be applied. That was clearly available to the Submitter as the appropriate zone for the land in question was up for review, and is supported by case law. Any additional Commercial Precinct Overlay sought is consequential and can also be supported by case law. In any event, the Decision itself has acknowledged there is scope to apply commercial zones or precincts by rezoning other submissions seeking a Business Zone, including the following submissions:
    - (i) Submission #61 Foodstuffs at Alexandra (LRZ to Business Resource Area).<sup>6</sup>
    - (ii) Submission #62 Foodstuff at Cromwell (LRZ to Business Resource Area)<sup>7</sup>.
    - (iii) Submitter #125 Keyrouz Holdings Ltd at Cromwell (LRZ and MRZ to Business Resource Area).<sup>8</sup>
  - (e) The Decision gave insufficient weight to the expert evidence for the Appellant;
  - (f) The Decision failed to recognise the positive effects of the Commercial Precinct Overlay sought by the Appellant with respect to the Appellant Site; and
  - (g) The Commercial Precinct is a more appropriate framework.

---

6 Decision report at [204].

7 Decision report Appendix 2 Table of Decisions at [18].

8 Decision Report at [248].

## Relief

25. The Appellant seeks the following relief:

### Future Growth Overlay

Preferred relief:

- (a) The removal of the FGO and related Rule SUB-R8 over all of the Appellant's Site, with a Matter of Discretion in relation to servicing of wastewater and water supply instead relied on;

Or in the alternative:

- (b) Retain the FGO but amend Rule SUB-R8 as it applies to Pisa Moorings so that a specified amount of development can obtain subdivision consent before the RDA rule is triggered. This will allow for the existing capacity in current wastewater and water supply schemes to be utilised before the standards in SUB-R8 are triggered;
- (c) Further amend Rule SUB-R8 (i) and (ii) to provide the necessary certainty so that the standards are certain and *vires*, and remove the non-complying activity status for when the standards are not achieved;

Or in the alternative:

- (d) Remove the FGO from part(s) of the site so that residential subdivision and development up to (at least) the amount of residential activity already provided for in the notified LLRZ-P1 area on the Site, can proceed prior to the infrastructure upgrades listed in SUB-R8 (i) and (ii);
- (e) Further Amend Rule SUB-R8(i) and (ii) as per (c) above.

### Commercial Precinct Overlay

- (f) A Commercial Precinct Overlay is applied to the Site as shown on **Figure 3** above, or generally in the northern part of the Site; and
- (g) Location specific rules are included within the LRZ or MRZ convenience retail framework (i.e Rules LRZ-13 and MRZ-13), as sought at the Council hearing.

26. The Appellant also seeks any consequential relief to those or other related provisions necessary to give effect to the detailed relief set out above, and costs.
27. The Appellant **attaches** the following documents to this notice of appeal:
- (a) a copy of the Decision (**Attachment 1**);
  - (b) a copy of the Appellant's submission (**Attachment 2**) and further submission (**Attachment 3**); and
  - (c) a list of names and addresses of persons to be served with a copy of this notice (**Attachment 4**).

**DATED** this 2<sup>nd</sup> day of August 2024



---

S J Scott  
Counsel for Pisa Moorings Vineyard Limited and  
Pisa Village Development Limited



This notice of appeal is filed by SARAH JANE SCOTT solicitor for the Appellant of the firm of Simpson Grierson.

The address for service of the Appellant is at the offices of Simpson Grierson, Level 1, 151 Cambridge Terrace, Christchurch. 8013,

Documents for service on the Appellant may be left at that address for service or may be -

- (a) posted to the solicitor at PO Box 874, Christchurch 8140; or
- (b) emailed to the solicitor at [sarah.scott@simpsongrierson.com](mailto:sarah.scott@simpsongrierson.com).

### **Advice to recipients of copy of notice of appeal**

#### *How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,-

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

#### *Advice*

If you have any questions about this notice, contact the Environment Court in Auckland.

**Attachment 1: Decision on PC19**



1 Dunorling Street  
PO Box 122, Alexandra 9340  
New Zealand



03 440 0056



[Info@codc.govt.nz](mailto:Info@codc.govt.nz)  
[www.codc.govt.nz](http://www.codc.govt.nz)



# Central Otago District Council

---

## Plan Change 19 – Decision of the Central Otago District Council Hearings Panel

# 1 Contents

1.	Introduction .....	4
1.1	Purpose of this Report .....	4
1.2	Structure of Decision.....	4
1.3	Role of Panel .....	5
1.4	Comments on Parties Assistance .....	5
2	Plan Change Context.....	6
2.1	Notified Plan Change .....	6
2.2	Notification and submissions .....	7
2.3	Pre-hearing directions and procedures .....	7
2.3.1	Minute 1 .....	7
2.3.2	Minute 2 .....	7
2.3.3	Minute 3 .....	7
2.4	Post-hearing directions, procedures, and preliminary matters.....	7
2.4.1	Minute 4 .....	7
2.4.2	Minutes 5 and 6 .....	8
2.4.3	Additional Evidence Received from Submitters.....	9
3	Statutory Framework.....	11
4	Evaluation of Key Issues Raised in Submissions.....	11
4.1	National Policy Statement for Urban Development (NPS-UD) .....	11
4.2	Low Density Zone - Density.....	14
4.3	Medium Density Zone Site Coverage.....	16
4.4	Medium Density Guidelines Implementation.....	17
4.5	Comprehensive Development/Structure Plan Approach .....	18
5	Evaluation of Key Zoning Submissions.....	22
5.1	Servicing.....	22
5.2	Future Growth Overlays.....	23
5.3	PC19 Proposed Zoning - Alexandra.....	27
5.3.1	Graveyard Gully Road.....	27
5.3.2	North Alexandra (Dunstan Road).....	28
5.4	PC19 Proposed Zoning - Bannockburn.....	30
5.4.1	Domain Road Vineyard Zoning.....	30
5.4.2	Bannockburn Density/ Minimum Allotment.....	31
5.5	PC 19 Proposed Zoning - Cromwell.....	34

5.5.1	North Cromwell.....	34
5.6	Zoning Requests – Alexandra.....	38
5.6.1	Centennial Ave / Clutha Street / Ashworth Street ‘Block .....	38
5.6.2	Alexandra Supermarket .....	39
5.6.3	MRZ in north-west of Alexandra .....	40
5.6.4	155-157 Dunstan Road, and part of 129 Gilligans Gully Road .....	41
5.6.5	Alexandra-Fruitlands Road and McGregor Road .....	44
5.7	Zoning Requests – Cromwell.....	45
5.7.1	Keyrouz Holdings Limited (#125) .....	45
5.8	Zoning Requests - Bannockburn .....	46
5.8.1	J Jones Family Trust and N R Searell Family Trust (#82) .....	47
5.8.2	Stephen Davies (#147) .....	51
5.8.3	J Klevstul and R Klevstul and Rubicon Hall Road Limited (#163) .....	56
5.8.4	Carine Macleod (#135).....	59
5.8.5	Harold Kruse Davidson and Koraki Limited and ScottScott Limited (#143) .....	60
5.8.6	Nakita Smith and Kieran Parsons (#100).....	61
5.9	Zoning Requests - Pisa Moorings.....	63
5.9.1	Pisa Moorings Vineyard Ltd & Pisa Village Developments Ltd.....	63
5.9.2	Parkburn Quarry (Fulton Hogan).....	65
5.9.3	Wakefield Estates Limited (#138) .....	66
5.10	Zoning Requests - Lowburn.....	67
5.10.1	A F King and Sons Ltd (#83).....	67
5.10.2	Lakeside Christian Centre (#142) .....	69
5.10.3	Lowburn Viticulture Ltd (#123).....	71
5.11	Zoning Requests – Ranfurly .....	75
5.11.1	John Elliot (#81) .....	75
6	Decisions on Other Submission Points Raised in Evidence.....	76
7	Statutory Considerations .....	87
8	Overall Recommendations.....	88
	Appendix 1 – PC 19 Provisions as Amended by Decisions .....	
	Appendix 2 – Table of Decisions .....	

**Central Otago District Council  
Plan Change 19  
Residential Chapter Review**

**Decision of the Central Otago District Council Hearings Panel**

---

## 1. Introduction

### 1.1 Purpose of this Report

1. This report outlines the decision of the Central Otago District Council Hearings Panel (the Panel) on Proposed Plan Change 19 (PC19) to the operative Central Otago District Plan 2008.
2. The Panel is appointed by the Council to hear submissions made on the plan change and to draft a decision for the approval of the Central Otago District Council (the Council) as to whether PC19 should be declined, approved or approved with amendments.
3. The plan change has been the subject of a section 32 report, public notification and hearing process, culminating in our recommendation.

### 1.2 Structure of Decision

4. The recommendations in the section 42A reports prepared by Ms White have been adopted by this panel unless otherwise amended following the hearing of submissions, evidence, and the right of reply, as indicated in this decision.
5. All recommended amendments to provisions are shown by way of strikeout and underlining in the Residential Provisions Chapter in Appendix 1 of this decision.
6. A table of decisions on all submissions is available in Appendix 2.
7. The Panel has had the opportunity to hear from submitters in support of their submissions. In this respect, our decision is broadly organised as outlined below:
  - a) Factual context for the plan change (in Section 2): This a non-evaluative section and contains an overview and an outline of the main components of the plan change providing relevant context for considering the issues raised in submissions to the plan change. Here, we also briefly provide a summary account of the hearing process itself which involved, at the Panel's request, provision of further information and evidence from the parties. We also consider here various procedural matters about the submissions received. Section 3 outlines the statutory framework for the plan change.

- b) Evaluation of key issues (Sections 4-6): These sections contain an assessment of the main issues raised in submissions to PC19 (Section 4) and, where relevant, reference is made to the evidence/statements presented at the hearing, along with an assessment of submissions received in relation to PC 19 Zonings, requests for new zonings (Section 5), and other submission points raised in evidence (Section 6).
- c) We conclude with an overall summary of our findings (in Section 8), having had regard to the necessary statutory considerations that underpin our considerations (in Section 7). In Section 8 we record some concluding comments about the proposal, the issues arising, and our overall findings, with our recommended decision. All of these parts of the report are evaluative, and collectively record the substantive results of our deliberations.

### 1.3 Role of Panel

- 8. As noted above, the Panel role is to hear submissions and draft a decision for the approval of Council on the outcome of Plan Change 19.
- 9. The authority delegated to us by the Council includes all necessary powers under the RMA to hear and to provide a recommended decision on the plan change to the Council.
- 10. Having familiarised ourselves with PC19 and its associated background material, read all submissions, conducted the hearing and site/locality visits, we hereby record our findings.

### 1.4 Comments on Parties Assistance

- 11. We would like to record our appreciation at the manner in which the hearing was conducted by all the parties taking part.
- 12. In the course of considering PC19, we issued a series of instructions and requests for further information and evidence. This involved significant work and effort from witnesses and counsel, and we are grateful for this assistance.
- 13. The Panel would also like to thank the section 42A report writer, Ms White, for the quality of both section 42A reports (Stage 1 and Stage2) and her reply, which were of considerable assistance in making this decision.

## 2 Plan Change Context

### 2.1 Notified Plan Change

14. The Section 32 evaluation<sup>1</sup> that accompanied PC19 provide describes purpose and background of the plan change as follows:

*“PC19 proposes to make a complete and comprehensive suite of changes to the way the District’s residential areas are zoned and managed. As such, it proposes to:*

- *Replace the current Section 7 Residential Resource Area of the Plan with a new Residential Zone Section, comprising:*
  - *a Large Lot Residential Zone (LLRZ) chapter;*
  - *a Low-Density residential Zone (LRZ) chapter;*
  - *a Medium Density Residential Zone (MRZ) chapter; and*
  - *a Residential Subdivision chapter (SUB); and*
- *Amend the planning maps to rezone land in general accordance with what has been identified in the Vincent and Cromwell Spatial Plans (the Spatial Plans) and to reflect the new zone names above; and*
- *Amend Section 18 Definitions to insert new definitions that apply in the Residential Zones chapter and make consequential amendments to existing definitions to clarify the sections of the Plan where they apply; and*
- *Make consequential changes to other sections of the Plan to reflect the proposed new zones.”*

15. PC19 rationalises the operative provisions where appropriate, and in particular those related to Residential Resource Areas 1-13 to simplify the variations in standards and densities where those variations are no longer considered necessary to achieve the outcomes sought.

16. Further updates to the provisions were also proposed to align with current best planning practice, and where changes to the current approach were not considered necessary to achieve the outcomes sought for residential areas, the current provisions are proposed to be rolled over into the new residential zone chapters.

17. In determining the appropriate residential zones and drafting new provisions, the National Planning Standards have been implemented to the extent that it has been possible to do so ahead of the full District Plan Review; including the adoption of the Zone Framework Standard and Format Standards for the new residential zones and Residential Chapter, and the adoption of definitions insofar as they apply to the provisions proposed in the Residential Chapter.

---

<sup>1</sup> Section 32 Evaluation (paras 3-13)



18. While guided by the outcomes of the Cromwell and Vincent Spatial Plans, the zoning proposed in PC19 differs in two instances to that shown in the Cromwell Spatial Plan. The first is in relation to properties fronting Lake Dunstan on Bell Avenue, Lake View Terrace, Stout Terrace, Thelma Place, the McNulty Inlet recreational area/lakefront, and the nohoanga site, that was identified in the Cromwell Spatial Plan as Low Density Residential.
19. PC19 as notified proposed to re-zone this area as a combination of LRZ and LLRZ. The change in density in this area will reduce the residential yield anticipated by the Cromwell Spatial Plan. This has been offset to some degree by the second difference which is an extension of the proposed Medium Density zoning between Waenga Drive and State Highway 6 from the local purpose reserve containing the walkway to Ripponvale on Waenga Drive, to opposite Ripponvale Road.
20. PC19 is part of the Council's District Plan Review programme, and it also applies to all existing Residential Resource Areas, including those outside areas covered in the spatial plans.

## 2.2 Notification and submissions

21. PC 19 was publicly notified on 9<sup>th</sup> July 2022, with submissions closing 2<sup>nd</sup> September 2022. One hundred and seventy-one original submissions were received.
22. A summary of submissions received was notified on 1<sup>st</sup> December 2022 closing 2<sup>nd</sup> September 2022. Seventy-six further submissions were received.

## 2.3 Pre-hearing directions and procedures

### 2.3.1 Minute 1

23. Minute 1 was issued by the Panel on 22 March 2022 providing instruction to parties and outlining expectations in terms of timing, exchange of evidence and hearing of submissions on Stage 1 (Provisions).

### 2.3.2 Minute 2

24. The panel reminded submitters that summary of submissions of evidence was required to be submitted.

### 2.3.3 Minute 3

25. Minute 3 was issued by the Panel on 28<sup>th</sup> April 2023 providing instruction to parties and outlining expectations in terms of timing, exchange of evidence and hearing of submissions on Stage 2 (Zoning).

## 2.4 Post-hearing directions, procedures, and preliminary matters

### 2.4.1 Minute 4

26. Following the hearing of evidence in support of submissions on PC 19 the Hearings Panel issued Minute 4 on 7 July 2023 with instructions to Council staff and the section 42A report writer.

27. Minute 4 requested reviews of expert evidence presented by submitters, legal advice and urban design advice and issued directions for the review and circulation of additional evidence received post-hearing.
28. The material was circulated to all parties who had the opportunity to comment.

#### 2.4.2 Minutes 5 and 6

29. Minute 5 was issued by the Panel on 26<sup>th</sup> April 2024 in response to the release of Environment Court Decision No. [2024] NZEnvC 83 on 18 April 2024. The decision considered the legal issue: “...can more detailed mapping undertaken since 17 October 2022 using the Land Use Capability (LUC) classification prevail over the identification of land as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory (NZLRI) and determine for the purposes of cl 3.5(7) of the NPS-HPL whether land is highly productive land (HPL)”.
30. In the course of the hearing submissions the Panel received legal and planning evidence on behalf of two submitters who considered it was possible to undertake site-specific assessments during the transitional period of the NPS-HPL that would change the classification of land. Minute 5 was issued by the Panel inviting the following parties to provide written comment in relation to the decision of the court:
- Ms Rebecca Wolt, legal counsel on behalf of Mr Stephen Davies<sup>2</sup> and Lowburn Viticulture Limited<sup>3</sup>
  - Mr Jake Woodward on behalf of Mr Stephen Davies and Lowburn Viticulture Limited
  - Ms Liz White, s42A report writer
  - Ms Jayne Macdonald, legal counsel for Central Otago District Council
31. Ms Wolt on behalf of Mr Davies and Lowburn Viticulture Limited requested an extension to the timeframe for a response. The Panel agreed to a small extension through Minute 6 to Midday on Monday 13<sup>th</sup> May.
32. Written comments were received from Ms Wolt, Mr Woodward and Ms White within the permitted timeframes of Minutes 5 & 6. The supplementary comments have been considered in relation the requests for additional zoning through submissions by Mr Davies and Lowburn Viticulture Limited.
33. No further comments have been received from Ms Macdonald in response to Minute 5, other than to confirm that her response in relation to Minute 4 provides a view that is consistent with the decision of the Environment Court.
34. The Panel consideration of the submissions from Mr Davies and Lowburn Viticulture Limited, and the supplementary comments received in response Minute 5 are addressed further in this decision starting at paragraphs 49 and 61 respectively.

---

<sup>2</sup> Submitter #147

<sup>3</sup> Submitter #123

## 2.4.3 Additional Evidence Received from Submitters

### 2.4.3.1 *Lowburn Viticulture Limited*

35. Lowburn Viticulture Limited (LVL)<sup>4</sup> in evidence to the panel indicated that LVL had paid a development contribution in 2018 of \$73,000 in relation to Resource Consent 160414 that Mr van der Velden believed was to be used to upgrade the Lowburn wastewater.
36. At the hearing Councillor Gillespie, indicated that this was not his understanding of how development contributions were applied. Councillor Gillespie advised he would take advice from staff regarding Mr van der Velden's comments.
37. A memorandum dated 2 June 2023 was received from legal counsel Rebecca Wolt on behalf of LVL outlining in more detail the submitters understanding of the contributions paid along with a copy of the contribution notice and invoice.
38. The Panel has made enquiries regarding the contribution paid in the context of RC 160414 and have been advised that the contribution charged was a financial contribution towards the Lowburn and Pisa Mooring Sewer Extension.
39. The enquiries confirmed the contributions charged were a connection charge that stems back to when Lowburn and Pisa Moorings were connected to the Cromwell wastewater system, rather than contributing to future upgrades, as might be the case with a Development Contribution.
40. The contribution relates to the additional 20 allotments created by RC 160414 and their contribution towards the existing sewer extension.
41. In conclusion the Panel has determined that the contribution paid in the context of RC 160414 does not contribute to any future upgrades required to enable additional development to occur, rather it is the cost of connection to pay for the cost of providing the network Lowburn and not a development contribution.

### 2.4.3.2 *Sugarloaf Vineyards Limited and Topp Property Investments 2015 Limited*

42. The panel acknowledges the receipt of a memorandum dated 1 June 2023 from James Gardner-Hopkins on behalf of Sugarloaf Vineyards<sup>5</sup> Limited and Topp Property Investments 2015 Limited<sup>6</sup> seeking leave to submit late evidence.
43. The evidence was prepared by Natalie Hampson a Director for Market Economics Limited and is a peer review of the yield assessment prepared by Rationale Limited (Rationale) and released with the section 42A report.
44. The Panel accepted the report by Ms Hampson and requested a response from Rationale to the matters raised in the report.

---

<sup>4</sup> Submitter #123

<sup>5</sup> Submitter #162

<sup>6</sup> Submitter #161

45. The response from Rationale<sup>7</sup> notes that the scope of the report prepared by them was to provide a high-level assessment using the latest growth projections to check the assessments undertaken for the Cromwell Spatial Plan in 2018 were still appropriate.
46. They also indicate that the model used does not attempt to carry out a parcel level analysis of capacity assessed based on likely overall zone-level density parameters that account for this at a high-level.
47. The panel has considered the report by Ms Hampson and the response by Rationale and agrees with Ms White in her reply that estimates of growth are never going to be exact, rather they rely on assumptions which parties may not agree on. They provide basis on which to understand broadly, likely future growth, and to appropriately plan for it.
48. Growth projections are ultimately estimates, which are used to assist the Council in its planning for future growth. While some parties questioned the methodology and assumptions of the Rationale assessments, the intent scope of the initial assessment was to provide a high-level assessment using the latest growth projections to check the more comprehensive assessments undertaken for the Cromwell Spatial Plan in 2018.
49. The Panel is satisfied that the information provided by Rationale adequately provides a 'check in' against the work completed in the context of the Cromwell Spatial Plan and expects that the Council will continue to monitor actual growth, update its projections, and adjust its planning accordingly where required. This allows for assumptions on which the projections are based to be reconsidered.

---

<sup>7</sup> Rationale Limited response to Minute 4 dated 29 August 2023.

### 3 Statutory Framework

50. The relevant statutory framework for assessing PC19 are set out in the s32A Evaluation Report and in the s42A Reports (Stage 1 and Stage 2).
51. In summary, this requires an evaluation of whether:
- a. it is in accordance with the Council's functions (s74(1)(a)).
  - b. it is in accordance with Part 2 of the RMA (s74(1)(b)).
  - c. it will give effect to any national policy statement or operative regional policy statement (s75(3)(a) and (c)).
  - d. the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)); e. the provisions within the plan change are the most appropriate way to achieve the objectives (s32(1)(b)).
52. In addition, an assessment of the plan change must also have regard to:
- a. Any proposed regional policy statement, and management plans and strategies prepared under any other Acts (s74(2)).
  - b. The extent to which the plan is consistent with the plans of adjacent territorial authorities (s74(2)(c));
  - c. for any proposed rules, the actual and potential effect on the environment of activities including, in particular, any adverse effect (s76(3)); and
  - d. must take into account any relevant iwi management plan (s74(2A)).
53. This decision addresses these matters and commences with an evaluation of the key issues raised in submissions and evidence.

### 4 Evaluation of Key Issues Raised in Submissions

54. This section considers the submissions and further submissions that were received in relation to PC19, excluding those seeking changes to the zoning of specific areas, which are addressed Section 5.

#### 4.1 National Policy Statement for Urban Development (NPS-UD)

##### ***Issue Identification & Evidence***

55. A number of submitters<sup>8</sup> were of a view that the Council is a Tier 3 authority under the NPS-UD and as such is required to give effect to the aspects of the NPS-UD that apply to a Tier 3 authority.

---

<sup>8</sup> Including Stage 1 Evidence of Craig Barr (#82 - Jones Family Trust and Searell Family Trust, #135 - Cairine MacLeod, #139 - Shanon Garden, #146 - Pisa Village Development & Pisa Moorings Vineyard Ltd, #163 - Rowan and John Klevstul), paras 4.1-4.11; #156 - Werner Murray; Stage 2 Evidence of Jake Eastwood (#147 - Stephen Davies), paras 6.2 – 6.18; Stage 1 Evidence of Janne Skuse (#161 - Topp Property Investments 2015 Ltd), paras 12-16; Stage 1 Legal Submissions (#82 - Jones Family Trust and Searell Family Trust) paras 6-22;

56. The matters raised in submissions included:

- a. The definition of “urban environment” does not include reference to a timespan, the time reference in the NPS-UD of up to 30 years should be applied, rather than considering the life of the District Plan produced under the Resource Management Act 1991<sup>9</sup>.
- b. The Council is required to review a plan every ten years, it is considered more likely that the current framework and zoning would be in place for 15-20 years<sup>10</sup>.
- c. That Bannockburn, Lowburn, Pisa Moorings and Cromwell Township / the Cromwell Ward <sup>11</sup>; or Bannockburn, Lowburn and Clyde <sup>12</sup>; or Pisa Moorings, Cromwell, Alexandra and Clyde<sup>13</sup> are sufficiently connected or linked to be part of a housing and labour market, and in considering them together, the threshold is, or will be reached.

57. The Panel notes that the Central Otago District Council has not identified an urban environment that would make Central Otago District Council a Tier 3 local authority in terms of the NPS-UD. Through Minute 4, legal advice was sought on whether the Hearing Panel is required to determine if Central Otago contains an urban environment to which the NPS-UD applies, or whether this is a matter for the Council itself to determine; and what time frame should be applied to the “intended to be” element of the NPS-UD.

58. The advice received from Jayne Macdonald from MacTodd was that while the Council has based PC19 on their interpretation of urban environment, the Hearings Panel is able to make a determination of the latter; and that it would be consistent and logical for the “intended to be” timeframe to be over the 30-year long term period addressed in the NPS-UD.<sup>14</sup>

59. Several submitters considered that PC19 would better give effect to the NPS-UD provisions if it provided a more flexible range of residential densities and additional greenfield zoning<sup>15</sup>; the shortfall in Pisa Moorings and Bannockburn is better met through re-zoning of additional land in those areas; the growth projections overestimate capacity and may not provide sufficient zoning<sup>16</sup>; and the future growth overlay approach retains a rural zoning and the land is not “plan-enabled”.

---

Representations of James Gardner-Hopkins (#163 - Rowan and John Klevstul, #161 – Sugarloaf Vineyards Ltd, #162 – Topp Property Investments 2015 Ltd), paras 12-18.

<sup>9</sup> Stage 1 Legal Submissions (#82 - Jones Family Trust and Searell Family Trust.), paras 11-12; Representations of James Gardner-Hopkins (#163 - Rowan and John Klevstul, #161 – Sugarloaf Vineyards Ltd, #162 – Topp Property Investments 2015 Ltd), para 18.

<sup>10</sup> Evidence of Craig Barr (#82 - Jones Family Trust and Searell Family Trust, #135 - Cairine MacLeod, #139 - Shanon Garden, #146 - Pisa Village Development & Pisa Moorings Vineyard Ltd, #163 - Rowan and John Klevstul), para 4.6.

<sup>11</sup> Stage 2 Evidence of Jake Eastwood (Stephen Davies - #147), paras 6.2-6.18; #156 - Werner Murray, para 48.

<sup>12</sup> Summary of James Gardner-Hopkins (#163 - Rowan and John Klevstul, #161 – Topp Property Investments 2015 Ltd, #162 - Sugarloaf Vineyards Ltd).

<sup>13</sup> Stage 1 Evidence of Janne Skuse (#161 - Topp Property Investments 2015 Ltd), paras 12-16.

<sup>14</sup> Legal Advice, MacTodd Lawyers 11 August 2023.

<sup>15</sup> Stage 1 Evidence of Craig Barr (#82 - Jones Family Trust and Searell Family Trust, #135 - Cairine MacLeod, #139 - Shanon Garden, #146 - Pisa Village Development & Pisa Moorings Vineyard Ltd, #163 - Rowan and John Klevstul), para 4.12.

<sup>16</sup> Stage 2 Evidence of Jake Eastwood (Stephen Davies - #147), paras 6.20-6.25.

60. Mr Barr<sup>17</sup> and Mr Giddens<sup>18</sup> in evidence both considered that the NPS-UD can only be given effect to if the shortfall in capacity in Bannockburn is rectified, noting that housing capacity provided in Cromwell is for a different type of housing (e.g. LRZ and MRZ) than that in Bannockburn.

### **Panel Findings**

61. Section 75 (3) (a) of the RMA requires a District Plan to give effect to any National Policy Statement.
62. The Panel has decided that while it is able to make a decision regarding whether or not the Central Otago District Council is a Tier 3 authority, they would prefer to consider the matters raised in terms of providing for future residential growth across the district within the context of the submissions received and the actions required of a Tier 3 authority.
63. As indicated in Ms Whites reply, under Clause 1.5(1) Tier 3 local authorities are strongly encouraged, but not required to do the things which Tier 1 and Tier 2 authorities are required to do.
64. The NPS-UD is intended to operate over three timeframes. Short Term (1-3 years), Medium Term (3-10 years) and Long Term (10-30 years). The development capacity to be provided over these timeframes requires consideration of infrastructure funding and planning.
65. The Panel considers that suggestions from some submitters that townships be linked together to form an urban environment in the context of the NPS-UD (forming a Tier 3 urban environment), to be at odds with submitters also requiring variety needs to be provided within each of these townships.
66. The Panel agrees with Ms White in her written reply<sup>19</sup>, that variety should be considered as a whole, rather than township by township and that sufficient variety of residential zones proposed in PC19 is sufficient to give effect to the requirements of the NPS-UD, and that a shortfall in one area is not automatically inconsistent with the NPS-UD if sufficient capacity is provided overall.
67. The NPS-UD requires that sufficient capacity is provided to meet demand and the Panel is of the view that it is appropriate for the Council to determine where it is best to provide capacity and variety. In the context of the Cromwell and Vincent wards this has been done through the development of the Cromwell and Vincent Spatial Plans.
68. The Panel is aware that in Lowburn and Bannockburn, the Cromwell Spatial Plan supported the growth of housing, but this was explicitly stated as being balanced with the current section sizes and retaining the character of these areas.<sup>20</sup>
69. In response to a question from the Panel, Mr Barr indicated that in his view the application of the NPS-UD allowed for Council to be more positive to zoning additional land, without being restricted by consideration of infrastructure provision. The panel does not agree with this assertion and notes that objective 6 of the NPS-UD requires decisions on urban

---

<sup>17</sup> Stage 2 Evidence of Craig Barr ((#82 - Jones Family Trust and Searell Family Trust), paras 6.52-6.53.

<sup>18</sup> Stage 2 Evidence of Brett Giddens (#163 - Rowan and John Klevstul), paras 44-45.

<sup>19</sup> Reply Report – Liz White, para 17.

<sup>20</sup> Page 44 & 45 Cromwell Spatial Plan.

development to be integrated with infrastructure planning and funding decisions.

70. Clause 3.2(2) of the NPS-UD directs that at least sufficient development capacity is provided to meet expected demand for housing, but that in order to be considered sufficient, the development must be '*infrastructure-ready*'.
71. What is considered infrastructure-ready is defined by clause 3.4(3) of the NBPS-UD as follows:
- a. Short-term (being 0-3 years) *there is adequate existing development infrastructure to support the development of the land;*
  - b. medium term (3-10) *funding for adequate infrastructure to support development of the land is identified in a long-term plan and*
  - c. long term (10-30), *development infrastructure to support the development capacity is identified in the local authority's infrastructure strategy.*
72. Re-zoning in terms S32 of the RMA is required to be the most appropriate option and under the NPS-UD contribute to a well-functioning urban environment. This requires the Panel to consider alternate options that might better address any shortfall, rather than supporting a finding that any particular rezoning/density increase is justified under the NPS-UD on a capacity basis.
73. While the Panel agrees with Mr Barr and Mr Giddens that it is important to consider the supply of LLRZ development in addition to LRZ and MRZ, we do not agree that the NPS-UD requires Council to zone any additional zoning sought through submissions to meet a shortfall in demand in a particular area in order to give effect to the NPS-UD, provided sufficient capacity is provided across the urban environment.

## 4.2 Low Density Zone - Density

### **Issues Identification & Evidence**

74. Several submitters have requested the retention of a minimum allotment size of 250m<sup>2</sup>.<sup>21</sup> Ms White in her Stage 1 section 42A report recommended that the minimum allotment size be reduced to 400m<sup>2</sup>. A number of submitters indicated agreement with Ms Whites recommendation.<sup>22</sup>
75. Several parties also expressed concerns about the yield assessment undertaken by Rationale,<sup>23</sup> in relation to the LRZ, questioning the methodology used. The concerns, being that the modelling overestimates PC19 development capacity, particularly in terms of the feasibility of the capacity that is assumed. In relation to the proposed minimum allotment

---

<sup>21</sup> #93 Sean Dent, #94 Crossbar Trust, #95 Shamrock Hut Ltd, #144 Wally Sandford, #149 Kathryn Adams, #156 Werner Murray, #166 Christian Paul Jordan.

<sup>22</sup> #150 Landpro (Brodie Costello); #165 Patterson Pitts Group Cromwell, #21 Brian De Geest, #145 Thyme Care Properties Limited, #30 Freeway Orchard, #31 Goldfields Partnerships, #32 Molyneux Lifestyle Village, #33 M & G Stewart, #51 D & J Sewhoy and Heritage Properties (Rachael Law).

<sup>23</sup> For example, #156 - Werner Murray, Stage 2 Evidence of Rachael Law (#51 – D & J Sew Hoy, Heritage Properties Ltd), para 14, Stage 2 Evidence of Brodie Costello (#150 – Landpro Ltd), paras 12-16, Stage 2 Evidence of Jake Eastwood (Stephen Davies - #147), para 6.17 and 6.21-6.25.



size in LRZ, some parties consider that this potential overestimation of capacity supports providing a lower minimum lot size.

**Panel Findings**

76. The panel agrees with the recommendation in the Stage 1 s42A, and Ms Whites reply that a minimum allotment size of 400m<sup>2</sup> would be appropriate to enable allotments of between 800m<sup>2</sup> and 1000m<sup>2</sup> the opportunity to create an additional allotment, and that a 400m<sup>2</sup> minimum average be retained with a 250m<sup>2</sup> minimum lot size be provided for to allow more flexibility while retaining an overall average density of 400m<sup>2</sup>.

77. Similarly, the panel also agrees with Ms Whites recommendation that where an existing site is 800m<sup>2</sup>+, it would be appropriate to allow for two residential units or a two-lot, without both lots needing to meet the 400m<sup>2</sup> minimum, which would maintain the overall density, while providing greater flexibility and more efficient use of existing sites, particularly where there is an existing house that need not be removed.<sup>24</sup>

78. The Panel agrees with Ms Whites assessment under s32AA of the RMA, that the changes will still be effective at achieving the outcome sought of a pleasant, low-density suburban living environment which maintains a good level of openness around buildings and good quality on-site amenity (LRZ-O2), by retaining 400m<sup>2</sup> as an average, while providing a more efficient and flexible approach to infill subdivision and development.

79. In Minute 4 the Panel allowed Ms White to circulate proposed changes to the relevant submitters for comment on the drafting. Ms White advises that Ms Skuse has indicated that the recommended changes would provide a practical approach to infill subdivision.

80. Accordingly, the panel considers it appropriate to amend SUB-S1 as follows:

<p><b>Low Density Residential Zone</b></p>	<p>3. Where a reticulated sewerage system is available or is installed as part of the subdivision the minimum size of any allotment shall be no less than 4500m<sup>2</sup>.</p> <p>4. Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m<sup>2</sup>.</p>	<p><b>Where:</b></p> <p>5. <u>SUB-S1.3 is not met, but the minimum size of any allotment is no less than 250m<sup>2</sup>, the minimum average allotment size is no less than 400m<sup>2</sup> and only one additional allotment is created: <b>RDIS</b></u></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. <u>Those matters set out in SUB-R4.</u></p> <p><b>Where:</b></p> <p><u>SUB-S1.4 or SUB-S1.5 is not met: <b>NC</b></u></p>
--	---	---

81. Amend LRZ-S1 as follows:

<sup>24</sup> Section 42A reply report para 31.

<b>LRZ-S1</b>	<b>Density</b>	<b>Activity Status where compliance not achieved:</b>
<b>Low Density Residential Zone</b>	<ol style="list-style-type: none"> <li>1. Where the residential unit is connected to a reticulated sewerage system<sup>25</sup>: <ol style="list-style-type: none"> <li>a. <del>the minimum site area no more than one residential unit is provided per unit is 5400m<sup>2</sup></del>, or</li> <li>b. <u>on any site less than 400m<sup>2</sup>, one residential unit per site.</u></li> </ol> </li> <li>2. Where the residential unit is not connected to a reticulated sewerage system, no more than one <u>residential unit dwelling</u> is provided per 800m<sup>2</sup>.</li> </ol>	<b>NC</b>

### 4.3 Medium Density Zone Site Coverage

#### **Issues Identification & Evidence**

82. There are several submissions seeking changes to site coverage rules in the Medium Density Zone.

83. Mr Costello<sup>25</sup> in his evidence considers that providing a higher building coverage will assist in encouraging infill development, he also notes that the proposed Queenstown and Porirua District Plans both propose a 45% building coverage in their medium density zones.

84. Similarly, Mr Duthie<sup>26</sup> supports an increased site coverage of 50%, excluding eaves and Ms Law<sup>27</sup> is seeking a higher site coverage limit of 60%.

85. The panel through Minute 4 requested advice from Boffa Miskell who prepared the Medium Density Guidelines in relation to the difference in outcome between a 40% site coverage and a 45% site coverage.

86. The advice received from Boffa Miskell and subsequently circulated confirms that a more open and spacious feel within the Central Otago context remains an appropriate outcome but that an additional 5% building coverage would seem to accommodate more built form at lower levels, without excessive loss of landscape coverage or sense of openness.

#### **Panel Findings**

87. The Panel agrees with Ms White in her reply that a 45% site coverage provides an appropriate balance between achieving more open and spacious outcomes sought in the

<sup>25</sup> Stage 1 Evidence of Brodie Costello (#150 – Landru Ltd)

<sup>26</sup> Stage 1 Evidence of John Duthie (#79 – Wooing Tree)

<sup>27</sup> Stage 1 Evidence of Rachael Law (#165 - Patterson Pitts Group Cromwell, #21 - Brian De Geest, #145 - Thyme Care Properties Ltd, #30 - Freeway Orchards, #31 - Goldfields Partnership, #32 - Molyneaux Lifestyle Village Ltd, #33 - M & G Stewart, #51 - D & J Sewhoy, Heritage Properties Ltd)

Central Otago context, while incentivising medium density development. The Panel also agrees with Mr Duthie that eaves should be excluded as they will have minimal impact on the level of openness around and between buildings (MRZ-P1(4)).

88. The Panel notes the evidence of Mr Costello who indicated higher site coverage limits proposed in Queenstown and Porirua of 45%, and Ms Whites reply report that notes Ashburton also uses 45% in their Residential B zone which has a comparable density to that proposed in PC19.

89. We also agree with Mr Duthie that eaves should be excluded as they will have minimal impact on the level of openness around and between buildings (MRZ-P1(4))

90. Accordingly, the Panel has determined that MRZ-S4 be amended as follows:

*The building coverage ~~of the net area~~ of any site must not exceed ~~45%~~, excluding any area covered only by eaves.*

#### 4.4 Medium Density Guidelines Implementation

##### **Issue Identification & Evidence**

91. A number of submitters have sought clarity or amendments to the way that the Medium Density Guidelines are used in relation to the provisions.

92. Ms Skuse<sup>28</sup> considers that the Guidelines should either be incorporated by reference into the District Plan, or otherwise left as any other matter to be considered.

93. Mr Costello<sup>29</sup> considers that further clarity is required around matters like when the Guidelines are updated, and the process around that.

94. Mr Barr<sup>30</sup> is concerned if they are not incorporated by reference, limited weight could be placed on them, and that they could be updated without any consultation and queries how this would ensure that they align with the policies which they have informed (i.e. MRZ-P1 and MRZ-P2). He specifically seeks that they are referenced in MRZ-P1, MRZ-P2 and a standard added requiring resource consent applications to include a statement confirming its relevant design elements have been considered.

---

<sup>28</sup> Stage 1 Evidence of Janne Skuse (#161 - Topp Property Investments 2015 Ltd)

<sup>29</sup> Stage 1 Evidence of Brodie Costello (#150 – Landpro Ltd)

<sup>30</sup> Stage 1 Evidence of Craig Barr (#82 - Jones Family Trust and Searell Family Trust, #135 - Cairine MacLeod, #139 - Shanon Garden, #146 - Pisa Village Development & Pisa Moorings Vineyard Ltd, #163 - Rowan and John Klevstul),

## **Panel Findings**

95. The panel has considered the evidence presented by submitters and agrees with Ms White's recommendation in her reply that it would be more efficient to incorporate the guidelines by reference.
96. Accordingly, the Panel has determined that the following matter of discretion be added to MRZ-R1, MRZ-R2, MRZ-S2, MRZ-S4 and MZ-S6 to MRZ-S12:
- Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.*
97. In terms of s32AA of the RMA, the Panel accepts Ms Whites view that incorporation of the Design Guide by reference is more explicit, and its inclusion will be more effective in assisting with the achievement of MRZ-O2 and the implementation of MRZ-P1.

## 4.5 Comprehensive Development/Structure Plan Approach

### **Issues Identification & Evidence**

98. PC 19 as notified within the MRZ, makes provision for development, above the density otherwise specified within the MRZ, where undertaken on larger sites, to be considered through a restricted discretionary consent provided that the starting application site has a minimum area of 3,000m<sup>2</sup>.
99. These provisions were supported by a number of submitters who have sought variations on this concept to apply to other residential zonings and in relation to specific requests for additional property zonings not included in PC19 (as notified).
100. Ms Skuse sought application of a similar concept to the LLRZ and LRZ zones.<sup>31</sup>
101. Ms Skuse<sup>32</sup>, on behalf of Topp Property Investments 2015 Ltd, also sought that a Structure Plan be added in relation to a site in the Muttontown Area that would provide for a lower density in this area of LRZ (of 300m<sup>2</sup> minimum) where in accordance with the Structure Plan. Ms Skuse's also requested a higher density of 1 dwelling per 1500m<sup>2</sup> of gross site area would apply under a comprehensive development.<sup>33</sup>
102. Mr Weir's evidence in relation to Topp Property Investments 2015 Ltd was that Structure Plans evolve through a participatory process with key stakeholders and the community.<sup>34</sup> Mr Weir supports, a structure plan approach for the Muttontown site and the application of a gross residential density along with a minimum allotment size, in this case, being 600m<sup>2</sup> and 300m<sup>2</sup> respectively.<sup>35</sup> He also supports a 1,500m<sup>2</sup> average and 300m<sup>2</sup> minimum

---

<sup>31</sup> Stage 1 Evidence of Joanne Skuse (#161 - Topp Property Investments 2015 Ltd, #162 - Sugarloaf Vineyards Ltd)

<sup>32</sup> Stage 2 Evidence of Joanne Skuse (#161 - Topp Property Investments 2015 Ltd)

<sup>33</sup> Stage 2 Evidence of Joanne Skuse (#162- Sugarloaf Vineyards Ltd)

<sup>34</sup> Stage 2 Evidence of Bruce Weir (#161 - Topp Property Investments 2015 Ltd), para 17

<sup>35</sup> Stage 2 Evidence of Bruce Weir (#161 - Topp Property Investments 2015 Ltd), para 27

in relation to the Sugar Loaf Vineyards site at Lowburn,<sup>36</sup> rather than a minimum allotment area.

103. In relation to the Sugarloaf Vineyard site in Lowburn, an alternate approach to density, in LLRZ (P2), was sought through Ms Skuse's evidence, whereby a higher density of 1 dwelling per 1500m<sup>2</sup> of gross site area would apply under a comprehensive development scenario.
104. The submission from the J Klevstul and R Klevstul and Rubicon Hall Road Limited (#163), relating to land to the south of the current Bannockburn Township, sought application of LLRZ, with lower average allotment sizes where urban design principles relating to a hamlet concept are met.
105. In the Stage 2 s42A report Ms White expressed concerns about how the hamlet concept would be implemented through the Plan provisions. Urban design evidence provided by Mr Lunday raised concerns that the LLRZ framework does not necessarily create a sense of openness (due to the level of built form the site coverage limits allow for) and supports an approach which would allow for smaller clusters.<sup>37</sup>
106. Following the hearing of evidence the Panel issued Minute 4 which provided for Ms White to circulate a draft of proposed changes to several of the planning witnesses who presented evidence at the hearing. In her reply and as required Ms White indicated the responses to the circulated draft changes along with an outline of the responses.
107. Ms White in her reply recommends a change to the definition of Comprehensive Residential Development to include a threshold for the LRZ and LLRZ at a rate of around 10-15 times the minimum lot size otherwise applying and therefore broadly consistent with that proposed for MRZ. Her recommendation is a single threshold for LLRZ (rather than multiple minimum sizes for each precinct).

### **Panel Findings**

108. The Panel accepts the recommendation from Ms White in response to matters raised in submissions and evidence submitted in support of those submissions, that it would be appropriate for a pathway to be created that allowed for a comprehensive development for LRZ and LLRZ in addition to MRZ with a development threshold of 10-15 times the minimum allotment size for the respective zones which is consistent with the threshold applied in terms of the MRZ.
109. The pathway would allow for lots to be created below the minimum lot sizes otherwise applying in the respective zones, provided the threshold for minimum development area is met subject to an overall density being met in both LRZ and LLRZ.
110. The Panel agrees with Ms Whites recommendation to add the following Policies and Rules to the LRZ, LLRZ and SUB chapters:

---

<sup>36</sup> Stage 2 Evidence of Bruce Weir (#162 - Sugarloaf Vineyards Ltd), para 47

<sup>37</sup> Evidence of James Lunday (#163 - J Klevstul and R Klevstul and Rubicon Hall Road Limited

<b><u>LRZ-P7 / LLRZ-P9</u></b>	<b><u>Comprehensive Development</u></b>
<p><u>Provide for a higher density of development on larger sites, where development is undertaken in a comprehensive manner and:</u></p> <ol style="list-style-type: none"> <li>1. <u>the overall layout provides for a variety of lot sizes and opportunities for a diversity of housing types while still being designed to achieve the built form outcomes in LLRZ-P1/LRZ-P1;</u></li> <li>2. <u>the design responds positively to the specific context, features and characteristics of the site;</u></li> <li>3. <u>areas of higher density development are located or designed so that the overall character of the surrounding area is retained; and</u></li> <li>4. <u>the development delivers a public benefit, such as public access, reserves or infrastructure improvements.</u></li> </ol>	

<b><u>LLRZ-RX / LRZ-RX</u></b>	<b><u>Comprehensive Residential Development</u></b>	
<b><u>Large Lot Residential Zone / Low Density Residential Zone</u></b>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Where [LLRZ]:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>The density across the site is no greater than 1 dwelling per:</u> <ol style="list-style-type: none"> <li>a. <u>2000m<sup>2</sup> gross site area in Precinct 2 or 3; or</u></li> <li>b. <u>1500m<sup>2</sup> elsewhere.</u></li> </ol> </li> </ol> <p><b><u>Where [LRZ]:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>The density across the site is no greater than 1 dwelling per 600m<sup>2</sup> gross site area.</u></li> </ol> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>Provision for housing diversity and choice.</u></li> <li>b. <u>How the development responds to the context, features and characteristics of the site.</u></li> <li>c. <u>The extent to which the proposal provides wider community benefits, such as through protection or restoration of important features or areas, increased opportunities for connectivity or community facilities.</u></li> <li>d. <u>Measures proposed to ensure higher density areas do not detract from the character and amenity of the wider surrounding area.</u></li> <li>e. <u>Integration with transport networks, including walking and cycling.</u></li> <li>f. <u>The location, extent and quality of public areas and streetscapes, taking into account servicing and maintenance requirements.</u></li> <li>g. <u>How the configuration of lots will allow for development that can readily achieve the outcomes sought in LLRZ-P1/LRZ-P1.</u></li> </ol>	<p><b><u>[LLRZ]</u></b></p> <p><b><u>Activity status when compliance is not achieved with RX.1.a: DIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>2. <u>The overall density across the site is no greater than 1 dwelling per 1500m<sup>2</sup> gross site area; and</u></li> <li>3. <u>Either 1500m<sup>2</sup>, or 50m<sup>2</sup> per unit, whichever is the greater, is provided for public use as an area of open space.</u></li> </ol> <p><b><u>Activity status when compliance is not achieved with RX.1.b, RX.2 or RX.3: NC</u></b></p> <p><b><u>[LRZ]</u></b></p> <p><b><u>Activity status when compliance is not achieved with RX.1: NC</u></b></p>

	<p><i>h. <u>Where the application also seeks provision for future built development to breach any of the rule requirements, discretion is also restricted to those matters specified in the relevant rule requirement.</u></i></p>	
--	--	--

<b><u>SUB-RX</u></b>	<b><u>Subdivision of land where a land use consent has been obtained, or is applied for concurrently, under LLRZ-RX, LRZ-RX or MRZ-R2.</u></b>	
<b><u>Large Lot Residential Zone</u></b>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>The density across the site is no greater than 1 dwelling per:</u> <ol style="list-style-type: none"> <li>a. <u>2000m<sup>2</sup> gross site area in Precinct 2 or 3; or</u></li> <li>b. <u>1500m<sup>2</sup> elsewhere.</u></li> </ol> </li> </ol> <p><b><u>Matters of discretion are restricted to:</u></b> <u>Those matters set out in SUB-R4.</u></p>	<p><b><u>Activity status when compliance is not achieved with RX.1.a: DIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>3. <u>The overall density across the site is no greater than 1 allotment per 1500m<sup>2</sup> gross site area; and</u></li> <li>4. <u>Either 1500m<sup>2</sup>, or 50m<sup>2</sup> per allotment, whichever is the greater, is provided for public use as an area of open space.</u></li> </ol> <p><b><u>Activity status when compliance is not achieved with RX.1.b, Rx.2, RX.3 or RX.4: NC</u></b></p>
<b><u>Low Density Residential Zone</u></b>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>2. <u>The density across the site is no greater than 1 allotment per 600m<sup>2</sup> gross site area.</u></li> </ol> <p><b><u>Matters of discretion are restricted to:</u></b> <u>Those matters set out in SUB-R4.</u></p>	
<b><u>Medium Density Residential Zone</u></b>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b> <u>Those matters set out in SUB-R4.</u></p>	

111. In terms of s32AA, the panel accepts Ms Whites assessment in her reply report that the comprehensive development provisions will, collectively, provide greater opportunities for development, while the consent pathway will still ensure that the effects of development are appropriately managed to achieve the outcomes sought. The Panel agrees that the comprehensive development approach being extended to apply to LRZ and LLRZ is likely to result in additional benefits being gained through development opportunities which might not otherwise be achieved through ‘standard’ subdivisions, while the costs of this approach, in terms of potential impacts of smaller lots, are minimised through the clear policy direction ensuring that such development still meets the outcomes sought and the approach, provides an additional pathway for development, that is both efficient and effective at achieving the outcomes sought.

## 5 Evaluation of Key Zoning Submissions

### 5.1 Servicing

112. A Key component when considering residential zoning is the ability of network infrastructure to service any proposed zonings.
113. In terms of infrastructure the Central Otago District Council identifies future water and wastewater infrastructure requirements and associated funding in its Long-Term Plan and associated 30-year Infrastructure Strategy that identifies infrastructure investment necessary to provide for growth. These plans are reviewed every three years.
114. The Panel acknowledges that at the time Ms Muir's evidence was prepared The Water Services Entity Act 2022 was to transfer responsibility for the planning and delivery of services to four new water entities from 1 July 2024. This is no longer the case as a result of the change in Central Government approach to the management of Three Waters.
115. The Panel is of the view that it needs to be satisfied that any areas rezoned are either supported by existing infrastructure, or that adequate infrastructure will be available in the relevant future timeframe.
116. This is supported by Ms Muir's report included in the section 42A (Stage 2) report, that provides the Panel with a summary of water and wastewater servicing constraints that are relevant to the Panel's consideration of submissions seeking the zoning of additional residential areas.
117. A number of submitters referred to the ability for Council to obtain funding for infrastructure upgrades through development contributions and developer agreements. The Panel agrees that these can be used to assist with both site-specific upgrades that may be required due to development, as well as contributing towards wider upgrades necessitated by overall growth (i.e. not attributable to a single development).
118. The servicing issues identified by Ms Muir, however, do not just relate to the funding of upgrades, but to their timing, and ultimately are about ensuring that growth is not enabled ahead of provision of appropriate infrastructure.
119. In particular, as noted in Ms Muir's response to Minute 4, any rezoning needs to be considered in the context of the need to supply the wider network and customers, and maintain required levels of service, while also servicing growth needs. She also notes that when considering rezoning requests, consideration needs to be given to how this will impact on treatment capacity, capacity of reticulation mains, and reservoir and main pumpstation requirements.
120. This largely relates to the potential for increased demand from additional zoned land, and not how the individual development will be connected to the existing network, as it is the additional demand that will cause the issue rather than how the connection is provided.



121. It is important that any future growth can be integrated with infrastructure, both at a localised level as well as the wider network. This includes taking into account whether the additional capacity required to service the rezoning requested through submissions will come at the expense of capacity to service the existing customers or those areas proposed for growth through PC19.
122. Ms Muir's evidence, as well as her response to Minute 4, identified that some areas where rezoning are sought are areas which will have more expensive ongoing operating costs, which will result in increased average costs to customers across the networks they are connected to, such as where there are higher pumping costs, and/or low connection densities.
123. The Panel understand from Ms Muir that development contributions are not able to meet the increased ongoing operational costs of delivering water and wastewater infrastructure, which instead must be met by the ratepayers.
124. Given the evidence present by Ms Muir the Panel must, when considering any requested zoning, beyond that provided for in PC 19, be mindful of the upgrades necessary to critical infrastructure as identified in Ms Muir's evidence, that would be required to accommodate any additional zoning and the timing of those upgrades.

## 5.2 Future Growth Overlays

125. Plan Change 19 provides for a number of areas to be indicated as "*Future Growth Areas*" (FGO). A number of submitters have expressed concerns about the way that the FGO framework would work in practice.<sup>38</sup>
126. Submitters are generally of the view that if the only constraint to development is the timing of infrastructure upgrades, then the proposed approach is inefficient, because prior to the upgrades occurring it retains the existing zoning, requiring a further plan change to 'uplift' the future intended residential zoning.
127. FGOs have been applied to areas which have been identified for residential development in the Vincent Spatial Plan, in Stages 2 and 3 of that Plan, meaning they are not considered necessary to meet short-term demand, but are intended to supply medium-long term demand. One of the major constraints to development in these areas is that servicing is not yet available or planned. The intention of the inclusion in the FGO was to signal to infrastructure providers, including the Council, to start planning for servicing these areas.
128. A number of witnesses at the hearing, expressed a level of support for applying the intended zoning now (which provides greater certainty to landowners, developers and the community), while managing the need for network upgrades to occur ahead of

---

<sup>38</sup> Including Stage 2 Evidence of Craig Barr (#146- Pisa Moorings Vineyard Ltd & Pisa Village Developments Ltd); Stage 2 Evidence of Brodie Costello (#150 – Landpro Ltd), #83 - Sean Dent, Rachael Law (Tabled statement for #1 - MA and JM Bird); Stage 1 Evidence of Jo Skuse (#161 – Topp Property Investments Ltd 2015)

development through a rule precluding development of these areas until the upgrades have occurred.

129. Mr Woodward's considered in his evidence that a rule is not necessary the matters of control already included in PC19 are sufficient.<sup>39</sup> Similarly, Mr Dent considers that servicing matters can be addressed through reliance on the matters of discretion for subdivision.<sup>40</sup>
130. The Panel agrees with Ms White that this approach would not to be as efficient or effective, as it provides less of a clear signal about the need for infrastructure upgrades to be integrated with development, providing greater certainty for developers on what servicing upgrades are required to be undertaken ahead of development.
131. The Panel notes that this type of approach has been used in the past in relation to Plan Change 15 which resulted in a change to the Operative Plan, under Rule 7.3.5(viii), which lists subdivision of specified land parcels as a non-complying activity "*prior to the provision of a reticulated wastewater disposal scheme at Clyde that is capable of servicing this land*".

#### **Panel Findings**

132. The Panel has considered the submissions and evidence submitted in relation to areas in Clyde and Manuhierikia identified in PC 19 as FGO and determined that they be retained (and where detailed in other places in this report, can applied to additional areas) with the following amendments as recommended by Ms White:
  - a. These areas are rezoned so that the identified 'future' zone identified is applied now;
  - b. An additional rule is added to the Residential Zones Subdivision chapter, which applies a non-complying activity status for subdivisions within an FGO, prior to specified servicing upgrades being undertaken.
  - c. While, in the interim prior to the upgrades occurring, the relevant residential zone framework will apply, development will be limited through further subdivision being restricted through the above additional rules, as well as through the rules limiting the number of residential units per site (LLRZ-R1, LRZ-R1, MRZ-R1).
133. The Panel agrees with Ms White that this approach will still be effective at achieving the outcomes sought including Objective 6.3.4 and Policy 6.4.2, as well as Objective 4.5 and Policies 4.5.1 and 4.5.2 of the partially operative Otago Regional Policy Statement (2019 ORPS) while ensuring that the additional urban growth is timed with the provision of infrastructure upgrades to service the new areas.
134. The Panel has determined that the introduction to the LLRZ, LRZ and MRZ should be amended as recommended by Ms White:

---

<sup>39</sup> Summary Statement of Jake Woodward (#123 - Lowburn Viticulture Limited), para 1.15.

<sup>40</sup> Stage 2 Evidence of Sean Dent (#83 - A F King and Sons Ltd #83), para 124.

~~“The Future Growth Overlay identifies any areas that have either been signalled in the Vincent Spatial Plan for [large lot/low density/medium density] residential zoning, in future, or other areas identified as being appropriate for future residential growth. The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future. However, there are some wider servicing constraints to developing these areas that must be addressed before they are able to be developed. Provisions are therefore applied in the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that restricting development until there is capacity within the reticulated water and wastewater networks to service the additional development.~~

135. That LLRZ-P8, LRZ-P6 and MRZ-P7 be amended as follows:

- a) ~~Recognise and provide for rezoning~~ Restrict development of land within the Future Growth Overlay for [residential purposes/ medium density development], ~~where until:~~
- ~~i.—It is demonstrated as necessary to meet anticipated demand; and~~
  - ~~ii.—it is able to be serviced by reticulated water and wastewater networks~~ and transport infrastructure.
- b) Add new subdivision rule as follows:

<u>SUB-R8</u>	<u>Subdivision of Land within a Future Growth Overlay</u>	
<u>Future Growth Overlay – Pisa Moorings</u>	<p><u>RDIS</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li><u>1. The Cromwell Wastewater Treatment plant has been upgraded to implement nitrogen removal and increase the capacity of the membrane treatment plant; and</u></li> <li><u>2. The Cromwell and Pisa Moorings Water schemes have been combined and a regional council water take consent issued.</u></li> </ol> <p><u>Matters of discretion are restricted to: Those matters set out in SUB-R6.</u></p>	<u>Activity status when compliance is not achieved with R8.1 or R8.2: NC</u>
<u>Future Growth Overlay – Lowburn</u>	<p><u>RDIS</u></p> <p><u>Where:</u></p>	<u>Activity status when compliance is not achieved with R8.3 or R8.4: NC</u>

	<p>3. <u>The Cromwell Wastewater Treatment plant has been upgraded to implement nitrogen removal and increase the capacity of the membrane treatment plant; and</u></p> <p>4. <u>The Lowburn wastewater main and pumpstation has been reconfigured and upgraded.</u></p> <p><u>Matters of discretion are restricted to: Those matters set out in SUB-R6.</u></p>	
<u>Future Growth Overlay – Clyde and Manuherikia</u>	<p><u>RDIS</u></p> <p><u>Where:</u></p> <p>5. <u>The Alexandra Wastewater Treatment plant has been upgraded and a regional council discharge consent has been issued for treatment of Alexandra and Clyde wastewater.</u></p> <p><u>Matters of discretion are restricted to: Those matters set out in SUB-R4.</u></p>	<u>Activity status when compliance is not achieved with R8.5: NC</u>
<u>Future Growth Overlay – Omakau</u>	<p><u>RDIS</u></p> <p><u>Where:</u></p> <p>6. <u>The Omakau Wastewater Treatment plant has been upgraded and a regional council discharge consent has been issued for treatment of Omakau wastewater.</u></p> <p><u>Matters of discretion are restricted to: Those matters set out in SUB-R6.</u></p>	<u>Activity status when compliance is not achieved with R8.6: NC</u>

136. The Panel agrees with Ms Whites assessment under s32AA of the RMA, that the proposed approach is more appropriate. This approach is also consistent with Objective 6 of the NPS-UD, which seeks that decisions on urban development are integrated with infrastructure planning, and that re-zoning the land now also ensures that it is “plan-enabled” as directed under clause 3.2(2), while still meeting the requirement for the capacity supplied to be “infrastructure-ready” in the long term under Clause 3.4(3)(c). This

addresses the concerns of Ms Skuse set out earlier, that retention of an underlying rural zoning would not be plan-enabled.

### 5.3 PC19 Proposed Zoning - Alexandra

#### 5.3.1 Graveyard Gully Road



Figure 1 – Graveyard Gully Road

137. Council received a submission from MR Murray (#36) opposing the re-zoning of properties opposite Shakey Bridge from Rural Resource Area to LLRZ. The submitter raised concerns that the proposal would not protect the heritage landscape leading up to the Clock.
138. Ms White in her section 42A (Stage 2) notes that the proposed zoning is identified in the Vincent Spatial Plan to allow for further residential development, noting the property is currently location within an area identified as a Significant Amenity Landscape (SAL). Subdivision within this area currently requires consideration of *“Potential for visual absorption of future built development with particular attention being given to those areas identified as outstanding natural landscapes and significant amenity landscapes on the planning maps”*.<sup>41</sup>
139. Ms White considers that the application of the LLRZ would effectively result in no controls or considerations applying in this area, resulting in a disconnect between the mapping of these areas as within the SAL and the framework applying. Her recommendation being that 51, 65, 72, 85 Graveyard Gully Road is not zoned LLRZ, and the current Rural Resource Area zoning be retained.<sup>42</sup>

<sup>41</sup> Vincent Spatial Plan, 4 April 2022, page 26

<sup>42</sup> Section 42A Report (Stage 2) page 12



### **Panel Findings**

140. The panel has considered the submission and agrees with the recommendation from Ms White that 51, 65, 72, 85 Graveyard Gully Road is not zoned LLRZ, the current Rural Resource Area zoning be retained and the submission from MR Murray (#36) be accepted.
141. The panel also agrees with Ms White's assessment under s32AA, that the costs associated with retention of the Rural Resource Area are that further opportunities for development of this area are not provided, reducing the capacity provided through PC19, however, given the small size of this area, the impact will be limited and is not significant enough to result in an undersupply when compared to the benefits of the retention of the Rural Resource Area and the values associated with the SAL will continue to be managed under the current framework.

#### 5.3.2 North Alexandra (Dunstan Road)



*Figure 2 – North Alexandra (Dunstan Road)*

142. A number of submissions were received in relation to the proposed re-zoning of an area on Dunstan Road from Rural Residential Resource Area (RuRRA) to LLRZ. Supporting submissions were received from Russell Ibbotson (#7) and Molyneux Lifestyle Village Limited (#32).
143. NR Murray (#36), submitted in opposition to the proposed re-zoning on the basis that the change of zoning does not protect the productive soils of this area which does not support

the NP-SUD Objective 1 or 8. The submitter considering that the zoning should be changed from RuRRA to Rural Resource Area.

144. Paul and Angela Jacobson <sup>43</sup>who own and operate a vineyard operation at 36 & 38 Hillview Road are seeking their property be re-zoned “*Viticultural Zone*”, with the existing Rural Residential zoning retained. The submission also seeks that the LLRZ be re-zoned as “*Large Lot Urban Zone*”. The submitters consider that 2,000m<sup>2</sup> is large for an urban setting and small from a rural perspective, that the costs associated with the loss of viticulture land has not been considered and the uniform density along Waldron Road does not represent a graduation in density.
145. The Panel notes that while the proposed zoning was signalled in the Vincent Spatial Plan, however we are mindful of the very real concerns the Jacobson’s have raised in relation to the risk of reverse sensitivity effects resulting from the change in zoning.

### **Panel Findings**

146. The National Policy Statement for Highly Productive Land 2022 (NPS-HPL) came into force post the notification of PC19. The NPS-HPL restrictions on urban rezoning of highly productive land. However, as note by Ms White in her s42A Report (Stage 2)<sup>44</sup>, the direction only applies to land zoned “general rural or rural production”.
147. The area was identified in the Vincent Spatial Plan through extensive community engagement as being suitable for the proposed LLRZ.
148. The Panel is of the view that the proposed zoning is appropriate and should be retained as notified, noting that additional submissions on the zone provisions as they relate to this area were received and are addressed elsewhere in this decision and with the exception of the property owned by Mr & Mrs Jacobson which is to retain the current RuRRA zoning to better reflect the current land use.
149. The Panel also accepts the recommendation of Ms White in her reply in relation to the submission by the Jacobson’s that an amendment to SUB-R4, adding the following matter of discretion is appropriate:

*Any measures required to address the potential for reverse sensitivity effects to arise in relation to existing activities undertaken on adjoining land.*

---

<sup>43</sup> Submitter #14

<sup>44</sup> Section 42A report para 42, p14

## 5.4 PC19 Proposed Zoning - Bannockburn

### 5.4.1 Domain Road Vineyard Zoning

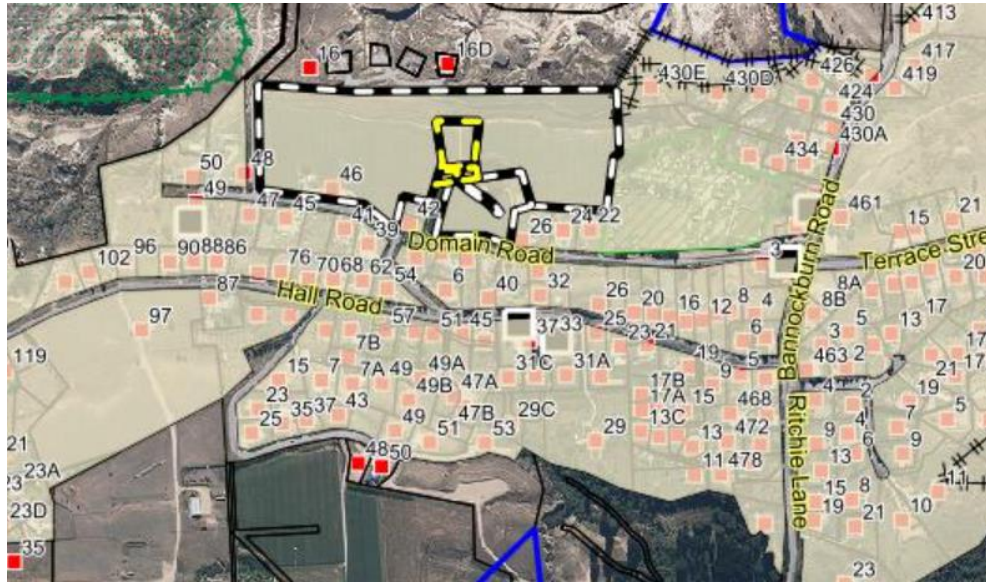


Figure 3 – Bannockburn

150. Key matters raised by submitters opposed to the proposed re-zoning included that Domain Road Vineyard was not included in Spatial Plan and therefore was not part of wider community consultation; that there are other options for growth that will not have the same effects on the settlement that have not be explored; loss of productive use, and the impact on views and character of the Township Effects not having properly been considered.
151. Mr Dicey<sup>45</sup> presented his view that the Domain Road Vineyard is afforded protection under NPS-HPL. The Panel does not agree with this position, however as noted by Ms White in the Stage 2 s42A Report, while the NPS-HPL does not apply to this site, that does not mean that the Panel cannot consider the effect of the rezoning in terms of impacts on productive use of the Domain Road Vineyard site.
152. A number of submitters oppose the proposed LLRZ zoning of the Domain Road Vineyard in Bannockburn. Allen & Jostina Riedstra<sup>46</sup> oppose LLRZ of their property at 49 Domain Road, which is located to the south-west of the Vineyard, preferring to retain the existing zoning.
153. In his evidence to the Panel, Graeme Crosbie<sup>47</sup> supports Domain Road Vineyard being zoned LLRZ, emphasising the largely urban surrounding of the site, and the impact of this on vineyard operations in terms of reverse sensitivity.
154. The zoning of this site is discussed by Ms White in her Stage 2 s42A report, where she confirms her view that the location of the site would provide a logical expansion of the

---

<sup>45</sup> Submitter #70

<sup>46</sup> Submitter #29

<sup>47</sup> Submitter #117



township, the site is able to be serviced by Councils Infrastructure, and it would assist in providing supply in an area where there is high demand.

155. Following the hearing of submissions Ms White in her reply considered that given the loss of the productive use of the land and the high level of amenity and character the community derive from the rural use of the site, and should the Panel agree to recommend that the Council consider growth options in Bannockburn further through a township-specific Spatial Planning exercise, then it would be appropriate to consider the Domain Road vineyard site as part of such a process, rather than rezoning it now.

### **Panel Findings**

156. The Panel has considered the submissions received in relation to the proposed re-zoning of the Domain Road Vineyard and while the Panel considers that the Vineyard site is a logical extension of the township, as indicated by Ms White, this needs to be balanced against the loss of the productive use of the land and the high level of amenity and character the community derive from the rural use of the site.
157. The Panel finds that it would be more appropriate for the Domain Road Vineyard to remain rural at this time.

#### 5.4.2 Bannockburn Density/ Minimum Allotment

158. PC19 applies the LLRZ to Bannockburn Township, which results in a minimum density requirement of 2000m<sup>2</sup>. This was applied to be broadly consistent with the current zoning, which, while applying a lower minimum of 1500m<sup>2</sup>, requires an average of 2000m<sup>2</sup>.
159. The Panel heard continued support from some submitters for the proposed 2000m<sup>2</sup> minimum being applied, on the basis that this is considered consistent with character of the area.
160. Other submitters continue to support a lower minimum of 1000m<sup>2</sup> applying in Bannockburn. Some noting that there are already some sections in Bannockburn of this size, and it is therefore better to plan for this rather than allow it only on an ad hoc basis as it would assist in addressing the lack of supply to meet demand and provide for a more flexible range of densities at Bannockburn reflecting the pattern of development which has occurred to date in Bannockburn and provide for a more efficient use of land for housing.
161. While supporting a lower minimum lot size of 1000m<sup>2</sup>, Mr Barr in his evidence seeks that this is coupled with an average of 1500m<sup>2</sup> being applied. He considers that 1500m<sup>2</sup> is a better reflection of the development which has occurred to date and not detrimental to character of Bannockburn.
162. This was supported by Mr Milne, who states that the pattern of settlement in Bannockburn consists of large lot residential varying in size from 1500m<sup>2</sup> - 3000m<sup>2</sup> with some smaller 1000m<sup>2</sup> sections closer to town centre. He considers 1000m<sup>2</sup> min and

1500m<sup>2</sup> average to be in keeping with residential development within wider settlement area.

163. Evidence presented by Jake Woodward opposes increase in minimum allotment size in Bannockburn from 1500m<sup>2</sup> to 2000m<sup>2</sup>, rather supporting a minimum of 1500m<sup>2</sup> being applied given the variation in lot sizes below 2000m<sup>2</sup>. Mr Woodward does not consider that applying a 2000m<sup>2</sup> minimum is truly consistent with the existing amenity and character. He also considered that a lower minimum (i.e. beyond 1500m<sup>2</sup>) would result in a “fundamental shift in character over and above what presently characterises the immediate vicinity”, with vicinity in this context being the area near the submitter’s property.
164. Ms White in her reply noted that development at this lower level might, over time, result in a lower overall average lot size, but noted result in a perceptible shift in the character of the township.
165. The Panel notes the support for applying a 2000m<sup>2</sup> minimum but accepts that as the current framework allows for smaller lots of 1500m<sup>2</sup>, applying this as a minimum would still be consistent with the existing character of the Township.
166. We have considered a number of submissions in relation to the applicability of a reduction in minimum allotment size agree with Ms White’s view that while a minimum lot size of 1000m<sup>2</sup> would provide greater flexibility and more opportunity for infill, it could alter the character of the township, there is a different character between Pisa Moorings (where there is a 1000m<sup>2</sup> minimum lot size) and Bannockburn.
167. As noted earlier in this decision, while the NPS-UD includes direction in relation to providing sufficient development capacity, this is within a framework that overall seeks to ensure well-functioning urban environments that provide for community wellbeing.
168. The Panel has reached a view that it is entirely aligned with the NPS-UD to apply a lot size in Bannockburn that is consistent with the current amenity and character of the Township, which contributes to the variety of housing options across the wider District.

### ***Panel Findings***

169. The Panel agrees that a reduction in the minimum allotment size to 1500m<sup>2</sup> would not be material in the context of Bannockburn, noting Ms Muirs advice to Ms White in her reply that this level of development can be serviced in terms of existing infrastructure.
170. This is consistent with the minimum allotment of 1500m<sup>2</sup> provided for in the operative District Plan.
171. The panel notes that the while the requests for a reduction in density were largely in the context of specific properties in the proposed LLRZ zoning in Bannockburn, the submissions and evidence submitted were related to the wider LLRZ.

172. Rather than create another bespoke Precinct that would apply to Bannockburn alone, Ms White has provided a recommendation that would apply to the whole LLRZ on the basis that there is sufficient scope to apply an amendment.

173. Ms Whites recommendation also includes a provision that there be only one residential activity on any allotment with an area of less than 1500m<sup>2</sup>. The Panel considers this to be an appropriate addition to performance standards to maintain an overall density.

174. The Panel agrees with this recommendation and finds that it is appropriate to amend the density and subdivision standards as follows:

<b>LLRZ-S1</b>	<b>Density</b>	<b>Activity Status where compliance not achieved:</b>
<b>Large Lot Residential Zone (Excluding Precincts 1, 2 &amp; 3)</b>	<ol style="list-style-type: none"> <li>1. <i>The minimum site area per residential unit is <del>2000</del>1500m<sup>2</sup>.</i></li> <li><i>or</i></li> <li>2. <i>On any site less than 1500m<sup>2</sup>, one residential unit per site.</i></li> </ol>	<b>NC</b>

Amend SUB-S1, as it relates to the LLRZ (outside precincts), as follows:

<b>Large Lot Residential Zone (excluding Precincts 1, 2 &amp; 3)</b>	<ol style="list-style-type: none"> <li>6. <i>The minimum size of any allotment shall be no less than <del>2000</del>1500m<sup>2</sup>.</i></li> </ol>	<b>NC</b>
--	---	-----------

175. In terms of s32AA of the RMA, the Panel agrees with Ms Whites assessment that the change in density will still achieve LLRZ-O2, while being slightly more efficient through providing greater flexibility and variety in lot sizes across the zone.

## 5.5 PC 19 Proposed Zoning - Cromwell

### 5.5.1 North Cromwell

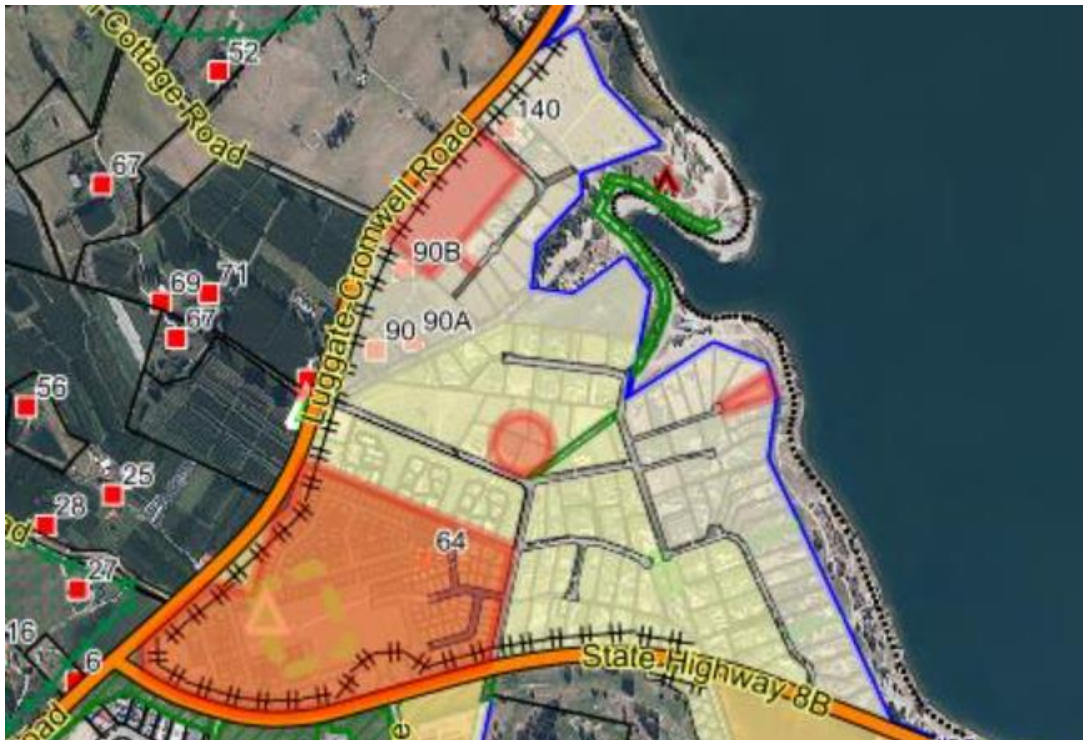


Figure 4 – North Cromwell

176. As noted in the s42A report (Stage 2) there were a significant number of submissions relating to the areas north of State Highway 8B proposed to be zoned LRZ and LLRZ, and a range of different outcomes sought. Submitters appearing at the hearing included those:

- a. Supporting application of LRZ across the area, on the basis that:
  - i. the 2000m<sup>2</sup> minimum under LLRZ would not allow for much infill, due to the position of current houses.
  - ii. 4000m<sup>2</sup> lots are wasteful, and setbacks can be applied in relation to lots adjoining nohoanga or lake
- b. Supporting 1000m<sup>2</sup>/1500m<sup>2</sup> applying in relation to a block on Shortcut Road.
- c. Supporting application of LLRZ (2000m<sup>2</sup> minimum).
- d. Supporting retention of operative plan approach (4000m<sup>2</sup> minimum), on the basis that:
  - iii. As development of this area is recent, the likelihood of additional yield from this area occurring may not be realised.
  - iv. It provides variety in housing options, with other areas providing higher density options.
  - v. the current zoning is in effect a rural residential zone, and this should be retained. The Spatial Plan does not recognise this area as being rural residential and was not subject to suitable engagement, nor did it consider other opportunities for urban growth.

- vi. this is the only remaining RRA (6) zone within the Cromwell Urban boundary, with other areas with this zoning rezoned before they were developed.
  - vii. The rezoning does not align with Policy 7.2.3
  - viii. From a servicing perspective the area is treated as rural, smaller sections would create an expectation of urban services, and it is not clear how such services would be retrofitted for existing lots.
177. Mark Mitchell <sup>48</sup>seeks application of a precinct to a large portion of this area of North Cromwell (but not the Thelma Place area) applying a 1500m<sup>2</sup> minimum. This is supported by evidence prepared by Campbell Hills, who considers the practical application of different minimum lots sizes in this area. Based on an assessment of this area, Mr Hills considers that the LLRZ minimum density of 2000m<sup>2</sup> would not provide for particularly practical subdivision designs, given the location of existing development on developed sites, considering that a minimum of 1000m<sup>2</sup> would encourage “awkward” subdivision layouts, and that in combination with the site coverage, could compromise the character and amenity of this area.
178. Ms Rachel Law has provided planning evidence to support the requested MRZ zoning of land in the northwestern area of Cromwell (#51 - D & J Sew Hoy, Heritage Properties Ltd and #21 – Brian De Geest). Ms Law’s evidence notes that the McNulty Inlet is identified in the Cromwell Spatial Plan as a “Community Node”.
179. While some submitters may consider that the area has a ‘rural’ feel, the predominance of residential, not rural activities in this area also means it does not align with the ‘rural lifestyle zone’ under the National Planning Standards. The area is clearly a residential zone.
180. The Spatial Planning exercise involved significant community engagement, that specifically considered opportunities for growth, as outlined in the Spatial Plan document itself. Given the range of requests in terms of the zoning of this area, the question is what zone is most appropriate to apply to this area moving forwards, taking into account a range of factors including the Spatial Plan outcome.
181. The retention of the current minimum allotment size of 4000m<sup>2</sup> (by applying a LLRZ zoning and a new precinct applying a higher minimum allotment size) would retain this character and amenity. Having reconsidered the submissions, the Panel accepts that the existing density results in a particular character and level of amenity that is important to some residents in this area.
182. In the Stage 2 s42A report, Ms White did not make a recommendation on the zoning of this area, given the volume and disparity of submissions. She did however recommend that none of the area be zoned MRZ, and that a single zoning be applied to the area.
183. The Panel agrees with Ms White that the application of LLRZ, would provide for some infill opportunities, with a subtle change in the character, without compromising the current amenity levels, and that applying a LLRZ across the developed portions of this area would

---

<sup>48</sup> Submitter #113

strike an appropriate balance between maintaining the predominance of open space over built form (LLRZ-O2(2)) while better aligning with the intent of the Spatial Plan to provide for additional development in this area.

184. The Panel notes there are some larger blocks within the area that are not developed, including those of Mr Mitchell, D & J Sew Hoy Heritage Properties, and De Geest. The Panel further notes that because they are larger properties, they could be more comprehensively developed at a higher density under the recommended approach to Comprehensive Residential Development. Ms White has also suggested that it may be appropriate to apply LLRZ Precinct 1 (1,000m<sup>2</sup> minimum) to these properties, because they would be able to be developed in a more integrated manner, rather than through infill.
185. While the development at this higher density would have a slightly different character to that of the overall area, the Panel agrees with Ms White that it would not undermine the character of the LLRZ areas (because it would apply only to discrete sites, rather than infill throughout the area) and would provide for more variety.
186. The Panel also agrees with Ms White that a different zoning being applied to larger undeveloped sites within these areas is appropriate and that LLRZ Precinct 1 is the equivalent of the current zoning of the De Geest site and aligns with the density sought by Mr Mitchell.
187. With respect to the MRZ sought by Ms Law<sup>49</sup>, the Panel does not consider that the proximity of these sites to the McNulty Inlet are sufficient to justify their rezoning to MRZ. The area is not within a walkable distance to either commercial areas or other key community facilities unlike MRZ identified in on the outskirts of Alexandra are proposed to be supported by addition of a new commercial area, and other MRZ areas towards edge of Cromwell township are located close to commercial areas. By contrast, the Spatial Plan does not propose commercial activity in the McNulty Inlet area.
188. With respect to the D & J Sew Hoy Heritage Properties site, the Panel accepts Ms Whites recommendation in her reply that applying MRZ on the basis that it is in similar proximity to the town centre, as other MRZ sites. The Panel agrees with Ms White that the Freeway Orchard site is both larger, allowing for a more comprehensive development, and that it is surrounded by LRZ. The D & J Sew Hoy Heritage Properties site is, by contrast, surrounded by a lower density of development, and application of MRZ would, in particular, leave Lakefield Estate as somewhat of an island in a higher density area.

### ***Panel Findings***

189. The Panel agrees with Ms White that MRZ is not appropriate in this area and that LLRZ (Precinct 1) is appropriate to be applied to the larger 'greenfield' sites (including the De Geest and Heritage Properties sites) providing for a higher level of development on these sites, and in addition, the Comprehensive Residential Development pathway would allow for development below the minimum allotment sizes otherwise applying, where it is undertaken in a comprehensive manner.

---

<sup>49</sup> On behalf of submitters #21 and #51



190. Having considered the submissions, section 42A recommendations, evidence presented at the hearing and Ms Whites reply, the Panel is of the view that LLRZ should be applied to the areas north of State Highway 8B (excluding Wooing Tree), other than those areas identified in red in figure 5.

191. That the LLRZ (P1) is applied to the properties identified in red in figure 5.



Figure 5 – North Cromwell LLRZ (P1)

192. The Panel accepts the s32AA evaluation of Ms White, that the application of LLRZ across the developed parts of this area will assist in achieving the outcomes sought for LLRZ of a predominance of open space over built form, while also retaining good quality on-site amenity and amenity for adjoining sites. While this may result in a slight change in character, it will maintain the high level of amenity associated with the existing development lots in this area.

193. Providing for a greater level of density on undeveloped sites through application of LLRZ (P1) will provide greater opportunities for development in the remaining parts of this area, and while there will be a difference in character in these areas when compared to the overall area, the Panel is of the view that this aligns with the LLRZ objectives and will not detract from the amenity of the area as a whole.

194. There are some lost opportunity costs associated with the recommended approach, in that it will not provide for the level of development that was proposed in PC19, or anticipated in the Spatial Plan but the Panel has formed the view that these costs are outweighed by the benefits of retaining key aspects of amenity and character that are clearly highly valued by the community.

## 5.6 Zoning Requests – Alexandra

### 5.6.1 Centennial Ave / Clutha Street / Ashworth Street 'Block

195. Hayden Lockhart<sup>50</sup> seeks that higher density is provided for in the LRZ area in the Centennial Ave / Clutha Street / Ashworth Street block (refer figure 6 below).

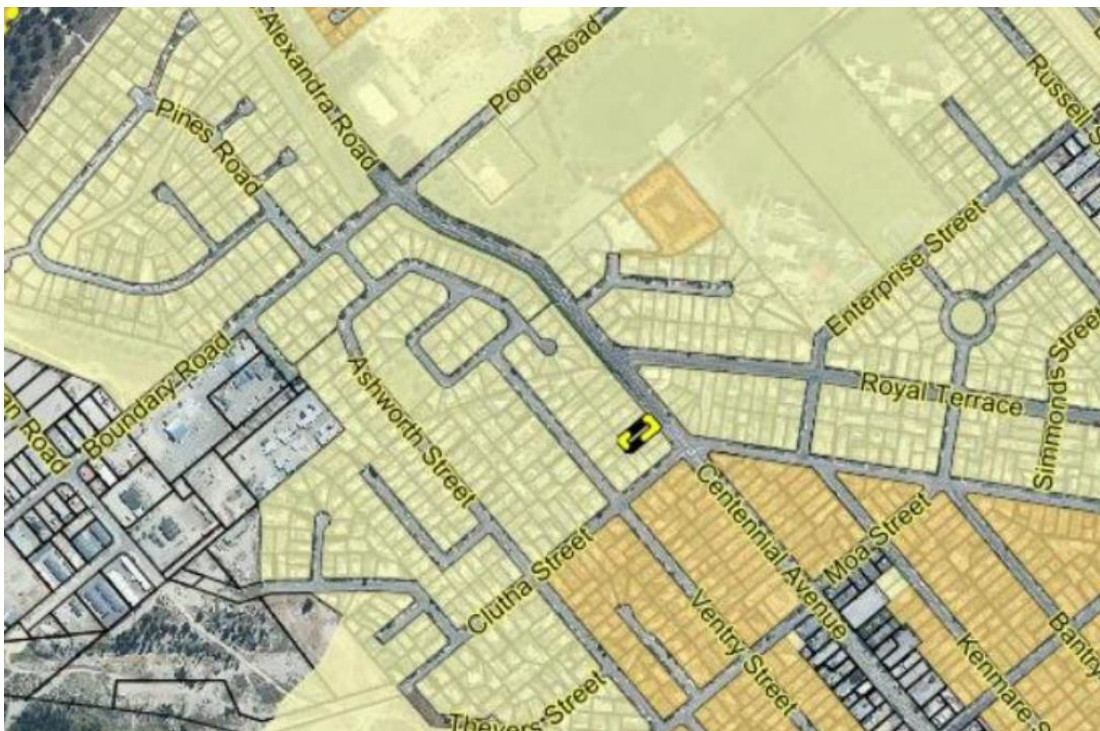


Figure 6 – Alexandra

196. The submitter notes that some sections in this area have already been subdivided, resulting in a mixed density in this area, and considers it would be “fairer and more visually appealing to work towards a similar density”, and consistent with the intent to have higher density closer to the centre of town.

### **Panel Findings**

197. The Panel is of the view that the decision to reduce the density in LRZ to 400m<sup>2</sup> as indicated earlier in this decision will go some way to addressing the concern of the submitter by allowing for infill of 800-1000m<sup>2</sup> sections.

---

<sup>50</sup> Submitter #42



198. The Panel decision is that the LRZ zoning of the block located between Centennial Ave / Clutha Street / Ashworth Street is retained as notified. The Panel does not consider re-zoning a MRZ to be appropriate or necessary.

#### 5.6.2 Alexandra Supermarket

199. Foodstuffs<sup>51</sup> seeks that 32 and 34 Kenmare Street are zoned Business Resource Area (BRA) rather than LRZ, to reflect the same zoning at the rest of the New World Alexandra site, and the current commercial use of the site.

200. The Panel understands that these sites are currently used for commercial purposes, established through a resource consent process, assessed under the current residential zoning applying to this part of the overall site.

201. As Ms White indicated in her section 42A (Stage 2) report rezoning this part of the site could allow for changes to the activities undertaken in this part of the site that extend beyond those assessed through the resource consent process and could have a greater impact on the surrounding residential properties.

202. No assessment was provided in the submission of the difference between what is authorised through the resource consent and what would be authorised through a change in zoning.

203. Following the hearing of evidence on behalf of Foodstuffs from Mr Allan who noted the BRA rules applying to the site, that were imposed by conditions of consent, and that any expansion to the current operation would trigger resource consent and that any changes would also likely trigger the need for a variation to the existing consents to be sought, regardless of zoning. Based on this assessment Ms White changed her recommendation in her reply indicating the BRA zoning would be more appropriate to achieve the objectives of the Plan.

#### ***Panel Findings***

204. The Panel agrees with Ms White's recommendation that 32 and 34 Kenmare Street be re-zoned as BRA.

205. In terms of s32AA of the RMA, the Panel considers this better reflects the surrounding environment and does not result in an isolated parcel of land zoned LRZ.

---

<sup>51</sup> Submitter #61

### 5.6.3 MRZ in north-west of Alexandra

206. LandPro<sup>52</sup> questioned whether it is appropriate to apply the MRZ to areas in the north-west of Alexandra, given there are no associated commercial or mixed-use areas near this area at present and consider LRZ may be more appropriate if not progressed alongside commercial development.
207. NTP Development Holdings Ltd<sup>53</sup>, who owns another greenfield site proposed to be zoned MRZ, supports the application of MRZ to their property.
208. Both of these areas have been identified in the Vincent Spatial Plan as providing an opportunity for *“A comprehensive, mixed-use approach to greenfield growth with a new neighbourhood centre, green corridors and small industrial area to support greenfield medium density residential expansion.”*
209. While there is no commercial area located near this area at present, one is anticipated as part of implementation of the Spatial Plan.
210. Because of existing development, no such opportunity exists in a more central location. Ms White indicated that she had seen this approach to greenfield medium density development undertaken successfully in areas outside Central Otago, and she does not consider the location of the proposed MRZ to be inappropriate.
211. The zoning is also staged, through part of the area being within a FGO, and therefore not anticipated to be developed in the short term.

#### **Panel Findings**

212. The Panel agrees with Ms White in her recommendation for the reasons outlined and considers that the MRZ zoning in north-west Alexandra should be retained as notified.

---

<sup>52</sup> Submitter #150

<sup>53</sup> Submitter #96

#### 5.6.4 155-157 Dunstan Road, and part of 129 Gilligans Gully Road

213. Original submissions from Shanon Garden<sup>54</sup> and Chris Cameron & Carolyn Patchett<sup>55</sup> sought that area shown in Figure 7 below, be rezoned to LRZ, or LLRZ Precinct 1.
214. Aidan & Philippa Helm<sup>56</sup> owners of 129 Gilligans Gully Road, also seek that the rezoning of that part of 129 Gilligans Gully Road as identified in red in figure 7 below, that is to be amalgamated with 155 Dunstan Road.



Figure 7 – 155-157 Dunstan Road and part 129 Gilligans Gully Road

215. The reasons for this request include:
- The zoning is incongruous with the MRZ proposed opposite to the south of Dunstan Road, and LRZ further to the east along Dunstan Road.
  - The industrial zoning and potential reverse sensitivity should not be used as the boundary/reason for the change between LRZ and LLRZ.
  - The proposed zoning is not an efficient use of the land and is not considered to be an 'outer' residential area as described in the LLRZ chapter.
  - The area is well-served by public open spaces, so private open space is not required and the landscape context within which the site sits supports higher density.
  - The site is within walking and biking distance to services and amenities.
  - Inclusion of part of 129 Gilligan's Gully Road will create a boundary at the bottom of the existing treed face and allow for development of the flatter portion of the site which is physically separated from the balance of the site, and which would be consistent with development that has occurred to the south.

---

<sup>54</sup> Submitter #139

<sup>55</sup> Submitter #141

<sup>56</sup> Submitter #130

- g) That while there are infrastructure issues including roading and wastewater, there are viable options to address these issues.
216. In terms of zoning in PC 19, LLRZ (Precinct 1) has been applied to areas where this is generally consistent with the current zoning applied (RRA 3 and 10), to maintain the existing amenity and character. This does not apply to this area, where the proposed LLRZ is a change to the current Rural Residential zoning and therefore application of the lower density would not align with the objective (LLRZ-O3) which seeks to recognise and provide for maintenance of the amenity and character resulting from existing or anticipated development in the precinct areas.
217. With respect to application of LRZ, in the Stage 2 s42A report, Ms White did not support this, due to servicing constraints raised by Ms Muir, and that the industrial activity to the south of these sites provided an appropriate 'break' between the transition from LLRZ to LRZ.
218. Mr Barr has suggested a rule limiting the number of lots that can be created to that which is anticipated under the notified LLRZ. This suggestion was accepted by Ms White in her reply<sup>57</sup>.
219. In terms of the appropriateness of LRZ in this location, the advice of Mr Moore, is that while the change in character from LRZ will be more significant, than that arising from the LLRZ zoning, it will remain similar in character to much of Alexandra's urban area and in this context "will not appear at all incongruous or inappropriately dense" in this location (paragraph 29(b)).
220. The Panel understands Mr Moore's evidence to essentially support either LLRZ or LRZ from a landscape and visual effects perspective.

### ***Panel Findings***

221. The s 32 report identifies the Vincent Spatial Plan as being the driver for the zoning of and under PC 19. The Spatial Plan, was a comprehensive community engagement process, spanning two years and represents the outcome of that engagement with the community.
222. The Spatial Plan was developed to assist Council in planning for future growth in term of zoning, urban form and infrastructure investment. While the Panel acknowledges it is not a document that is required to be given effect to under the provisions of the Resource Management Act, it was the engagement process chosen by Council to plan for future urban growth and a "management plan prepared under other Acts", to which a local authority shall have regard to, pursuant to s 74(2)(b) of the Act.
223. The Vincent Spatial Plan was developed with the assistance of expert urban design input from Boffa Miskell and provides a variety of typologies to meet growth demand.

---

<sup>57</sup> Officers reply p53

224. PC 19 proposes a change in zoning from Rural Residential (requiring a 2ha average) to LLRZ (1500m<sup>2</sup>) providing for a tenfold increase in density, which the Panel considers to be appropriate in this location.
225. The requested LLRZ zoning on Dunstan Road is a typology that was not provided for in the Alexandra prior to the Vincent Spatial Plan. The Vincent Spatial Plan zoning on Dunstan Road intentionally provides a transition between the commercial/industrial activities associated with the Fulton Hogan main yard and the Otago Bees Site and the Rural Lifestyle further down Dunstan Road.
226. Ms Muir identifies that the requested increase in intensification LRZ or LLRZ (Precinct 1), can be serviced for water, but cannot be serviced by wastewater at this time, and even if reticulation was to be provided by the developer, this could not proceed until the wastewater treatment upgrades identified in her report are completed. As such, rezoning of the site at this time is not able to be appropriately serviced in terms of wastewater.
227. Mr Barr on behalf of the submitter has suggested introducing a site-specific servicing threshold in LRZ density with a limitation on number allotments for this particular site. The suggestion will establish a pattern of development that is not consistent the Vincent Spatial Plan in terms of planning for future growth development.
228. The Panel does not accept the recommendation in Ms Whites reply that the zoning of 155 -157 Dunstan Road be changed to LRZ that limits the number of allotments that can be served, as it will effect a change in the character and typologies anticipated for this area through the Vincent Spatial Plan process.
229. The Panel notes that the Fulton Hogan site is currently zoned rural with a Scheduled Activity of "Contractors Yard". The site supports the largest employer in the District, generating a range of effects through the existing activities.
230. The Panel considers that the Fulton Hogan/Otago Bees site is the most appropriate "split" between the existing LRZ and LLRZ areas providing a logical separation between the LLRZ and the LRZ, noting the extensive reserve area southeast of the Fulton Hogan site that creates a buffer to the existing LRZ.
231. The Panel considers the proximity to the MRZ across Dunstan Road, is not sufficient to justify the rezoning, and that the industrial activity to the south of these sites provides an appropriate 'break' or transition from LRZ to LLRZ to Rural Lifestyle.
232. The Panel considers that there is a natural separation between the MRZ and Dunstan Road created by the Rail Trail immediately adjacent to Dunstan Road.
233. Overall, the Panel prefers Ms Whites original recommendation and reasons outlined in her Stage 2 section 42A report that the LLRZ be retained.
234. The zoning of 155-157 Dunstan Road is to retain the LLRZ as notified in Plan Change 19 and that portion of 129 Gilligans Gully Road as shown in Figure 7 above is to be rezoned LLRZ.

235. With respect to rezoning part of 129 Gilligans Gully Road shown in figure 7 above, the panel agrees with Ms White that including this in the LLRZ will result in a more logical boundary between the residential and rural residential zones which reflects the topography of the site, and which is consistent with the surrounding properties. This would allow for development of 4 or 5 lots and reflecting more of a boundary adjustment than an extension to the zone which would otherwise result in the servicing constraints identified above.

#### 5.6.5 Alexandra-Fruitlands Road and McGregor Road

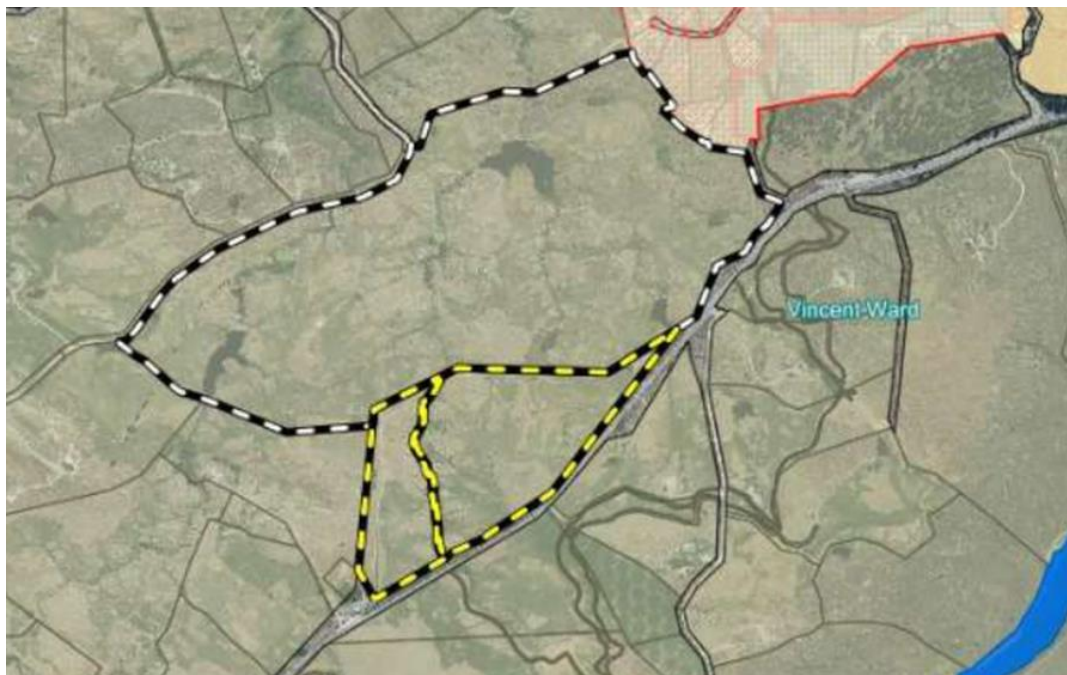


Figure 8

236. Rocky Glen Ltd<sup>58</sup> seek that a 105ha site be re-zoned LLRZ as shown in figure 8. The site is currently zoned Rural Resource Area and was not proposed to be rezoned through PC19. The submitter considers that the extension of residential zoning is a logical expansion to the “Old Golf Course Road” subdivision to the east to accommodate future growth, offering a good north aspect and unique landscape for development.

237. The Panel notes that the property was not identified as a growth area suitable for growth in the Vincent Spatial Plan.

238. In terms of servicing Ms Muir indicates that the site cannot be serviced for wastewater and there is no capacity in planned wastewater treatment upgrades to service this area. She also notes that the site is above existing reservoir levels and water would need to be pumped which would result in higher operating costs. The rezoning would therefore not be integrated with infrastructure and as pointed out by Ms White in her section 42A (Stage 2) report would be inconsistent with Objective 6.3.4 of the operative plan.

---

<sup>58</sup> Submitter #159



239. The Panel also notes that yield assessment undertaken as part of the Vincent Spatial Plan demonstrated that the anticipated demand in Alexandra can be met through the supply provided in the Spatial Plan, without further land being required. Rezoning of this site is therefore not necessary to provide for demand.

240. While the submitter states that new development would be able to be incorporated into the landscape so as not to obscure views from the State Highway, no landscape assessment has been provided with the submission to support this.

### **Panel Findings**

241. Given the property is unable to be serviced and the panel has not been presented with any evidence supporting the appropriateness of the proposed zoning, the Panel rejects the request that the land be re-zoned as LLRZ and finds that the Rural Resource Area zoning of the Alexandra-Fruitlands Road and McGregor Road sites should be retained.

## 5.7 Zoning Requests – Cromwell

### 5.7.1 Keyrouz Holdings Limited (#125)

242. The submitters are seeking a change to the zoning of the area located on the south-eastern corner of Barry Avenue and State Highway 8, from MRZ and LRZ, to Business Resource Area. The zoning proposed under PC19 is shown figure 9.



Figure 9

243. The site was identified in the Cromwell Spatial Plan as Medium Density zoning.
244. The site is currently identified as a Scheduled Activity (SA100) for travellers accommodation (the “Golden Gate Lodge”) and the main part of the site currently contains a bar and restaurant, a hotel, a liquor store, and associated areas of car parking, along with a residential dwelling.
245. The parcel fronting the State Highway is currently zoned BRA(1), and subject to a designation for amenity planting and not identified in the Spatial Plan for residential development. The submitter states that the current investment in the existing buildings mean it is unrealistic that they would be removed to allow for residential development.
246. The submitter considers that applying residential zoning to these sites *“will apply an inappropriate objective, policy and rule framework to future activities associated with the maintenance and development of existing assets”*.

### **Panel Findings**

247. The Panel agrees with the recommendation of Ms White in her s42A (Stage 2) report that the site be re-zoned as BRA for the reasons outlined in her report.
248. In terms of s32AA the Panel agrees with Ms Whites evaluation that it is more efficient to apply the Business zoning to that part of the site which has established commercial uses and that the current use of the site aligns better with the outcomes sought for the BRA than with those of the MRZ and therefore applying the BRA to this area better assists in achieving the outcomes sought by the Plan; applying the Business zoning to the wider site, while reducing the potential for some additional residential development, is more appropriate as it provides for a more consolidated business area and is consistent with the current use, character and amenity of the surrounding area; the loss of potential development is not of such a scale that it would undermine provision of sufficient supply and that the adverse effects arising from potential future development of this area under the BRA framework are adequately managed through the BRA framework and through the buffer that exists between these sites and surrounding residential areas.

## 5.8 Zoning Requests - Bannockburn

249. The Panel heard from multiple parties seeking to extend the urban/residential boundary of Bannockburn to the south and amend to change the density of development in the township. We also heard from Ms Muir that there are significant constraints in terms of extension of existing or planned water or wastewater infrastructure.
250. In considering the requests below the Panel acknowledges that additional residential zoning and provision for growth Bannockburn was not included in the Cromwell Spatial Plan and therefore has not been considered as part of a wider community discussion on whether Bannockburn should grow, where that growth should occur and what an appropriate density might be.



251. In terms of whether the zoning is appropriate to include in PC19, the Panel is mindful of consideration of whether the identified shortfall in capacity specifically in Bannockburn “must” be met by rezoning land within Bannockburn in order to give effect to the NPS-UD, or whether the NPS-UD requirements are met through a focus on consolidating growth in Cromwell.
252. As indicated earlier in this decision the Panel does not agree that the NPS-UD requires that variety and supply must be met at each township, when the township itself is part of a wider urban environment and the direction in the NPS-UD relates to the “urban environment” not every component part of it.
253. We are of the view that the NPS-UD provides discretion to the Council to determine where best to provide capacity and variety and does not agree that the Council “must” establish a particular zone in Bannockburn to meet a shortfall, nor that different densities must be applied in each township.
254. The Panel agrees with Ms White that it is broadly appropriate to provide for additional growth in Bannockburn, however the development that has occurred to date has given it a particular character and amenity that appears to be distinct from other urban areas, and which, as evidenced by submissions, is highly valued by the community, and is part of the ‘variety’ of housing across the district. Any additional supply would help to continue providing for this variety, however, where and how this growth should be provided needs to be considered in the context of the whole, rather than on a site-by-site basis.
255. There are infrastructure constraints Ms Muir considers infrastructure servicing will have greater ongoing operational costs, which will fall to other ratepayers, not just the developer. The Panel considers this to be a relevant factor to consider when assessing different growth options.
256. The Panel is also of the view that some of the future growth options in Bannockburn are better dealt with through a township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn in relation to some requests.

#### 5.8.1 J Jones Family Trust and N R Searell Family Trust (#82)

257. This submission relates to properties at 88 Terrace Street, on the eastern side of Bannockburn Road as shown in figure 10.

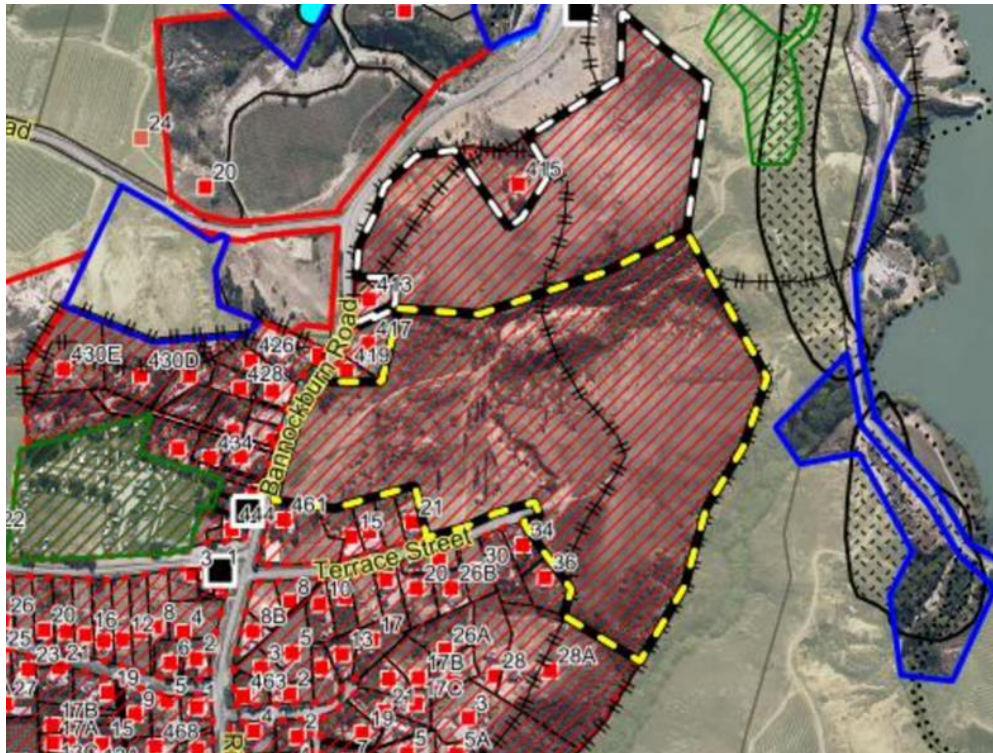


Figure 10 – Bannockburn

258. Through evidence, the relief sought was refined the application of MRZ within a 1.8ha area, subject to a reduced building height of 8.5; application of a commercial precinct within this MRZ area to a 30m strip along Bannockburn Road and related set off provisions; and retaining LLRZ over the balance of the site, but with a minimum and average allotment size of 1,000m<sup>2</sup> and 1,500m<sup>2</sup> respectively applying.
259. Mr Fowler suggested that PC19 lowers the density in Bannockburn. It is important to note that while the minimum site area is raised from 1500m<sup>2</sup> to 2000m<sup>2</sup>, an average of 2000m<sup>2</sup> currently applies, and as pointed out by Ms White this means under current zoning a minimum site area of 4000m<sup>2</sup> would be required to realise any additional allotments.
260. The submitter has provided a range of supporting evidence, including a landscape assessment from Mr Milne. Aspects of this are set out and discussed above in relation to the comprehensive development pathway. In addition to this he considers that:
- a) The proposed MRZ and commercial precinct areas will establish an urban village centre which will enhance amenity of township, and while the character of this area will change to an urban one, such development will complement existing commercial activity on east side of road and therefore not be unexpected in the context.<sup>59</sup>
  - b) The 8.5m / 2 storey limit for the proposed MRZ and commercial precinct areas is appropriate in context of wider landscape and scale of existing built form.<sup>60</sup>

<sup>59</sup> Stage 2 Evidence of Tony Milne (#82 - D J Jones Family Trust and N R Searell Family Trust), paras 17 & 77

<sup>60</sup> Stage 2 Evidence of Tony Milne (#82 - D J Jones Family Trust and N R Searell Family Trust), para 86

- c) While the proposal will result in a change in the character to that which exists now, the key landscape values of the wider environment will be maintained.<sup>61</sup>
- d) There is capacity for higher density development in the context (near the existing village centre and flat eastern part of the site,<sup>62</sup> with lower density appropriate within eastern flat part of site beyond MRZ and on hills and terraces.

261. In his planning evidence, Mr Barr considered that the proposal is more appropriate than LLRZ as notified, as it provides benefits in the form of a modest variety in housing and increased potential for affordability through such variety, as well as benefits of providing consolidated commercial area.

262. In relation to the MRZ, Mr Barr notes that Clyde has MRZ, with Clyde Township being 185ha in area and Bannockburn 130ha, and that Clyde is a comparable distance from Alexandra as Bannockburn is from Cromwell. However, he also acknowledges that Clyde is predominately zoned LRZ where Bannockburn is zoned LLRZ. There is also a difference in terms population base indicated that at the time of the 2018 census, Bannockburn's population was 477, compared with 1,161 in Clyde.

263. In relation to the application of a commercial precinct Mr Barr states that the design of the proposed Commercial Precinct provisions are not those of a dedicated commercial zone, but an overlay that sits within the MRZ framework,<sup>63</sup>

264. Mr Barr seeks the inclusion of a new objective which seeks that *“Commercial activities and community facilities are provided for within the Commercial Precincts, are limited in scale and maintain or enhance residential amenity, provide for local convenience and services, and support the local economy.”*

265. Ms Muir in her section 42A evidence indicated that to service this site would require significant upgrading to existing water reticulation and storage capacity. Water would need to be pumped to this area which would result in higher operating costs. It would also require capacity increases in wastewater treatment. Concluding that these upgrades *“exceed current infrastructure planning provisions for level of service and growth”*.

266. Ms Muir also notes that the capacity constraints for wastewater relate to the Cromwell wastewater treatment plant, and therefore the evidence regarding wastewater reticulation to the site does not change staff advice regarding these capacity constraints at the treatment plant. With respect to water, she notes that capacity constraints relate to the volume of water that can be delivered through the main Bannockburn pipeline to the Bannockburn reservoir.

---

<sup>61</sup> Stage 2 Evidence of Tony Milne (#82 - D J Jones Family Trust and N R Searell Family Trust), para 19

<sup>62</sup> Stage 2 Evidence of Tony Milne (#82 - D J Jones Family Trust and N R Searell Family Trust), para 99

<sup>63</sup> Stage 2 Evidence of Criag Barr (#82 - D J Jones Family Trust and N R Searell Family Trust), para 6.47

## **Panel Findings**

267. The Panel agrees with Ms White that Clyde and Bannockburn are not as comparable as Mr Barr suggests, and that the appropriateness of applying the MRZ to this area is best considered as part of a wider consideration about how demand in Bannockburn should be provided for.
268. The Panel does not necessarily agree that PC19 reduces the current development opportunities, however as noted earlier in this decision the Panel has determined that it would be appropriate to reduce the density to a minimum density of 1500m<sup>2</sup> in LLRZ.
269. The Cromwell Spatial Plan stated support for growth of housing but noted that this was to be balanced with the current section sizes and retaining character of local streets.<sup>64</sup> The Panel is of the view that the proposal for MRZ is inconsistent with this outcome.
270. The Panel notes that PC19 is limited in scale to the zoning and management of residential areas, and the area for commercial development, is considered to be outside the scope of PC19. The appropriateness of a commercial zoning/precinct should be considered when the Business Resource Area section is reviewed.
271. The Panel agrees with the recommendation from Ms White that no further changes in relation to this particular site be made.
272. Decisions in relation to providing a pathway for Comprehensive Residential Development in LLRZ and the minimum lot size for LLRZ that are relevant to this site, provides some relief but in a more appropriate manner and that future growth options in Bannockburn are better dealt with through a township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn.

---

<sup>64</sup> Page 44.

## 5.8.2 Stephen Davies (#147)

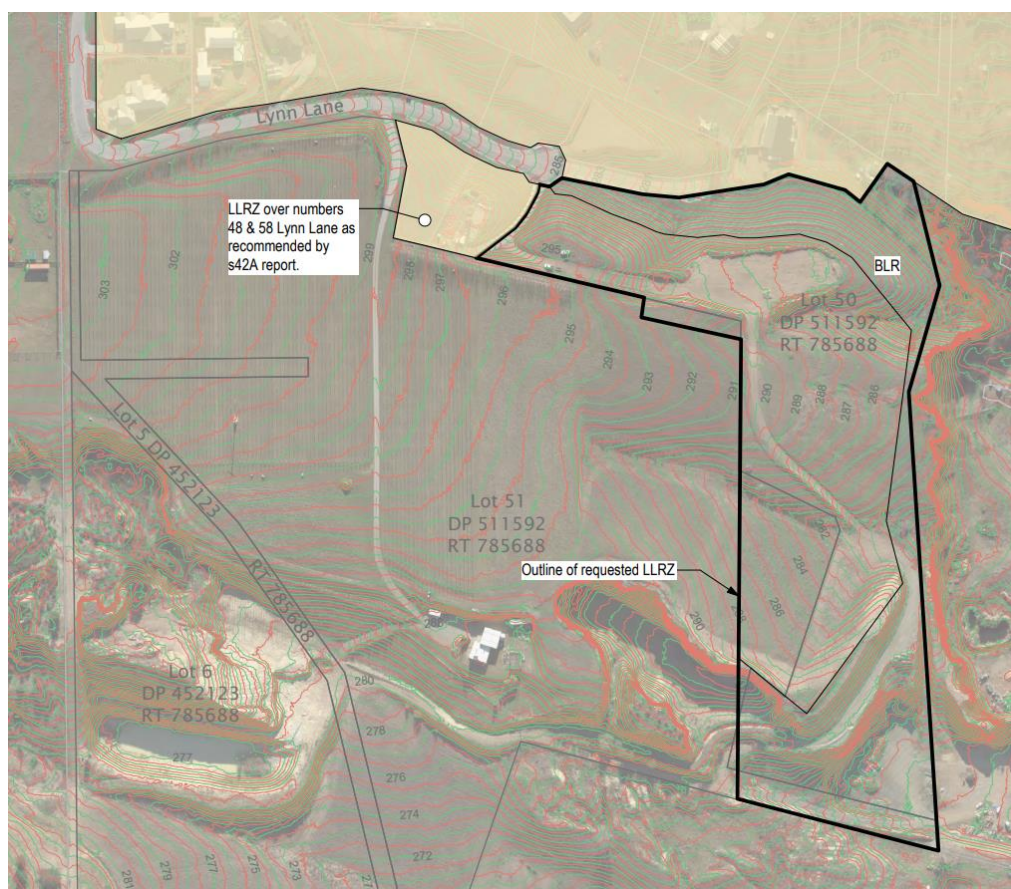


Figure 11

273. Mr Davies<sup>65</sup> is seeking that a portion of 69 Hall Road be rezoned LLRZ (figure 11), and that the western vineyard area currently zoned RRA4 be re-zoned Rural Resource Area. This includes land that is subject to a four-lot subdivision consent, as well as an additional 2ha of unproductive land, as a comparable exchange for the vineyard land. The Doctors Flat Vineyard is located on the RRA (4) land south of Lynn Lane. The Proposal is to re-zone the vineyard as Rural Resource Area and the area identified in figure 10 (including the existing dwellings at 48 & 50 Lynn Lane) as LLRZ.
274. The submitter presented a range of evidence at the hearing, including legal submissions, soil analysis, a landscape assessment, and a planning assessment, further clarifying the relief sought and background to the site. Based on soil analysis taken from the site the submitter asserted through evidence that the provisions of the NPS-HPL did not therefore apply to the site.

<sup>65</sup> Submitter #147



275. The evidence of Dr Hill<sup>66</sup> addressed the applicability of the NPS-HPL and he was satisfied that the site is not LUC 1-3, and therefore that the NPS-HPL does not apply, on the basis that:
- a) Clause 3.5(7) of the NPS-HPL states that until mapping is undertaken by the regional council, the NPS is to be applied to land that, at the commencement date of the NPS, was zoned general rural or rural production; and is LUC 1, 2, or 3 land.
  - b) The definition of “LUC 1, 2, or 3 land” in turn, is defined as land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification; and
  - c) Dr Hill has undertaken an assessment, based on the Land Use Capability classification and determined that the site does not contain any land which meets the classification of Land Use Capability Class 1, 2, or 3.
276. The methodology used by Mr Hill to determine soil classification has been confirmed as appropriate by the peer review by commissioned in response to Minute 4.
277. In Minute 4 the Panel sought advice from Jayne Macdonald of MacTodd regarding whether the classification of land under the NPS-HPL could be changed.
278. Ms Macdonald advised that the transitional clause is deliberate in its wording - at the commencement date. In the transitional period therefore, highly productive land will be land that is mapped as LUC 1, 2 or 3 (whether by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability) at the commencement date. More detailed mapping undertaken after the commencement date (whether by a territorial authority or a landowner) will be a matter for the mapping and subsequent Schedule 1 process to which clause 3.4 relates.
279. The Panel notes Ms White in her reply accepted the interpretation of offered by Ms Wolt and Mr Woodward.
280. In Environment Court Decision No. [2024] NZEnvC 83, dated 18 April 2024 Judge Steven considered the following legal issue: “...can more detailed mapping undertaken since 17 October 2022 using the Land Use Capability (LUC) classification prevail over the identification of land as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory (NZLRI) and determine for the purposes of cl 3.5(7) of the NPS-HPL whether land is highly productive land (HPL)”<sup>67</sup>.
281. Judge Steven found that “...the definition of LUC 1, 2 or 3 land in cl 1.3 of the NPS-HPL applies to all references to LUC 1, 2 or 3 land in the NPS-HPL. It does not apply only to the transitional period meaning of HPL in cl 3.5(7). “More detailed mapping” after the commencement date might reveal that the land is or is not LUC 1, 2 or 3 land. However, the purpose of the NPS-HPL and in particular the transitional period, is that any new

---

<sup>66</sup> Stage 2 Evidence of Dr Reece Hill (#147 – Stephen Davies)

<sup>67</sup> Environment Court Decision No. [2024] NZEnvC 83, para [2]

information concerning LUC classification is to be fed into the Schedule 1 mapping process to be undertaken by regional councils.”

282. This finding specifically addresses the concept of a site-specific assessment undertaken by an individual, and the planning and legal submissions on behalf of the submitter.
283. The Panel is aware that interpretation and/or application of the provisions of NPS-HPL is at an early stage, and at the time of the hearing, the ability to undertake site-specific assessment had yet to be tested. Minute 5 was issued by the Panel inviting those parties who had suggested that a site-specific assessment can alter the soil classification of a site to provide further comment, resulting in the land no longer being captured by the NPS-HPL.
284. In response to Minute 5 supplementary planning evidence has been received from Ms White and Mr Woodward, and supplementary legal submissions from Ms Rebecca Wolt on behalf of Mr Davies.
285. Ms Wolt<sup>68</sup> in her supplementary legal submissions acknowledges the Court decision and focuses the Panel’s attention towards consideration of the requested re-zoning under Clause 3.6 (4) of the NPS-HPL and noting the assessment undertaken on behalf of the submitter by Mr Woodward in his evidence dated 16 May 2023 and legal submissions from Ms Wolt dated 19 May 2023.
286. Clause 3.6 (4) requires Territorial authorities that are not Tier 1 or 2 may allow urban rezoning of highly productive land only if:
- (a) the urban zoning is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and*
  - (b) there are no other reasonably practicable and feasible options for providing the required development capacity; and*
  - (c) the environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*
287. Ms Wolt provides an additional assessment of the NPS-UD and its applicability to the Central Otago District which she considers relevant to the consideration of the requested zoning under Clause 3.6 (4). The Panel has considered the applicability of the NPS-UD and whether or not Central Otago District is a Tier 3 urban environment in section 4.1 of this decision. The Panel acknowledges its applicability to an interpretation of Clause 3.6 (4) and in particular the requirement for ‘sufficient development capacity to meet expected demand’.

---

<sup>68</sup> Supplementary legal submissions in response to Minute 5, 13 May – Rebecca Wolt (#147/#123)

288. The Panel notes Ms Wolt’s acknowledgement that development capacity must be plan enabled, infrastructure ready and reasonably expected<sup>69</sup>. Ms Wolt references the additional evidence provided by Mr Woodward<sup>70</sup> that considers the residential zoning of the submitters land is necessary to ensure sufficient development capacity is provided in terms of ‘*variety (housing type and location)*’.
289. The evidence provided by Mr Woodward relies on the evidence presented by Ms Muir<sup>71</sup> in relation to servicing. Ms Muir has confirmed if the proposed zoning “swap” does not result in any net increases to the number of connections to the Council water and wastewater networks than has currently been consented, then this is able to be accommodated.
290. Ms White in her response to Minute 5 confirmed her view that the rezoning of this site is not precluded, because the tests set out in Clause 3.6(4) of the NPS-HPL are likely met, if the requirement for development capacity is considered on a township basis. This is because PC19 is anticipated to provide sufficient development capacity to meet demand for housing across the district as a whole, but at a more localised level, there is an identified shortfall to meet the specific demand anticipated within Bannockburn as identified in the Rationale yield assessment.

### **Panel Findings**

291. The Panel agrees with Ms White, Ms Wolt and Mr Woodward in their responses to Minute 5, that in relation to the submitters site that the criteria outlined in Clause 3.6 (4) has been met.
292. The requested zoning reflects the actual land use and the servicing constraints identified in relation to the wider Bannockburn township do not arise in relation to this site as the additional land sought to be zoned LLRZ is either already consented for development at the density anticipated under an LLRZ, or results in the same development opportunities as currently exist.<sup>72</sup>
293. The Panel considers that the potential effects of the LLRZ being applied to a broader area can be appropriately addressed through application of a Building Line Restriction promoted by the submitters expert landscape architect.<sup>73</sup>
294. The Panel agrees with Ms White in her reply that the request amounts to a zone ‘swap’ between similar sized areas and can be considered in isolation of other expansions sought

---

<sup>69</sup> Supplementary legal submissions in response to Minute 5, 13 May – Rebecca Wolt (#147/#123), para 43

<sup>70</sup> Supplementary evidence in response to Minute 5, 13 May – Jake Woodward (#147)

<sup>71</sup> Evidence of Ms Julie Muir in response to Minute 4, date 25 August 2023.

<sup>72</sup> Stage 2 Evidence of Richard Ford (#147 – Stephen Davies)

<sup>73</sup> Stage 2 Evidence of Benjamin Espie (#147 – Stephen Davies)



to the urban boundary and recommend that the land is rezoned now, through PC19, rather than deferring this to consideration through a township-specific Spatial Planning exercise looking at other growth options in Bannockburn, as follows:

- a) That those parts of 69 Hall Road shown as “Outline of requested LLRZ” in Appendix B of Mr Espie’s evidence<sup>74</sup> is zoned LLRZ.
- b) That a Building Line Restriction as shown in Appendix B of Mr Espie’s evidence<sup>75</sup> is added to the planning maps.
- c) That those parts of 69 Hall Road currently zoned Residential Resource Area 4 and shown as “Rezone to Rural” in Figure 4 of Mr Woodward’s evidence<sup>76</sup> be zoned Rural Resource Area.

295. Ms White in her reply has also recommended in relation to another submission regarding potential reverse sensitivity effects can be addressed in the PC19 provisions through the addition of a matter of discretion relating to subdivisions to SUB-R4.<sup>77</sup> The Panel agrees it would be appropriate to assist in managing such potential effects in relation to the vineyard activities. The Panel considers it appropriate to add the following matter of discretion to SUB-R4:

*Any measures required to address the potential for reverse sensitivity effects to arise in relation to existing activities undertaken on adjoining land.*

296. In terms of s32AA, the Panel notes that an extensive evaluation is undertaken in Mr Woodward’s evidence. Councils reporting officer, Ms White agrees with Mr Woodward’s assessment that the changes in zoning sought are more appropriate to assist in achieving the purpose of the plan change, because this is a more efficient way to achieve the outcomes sought and will still be effective at achieving the Plan’s objectives.

---

<sup>74</sup> Stage 2 Evidence of Benjamin Espie (#147 – Stephen Davies)

<sup>75</sup> Stage 2 Evidence of Benjamin Espie (#147 – Stephen Davies)

<sup>76</sup> Stage 2 Evidence of Jake Woodward (#147 – Stephen Davies)

<sup>77</sup> Officer reply report para 186

### 5.8.3 J Klevstul and R Klevstul and Rubicon Hall Road Limited (#163)

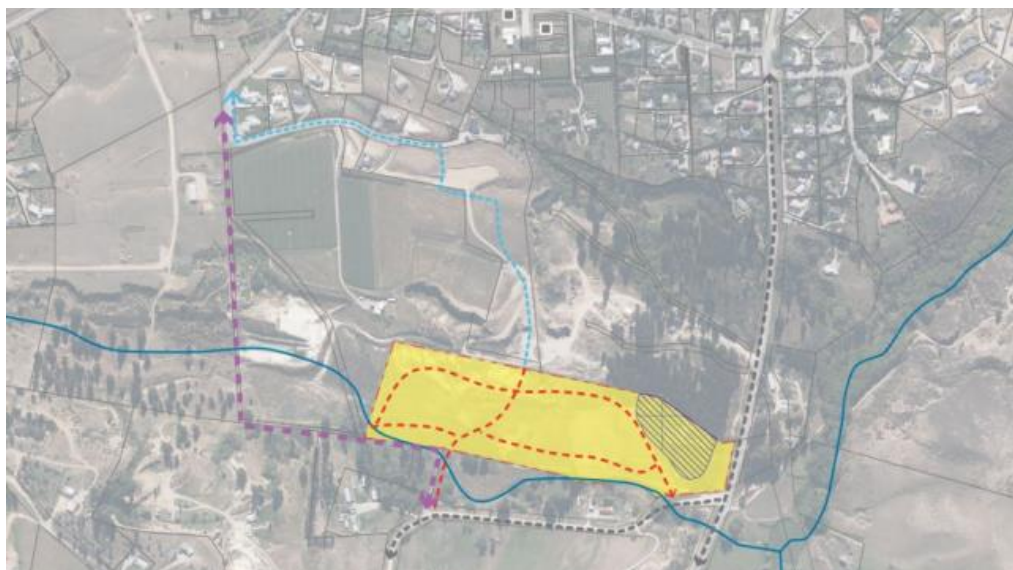


Figure 12

297. J Klevstul and R Klevstul and Rubicon Hall Road Limited<sup>78</sup> seek the re-zoning of approximately 22.2ha of land to the south of Bannockburn be rezoned from Rural Resource Area to LLRZ, with a precinct applied to allow for an average allotment size of 1000m<sup>2</sup>, or lower where the urban design principles outlined in a “Rural Hamlet Vision”.
298. This submission relates to a site to the south of the current Bannockburn Township, fronting Bannockburn and Schoolhouse roads. The submitter is requesting the development of a Hamlet Style development that would provide for allotments with a minimum 400m<sup>2</sup> and an average of 1000m<sup>2</sup>.
299. Through the hearing process, the submitter provided a range of evidence to support the rezoning request, as follows:
- a) That the site is not subject to the NPS-HPL because it is not identified as having LUC Class 1, 2 or 3 soils and therefore while the NPS is relevant in terms of the wider context of PC19, it is not a constraint to this particular zoning request.
  - b) The existing road network can accommodate the additional traffic that the rezoning would likely result in without adverse effects on capacity or road safety.
  - c) There are no natural hazard risks which preclude the rezoning.
  - d) From a landscape perspective, the site has capacity to absorb development and this development would be compatible with the surrounding environment, tying in with existing patterns in a logical way, with boundaries that relate to existing landform, development and roading patterns.
  - e) It would also provide a logical and coherent southern edge to the township. The topography limits the visual catchment from which the site can be seen, and the site’s development will generally visually “read” as a part of the township, and logically and

<sup>78</sup> Submitter #163

coherently align with the landform and current character of the township. The reduction in visual amenity from the reduction in open and rural nature would be low and the development of the site will not give rise to development that is visually prominent or out-of-place.

- f) From an urban form perspective, growth of the Township into this site can be supported when considering the constraints to expansions elsewhere. Higher density development of this site could be undertaken in a form that responds to the character of Bannockburn.
  - g) If necessary, wastewater constraints could be addressed by a communal wastewater system.
300. Mr Giddens suggests application of a much lower minimum site size (of 400m<sup>2</sup> and at an average of 1000m<sup>2</sup>), but this would appear to provide for greater than the 35 lots relied on in the technical assessments.
301. The Panel agrees with Ms White's assessment that the proposed planning provisions could lead to potentially double the number of houses, which is greater than the assessments undertaken, noting that the 2019 ORPS seeks, through Objective 4.5, that urban growth and development is well designed, occurs in a strategic and coordinated way. Policy 4.5.1 also directs that the extension of urban areas is coordinated with infrastructure development programmes, to provide infrastructure in an efficient and effective way, and Policy 4.5.2 directs the strategic integration of infrastructure, including coordinating the design and development on infrastructure with growth and redevelopment planning.
302. The Panel agrees that in the context of Bannockburn, infrastructure provision is something that should be considered and fed into consideration of what are the most appropriate growth options for Bannockburn.
303. Ms Muir in her section 42A evidence indicated that to service this site would require significant upgrading to existing water reticulation and storage capacity. Water would need to be pumped to this area which would result in higher operating costs. It would also require capacity increases in wastewater treatment. Concluding that these upgrades "*exceed current infrastructure planning provisions for level of service and growth*".
304. Ms Muir has also provided comments on the servicing evidence presented by Mr Ford on behalf of the submitter. She notes that his evidence focusses on the servicing of this individual development, and not the implications the demand from this development would have on the level of service on the wider existing Bannockburn and Cromwell networks.
305. Ms Muir also reiterates that the capacity constraints for wastewater relate to the Cromwell wastewater treatment plant, and therefore the evidence regarding wastewater reticulation to the site does not change staff advice regarding these capacity constraints at the treatment plant. With respect to water, she notes that capacity constraints relate to the volume of water that can be delivered through the main Bannockburn pipeline to the Bannockburn reservoir.

306. Ms Muir has not changed her previous evidence regarding capacity constraint that exists in the Bannockburn water main and that servicing this site would have implications in terms of the increased ongoing operational costs.
307. In relation to the option put forward by Mr Ford for on-site wastewater discharge, Ms Muir strongly advises against a communal onsite wastewater system. She notes that this would require a land disposal consent from the Regional Council and considers that does not align with the direction being taken on the new Land and Water Plan.
308. In response to Minute 4 of the Hearing Panel, a peer review has also been undertaken of Mr Lunday's urban design evidence by Tim Church.<sup>79</sup> His view is that if growth is to be provided for in Bannockburn, it would be most appropriate to focus initially on more intensive residential infill before extending LLRZ further into greenfield areas, such as the submitter's land.
309. Mr Church notes that if the Hearing Panel considers expansion is appropriate, he considers the range of alternative urban form options should be considered, along with wider community input on these, indicating that it would be more appropriate to go through a more rigorous spatial planning process to identify optimal outcomes for Bannockburn. Mr Church also considers that while the site could be developed to be either a well-integrated part of a southern expansion to the Bannockburn, or a more sustainable, self-contained hamlet more independent from the settlement, the plans presented within the submission or Mr Lunday's evidence are not likely to achieve either of these.

### ***Panel Findings***

310. The Panel accepts the evidence of Ms Muir that the site is unable to be serviced at this time.
311. The Panel agrees with Ms White that the site should not be rezoned at this time, but instead considered as part of a wider spatial planning process encompassing a range of options for the growth of the Township, and allowing the community the opportunity to consider the various options for future growth in Bannockburn that considers where and how growth will occur in Bannockburn.
312. The Panel agrees with Mr Church's urban design review of Mr Lunday's evidence that considers if growth is to be provided for in Bannockburn it would be more appropriate for it to be focussed initially on infill rather than extending to alternative greenfields sites.

---

<sup>79</sup> Response to Minute 4 – Tim Church, Boffa Miskell

#### 5.8.4 Carine Macleod (#135)

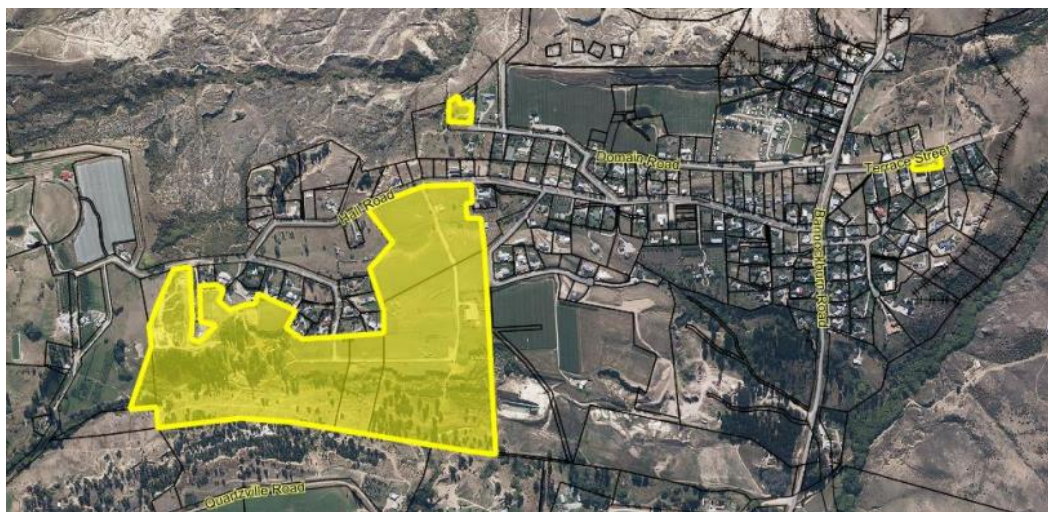


Figure 13

313. Ms Macleod submits that the LLRZ at 97 Hall Road should be extended further to include an additional 3.5ha portion of her site. Mr Barr notes that (at this preferred density) this would provide for the development of a further 12 allotments, and in his view the rezoning would assist in providing additional housing capacity, while retaining the overall scale and character of Bannockburn, noting the extension would square up the current zoning pattern in this area.<sup>80</sup>
314. The NPS-HPL applies to the site and Ms White considers that there is difficulty in undertaking an assessment of whether the rezoning of this site meets clause 3.6(4) of the NPS-HPL in isolation from consideration of other options for the provision of development capacity.
315. Ms Muir in her s42A report (water and wastewater) has indicated that this could be serviced for water after 2026 after the main Bannockburn pipeline is upgraded. This could be serviced for wastewater after 2029 after nitrogen removal and increased treatment capacity has been constructed.
316. Ms White considers that rezoning of the site would be more appropriately considered as part of a more holistic assessment of where and how growth in Bannockburn should be provided for.

<sup>80</sup> Stage 2 Evidence of Craig Barr (#135 – Cairine MacLeod), paras 1.2-1.3



**Panel Findings**

317. The Panel accepts the evidence of Ms Muir that the site is unable to be serviced at this time.
318. The Panel agrees with Ms White and considers that it would be more appropriate for the site to remain rural and future growth options in Bannockburn are better dealt with through a more detailed township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn and the site should remain zoned Rural Resource Area.

5.8.5 Harold Kruse Davidson and Koraki Limited and ScottScott Limited (#143)



Figure 14

319. The submitter seeks that land at the end of Hall Road is rezoned LLRZ. Mr Curran indicated in his evidence that despite being highly productive land, the site can be rezoned because it provides for necessary residential development capacity.<sup>81</sup>
320. Mr Curran is of the view that development capacity (in terms of Clause 3.6(4)(a) of the NPS-HPL) should be considered at a township level.
321. Ms White notes that provision for development capacity cannot be determined without consideration of other options which would provide for this capacity. In other words,

---

<sup>81</sup> Stage 2 Evidence of Matthew Curran (#143 - Harold Kruse Davidson and Koraki Limited and ScottScott Limited), paras 16-22

rezoning this land may not be necessary to provide development capacity if there are other, more appropriate options to provide the necessary capacity.

322. Mr Curran also considers that urban form is not an impediment to the rezoning of this land,<sup>82</sup> but this is not supported by an urban design or landscape assessment.
323. Ms Muir has indicated that to service this site require significant upgrading to existing water reticulation and storage capacity. It would also require capacity increases in wastewater treatment. These upgrades exceed current infrastructure planning provisions for level of service and growth.

### ***Panel Findings***

324. Ms Muir has indicated the site is unable to be serviced at this time.
325. The NPS-HPL applies to the site and there is difficulty in undertaking an assessment of whether the rezoning of this site meets clause 3.6(4) of the NPS-HPL in isolation from consideration of other options for the provision of development capacity.
326. The Panel agrees with Ms White and considers that it would be more appropriate for the site to remain rural and future growth options in Bannockburn are better dealt with through a more detailed township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn and the site should remain zoned Rural Resource Area.

#### 5.8.6 Nakita Smith and Kieran Parsons (#100)

327. Submitters are seeking to provide for LLRZ on Lots 50 DP 511592 and part Lot 51 DP 511592, Lot DP 460583 and Lot 2 DP 460583 on School House Road, Bannockburn, as shown in figure 14. The site has an area of approximately 14ha on Schoolhouse Road and Hall Road currently zoned as Rural Resource Areas, subject to a LUC 3 soil classification.
328. Ms Muir has indicated that to service this site require significant upgrading to existing water reticulation and storage capacity. It would also require capacity increases in wastewater treatment. These upgrades exceed current infrastructure planning provisions for level of service and growth.

---

<sup>82</sup> Stage 2 Evidence of Matthew Curran (#143 - Harold Kruse Davidson and Koraki Limited and ScottScott Limited), paras 23-27

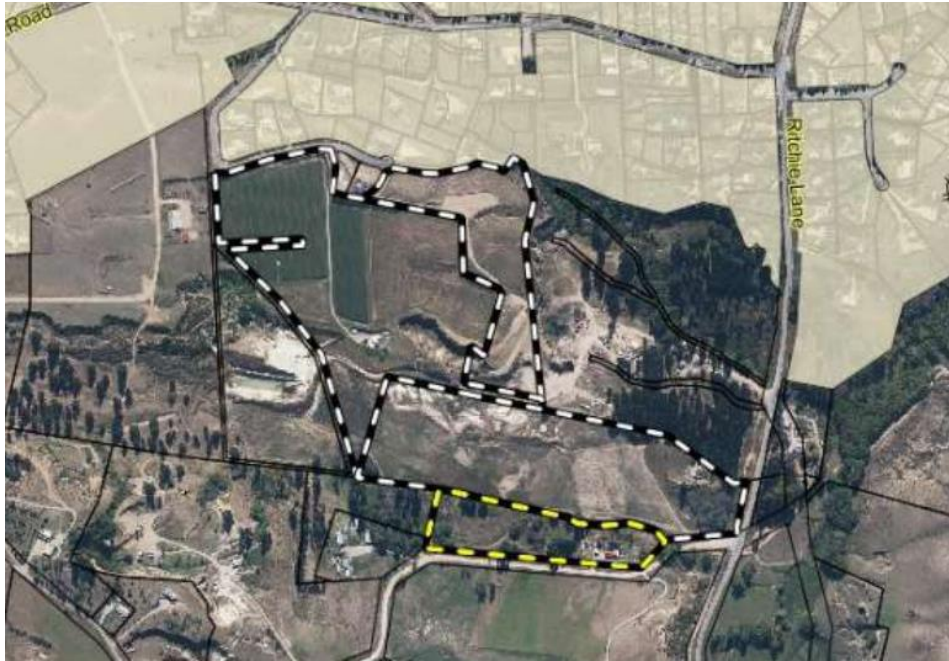


Figure 15

### **Panel Findings**

329. Ms Muir has indicated the site is unable to be serviced at this time.
330. The NPS-HPL applies to the site and there is difficulty in undertaking an assessment of whether the rezoning of this site meets clause 3.6(4) of the NPS-HPL in isolation from consideration of other options for the provision of development capacity.
331. The Panel agrees with Ms White and considers that it would be more appropriate for the site to remain rural and future growth options in Bannockburn are better dealt with through a more detailed township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn and the site should remain zoned Rural Resource Area.



## 5.9 Zoning Requests - Pisa Moorings

### 5.9.1 Pisa Moorings Vineyard Ltd & Pisa Village Developments Ltd

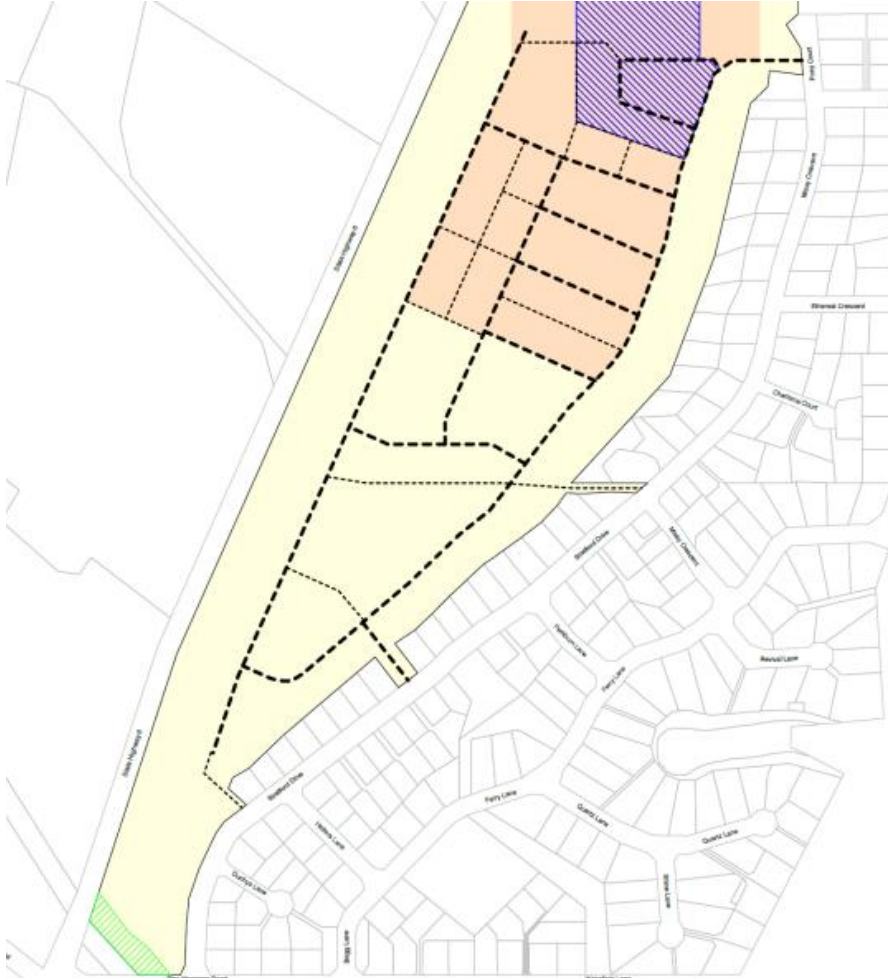


Figure 16 – Proposed Structure Plan

332. Pisa Moorings Vineyard Ltd & Pisa Village Developments Ltd<sup>83</sup> seek that a 24.3ha parcel of land, located at 828 Luggate-Cromwell Road (SH6), and located between SH6 and the existing Pisa Moorings residential area, is rezoned to a mixture of LRZ, MRZ and a local convenience retail zone or precinct.
333. In his evidence for Stage 1, Mr Barr noted that the southern portion of this site contains Scheduled Activity 127, and he considers that as PC19 did not propose to remove any scheduled activities located in residential zones from Schedule 19.3, the rules relating to Scheduled Activity 127 should be reinstated.<sup>84</sup>
334. Ms White notes that it was intended that scheduled activities located in residential areas be removed, as management of these types of activities is instead provided through the policy and rule framework. However, as a consequential change, these sites were not removed from Schedule 19.3. Ms White indicates that in her experience, scheduled

<sup>83</sup> Submitter #146

<sup>84</sup> Stage 1 Evidence of Craig Barr (#146 - Pisa Moorings Vineyard Ltd & Pisa Village Developments Ltd), paras 5.1 – 5.10.

activities have been used in older district plans to acknowledge and provide for existing activities located in zones which did not otherwise generally provide for such activities. Scheduled Activity 127 is unusual, in that it provides for the development of new 'Commercial facilities and Shop'.

335. She further considers that it would be preferable for this area to be re-zoned business, however, recommends that the permitted activity rule applying to this site is included in the LRZ chapter, but updated to refer to the revised built form standards noting a consequential change is also required to Section 19 to align with this.

### ***Panel Findings***

336. The Panel acknowledges that the submitter included a range of technical assessments in the original submission. Based on these, the Panel is of the view that the zoning be approved, subject to the following:

- a) To address servicing limitations, a Future Growth Overlay is to be applied in the interim until the servicing matters are resolved; and
- b) The removal of the Commercial Precinct within the site; and
- c) The application of MRZ within part of the site; and
- d) The changes recommended by Ms White, particularly in terms of changes to the Structure Plan proposed by the submitter and the related policy framework, that we note have been accepted by Mr Barr.

337. In relation to the application of a commercial precinct and inclusion of related provisions, the Panel does not agree with the inclusion and accept Ms White's recommendation that the site is zoned LRZ and MRZ, identified as the Pisa West – Zoning Plan attached to the evidence of Campbell Hills<sup>85</sup>, with a Future Growth Overlay also applied (excluding the small portions of the site currently zoned Residential Resource Area (3) and (13)).

338. The Pisa West - Structure Plan attached to the evidence of Campbell Hills is inserted into the District Plan, subject to:

- a) The area marked as "Existing Scheduled Activity 127 (to remain)" being amended to read: "Scheduled Activity 127"; and
- b) The Commercial Precinct being removed as well as the related text in the "Notes" box.

339. The area delineated on the Pisa West - Structure Plan attached to the evidence of Campbell Hills as a "Building Line Restriction (Flood Risk)" should also be identified as such on the planning maps.

---

<sup>85</sup> On behalf of submitter #146

340. The following rule is to be added to the LRZ chapter:

<u><b>LRZ-RX</b></u>	<u><b>Community facilities and shop</b></u>	
<u><b>Scheduled Activity No. 127 in Schedule 19.3.6</b></u>	<p><u><b>Activity Status: PER</b></u></p> <p><u><b>Where:</b></u></p> <p>1. <u><b>No vehicular access is provided direct to Pisa Moorings Road.</b></u></p> <p><u><b>Where the activity complies with the following rule requirements:</b></u></p> <p><u><b>LRZ-S2, LRZ-S3, LRZ-S5 and LRZ-S6.</b></u></p>	<p><u><b>Activity status when compliance is not achieved with RX.1: DIS.</b></u></p> <p><u><b>Activity status when compliance with rule requirement(s) is not achieved: Refer to Rule Requirement Table.</b></u></p>

341. The text in Section 19.3.6 is to be amended as follows:

*“Community facilities and Shop as defined in Section 18 is a permitted activity on the site identified as Scheduled Activity 127 subject to compliance with LRZ-S2 Height and LRZ-S3 Height in relation to boundary, LRZ-S5 Setback from road boundary and LRZ-S6 Setback from internal boundary Rule 7.3.6(iii) Bulk and Location of Buildings and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road.”*

342. In accordance with paragraph 6(d) of Minute 4 issued by the Hearings Panel, Ms White circulated a draft of the changes recommended in relation to the scheduled site to Mr Barr, in order for him to comment on the drafting. We understand that Mr Barr has indicated that he supports the revised drafting set out above.

343. The above recommendations are consistent with the s32AA assessment prepared by Ms White and contained in the Stage 2 s42A report (paras 257-258); and those set out earlier in relation to the amended approach to how the FGO applies. The Panel agrees and adopts the assessment by Ms White.

#### 5.9.2 Parkburn Quarry (Fulton Hogan)

344. The Parkburn Quarry land is subject to PC21 and the Panel notes that Mr Vivian supported application of an FGO over this area through PC19. Ms White did not agree with him that that the identification of FGO over Parkburn land does not guarantee a positive outcome for PC21 (or any future plan change on any FGO land), as an FGO indicates that the zoning is anticipated (appropriate) once specific servicing constraints are addressed, and demand is established.

345. The Panel agrees with Ms White and considers it appropriate for PC 21 to take its course in terms of the merits of any future zoning on the site.

### 5.9.3 Wakefield Estates Limited (#138)

346. Wakefield Estates Limited (#138) seek the extension of LLRZ to land in the vicinity of Clark Road, Pisa Moorings, as shown in figure 17.



Figure 17

347. The submitter states that the land is currently unproductive rural land, and in their view has clear topographical boundaries in the form of steeply rising hills to the north and west and Council owned land to the south.

348. Ms Muir indicates in her evidence that the site could be serviced for water after 2029 when the Cromwell and Pisa Water schemes are combined, and a new water take consent has been approved by the Regional Council. This could be serviced for wastewater after 2029 after nitrogen removal and increased treatment capacity has been constructed.

349. The Panel notes that Waka Kotahi is opposed to the rezoning, as they state the rezoning is not anticipated by PC19 and consider that the effects of multi-lot development has not been accounted for in infrastructure planning. The submitter has not provided any traffic assessments in support of the request.
350. The submitter considers that residential development on the western side of the Highway has already been considered through the granting of the seasonal workers accommodation consent, and in their view this demonstrates that the rezoning would not result in urban sprawl.

### **Panel Findings**

351. The Panel agrees with Ms White in her s42A Recommendation (Stage 2) and her reply that the worker accommodation activities existing on the site do not amount to 'urban development'.
352. No landscape evidence or traffic assessment has been provided by the submitter to support the request and in terms of the latter Waka Kotahi, as State Highway controlling authority, have submitted in opposition to the requested zoning.
353. The Panel agrees with the recommendation of Ms White and finds that the Rural Resource Area zoning should be retained.

## 5.10 Zoning Requests - Lowburn

### 5.10.1 A F King and Sons Ltd (#83)





*Figure 18*

354. The submitter seeks the extension of the LLRZ (Precinct 2) zoning to the south of Lowburn to include the full extent of Lots 1 – 4 DP 444910. In the Stage 2 s42A report, Ms White considered the site would appear to provide a logical expansion to the current urban boundary and likely be consistent with the current amenity and character of the township, but that no specific assessment was included with the submission to confirm this.
355. Landscape evidence was subsequently provided by Ms Wilkins<sup>86</sup> in support of the submission, who considers that as the site adjoins the existing urban area, it would appear as an extension of the development pattern and cohesively fit into the area, noting that it will remain at a similar elevation to the existing and anticipated development in this area. She also notes that further expansion is contained by the location to the west of a Significant Amenity Landscape.
356. Traffic evidence was provided by Mr Nick Fuller<sup>87</sup>, confirming that there are satisfactory options for access to this site and that traffic effects resulting from the rezoning are acceptable. Mr Fuller also considered the Lowburn Viticulture and Lakeside Christian Centre submissions in concluding that the overall traffic from all these sites can be accommodated in the surrounding roading environment.
357. The Panel notes that Ms White considered that the evidence from Mr Fuller addresses the further submission of Waka Kotahi and the comments made in their tabled statement in relation to this site. The Panel agrees with this conclusion.
358. The NPS-HPL is not applicable to the site because of its current Rural Residential Resource Area zoning. Mr Dent notes in his planning evidence that the current productive use is becoming less economic and would in any case be removed if the four already consented building platforms are implemented.
359. Ms Muir has indicated that the additional zoning requested in Lowburn is able to be serviced for water now but it is unable to service for wastewater in 2029 following reconfiguration and upgrading of the Lowburn wastewater main and pumpstation and after nitrogen removal and increased treatment capacity has been constructed<sup>88</sup>.

**Panel Findings**

360. With respect to servicing, the Panel agrees that this can be addressed by application of an FGO, noting this appears to align with Mr Dent's comments about the likely timing of any development.
361. The Panel considers that the servicing constraints do not necessarily preclude the rezoning of the site but do preclude its development until servicing matters are addressed and that this can be addressed by the application of an FGO, with the related rule framework

---

<sup>86</sup> Evidence of Ann Wilkins, 17 May 2023 in support of Submitter #83

<sup>87</sup> Evidence of Nick Fuller, 16 May 2023 in support of Submitter #83

<sup>88</sup> Section 42A (Stage 2) Evidence of Julie Muir, page 9

restricting subdivision and development until identified network upgrades are undertaken. The Panel notes that this approach for Lowburn is supported by Ms Muir.

362. The Panel accepts that the re-zoning of the site is appropriate and that it is appropriate for the site to be re-zoned as LLRZ (P2) as requested, with a FGO applied. The zoning will be subject to a FGO and the changes outlined in section 5.2 in relation to SUB-R7 requiring infrastructure upgrades to be undertaken prior to development occurring.
363. The Panel considers it necessary to apply an FGO, to achieve the outcomes sought in Objective 6.3.4 and Policy 6.4.2, as well as give effect to Objective 4.5 and Policies 4.5.1 and 4.5.2 of 2019 ORPS.
364. In terms of evaluation under s32AA the Panel concurs with the evaluation contained in Mr Dent's evidence, (and supported by Ms White), which takes into account costs and benefits and concludes that the application of LLRZ Precinct 2 is the most efficient and effective way to achieve the proposed objectives and policies and the purpose of the Act, give effect to the relevant provisions in the partially operative and proposed regional policy statements, as well as aligning with the direction in the Cromwell Spatial Plan.

#### 5.10.2 Lakeside Christian Centre (#142)



Figure 19

365. The original submission seeking rezoning of the Lakeside Christian Centre sought application of LLRZ Precinct 1, and Ms White considered in her Stage 2 section 42A report that this density would be inconsistent with the character of the current township, given the rest of the settlement is proposed to be zoned LLRZ Precinct 2.

366. The Panel acknowledged that evidence presented by Ms Clark on behalf of the submitter supports application of LLRZ Precinct 2 as being consistent with the character of existing development in this area.
367. The site is captured by the NPS-HPL transitional provisions and is currently mapped as LUC 3.
368. Clause 3.6 (4) of the NPS-HPL requires Territorial authorities that are not Tier 1 or 2 may allow urban rezoning of highly productive land only if:
- (a) the urban zoning is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and*
  - (b) there are no other reasonably practicable and feasible options for providing the required development capacity; and*
  - (c) the environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*
369. In the Stage 2 s42A report, Ms White noted that the rezoning of this site would result in urban zoning crossing over to the other side of Lowburn Valley Road, and while it would still be contained between the watercourse, Sugarloaf Drive and the existing community hall and playground, no landscape assessment has been undertaken to assess the appropriateness of this, accepting the site is relatively small. Given the zoning now sought is consistent with the surrounding area and given the site is well-contained, the Panel agrees with Ms Whites view that the zoning would be in keeping the area and not result in unconsolidated development.

### **Panel Findings**

370. In terms of the criteria outlined 3.6(4) of the NPS-HPL the Panel agrees with Ms White that there is no evidence on which to conclude that rezoning of this land meets the criteria and on that basis the Lakeside Christian Centre site should remain zoned as Rural Resource Area.



### 5.10.3 Lowburn Viticulture Ltd (#123)



Figure 20 – Lowburn Viticulture Site (LUC land shown in Green)

371. Lowburn Viticulture Ltd (#123) seek expansion of the LLRZ (P2) zoning to the north, at Lowburn. The submission included a landscape assessment and assessment of how the site could be serviced.
372. The lower part of the site immediately adjacent to Lowburn Valley Road and as shown in figure 20, is identified a with Land Use Classification (LUC) 3 and captured by the provisions of the NPS-HPL. The LUC 3 makes up approximately 1.58ha of the 5.62ha site.
373. The submitter presented a range of evidence at the hearing, including legal submissions, soil analysis, a landscape assessment, and a planning assessment, further clarifying the relief sought and background to the site. Based on soil analysis taken from the site the submitter asserted through evidence that the provisions of the NPS-HPL did not therefore apply to the site.
374. The evidence of Dr Hill<sup>89</sup> addressed the applicability of the NPS-HPL and he was satisfied that the site is not LUC 1-3, and therefore that the NPS-HPL does not apply, on the basis that:
- a) Clause 3.5(7) of the NPS-HPL states that until mapping is undertaken by the regional council, the NPS is to be applied to land that, at the commencement date of the NPS, was zoned general rural or rural production; and is LUC 1, 2, or 3 land.
  - b) The definition of “LUC 1, 2, or 3 land” in turn, is defined as land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification; and

<sup>89</sup> Stage 2 Evidence of Dr Reece Hill (#123 – Lowburn Viticulture Limited)

- c) Dr Hill has undertaken an assessment, based on the Land Use Capability classification and determined that the site does not contain any land which meets the classification of Land Use Capability Class 1, 2, or 3.
  - c) The methodology used by Mr Hill to determine soil classification has been confirmed as appropriate by the peer review by commissioned in response to Minute 4.
375. In Minute 4 the Panel sought advice from Jayne Macdonald of MacTodd regarding whether the classification of land under the NPS-HPL could be changed in the manner suggested by the submitters evidence.
376. Ms Macdonald advised that the transitional clause is deliberate in its wording - at the commencement date. In the transitional period therefore, highly productive land will be land that is mapped as LUC 1, 2 or 3 (whether by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability) at the commencement date. More detailed mapping undertaken after the commencement date (whether by a territorial authority or a landowner) will be a matter for the mapping and subsequent Schedule 1 process to which clause 3.4 relates.
377. The Panel notes Ms White in her reply accepted the interpretation of offered by Ms Wolt and Mr Woodward.
378. In Environment Court Decision No. [2024] NZEnvC 83, dated 18 April 2024 Judge Steven considered the following legal issue: "...can more detailed mapping undertaken since 17 October 2022 using the Land Use Capability (LUC) classification prevail over the identification of land as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory (NZLRI) and determine for the purposes of cl 3.5(7) of the NPS-HPL whether land is highly productive land (HPL)"<sup>90</sup>.
379. Judge Steven found that "...the definition of LUC 1, 2 or 3 land in cl 1.3 of the NPS-HPL applies to all references to LUC 1, 2 or 3 land in the NPS-HPL. It does not apply only to the transitional period meaning of HPL in cl 3.5(7). "More detailed mapping" after the commencement date might reveal that the land is or is not LUC 1, 2 or 3 land. However, the purpose of the NPS-HPL and in particular the transitional period, is that any new information concerning LUC classification is to be fed into the Schedule 1 mapping process to be undertaken by regional councils."
380. This finding specifically addresses the concept of a site-specific assessment undertaken by an individual, and the planning and legal submissions on behalf of the submitter.
381. The Panel is aware that interpretation and/or application of the provisions of NPS-HPL is at an early stage, and at the time of the hearing, the ability to undertake site-specific assessment had yet to be tested. Minute 5 was issued by the Panel inviting those parties who had suggested that a site-specific assessment can alter the soil classification of a site

---

<sup>90</sup> Environment Court Decision No. [2024] NZEnvC 83, para [2]

to provide further comment, resulting in the land no longer being captured by the NPS-HPL.

382. In response to Minute 5 supplementary planning evidence has been received from Ms White and Mr Woodward, and supplementary legal submissions from Ms Rebecca Wolt on behalf of Mr Davies.

383. Ms Wolt<sup>91</sup> in her supplementary legal submissions acknowledges the Court decision and focuses the Panel's attention towards consideration of the requested re-zoning under Clause 3.6 (4) of the NPS-HPL and noting the assessment undertaken on behalf of the submitter by Mr Woodward in his evidence dated 16 May 2023 and legal submissions from Ms Wolt dated 19 May 2023. The conclusion reached by both Mr Woodward and Ms Wolt being the criteria in Clause 3.6 (4) are met and the NPS-HPL does not preclude the requested re-zoning.

384. Clause 3.6 (4) requires Territorial authorities that are not Tier 1 or 2 may allow urban rezoning of highly productive land only if:

*(a) the urban zoning is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and*

*(b) there are no other reasonably practicable and feasible options for providing the required development capacity; and*

*(c) the environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*

353. In terms of clause 3.6(4)(b), "development capacity" is defined in the NPS-UD as : "the capacity of land to be developed for housing or for business use, based on:

*(a) the zoning, objectives, policies, rules and overlays that apply in the relevant proposed and operative RMA planning documents; and*

*(b) the provision of adequate development infrastructure to support the development of land for housing or business use".*

354. Ms Muir has indicated that the additional zoning requested in Lowburn is able to be serviced for water now but it is unable to be serviced for wastewater until 2029 following reconfiguration and upgrading of the Lowburn wastewater main and pumpstation and after nitrogen removal and increased treatment capacity has been constructed<sup>92</sup>.

355. Ms Wolt provides an additional assessment of the NPS-UD and its applicability to the Central Otago District which she considers relevant to the consideration of the requested

---

<sup>91</sup> Supplementary legal submissions in response to Minute 5, 13 May – Rebecca Wolt (#147/#123)

<sup>92</sup> Section 42A (Stage 2) Evidence of Julie Muir, page 9

zoning under Clause 3.6 (4). The Panel has considered the applicability of the NPS-UD and whether or not Central Otago District is a Tier 3 urban environment in section 4.1 of this decision.

356. The Panel notes Ms Wolt's acknowledgement that development capacity must be plan enabled, infrastructure ready and reasonably expected<sup>93</sup>. Ms Wolt references the additional evidence provided by Mr Woodward<sup>94</sup> that considers the residential zoning of the submitters land is necessary to ensure sufficient development capacity is provided in terms of '*variety (housing type and location)*'.
357. In terms of the definition of development capacity in the NPS-UD, enabling the development capacity of the site in Lowburn has been identified as having some infrastructure constraints.
358. Both Mr Woodward and Ms Wolt outline in their supplementary evidence (response to Minute 5) that they believe the criteria in clause 3.6 (4) of the NPS-HPL has been met and the Council is able to consider the re-zoning of the site.
359. Ms White, in her response to Minute 5, notes the recommendation in her Stage 2 s42 report that outlined in absence of evidence demonstrating that the rezoning would meet clause 3.6(4) of the NPS-HPL, on the basis that rezoning of at least part of the site was precluded.
360. She considered that following the evidence submitted by Mr Woodward, Mr Hill and Ms Wolt and Mr Van Der Velden, that the criteria in clause 3.6 (4) has been met. Ms also White considers that given the topographical and other constraints in this area that there aren't any other reasonably practicable and feasible options for providing additional development capacity in Lowburn.

### **Panel Findings**

361. Given the above the Panel is of the view that the criteria in Clause 3.6 (4) of the NPS-HPL can be met and Council is able to consider the re-zoning of the site. In particular that it has be demonstrated that the re-zoning of the site is likely to be required to meet expected demand for housing in Lowburn and there are no reasonably practicable and feasible alternative options available.
362. The site is only partially mapped as LUC 3 with a majority of the site not captured by the provisions of the NPS-HPL.
363. The Panel considers that the servicing constraints do not necessarily preclude the rezoning of the site but do preclude its development until servicing matters are addressed and that

---

<sup>93</sup> Supplementary legal submissions in response to Minute 5, 13 May – Rebecca Wolt (#147/#123), para 43

<sup>94</sup> Supplementary evidence in response to Minute 5, 13 May – Jake Woodward (#123)

this can be addressed by the application of an FGO, with the related rule framework restricting subdivision and development until identified network upgrades are undertaken. The Panel notes that this approach for Lowburn is supported by Ms Muir.

364. The Panel accepts that the re-zoning of the site is appropriate and that it is appropriate for the site to be re-zoned as requested. The zoning will be subject to a FGO and the changes outlined in section 5.2 in relation to SUB-R7 requiring infrastructure upgrades to be undertaken prior to development occurring.

365. In terms of s32AA, the Panel notes that an extensive evaluation is undertaken in Mr Woodward’s evidence. Councils reporting officer, Ms White agrees with Mr Woodward’s assessment that the changes in zoning sought are more appropriate to assist in achieving the purpose of the plan change, because this is a more efficient way to achieve the outcomes sought and will still be effective at achieving the Plan’s objectives.

## 5.11 Zoning Requests – Ranfurly

### 5.11.1 John Elliot (#81)

366. Mr Elliot is seeking to re-zone approximately 19 hectares of land north of the current Ranfurly township as identified in figure 19 from Rural Resource Area to LRZ.



Figure 21

367. The submitter considers that the site is centrally located and within walking distance to commercial and community facilities, noting that Council services are located in front of the site.
368. The site is considered by the submitter difficult to use land for productive purposes due to the close proximity to existing urban areas and limited infrastructure, noting that unformed legal roads located within the site also affect how the land can be used.
369. The submitter states that the existing boundary does not follow any logical pattern, and the expansions would fit generally within the limits of the current Township.
370. Ms White in her s42A (Stage 2) report agrees with the submitter that the current boundary between the residential and rural area appears arbitrary, and the current boundary is further south than on the eastern and western sides. I consider that there is merit in rezoning the full area north of Caulfield Street until at least the unformed portion of Welles Street as this results in a more consistent urban/rural boundary.
371. Ms Muir has indicated that the Ranfurly wastewater scheme has capacity to accommodate further growth, but that there are limitations on the ability to provide water supply to more properties in Ranfurly. She states that the area up to Welles Street could be supplied water, but capacity to supply water beyond Welles Street is uncertain.

#### ***Panel Findings***

372. The Panel agrees with Ms White that it would be appropriate for the area to the north of Caulfield Street, up to the unformed portion of Welles Street is zoned LRZ. This is supported by Ms Muir's evidence indicating that this area can be serviced in terms of the current capacity of water and wastewater reticulation in Ranfurly.
373. The remaining area to which the submission relates is to be retained as Rural Residential Resource Area at this time.
374. In terms of s32AA of the RMA, the Panel agrees with Ms Whites assessment that zoning additional land has benefits in providing a modest amount of additional land for residential development, in an area where such expansion is consistent with the surrounding area. I consider the costs associated with the impacts of increased development are outweighed by the benefits.

## 6 Decisions on Other Submission Points Raised in Evidence

375. The Ministry of Education <sup>95</sup> requested that educational facilities be considered as a restricted discretionary activity in the same way as other community facilities. The panel agrees with the recommendation in the reply report by Ms White that it is appropriate for educational facilities to be included in LRZ-R13 and MRZ-R14 as follows:

---

<sup>95</sup> Submitter #60

*“...Community facilities and Educational Facilities..”*

376. Mr John Lister<sup>96</sup> considers that the minimum allotment size in MRZ should vary depending on the size of the adjoining allotments. The Panel agrees with Ms Whites recommendation in her s42A report (Stage 1)<sup>97</sup> that this is not appropriate vary lot sizes depending on the size of the adjoining allotments. Mr Lister also sought an increase in the standard for road widths which as indicated by Ms White is outside the scope of PC19.
377. Mr Werner Murray<sup>98</sup> considers that some development everywhere is appropriate and that small increases in density within all zones will not affect the character of that zone. The Panel agrees with Ms White in her reply that it is not appropriate to allow for an increase density without consideration of a change in character and whether there is an ability to service increased density.
378. Mr Murray also seeks and re-instatement of the multi-unit rule in the operative Plan in the LRZ and LLRZ provisions. The Panel notes that the proposed provisions in both zones allow for multi-unit for two allotments and the construction of a minor unit as a permitted activity in LRZ and LLRZ (effectively three units) subject to meeting density standards. The Panel agrees with Ms White’s recommendation in her reply that providing a rule that would allow a density beyond this will not align with the objectives of the respective zones and is not the most appropriate way to implement policies.
379. Mr Wally Sanford<sup>99</sup> sought several infrastructure and development standards amended as addressed below:
- a) That ROW’s are vested with Council as roads when further development occurs. The panel note that Councils engineering standards require that ROW’s that serve more than 6 allotments that the Panel is of a view adequately addresses the matter of vesting of Rows as roads beyond a certain threshold. Submission point not accepted.
  - b) That a vibration construction standard should be introduced in relation to residential zoning. The Panel agrees with Ms White’s reply that such a standard would be better considered as a district-wide provisions for earthworks/subdivision standards rather than in relation to the residential chapter review. Submission point not accepted.
  - c) Minor residential units should have compliant accesses. The provision for minor residential units requires the unit to share the existing access with the principal residential unit, a breach of these standards requires a resource consent. The Panel does not consider it necessary to make any changes to the standards applicable to minor units. Submission point not accepted.
  - d) The requirement for a 30m setback from State Highways is not necessary for noise and should be removed on the basis that it is not required for noise. This standard

---

<sup>96</sup> Submitter #75

<sup>97</sup> Stage 1 s42A report paras 156-157

<sup>98</sup> Submitter #156

<sup>99</sup> Submitter # 144



relates to properties where a building line restriction exists and does not apply to all properties in residential zones adjacent to a State Highway. The building line restriction relates to a district-wide provision in section 12 of the Plan that is outside the scope of PC19. Mr Sanford has not provided any technical advice to support the assertion that the standard is not required. The Panel agrees with the recommendation of Ms White in her s42A Recommendation (Stage 2) that Rule 12.7.7 is outside the scope PC 19. Removal for the requirement would effectively render the rule redundant. The Panel is of the view that any consideration of the Building Line Restriction would be better addressed through a review of the district-wide provisions in section 12.

380. Mr Craig Barr<sup>100</sup> requested that the excavation rules also be extended to include provision for fill. The Panel agrees with Mr Barr that the placement of fill that would alter ground levels should also be included in excavation rules. The Panel considers it is appropriate that LLRZ-R10, LRZ-R10 and MRZ-R11 are amended as follows:

<i>Excavation <u>and Fill</u></i>
<i>Activity Status: PER</i>
<i>Where: 1. Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and...</i>

381. Mr Barr<sup>101</sup> sought an amendment to the introductions as they relate to FGO areas identified in the Vincent Spatial Plan. The Panel considers this appropriate given decisions on zoning requests that utilise the FGO mechanisms beyond those identified in the Vincent Spatial Plan. The Panel agrees with the recommendation of Ms White in her reply that the introduction be amended as follows:

*The Future Growth Overlay identifies any areas that hasve either been signalled in the Vincent Spatial Plan for [low density/large lot/medium density residential zoning], in future, or other areas identified as being appropriate for future residential growth.~~The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future.~~ However, there are some wider servicing constraints to developing these areas that must be addressed before they are able to be developed. Provisions are therefore applied in the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that restricting development until there is capacity within the reticulated water and wastewater networks to service the additional development.*

382. Foodstuffs (South Island) Properties Limited<sup>102</sup> sought an additional policy be included in the MRZ provisions that disregards the effects of commercial activities in close proximity to residential activity established in the MRZ. The Panel agrees with Ms White in her reply that the requested policy changes is not related to achieving the MRZ objectives. Given changes are not proposed to the rule framework, it is not clear how the policy would be implemented, and that the additional policy is not necessary to achieve the outcomes sought.

<sup>100</sup> On behalf of submitters #82, #135, #139, #146 and #163

<sup>101</sup> On behalf of submitter #164

<sup>102</sup> Submitter #61



383. Mr John Duthie<sup>103</sup> sought a zero-lot line development. The meaning of the term was clarified by Mr Duthie in his evidence as a concept that requires each dwelling in the MRZ to be setback a minimum amount from each side boundary (i.e. 1m each), the 'total' setback— being 2m - could be provided on one side only, with the dwelling on one side of the boundary built up to the boundary, but still setback 2m from the adjoining dwelling.

384. The Panel considers this type of exception is appropriate in MRZ-S6 and has determined it is appropriate to amend MRZ-S6 as follows:

*Any building or structure shall be setback a minimum of:*

1. *1m from any internal boundary (except that this does not apply to common walls along a site boundary, or to an uncovered deck less than 1m in height); and*
2. ....

*MRZ-S6.1 does not apply to:*

- *Uncovered decks of less than 1m in height.*
- *Internal boundaries within a retirement village.*
- *Two or more residential units connected horizontally and/or vertically by a common wall or floor.*
- *'Zero-lot line' development, where no setback applies on the internal boundary of one side of a building, provided the building is setback 2m from the boundary on the other side of the building, and an appropriate legal mechanism allows for maintenance access to the building.*

385. Mr Duthie on behalf of Wooing Tree Developments sought an activity status of restricted discretionary rather than discretionary when located within 500m of a town centre. The Panel agrees Ms White in her reply that having a rule simply saying "within 500m of the town centre" would work, without defining or mapping what is considered to be the town centre. Ultimately the Panel also agrees with Ms White that it is not necessary to limit where visitor accommodation is located to achieve the outcomes sought in the MRZ.

386. Lynette Wharfe<sup>104</sup> sought an increase in the setback in LLRZ to 25m where adjacent to the Rural Resource Area along with the addition of a matter of discretion for potential reverse sensitivity effects on adjacent rural activities. The Panel agrees with Ms Whites recommendation in her Stage 1 section 42A report and that it is unreasonable to require such a large setback in an urban zone and again note that there are other zones within urban areas that adjoin rural areas, so applying the setback to LLRZ would result in an inconsistent approach.

387. Ms Wharfe also sought an amendment to the definition of noxious activity, to exclude reference to plants in residential zones. The Panel agrees that plants in a domestic context, and associated with a residential activity on a site should be excluded from the definition. This would allow for activity at a scale appropriate in a residential zone.

388. The Panel considers it appropriate to amend the definition of noxious activity as follows:

---

<sup>103</sup> On behalf of submitter #79

<sup>104</sup> On behalf of submitter #89

**Noxious Activity**

*in a residential zone, means any of the following:*

1. ...
2. *The intensive confinement of animals (excluding the keeping of domestic animals associated with residential activities);*
3. *The growing of plants or fungi other than as associated with residential activity on a site (excluding domestic glasshouses)...*

389. Matt and Sonia Conway<sup>105</sup> are seeking to ensure that access to back land is facilitated through provisions to avoid a situation where proposed zoning cannot be realised due to a lack of appropriate access and to ensure adequate access to services. The submitters property is located in the area on Dunstan Road, Alexandra identified as LLRZ. The Panel notes that access to back land is provided as a matter of discretion requiring facilitation of access. The Panel agrees with Ms White in her Stage 1 section 42A report and reply that the provisions as notified provide an appropriate mechanism to provide for access to back land.
390. Similarly to Panel are also of view that the matters of discretion associate with subdivision rules adequately provide for the location design and construction of services.
391. Paul and Angela Jacobson<sup>106</sup> questioned the rationale for the size of allotments. The panel agrees with Ms White that the zoning notified appropriately reflects the outcome of the Vincent Spatial Plan.
392. Nicola Williams<sup>107</sup> sought the addition of a new objective specifically providing for aged care and a permitted activity status in the LRZ and MRZ for retirement villages. The Panel agrees with Ms White that the proposed objective suggested is not appropriate. The evidence submitted by Ms Williams suggests that retirement villages are essentially residential activities. Given this the panel agrees with Ms White that a retirement village can be adequately managed through the residential provisions and specific provisions are not necessary.
393. Ryman Healthcare Limited<sup>108</sup> requested the inclusion of three new policies and a matter of discretion that specifically relates to retirement villages. The Panel agrees with Ms White's recommendation in her Stage 1 section 42A report and her reply following the hearing of evidence, that the proposed policies need to be considered in the context of the achievement of the objectives in PC 19 and not alignment with the Enabling Housing Act.

---

<sup>105</sup> Submitter #80

<sup>106</sup> Submitter #14

<sup>107</sup> On behalf of submitter #158

<sup>108</sup> On behalf of submitter #160

394. Brodie Costello<sup>109</sup> sought a reduction in the provision for landscaping in the MRZ from 30% to 25%. The Panel agrees with the evidence submitted by Mr Costello and supported by Ms White in her reply, and has determined that MRZ-S8 be amended as follows:

*At least ~~30~~25% of the net site area of any site shall be planted in grass, trees, shrubs or other vegetation.*

395. Joanne Skuse<sup>110</sup> sought re-instatement of the multi-unit rule from the operative District Plan. The Panel agrees with Ms White in her reply that the test for the appropriateness of a rule is implementation of policies and achieving objectives and that allowing for development at this scale does not align with the objective of LRZ and LLRZ.

396. Ms Skuse<sup>111</sup> questioned performance standard MRZ-S10 and requested that MRZ-S12 be deleted. The provisions in the MRZ and Medium Density Guidelines have been developed by Urban Design experts and represents industry practice for Medium Density Zones. The Panel agrees with Ms White in her recommendation<sup>112</sup> the standards should be retained.

397. Ms Skuse<sup>113</sup> sought the deletion of LRZ-R1 and LLRZ-L2 both of which limit residential activity to one per site on the basis that the rule is subject to density requirements that limit development based on the size of the allotment. The Panel agrees with Ms White's recommendation that LLRZ- R1 and LRZ-R1 be amended as follows:

**LLRZ-R1:**

**Activity Status: PER**

~~Where:~~

~~1. There is no more than one residential unit per site.~~

~~And Where~~ the activity complies with the following rule requirements:

LLRZ-S1 to LLRZ-S6

LRZ-R1:

Activity Status: PER

~~Where:~~

~~1. There are no more than two residential units per site.~~

~~And Where~~ the activity complies with the following rule requirements:

LRZ-S1 to LRZ-S7

398. Ms Skuse<sup>114</sup> sought an increase in the volume of LLRZ-R10 to 300m<sup>2</sup>, on the basis that it was consistent with the level applied in the Queenstown Lakes District (QLDC) and inefficient to need consent for earthworks when building dwellings. Based on advice from Ms White that the QLDC volume is one of the highest found, the Panel does not consider it necessary to make any further changes, noting that the earthworks provision has been amended by decisions to exclude excavation associated with the construction of a dwelling.

---

<sup>109</sup> On behalf of submitter #148

<sup>110</sup> On behalf of submitters #161 and #162

<sup>111</sup> On behalf of submitters #161 and #162

<sup>112</sup> Stage 1 Section 42A Report

<sup>113</sup> On behalf of submitters #161 and #162

<sup>114</sup> On behalf of submitters #161 and #162

399. Mr Derek Shaw<sup>115</sup> and Stuart and Mary Fletcher<sup>116</sup> have requested that LLRZ (P3) be reduced to 4000m2 to provide an opportunity for development of those allotments equal to or less than 1ha. The Panel has considered the request and is of the view that it would be appropriate as suggested by Ms White in her reply that the density be amended to 5000m2 to provide for infill development opportunities that maintains the overall character of the zone.

400. LLRZ-S1 density for Precinct 3 is to be amended as follows:

...

7. *The minimum site area per residential unit is ~~65000m<sup>2</sup>~~<sup>117</sup>, or*

8. *On any site less than 65000m<sup>2</sup><sup>118</sup>, one residential unit per site.<sup>119</sup> ...*

401. Stuart and Mary Fletcher<sup>120</sup> have also asked to increase the site coverage for LLRZ(P3) from 10% to 20%. The current zoning would allow for 600m2 of built form on a site and the panel agrees with Ms White that this is an appropriate coverage to ensure a predominance of open space over built form consistent with LLRZ-O2.2 and with the approach across Precincts (1) and (2).

402. Mr Dent<sup>121</sup> requested clarity about the term 'ancillary' in the context of LRZ-R6 (visitor accommodation). Ms White has suggested an amendment in her reply that the Panel agrees is appropriate would be appropriate to clarify the intent of the rule.

403. Rule LRZ-R6 is to be amended as follows:

...

*~~2. is ancillary to a residential activity~~ In addition to the visitor accommodation activity, at least one person resides permanently on the site; and-*

*~~23.~~ The maximum occupancy is 6 guests per night.*

404. Mr Dent<sup>122</sup> also submitted that the recommendation in the s42A report (Stage 1) regarding rule SUB-R5 has the potential to disincentivise the creation of lots less than 400m2 in the MRZ. The Panel agrees with Ms White in her reply that given the inclusion of an additional controlled activity rule as recommended in the section 42A will help incentivise integrated land use and subdivision development for multi-unit, relying on SUB-R4. SUB-R5 is to be deleted.

405. Ms Rachel Law on behalf of a number of submitters<sup>123</sup>, submitted on a number of policies, rules and performance standards, as outlined and considered below:

---

<sup>115</sup> Submitter #77

<sup>116</sup> Submitter #98

<sup>117</sup> Submitter #77

<sup>118</sup> Submitter #77

<sup>119</sup> Evidence of Craig Barr (#82 and #135)

<sup>120</sup> Submitter #98

<sup>121</sup> On behalf of submitter #93, #94 and #95

<sup>122</sup> On behalf of submitter # 96

<sup>123</sup> On behalf of submitters #165, #21, #145, #30, #31, #32, #33, #51

- a) In relation to submission points associated with relocated dwellings and LLRZ-P1; LRZ-P1; MRZ-P1; LRZ-R3; MRZ-R4 and LRZ-R3, the Panel agrees with Ms White's recommendation in her section 42A report (Stage 1) that amendments be made to LLRZ- R3, LRZ-L3 and MRZ-R4 changing the activity status to permitted, including a suite of conditions agreed by NZ Heavy Haulage<sup>124</sup> and making a breach of conditions a restricted discretionary activity. The Panel agrees with Ms Whites recommendation for the reasons identified in her report and adopts her assessment under section 32AA of the RMA.
- b) The submitters represented by Ms Law also sought amendments to LLRZ-S4 seeking 30% and 20% site coverage in LLRZ (P2) and LLRZ (P3) and an amendment of LRZ-S4 to provide for a 50% site coverage. The Panel agrees with the recommendation of MS White in her section 42A report (Stage 1) that the site coverage in LLRZ-S4, LRZ-S4 should remain as notified.
- c) Several changes to MRZ-P6, LLRZ-R10, LRZ-R10, LRZ-R12, MRZ-R11 and MRZ-13. The Panel agrees with the recommendations of Ms White in her section 42A report (Stage 1) regarding these submission points.
- d) The submitters represented by Ms Law also requested changes to the activity status associated with a breach of performance standards LLRZ-S1, LRZ-S1 and MRZ-S1 from non-complying to discretionary. The submitters considered that given the Resource Management Act reform replacement legislation was in the process of being introduced with indications that the non-complying activity status would be removed, it was appropriate to pre-empt this change by removing the status ahead of any legislative requirement to do so. The Panel agrees with Ms White<sup>125</sup> that this is inappropriate. The Panel also agrees with Ms Law in her reply report that the application of a non-complying status for a breach of standards creates a "bottom line" that is clear to users of the plan.
- e) Ms Law sought a consequential change to MRZ-R7 resulting from the removal of MRZ-7.3. The Panel agrees with the request and the recommendation of Ms White in her reply including that the same change should also apply to LLRZ-R6 and LRZ-R6. The resulting change being the deletion of reference to R6.3/R6.7 from the matters of discretion associated with LLRZ-R6, LRZ-R6 and MRZ-R7.
- f) Submitters sought amendments to MRZ-S2, MRZ-S7-S10 . The Panel agrees with the recommendation by the s42A (Stage 1 ) report writer for the reasons outline in the report and as indicated in Ms Whites reply.
- g) In relation to MRZ-S11 the submitters requested an increase in the minimum height of a fence from 1.0m to 1.2m and to remove the requirement for transparency. The Panel accepts that the height can be increased to 1.2m but agrees with the recommendation of Ms White that the height that the requirement for transparency

---

<sup>124</sup> Submitter #151

<sup>125</sup> S42a Report writers reply Appendix 1.

should remain, noting that the requirement aligns with MRZ-P1 and is based on expert urban design advice.

- h) The submitters are seeking a definition of margin of the lake in MRZ-S6 which requires a 15m lake setback. The Panel notes that this standard exists in the Operative District Plan. The Panel has considered the evidence presented by Ms Law and the reply by Ms White and agree that the provision could be clearer, and agree with Ms Whites recommendation that the following amendments be made to LLRZ-S6, LRZ-S6 and MRZ-S6:

*Any building or structure shall be setback a minimum of:*

...

- 2. 15m from any property boundary which is adjacent to the margin of any lake.

- i) In relation to SUB-R2 the submitter considers there is a gap where an allotment could be created as part of subdivision for a public utility that potentially creates a balance . The Panel accepts this point and the recommendation by Ms White in her reply that the provision in SUB-R2 be amended as follows:

<b>SUB-R2</b>	<b>Subdivision to create a <u>new allotment for a network or public utility or a reserve</u></b>	
<b>All Residential Zones</b>	<p><b>Activity Status: CON</b></p> <p><b><u>Where:</u></b></p> <p>1. <u>Any balance allotment complies with SUB-S1.</u></p> <p><b>Matters of control are restricted to:</b></p> <p>...</p>	<b><u>Activity Status when compliance is not achieved with R2.1: DIS</u></b>

- j. The submitters request the new controlled activity SUB rule, recommended in Ms Whites s42A report (Stage 1) should have fewer ‘matters of control’ than a restricted discretionary activity. The Panel agrees with Ms White in her reply that it does not necessarily follow that a controlled activity should have fewer controls as the difference between the two activity status’ is a consent should be granted for a controlled activity whereas there is an ability to decline consent with a restricted discretionary activity.
- k. Ms Law on behalf of the submitters is seeking to remove the non-complying activity status for SUB-R5. As indicated in (d.) the Panel also agrees with Ms Law in her reply report that the application of a non-complying status for a breach of standards creates a “bottom line” that is clear to users of the plan.

369. Residents for Responsible Development Cromwell<sup>126</sup> raised concerns regarding performance standards associated car parking and road widths. The Panel agrees with Ms White in her s42A report (Stage 1) regarding these points.
370. Ms Law on behalf of Thyme Care Properties Ltd<sup>127</sup> is seeking MRZ for the property at 84 and 94 Kawarau Road. The Panel understands from evidence from Mr Woodward<sup>128</sup> that the hospital on the site was established some time ago, with additional units added in around 2003, but that a designation may have previously applied to the site that enabled the establishment of the hospital. Ms Law has suggested that the existing built form sets a precedent *“that development of this type is suitable on the west side of state highway 6.”* The Panel does not agree with this assertion, and agrees with Ms White in her reply that given the history of the site this cannot be used to establish that further development on the western side of the State Highway is suitable, noting that the Spatial Plan explicitly rejects this.
371. The submission from Mr John Duthie on behalf Wooing Tree<sup>129</sup> is seeking the inclusion of an area of Business Resource Area (BRA) that reflects the commercial activities provided for under the provisions of a resource consent obtained by Wooing Tree under Covid-19 Recovery (Fast-Track Consenting) Act 2020.
372. The PC 19 zoning for the Wooing Tree site reflects the outcome of the Cromwell Spatial Plan by re-zoning the entire site as MRZ. The operative District Plan provides for a mixture of RRA (6), RRA (1) and Business Resource Area. The Business Resource Area is located under the residential development authorised by the resource consent issued under the Fast-Track Consenting Act. The consent provides as Masterplan that includes two areas identified as ‘commercial’.
373. The resource consent allows for a restricted level of commercial activity on the areas identified in the Masterplan as ‘commercial’ and the submitter is able to undertake a scale of commercial development the EPA felt appropriate.
374. The Panel agrees with Ms White that considering re-zoning as Business Resource Area is more appropriately left until the review of the business zone.
375. Mr Duffie is also seeking a reduced building line restriction for the State Highway 8B and State Highway 6 boundaries to the same level as permitted by their Fast-Track consent allows (18m). The Panel consider this to be appropriate.
376. Ms Kathryn Adams<sup>130</sup> has requested that the Zoning of the Cromwell Golf Course be changed to give effect to the outcome of the Cromwell Spatial Plan and re-zone the site MRZ. The Panel agrees with Ms White in her recommendation that given lease arrangement in place the provision for growth is unlikely to be able to be given effect to within lifespan of the District Plan and the outcomes sought by the MRZ objectives would not be achieved.
377. Billie Marsh<sup>131</sup> notes in their submission that PC19 does not propose to alter the current Rural Settlement zoning but asks that Tarras be considered for residential zoning in the future. The

---

<sup>126</sup> Submitter #75

<sup>127</sup> Submitter #145

<sup>128</sup> Further Submitter #263 – Van Der Velden Family Trust

<sup>129</sup> Submitter #79

<sup>130</sup> Submitter #149

<sup>131</sup> Submitter #116

Panel agrees with the recommendation from Ms White that PC 19 does not propose to amend any Rural Settlement zones and future growth in Tarras would be better considered as part of a review of the Rural Settlement provisions at a later date.

378. Mr John Sutton<sup>132</sup> has requested a LRZ FGO be applied to his property at 475 Clyde-Alexandra Road, in particular the top of the terrace adjacent to FGO (LRZ) on Muttontown Road.
379. Ms Muir states that this area could be serviced for water but cannot be serviced for wastewater, and notes that there is no plan for reticulation of this area in the future.
380. The Panel agrees with the recommendation of Ms White in her s42A report (Stage 2) that the gully provides a clear and appropriate break between the FGO (LRZ) and the remaining rural area. The Vincent Spatial Plan identified the land as suitable for Rural Residential Development, consistent with the land to the east and south.
381. Following the hearing Ms White in her reply considered the request of behalf of the submitter that the area on the terrace above the gully, as shown in figure 20 and immediately adjacent to the FGO (LRZ) be re-zoned FGO (LRZ) to be appropriate.
382. Ms White notes that the effect of PC19 being that this wider site remains a rural zone, resulting in strip of rural land remaining between LRZ (FGO)/LLRZ (FGO) to the west and Rural-Residential zoning to the east.



*Figure 22 – Terrace Area shown in orange*

383. Given this and the fact that the site is unable to be serviced the Panel is of the view that the site should retain its current Rural Resource Area zoning, other than the terrace area identified in figure 22, which is to be re-zoned as FGO (LRZ).

---

<sup>132</sup> Submitter #76



384. The submission received from Annetta and Ross Cowie<sup>133</sup> opposes the inclusion of a MRZ in Clyde. The Panel agrees with the recommendation of Ms White in her section 42A (Stage 2) report and her reply report, that the zoning is appropriate and the concerns raised about impacts on heritage properties have been carefully considered by both urban design and heritage experts. These will also be supported by the changes proposed through PC20 and the related heritage guidelines.

385. MA & JM Bird<sup>134</sup> have requested that 41 Manuherikia Road, which is identified in an FGO is rezoned to Large Lot Residential (Precinct 1) now. The Panel considers changes made to the framework for FGO earlier in this decision in part addresses the submitters request, in an appropriate way given the infrastructure constraints.

## 7 Statutory Considerations

372. The relevant statutory considerations are outlined in Section 3 of this decision.

373. Overall, the Panel is satisfied that the provisions of the plan change, as recommended to be amended, are the most appropriate way to achieve the objectives of the District Plan, are in accordance with Part 2 of the RMA, and meet all other relevant statutory tests.

374. The panel also adopts the s32AA evaluations provided by or accepted by Ms White in her section 42A and her Reply report, in support of the amendments recommended to be made to the PC19 provisions after notification.

---

<sup>133</sup> Submitter #107

<sup>134</sup> Submitter #1

## 8 Overall Recommendations

375. Having considered all the material before the Panel, including the two section 42A reports and reply from the Council Planning Consultant, and its Three Waters Director, submissions, further submissions, tabled evidence and evidence presented at the hearing, the Section 32AA assessments, and all other relevant statutory matters, our decision is that:

- j) the Plan Change **be accepted** in the form that is presented in Appendix 1; and
- k) that the submissions on the Plan Change be accepted, accepted in part, or rejected as set out in the table in Appendix 2; and
- l) pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, Council gives notice of its decision on submissions to Plan Change 19.

**DATED** this 27 June 2024



---

Neil Gillespie  
Central Otago District Council – Hearings Panel (Chair)



1 Dunorling Street  
PO Box 122, Alexandra 9340  
New Zealand

03 440 0056

Info@codc.govt.nz  
www.codc.govt.nz



# Central Otago District Plan

---

## Plan Change 19 – Residential Chapter Provisions as amended by Decisions

## Contents

GLOSSARY OF ABBREVIATIONS .....	3
LARGE LOT RESIDENTIAL ZONE .....	4
Introduction .....	4
Objectives and Policies .....	4
Rules.....	6
Standards .....	13
LOW DENSITY RESIDENTIAL ZONE .....	17
Introduction .....	17
Objectives and Policies .....	17
Rules.....	19
Standards .....	27
MEDIUM DENSITY RESIDENTIAL ZONE .....	31
Introduction .....	31
Objectives and Policies .....	31
Rules.....	33
Standards .....	42
RESIDENTIAL ZONES SUBDIVISION.....	49
Introduction .....	49
Objectives and Policies .....	49
Rules.....	50
Standards .....	57
Schedule 1 – Height in Relation to Boundary .....	58
Definitions.....	60
Section 19.3.6.....	64
Consequential Changes.....	64
Schedules .....	64
Schedule 19.27.....	65

## GLOSSARY OF ABBREVIATIONS

<b>CON</b>	Controlled activity status
<b>DIS</b>	Discretionary activity status
<b>PER</b>	Permitted activity status
<b>RDIS</b>	Restricted discretionary activity status
<b>LLRZ</b>	Large Lot Residential Zone
<b>LRZ</b>	Low Density Residential Zone
<b>MRZ</b>	Medium Density Residential Zone
<b>NC</b>	Non-complying activity status

## LARGE LOT RESIDENTIAL ZONE

### Introduction

The Large Lot Residential Zone (LLRZ) is located in some of the outer residential areas within the townships of Alexandra, Clyde and Cromwell, as well as in Bannockburn, Lowburn, Pisa Moorings and Roxburgh, along with some isolated areas of existing large lot residential ~~near~~ located along the eastern side of Lake Dunstan.

The densities ~~is~~ within the Large Lot Residential Zone ~~is~~ are the lowest of all the residential zones, providing for detached houses on large sites, maintaining a high open space to built form ratio. Generous setbacks are also provided from the road and neighbouring boundaries. Buildings are expected to maintain these existing low density characteristics, minimise the effects of development on adjoining sites and integrate with the surrounding area.

The focus of the zone is residential, with limited commercial and community facilities anticipated. Within Precinct 1, slightly higher densities are anticipated, which reflects the ~~historic~~ existing pattern of development. Within Precincts 2 & 3, a lower density is anticipated, to maintain the existing amenity and character in these areas.

The Future Growth Overlay identifies ~~any~~ areas that ~~has~~ either been signalled in the Vincent Spatial Plan for ~~low density large lot residential zoning, in future, or other areas identified as being appropriate for future residential growth.~~ The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future. However, there are some wider servicing constraints to developing these areas that must be addressed before they are able to be developed. ~~the~~ Provisions are therefore applied in the Overlay ~~is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided restricting development until that there is capacity within the reticulated water and wastewater networks to service the additional development.~~

In addition to the provisions in this chapter, the provisions in Sections 1-3, 6 and 11 to 18 continue to apply to the LLRZ.

### Objectives and Policies

Objectives	
<b>LLRZ-O1</b>	<b>Purpose of the Large Lot Residential Zone</b>
The Large Lot Residential Zone provides primarily for residential living opportunities.	
<b>LLRZ-O2</b>	<b>Character and amenity values of the Large Lot Residential Zone</b>
The Large Lot Residential Zone is a pleasant, low-density living environment, which: <ol style="list-style-type: none"> <li>1. contains predominantly low-rise and detached residential units on large lots;</li> <li>2. maintains a predominance of open space over built form;</li> <li>3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and</li> <li>4. is well-designed and well-connected into the surrounding area.</li> </ol>	
<b>LLRZ-O3</b>	<b>Precincts 1, 2 &amp; 3</b>
The density of development in the Large Lot Residential Precincts recognises and provides for maintenance of the amenity and character resulting from existing or anticipated development in these areas.	

Policies	
<b>LLRZ-P1</b>	<b>Built Form</b>
Ensure that development within the Large Lot Residential Zone:	

	<ol style="list-style-type: none"> <li>1. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li> <li>2. provides safe and appropriate access and on-site parking;</li> <li>3. maintains a high level of spaciousness around buildings and a modest scale and intensity of built form that does not unreasonably dominate adjoining sites;</li> <li>4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</li> <li>5. provides generous usable outdoor living space for residents and for tree and garden planting;</li> <li>6. maintains the safe and efficient operation of <u>the road network</u>;</li> <li>7. mitigates visual effects through screening of storage areas and provision of landscaping; and</li> <li>8. encourages water efficiency measures.</li> </ol>
<b>LLRZ-P2</b>	<b>Residential activities</b>
	<u>Provide for Enable residential activities within a range of residential unit types and sizes to meet the diverse and changing residential demands of communities.</u>
<b>LLRZ-P3</b>	<b>Home business</b>
	<p>Provide for home businesses where:</p> <ol style="list-style-type: none"> <li>1. <del>they are ancillary to a residential activity;</del></li> <li>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</li> <li>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring <del>are compatible with /do not compromise the amenity of adjoining sites.</del></li> </ol>
<b>LLRZ-P4</b>	<b>Retirement Living</b>
	<p>Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and:</p> <ol style="list-style-type: none"> <li>1. <del>any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and</del></li> <li>2. the scale, form, composition and design of the village <u>responds to maintains the anticipated character and amenity values of the surrounding area, while recognising the functional and operational needs of retirement villages;</u> and</li> <li>3. <del>they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and</del></li> <li>4. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>5. <del>road</del> <u>the safety and efficiency of the road network is maintained; and</u></li> <li>6. <del>they are well-connected to commercial areas and community facilities.</del></li> </ol>
<b>LLRZ-P5</b>	<b>Other non-residential activities</b>
	<p><del>Avoid Only allow other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless where:</del></p> <ol style="list-style-type: none"> <li>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</li> <li>2. the nature, scale and intensity of the activity is compatible with the anticipated character and <u>amenity values qualities</u> of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serves</u> the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>residential properties sites</u>, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. <u>the road safety and efficiency of the road network is maintained; or</u></li> <li>7. <u>the activity is an expansion of an existing non-residential activity or building, and the expansion does not result in any significant increase of any existing tension with (1)-(6) above.</u></li> </ol>



<b>LLRZ-P6</b>	<b>Precinct 1</b>
Provide for development within Precinct 1 at a density consistent with the existing character of the area <u>precinct</u> .	
<b>LLRZ-P7</b>	<b>Precincts 2 &amp; 3</b>
Ensure that development within Precincts 2 & 3 maintains a higher level of open space, consistent with the existing character of <u>the area each precinct</u> .	
<b>LLRZ-P8</b>	<b>Future Growth Overlay</b>
Recognise and <del>provide for rezoning</del> <u>Restrict development</u> of land within the Future Growth Overlay <u>for residential purposes, where until :</u> 1. <del>It is demonstrated as necessary to meet anticipated demand; and</del> 2. <del>it is able to be serviced by reticulated water and wastewater networks and transport infrastructure.</del>	
<b>LLRZ-P9</b>	<b>Comprehensive Development</b>
Provide for a higher density of development on larger sites, where development is undertaken in a <u>comprehensive manner and:</u> 1. <u>the overall layout provides for a variety of lot sizes and opportunities for a diversity of housing types while still being designed to achieve the built form outcomes in LLRZ-P1;</u> 2. <u>the design responds positively to the specific context, features and characteristics of the site;</u> 3. <u>areas of higher density development are located or designed so that the overall character of the surrounding area is retained; and</u> 4. <u>the development delivers a public benefit, such as public access, reserves or infrastructure improvements.</u>	

## Rules

<b>LLRZ-R1</b>	<b>Residential units</b>
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. <del>There is no more than one residential unit per site.</del></p> <p><b>And Where the activity complies with the following <del>rule requirements</del> standards:</b>  <u>LLRZ-S1 to LLRZ-S6, except where the residential units are within an area for which a Comprehensive Residential Development has been approved, and non-compliance with any standard has been considered through that resource consent.</u></p>
	<p><b>Activity status when compliance is not achieved with R1.1: RDIS</b></p> <p><b>And the activity complies with the following rule requirements <u>standards:</u></b>  LLRZ-S1 to LLRZ-S6</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The bulk, location, design and density of buildings.</li> <li>2. The extent to which landscaping enhances residential amenity.</li> <li>3. The safety and efficiency of accesses and car parking areas.</li> <li>4. Amenity effects on neighbouring properties and streetscape.</li> <li>5. Provision for privacy between residential units and between sites.</li> </ol> <p><b>Activity status when compliance with rule requirement <u>standard (s)</u> is not achieved:</b> Refer to Rule Requirement <u>Standards</u> Table.</p>

LLRZ-R2	<b>Minor Residential Unit</b>	
Large Lot Residential Zone	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one minor residential unit per <u>principal residential unit on any site.</u></li> <li>2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> or 90m<sup>2</sup> including a garage.</li> <li>3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</li> </ol> <p><b>And the activity complies with the following <del>rule requirements</del> standards:</b> LLRZ-S2 to LLRZ-S7.</p>	<p><b>Activity status when compliance is not achieved with R2.1, <del>NC</del></b></p> <p><del><b>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</b></del></p> <p><b>Activity status when compliance with <del>rule requirement standard (s)</del> is not achieved:</b> Refer to <u>Rule Requirement Standards Table.</u></p>
LLRZ-R3	<b>Relocated buildings</b>	
Large Lot Residential Zone	<p><b>Activity Status: <del>CON</del>PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling;</li> <li>2. A building <u>pre-inspection report shall be provided with the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building and shall include certification from the owner of the relocated building that the reinstatement work will be completed within a 12 month period;</u></li> <li>3. <u>The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and</u></li> <li>4. All <u>other</u> reinstatement work required by the building <u>pre-inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within <del>six</del> 12 months of the building being delivered to the site. Reinstatement work is to</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R3.1 <del>to R3.4</del>: DIS</b></p> <p><b>Activity status when compliance is not achieved with R3.2-R3.4: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. <u>The works required to reinstate the dwelling to an appropriate state of repair.</u></li> <li>b. <u>The appropriateness of any alternate time period.</u></li> <li>c. <u>Provision of servicing.</u></li> <li>d. <u>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</u></li> </ol> <p><b>Activity status when compliance with <del>rule requirement standard (s)</del> is not achieved:</b> Refer to <u>Rule Requirement Standards Table.</u></p>

	<p>include connections to all infrastructure services and closing in and ventilation of the foundations; and</p> <p>5. <del>The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six-month period.</del></p> <p><b>And the activity complies with the following <u>rule requirements standards</u>:</b> LLRZ-S1 to LLRZ-S7</p> <p><b><del>Matters of control are restricted to:</del></b></p> <p>a. <del>The time period within which the building will be placed on its foundations.</del></p> <p>b. <del>Identification of, and the time period to complete reinstatement works to the exterior of the building.</del></p> <p>c. <del>Provision of servicing.</del></p> <p>d. <del>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</del></p>	
<b>LLRZ-R4</b>	<b>Accessory buildings and structures</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <p>1. The building is ancillary to a permitted activity <u>or other lawfully established activity.</u></p> <p><b>And the activity complies with the following <u>rule requirements standards</u>:</b> LLRZ-S2 to LLRZ-S6.</p>	<p><b>Activity status when compliance is not achieved with R4.1:</b> DIS</p>
<b>LLRZ-R5</b>	<b>Additions and alterations to existing non-residential buildings</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <p>1. <u>The additions or alterations do not increase the existing gross floor area by more than 30%.</u></p> <p><b>And where the activity complies with the following <u>rule requirements standards</u>:</b> <u>LLRZ-S2 to LLRZ-S6.</u></p>	<p><b>Activity status when compliance is not achieved with R5.1:</b> DIS</p> <p><b>Activity status when compliance with <u>rule requirement standard (s) is not achieved:</u></b> Refer to Rule Requirement Standards Table.</p>

LLRZ-R6	<b>Residential Activity</b>	
Large Lot Residential Zone	Activity Status: PER	
LLRZ-R7	<b>Visitor accommodation</b>	
Large Lot Residential Zone	<p>Activity Status: PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The visitor accommodation is undertaken within a residential unit or minor residential unit; and</li> <li>2. <del>is ancillary to a residential activity.</del> <u>In addition to the visitor accommodation activity, at least one person resides permanently on the site; and-</u></li> <li>3. The maximum occupancy is 6 guests per night; <del>and</del></li> <li>4. <del>The access to the site is not shared with another site.</del></li> </ol>	<p>Activity status when compliance is not achieved with R7.1, <del>or R7.2 or R7.3:</del> <b>Discretionary</b></p> <p><del>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</del></p> <p><del>Matters of discretion are restricted to:</del></p> <ol style="list-style-type: none"> <li>a. <del>the effects of the activity on the amenity and safety of on any sites sharing access of the use of the access on:</del> <ol style="list-style-type: none"> <li>i. <del>amenity; and</del></li> <li>ii. <del>safety and efficient access.</del></li> </ol> </li> </ol>
LLRZ-R8	<b>Home business (unless otherwise specified in LLRZ-R9 <del>or LLRZ-R14</del>)</b>	
Large Lot Residential Zone	<p>Activity Status: PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <del>The home business is undertaken within a residential unit and is ancillary to a residential activity;</del></li> <li>2. The maximum floor area occupied by the home business is no more than 30m<sup>2</sup>;</li> <li>3. <del>Any</del> <u>no more than one</u> employee engaged in the home business resides <del>off</del> <u>on</u>-site;</li> <li>4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and</li> <li>5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day.</li> </ol> <p><b>And where the activity complies with the following rule requirements standards:</b> LLRZ-S7</p>	<p>Activity status when compliance is not achieved with R8.1 to R8.5: <b>Discretionary</b></p> <p><del>Activity status when compliance with rule requirement standard (s) is not achieved:</del> Refer to Rule Requirement Standards Table.</p>

<b>LLRZ-R9</b>	<b>Childcare Services</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The childcare service is undertaken within a residential unit and is <del>ancillary</del> <u>incidental</u> to a residential activity.</li> <li>2. The maximum number of children in attendance at any one time is 6, excluding any children who live on-site.</li> </ol>	<p><b>Activity status when compliance is not achieved with R9.1 or R9.2:</b></p> <p><b>Discretionary</b></p>
<b>LLRZ-R10</b>	<b>Signs</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one sign per site;</li> <li>2. The sign relates to the site on which it is located;</li> <li>3. The sign does not exceed 0.5m<sup>2</sup> in area;</li> <li>4. The sign is not illuminated and does not use reflective materials;</li> <li>5. The sign is fixed and does not move; and</li> <li>6. The sign does not obscure driver visibility to and from access ways.</li> </ol> <p><i>Note: This rule applies in addition to the controls on signage contained in Section 12 – District Wide Rules and Performance Standards.</i></p>	<p><b>Activity status when compliance is not achieved with R10.1 – R10.6: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The effect on amenity values of neighbouring properties.</li> <li>2. The effect on amenity values of the neighbourhood, and in particular on the character of the streetscape.</li> <li>3. The effect on the safe and efficient operation of the roading network.</li> </ol>
<b>LLRZ-R11</b>	<b>Excavation and Fill</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>2. The maximum volume <del>or area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>3</sup> per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The location, volume and area of <u>excavation earthworks</u>.</li> <li>2. The effect on amenity values or safety of neighbouring <u>sites properties</u>.</li> <li>3. The effect on water bodies and their margins.</li> <li>4. The impact on visual amenity and landscape character.</li> <li>5. Any effects on the road network arising from the excavation.</li> <li>6. Any effects on archaeological, heritage or cultural values.</li> </ol>

	<i>Note: Any excavation that will or may modify or destroy the whole or part of an archaeological site requires an authority to be obtained from Heritage New Zealand Pouhere Taonga.</i>	7. Any mitigation measures proposed.
<b>LLRZ-R12</b>	<b>Comprehensive Residential Development</b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <u>The density across the site is no greater than 1 dwelling per:</u> <ol style="list-style-type: none"> <li>a. <u>2000m<sup>2</sup> gross site area in Precinct 2 or 3; or</u></li> <li>b. <u>1500m<sup>2</sup> elsewhere.</u></li> </ol> </li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. <u>Provision for housing diversity and choice.</u></li> <li>b. <u>How the development responds to the context, features and characteristics of the site.</u></li> <li>c. <u>The extent to which the proposal provides wider community benefits, such as through protection or restoration of important features or areas, increased opportunities for connectivity or community facilities.</u></li> <li>d. <u>Measures proposed to ensure higher density areas do not detract from the character and amenity of the wider surrounding area.</u></li> <li>e. <u>Integration with transport networks, including walking and cycling.</u></li> <li>f. <u>The location, extent and quality of public areas and streetscapes, taking into account servicing and maintenance requirements.</u></li> <li>g. <u>How the configuration of lots will allow for development that can readily achieve the outcomes sought in LLRZ-P1.</u></li> <li>h. <u>Where the application also seeks provision for future built development to breach any of the standards, discretion is also restricted to those matters specified in the relevant standard.</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R12.1.a: DIS</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>2. <u>The overall density across the site is no greater than 1 dwelling per 1500m<sup>2</sup> gross site area; and</u></li> <li>3. <u>Either 1500m<sup>2</sup>, or 50m<sup>2</sup> per unit, whichever is the greater, is provided for public use as an area of open space.</u></li> </ol> <p><b>Activity status when compliance is not achieved with R12.1.b, R12.2 or R12.3: NC</b></p>

LLRZ-R13	<b>Retirement Villages</b>	
Large Lot Residential Zone	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following <del>rule requirements</del> standards:</b> LLRZ-S1 to LLRZ-S6</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Integration of vehicle, cycle and pedestrian access with the adjoining road network.</li> <li>Provision of landscaping, <del>or use of open space to integrate the proposal into the surrounding area,</del> <u>on-site amenity for residents, recreational facilities and</u></li> <li><u>Adequacy of stormwater systems and wastewater capacity.</u></li> <li><del>Design and layout of pedestrian circulation.</del></li> <li>Parking and <u>manoeuvring access.</u></li> <li>Traffic generation, including impacts on the <u>safety and efficiency of the wider transport road network.</u></li> <li><del>Residential amenity for neighbours in respect of outlook and privacy.</del></li> <li><u>Visual quality and interest in the The design, form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas.</u></li> <li><u>Any functional or operational requirements.</u></li> </ol>	<p><b>Activity status when compliance with <del>rule requirement standard (s)</del> is not achieved:</b> Refer to <u>Rule Requirement Standards Table.</u></p>
LLRZ-R14	<b>Any activity not otherwise listed in <del>LLRZ R1 to LLRZ R10 or LLRZ R12 to LLRZ R15</del></b>	
Large Lot Residential Zone	<b>Activity Status: DIS</b>	
LLRZ-R15	<b>Industrial Activities</b>	
Large Lot Residential Zone	<b>Activity Status: NC</b>	
LLRZ-R16	<b>Large format retailing</b>	
Large Lot Residential Zone	<b>Activity Status: NC</b>	
LLRZ-R17	<b>Noxious Activities</b>	



Large Lot Residential Zone	Activity Status: NC	
LLRZ-R18	Buildings on Land Subject to Hazards	
Large Lot Residential Zone	<p>Activity Status: NC</p> <p>Where:</p> <p>1. The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.</p>	

#### Standards

LLRZ-S1	Density	Activity Status where compliance not achieved:
Large Lot Residential Zone (Excluding Precincts 1, 2 & 3)	<p>1. The minimum site area per residential unit is <del>2000</del>1500m<sup>2</sup>, or</p> <p>2. <u>On any site less than 1500m<sup>2</sup>, one residential unit per site.</u></p>	NC
Precinct 1	<p>3. The minimum site area per residential unit is 1000m<sup>2</sup>, or</p> <p>4. <u>On any site less than 1000m<sup>2</sup>, one residential unit per site.</u></p>	NC
Precinct 2	<p>5. The minimum site area per residential unit is 3000m<sup>2</sup>, or</p> <p>6. <u>On any site less than 3000m<sup>2</sup>, one residential unit per site.</u></p>	NC
Precinct 3	<p>7. The minimum site area per residential unit is <del>€</del>5000m<sup>2</sup>, or</p> <p>8. <u>On any site less than €5000m<sup>2</sup>, one residential unit per site.</u></p>	NC
LLRZ-S2	Height	Activity Status where compliance not achieved:
Large Lot Residential Zone	<p>1. The maximum height of buildings and structures must not exceed 7.5m measured from ground level to the highest part of the building or structure.</p> <p><u>LLRZ-S2.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li><u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> </ul>	<p>Where:</p> <p>LLRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. Dominance of built form in the surrounding area.</p>

	<ul style="list-style-type: none"> <li>• <u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li>• <u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u></li> <li>• <u>Hose drying towers which do not exceed 15m in height.</u></li> </ul>	<ul style="list-style-type: none"> <li>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the increased height.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u></li> </ul> <p><b>Where:</b> LLRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: <b>NC</b></p>
<b>LLRZ-S3</b>	<b>Height in relation to boundary</b>	<b><u>Activity Status where compliance not achieved:</u></b>
<b>Large Lot Residential Zone</b>	<ol style="list-style-type: none"> <li>1. Buildings must be contained within a building envelope defined by the recession plane angles set out in Schedule 1 to the Residential Zone chapter, from points 2.5m above ground level at the boundaries of the site.</li> <li>2- LLRZ-S3.1 does not apply to: <ul style="list-style-type: none"> <li>• A boundary with a road <u>or a shared access more than 3m in width.</u></li> <li>• Common walls along a site boundary.</li> <li>• Eaves inclusive of gutters with a maximum depth of 20cm measured vertically.</li> <li>• Antennas, aerials, satellite dishes (less than 1m in diameter).</li> <li>• Solar panels which do not project beyond the building envelope by more than 0.5m.</li> <li>• Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</li> <li>• A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m<sup>2</sup> in</li> </ul> </li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. Dominance of built form in the surrounding area.</li> <li>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the breach.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u></li> </ul>

	<p>area and no greater than 1m in height.</p> <ul style="list-style-type: none"> <li>• <u>Internal boundaries within a retirement village.</u></li> <li>• <u>Hose drying towers.</u></li> </ul>	
<b>LLRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved:</b>
<b>Large Lot Residential Zone (Excluding Precincts 1 2 &amp; 3)</b>	The building coverage of the net area of any site must not exceed 30%.	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Compatibility of the built form with the existing or anticipated character of the area.</li> <li>Dominance of built form in the surrounding area.</li> <li>The extent to which a level of openness around and between buildings is retained.</li> <li>Any mitigation measures proposed which reduce the adverse effects of the breach.</li> </ol>
<b>Precinct 1</b>	The building coverage of the net area of any site must not exceed 40%.	
<b>Precinct 2</b>	The building coverage of the net area of any site must not exceed 15%.	
<b>Precinct 3</b>	The building coverage of the net area of any site must not exceed 10%.	
<b>LLRZ-S5</b>	<b>Setback from road boundary</b>	<b>Activity Status where compliance not achieved:</b>
<b>Large Lot Residential Zone</b>	<ol style="list-style-type: none"> <li>Any building or structure shall be setback a minimum of <u>7.5m</u> from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height.</li> </ol>	<b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Any adverse effects on the safety and efficiency of the road network.</li> <li>The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>compatibility of the building or structure with the surrounding built environment.</li> <li><u>Any constraints which make compliance impractical.</u></li> </ol>
<b>Large Lot Residential Zone - Within 80m of the seal edge of a State Highway</b>	<ol style="list-style-type: none"> <li>New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels</li> </ol>	

	and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.	
<b>LLRZ-S6</b>	<b>Setback from internal boundary</b>	<b><u>Activity Status where compliance not achieved:</u></b>
<b>Large Lot Residential Zone</b>	<p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> <li>1. 3m from any internal boundary <del>(except that this does not apply to an uncovered deck less than 1m in height);</del> and</li> <li>2. 15m from <u>any property boundary which is adjacent to the margin of any lake.</u></li> </ol> <p><u>LLRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Uncovered decks of less than 1m in height.</u></li> <li>• <u>Internal boundaries within a retirement village.</u></li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Adverse effects on privacy, outlook, or shading on the affected property.</li> <li>b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>c. The compatibility of the building or structure with the surrounding built environment.</li> <li>d. Any adverse effects on accessibility to the lake.</li> </ol>
<b>LLRZ-S7</b>	<b>Car parking</b>	<b><u>Activity Status where compliance not achieved:</u></b>
<b>Large Lot Residential Zone</b>	<p>The following minimum carpark spaces shall be provided on the site:</p> <ol style="list-style-type: none"> <li>1. One carpark space per residential unit; and</li> <li>2. One additional carpark space per home business.</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Any adverse effects on the safety and efficiency of the road network.</li> <li>b. Effects on amenity values of neighbouring properties.</li> </ol>

## LOW DENSITY RESIDENTIAL ZONE

### Introduction

The Low Density Residential Zone covers the majority of the residential areas in the townships of Alexandra, Clyde and Cromwell, a central area within Pisa Moorings, as well as all of the residential areas in the townships of Roxburgh, Ettrick, Millers Flat, Omakau, Ophir, St Bathans, Naseby, Ranfurly and Patearoa.

This zone provides for traditional suburban housing, comprised ~~predominately~~ predominantly of detached houses on sections with ample on-site open space, and generous setbacks from the road and neighbouring boundaries. Buildings are expected to maintain these existing low density characteristics, minimise the effects of development on adjoining sites and integrate with the surrounding area.

While the focus of the zone is residential, some commercial and community facilities are anticipated, where they support the local residential population and are compatible with the character and amenity values of the zone.

The Future Growth Overlay identifies ~~any areas that have~~ either been signalled in the Vincent Spatial Plan for low density residential zoning, in future, or other areas identified as being appropriate for future residential growth. ~~The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future.~~ However, there are some wider servicing constraints to developing these areas that must be addressed before they are able to be developed. Provisions are therefore applied in the Overlay intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that restricting development until there is capacity within the reticulated water and wastewater networks to service the additional development.

In addition to the provisions in this chapter, the provisions in Sections 1-3, 6 and 11 to 18 continue to apply to the LRZ.

### Objectives and Policies

<b>Objectives</b>	
<b>LRZ-O1</b>	<b>Purpose of the Low Density Residential Zone</b>
The Low Density Residential Zone provides primarily for residential living opportunities, as well as activities that support, and are compatible with the character of, the zone's residential focus.	
<b>LRZ-O2</b>	<b>Character and amenity values of the Low Density Residential Zone</b>
The Low Density Residential Zone is a pleasant, low-density suburban living environment, which: <ol style="list-style-type: none"> <li>1. contains predominantly low-rise and detached residential units;</li> <li>2. maintains a good level of openness around buildings;</li> <li>3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and</li> <li>4. is well-designed and well-connected into surrounding area.</li> </ol>	

<b>Policies</b>	
<b>LRZ-P1</b>	<b>Built Form</b>
Ensure that development within the Low Density Residential Zone: <ol style="list-style-type: none"> <li>1. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li> <li>2. provides safe and appropriate access and on-site parking;</li> <li>3. maintains spaciousness around buildings and a modest scale and intensity of built form that does not unreasonably dominate adjoining sites;</li> </ol>	

	<ol style="list-style-type: none"> <li>4. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe; and</li> <li>5. provides sufficient usable outdoor living space for residents and for tree and garden planting;</li> <li>6. maintains the safe and efficient operation of <u>the roads network</u>;</li> <li>7. mitigates visual effects through screening of storage areas and provision of landscaping; and</li> <li>8. encourages water efficiency measures.</li> </ol>
<b>LRZ-P2</b>	<b>Residential activities</b>
	Provide for <del>Enable residential activities within</del> a range of residential unit types and sizes <u>to meet the diverse and changing residential demands of communities.</u>
<b>LRZ-P3</b>	<b>Home businesses</b>
	Provide for home businesses where: <ol style="list-style-type: none"> <li><del>1. they are ancillary to a residential activity;</del></li> <li>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</li> <li>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring <del>are compatible with /do not compromise the amenity of adjoining sites.</del></li> </ol>
<b>LRZ-P4</b>	<b>Retirement Living</b>
	Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and: <ol style="list-style-type: none"> <li><del>1. any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and</del></li> <li>2. the scale, form, composition and design of the village <u>responds to maintains the anticipated character and amenity values of the surrounding area, while recognising the functional and operational needs of retirement villages;</u> and</li> <li><del>3. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and</del></li> <li>4. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li><del>5. road <u>the safety and efficiency of the road network</u> is maintained; and</del></li> <li><del>6. they are well-connected to commercial areas and community facilities.</del></li> </ol>
<b>LRZ-P5</b>	<b>Other non-residential activities</b>
	<del>Avoid</del> <u>Only allow other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless where:</u> <ol style="list-style-type: none"> <li>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</li> <li>2. the nature, scale and intensity of the activity is compatible with the anticipated character and <u>amenity values qualities</u> of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serves</u> the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>residential properties-sites</u>, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. <u>the road safety and efficiency of the road network is maintained; or</u></li> <li>7. <u>the activity is an expansion of an existing non-residential activity or building, and the expansion does not result in any significant increase of any existing tension with (1)-(6) above.</u></li> </ol>

<b>LRZ-P6</b>	<b>Future Growth Overlay</b>
Recognise and provide for rezoning Restrict development of land within the Future Growth Overlay for residential purposes, where until:	
<ol style="list-style-type: none"> <li>1. <del>It is demonstrated as necessary to meet anticipated demand; and</del></li> <li>2. <del>it is able to be serviced by reticulated water and wastewater networks and transport infrastructure.</del></li> </ol>	
<b>LRZ-P7</b>	<b>Comprehensive Development</b>
Provide for a higher density of development on larger sites, where development is undertaken in a comprehensive manner and:	
<ol style="list-style-type: none"> <li>1. <u>the overall layout provides for a variety of lot sizes and opportunities for a diversity of housing types while still being designed to achieve the built form outcomes in LRZ-P1;</u></li> <li>2. <u>the design responds positively to the specific context, features and characteristics of the site;</u></li> <li>3. <u>areas of higher density development are located or designed so that the overall character of the surrounding area is retained; and</u></li> <li>4. <u>the development delivers a public benefit, such as public access, reserves or infrastructure improvements.</u></li> </ol>	

## Rules

<b>LRZ-R1</b>	<b>Residential units</b>
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <del>There are no more than two residential units per site.</del></li> </ol> <p><b>And Where the activity complies with the following rule requirements standards:</b></p> <p><u>LRZ-S1 to LRZ-S7, except where the residential units are within an area for which a Comprehensive Residential Development has been approved, and non-compliance with any standard has been considered through that resource consent.</u></p>
	<p><b>Activity status when compliance is not achieved with R1.1: RDIS</b></p> <p><b>And the activity complies with the following rule requirements standards:</b> LRZ-S1 to LRZ-S7</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The bulk, location, design and density of buildings.</li> <li>2. The extent to which landscaping enhances residential amenity.</li> <li>3. The safety and efficiency of accesses and car parking areas.</li> <li>4. Amenity effects on neighbouring properties and streetscape.</li> <li>5. Provision for privacy between residential units and between sites.</li> </ol> <p><b>Activity status when compliance with rule requirement standard (s) is not achieved:</b> Refer to Rule Requirement Standards Table.</p>
<b>LRZ-R2</b>	<b>Minor Residential Unit</b>
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one minor residential unit per <u>principal residential unit on any site;</u></li> </ol>
	<p><b>Activity status when compliance is not achieved with R2.1: NG</b></p> <p><del>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</del></p>



	<p>2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> or 90m<sup>2</sup> including a garage; and</p> <p>3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</p> <p><b>And the activity complies with the following <del>rule requirements</del> standards:</b> LRZ-S2 to LRZ-S7.</p>	<p><b>Activity status when compliance with <del>rule requirement standard (s)</del> is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>
<p><b>LRZ-R3</b></p>	<p><b>Relocated buildings</b></p>	
<p><b>Low Density Residential Zone</b></p>	<p><b>Activity Status:</b> <del>CON</del>-<u>PER</u></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.</li> <li>2. <u>A building pre-inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building and shall include certification from the owner of the relocated building that the reinstatement work will be completed within a 12 month period;</u></li> <li>3. <u>The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and</u></li> <li>4. <u>All other reinstatement work required by the building pre-inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R3.1: DIS</b></p> <p><b><u>Activity status when compliance is not achieved with R3.2-R3.4: RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>The works required to reinstate the dwelling to an appropriate state of repair.</u></li> <li>b. <u>The appropriateness of any alternate time period.</u></li> <li>c. <u>Provision of servicing.</u></li> <li>d. <u>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</u></li> </ol> <p><b>Activity status when compliance with <del>rule requirement standard (s)</del> is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>

	<p><b>And the activity complies with the following <u>rule requirements standards</u>:</b> LRZ-S1 to LRZ-S7.</p> <p><b><del>Matters of control are restricted to:</del></b></p> <ol style="list-style-type: none"> <li><del>1. The time period within which the building will be placed on its foundations.</del></li> <li><del>2. Identification of, and the time period to complete reinstatement works to the exterior of the building.</del></li> <li><del>3. Provision of servicing.</del></li> <li><del>4. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</del></li> </ol>	
<b>LRZ-R4</b>	<b>Accessory buildings and structures</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The building is ancillary to a permitted activity <u>or other lawfully established activity</u>.</li> </ol> <p><b>And the activity complies with the following <u>rule requirements standards</u>:</b></p> <ol style="list-style-type: none"> <li>2. For buildings or structures of more than 10m<sup>2</sup>, LRZ-S2 to LRZ-S6; or</li> <li>3. For buildings or structures of 10m<sup>2</sup> or less, LRZ-S2 - LRZ-S5.</li> </ol>	<p><b>Activity status when compliance is not achieved with R4.1: DIS</b></p>
<b>LRZ-R5</b>	<b>Additions and alterations to existing non-residential buildings</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <u>The additions or alterations do not increase the existing gross floor area by more than 30%.</u></li> </ol> <p><b>And where the activity complies with the following <u>rule requirements standards</u>:</b> <u>LRZ-S2 to LRZ-S6.</u></p>	<p><b>Activity status when compliance is not achieved with R5.1: DIS</b></p> <p><b>Activity status when compliance with <u>rule requirement standard (s) is not achieved:</u> Refer to <u>Rule Requirement Standards Table</u>.</b></p>
<b>LRZ-R6</b>	<b>Residential Activity</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p>	

LRZ-R7	<b>Visitor accommodation</b>	
Low Density Residential Zone	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The visitor accommodation is undertaken within a residential unit or minor residential unit; and</li> <li>2. <del>is ancillary to a residential activity. In addition to the visitor accommodation activity, at least one person resides permanently on the site; and-</del></li> <li>3. The maximum occupancy is 6 guests per night; and</li> <li>4. <del>The access to the site is not shared with another site.</del></li> </ol> <p><b>And where the activity complies with the following rule requirements standards:</b> LRZ-S7</p>	<p><b>Activity status when compliance is not achieved with R7.1, <del>or R7.2 or R7.3:</del></b> Discretionary</p> <p><del><b>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</b></del></p> <p><del><b>Matters of discretion are restricted to:</b></del></p> <ol style="list-style-type: none"> <li>a. <del>the effects of the activity on the amenity and safety of on any sites sharing access of the use of the access on:</del> <ol style="list-style-type: none"> <li>i. <del>amenity; and</del></li> <li>ii. <del>safety and efficient access.</del></li> </ol> </li> </ol>
LRZ-R8	<b>Home business (unless otherwise specified in LRZ-R9 or LRZ-R14)</b>	
Low Density Residential Zone	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <del>The home business is undertaken within a residential unit;</del></li> <li>2. The maximum floor area occupied by the home business is no more than 30m<sup>2</sup>;</li> <li>3. <del>Any</del> <u>No more than one</u> employee engaged in the home business resides <del>off</del> on-site;</li> <li>4. The home business, including any storage of goods, materials, or equipment takes place entirely within a building; and</li> <li>5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day.</li> </ol> <p><b>And where the activity complies with the following rule requirements standards:</b> LRZ-S7</p>	<p><b>Activity status when compliance is not achieved with R8.1 to R8.5:</b> Discretionary</p> <p><b>Activity status when compliance with <u>rule requirement standard (s)</u> is not achieved:</b> Refer to Rule Requirement Standards Table.</p>
LRZ-R9	<b>Childcare Services</b>	
Low Density Residential Zone	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p>	<p><b>Activity status when compliance is not achieved with R9.1 or R9.2:</b> Discretionary</p>

	<ol style="list-style-type: none"> <li>1. The childcare service is undertaken within a residential unit and is <del>ancillary</del> <u>incidental</u> to a residential activity.</li> <li>2. The maximum number of children in attendance at any one time is 6, excluding any children who live on-site.</li> </ol> <p><b>And where the activity complies with the following rule requirements standards:</b> LRZ-S7</p>	
<b>LRZ-R10</b>	<b>Signs</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one sign per site;</li> <li>2. The sign relates to the site on which it is located;</li> <li>3. The sign does not exceed 0.5m<sup>2</sup> in area;</li> <li>4. The sign is not illuminated and does not use reflective materials;</li> <li>5. The sign is fixed and does not move; and</li> <li>6. The sign does not obscure driver visibility to and from access ways.</li> </ol> <p><i>Note: This rule applies in addition to the controls on signage contained in Section 12 – District Wide Rules and Performance Standards.</i></p>	<p><b>Activity status when compliance is not achieved with R10.1 – R10.6: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. The effect on amenity values of neighbouring properties.</li> <li>b. The effect on amenity values of the neighbourhood, and in particular on the character of the streetscape.</li> <li>c. The effect on the safe and efficient operation of the roading network.</li> </ol>
<b>LRZ-R11</b>	<b><u>Excavation and Fill</u></b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>2. The maximum volume <del>or area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The location, volume and area of <u>excavation earthworks.</u></li> <li>2. The effect on amenity values or safety of neighbouring <u>sites properties.</u></li> <li>3. The effect on water bodies and their margins.</li> <li>4. The impact on visual amenity and landscape character.</li> <li>5. Any effects on the road network arising from the excavation.</li> </ol>

	<i>Note: Any excavation that will or may modify or destroy the whole or part of an archaeological site requires an authority to be obtained from Heritage New Zealand Pouhere Taonga.</i>	<p>6. Any effects on archaeological, heritage or cultural values.</p> <p>7. Any mitigation measures proposed.</p>
<b>LRZ-R12</b>	<b>Community facilities and shop</b>	
<b>Scheduled Activity No. 127 in Schedule 19.3.6</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. <u>No vehicular access is provided direct to Pisa Moorings Road.</u></p> <p><b>Where the activity complies with the following standards:</b> <b>LRZ-S2, LRZ-S3, LRZ-S5 and LRZ-S6.</b></p>	<p><b>Activity status when compliance is not achieved with R12.1: DIS</b></p> <p><b>Activity status when compliance with standard(s) is not achieved: Refer to Standards Table.</b></p>
<b>LRZ-R13</b>	<b>Convenience Retail activities</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following <del>rule requirements</del> standards:</b> LRZ-S2 to LRZ-S4 and LRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Whether the proposed activity will primarily service the surrounding residential area.</li> <li>Hours of operation.</li> <li>amenity effects on neighbouring properties, including noise, disturbance and privacy.</li> <li>outdoor storage, including rubbish collection areas.</li> <li>the location and design of car parking and loading areas and access.</li> </ol>	
<b>LRZ-R14</b>	<b>Retirement Villages</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following <del>rule requirements</del> standards:</b> LRZ-S2 to LRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Integration of vehicle, cycle and pedestrian access with the adjoining road network.</li> <li>Provision of landscaping, <u>or use of open space to integrate the proposal into the surrounding area,</u> <del>on-site amenity for residents, recreational facilities and</del></li> </ol>	

	<ul style="list-style-type: none"> <li>c. <u>Adequacy of stormwater systems and wastewater capacity.</u></li> <li><del>d. Design and layout of pedestrian circulation.</del></li> <li>e. Parking and <u>manoeuvring access.</u></li> <li>f. Traffic generation, including impacts on the <u>safety and efficiency of the wider transport road network.</u></li> <li><del>g. Residential amenity for neighbours in respect of outlook and privacy.</del></li> <li>h. <u>Visual quality and interest in the The design, form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas.</u></li> <li>i. <u>Any functional or operational requirements.</u></li> </ul>	
<b>LRZ-R15</b>	<b><u>Community facilities and Educational Facilities</u></b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following <u>rule requirements standards</u>:</b> LRZ-S2 to LRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. The location and design of car parking and loading areas and access.</li> <li>b. Design and layout of on-site pedestrian and cycling connections.</li> <li>c. Hours of operation.</li> <li>d. Noise, disturbance and loss of privacy of neighbours.</li> <li>e. Location, size and numbers of signs.</li> <li>f. Traffic generation and impact on the <u>transport road network.</u></li> <li>g. Landscaping.</li> <li>h. Site layout.</li> <li>i. The scale of activity.</li> <li>j. Scale, form and design of buildings.</li> </ul>	
<b>LRZ-R16</b>	<b><u>Comprehensive Residential Development</u></b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>1. <u>The density across the site is no greater than 1 dwelling per 600m<sup>2</sup> gross site area.</u></li> </ul> <p><b>Matters of discretion are restricted to:</b></p>	<b><u>Activity status when compliance is not achieved with R16.1: NC</u></b>

	<ul style="list-style-type: none"> <li>a. <u>Provision for housing diversity and choice.</u></li> <li>b. <u>How the development responds to the context, features and characteristics of the site.</u></li> <li>c. <u>The extent to which the proposal provides wider community benefits, such as through protection or restoration of important features or areas, increased opportunities for connectivity or community facilities.</u></li> <li>d. <u>Measures proposed to ensure higher density areas do not detract from the character and amenity of the wider surrounding area.</u></li> <li>e. <u>Integration with transport networks, including walking and cycling.</u></li> <li>f. <u>The location, extent and quality of public areas and streetscapes, taking into account servicing and maintenance requirements.</u></li> <li>g. <u>How the configuration of lots will allow for development that can readily achieve the outcomes sought in LRZ-P1.</u></li> <li>h. <u>Where the application also seeks provision for future built development to breach any of the standards, discretion is also restricted to those matters specified in the relevant standard.</u></li> </ul>	
<b>LRZ-R17</b>	<b>Any activity not otherwise listed in LRZ-R1 to LRZ-R12 or LRZ-R14 to LRZ-R17</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: DIS</b>	
<b>LRZ-R18</b>	<b>Industrial Activities</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>LRZ-R16</b>	<b>Large format retailing</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>LRZ-R18</b>	<b>Noxious Activities</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	

<b>LRZ-R19</b>	<b>Buildings on Land Subject to Hazards</b>	
<b>Low Density Residential Zone</b>	<p><b>Activity Status: NC</b></p> <p><b>Where:</b></p> <p>1. The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.</p>	

### Standards

<b>LRZ-S1</b>	<b>Density</b>	<b>Activity Status where compliance not achieved:</b>
<b>Low Density Residential Zone</b>	<p>1. Where the residential unit is connected to a reticulated sewerage system:</p> <p>a. <del>the minimum site area no more than one residential unit is provided per unit is</del> <u>5400m<sup>2</sup>,</u> or</p> <p>b. <u>on any site less than 400m<sup>2</sup>, one residential unit per site.</u></p> <p>2. Where the residential unit is not connected to a reticulated sewerage system, no more than one residential unit <del>dwelling</del> is provided per 800m<sup>2</sup>.</p>	<b>NC</b>
<b>LRZ-S2</b>	<b>Height</b>	<b>Activity Status where compliance not achieved:</b>
<b>Low Density Residential Zone</b>	<p>1. The maximum height of buildings and structures must not exceed 7.5m measured from ground level to the highest part of the building or structure.</p> <p><u>LRZ-S2.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> <li>• <u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li>• <u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u></li> </ul>	<p><b>Where:</b></p> <p>LRZ-S2 is not met, but the height of the building or structure does not exceed 8.5m: <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. Dominance of built form in the surrounding area.</p> <p>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</p> <p>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the increased height.</p>



	<ul style="list-style-type: none"> <li>• <u>Hose drying towers which do not exceed 15m in height.</u></li> </ul>	<ul style="list-style-type: none"> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u></li> </ul> <p><b>Where:</b> LRZ-S2 is not met, and the height of the building or structure exceeds 8.5m: <b>NC</b></p>
<b>LRZ-S3</b>	<b>Height in relation to boundary</b>	<b><u>Activity Status where compliance not achieved:</u></b>
<b>Low Density Residential Zone</b>	<ol style="list-style-type: none"> <li>1. Buildings must be contained within a building envelope defined by the recession plane angles set out in Schedule 1 to the Residential Zone chapter, from points 2.5m above ground level at the boundaries of the site.</li> <li>2. LRZ-S3.1 does not apply to: <ul style="list-style-type: none"> <li>• A boundary with a road <u>or a shared access more than 3m in width.</u></li> <li>• Common walls along a site boundary.</li> <li>• Eaves inclusive of gutters with a maximum depth of 20cm measured vertically.</li> <li>• Antennas, aerials, satellite dishes (less than 1m in diameter).</li> <li>• Solar panels which do not project beyond the building envelope by more than 0.5m.</li> <li>• Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</li> <li>• A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height.</li> <li>• <u>Internal boundaries within a retirement village.</u></li> <li>• <u>Hose drying towers.</u></li> </ul> </li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Dominance of built form in the surrounding area.</li> <li>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the breach.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u></li> </ol>
<b>LRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved:</b>

<p><b>Low Density Residential Zone</b></p>	<p>The building coverage of the net area of any site must not exceed 40%.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. Compatibility of the built form with the existing or anticipated character of the area.</li> <li>b. Dominance of built form in the surrounding area.</li> <li>c. The extent to which a level of openness around and between buildings is retained.</li> <li>d. Any mitigation measures proposed which reduce the adverse effects of the breach.</li> </ul>
<p><b>LRZ-S5</b></p>	<p><b>Setback from road boundary</b></p>	<p><b>Activity Status where compliance not achieved:</b></p>
<p><b>Low Density Residential Zone</b></p>	<p><u>1.</u> Any building or structure shall be setback a minimum of 4.5m from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. Any adverse effects on the safety and efficiency of the road network.</li> <li>b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>c. Compatibility of the building or structure with the surrounding built environment.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> </ul>
<p><b><u>Medium Low Density Residential Zone - Within 80m of the seal edge of a State Highway</u></b></p>	<p><u>2.</u> New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li><u>a. The effect on the safe and efficient operation of the roading network.</u></li> <li><u>b. The effect on the amenity of persons nearby as a consequence of noise generated by activities on the State highway network.</u></li> </ul>
<p><b>LRZ-S6</b></p>	<p><b>Setback from internal boundary</b></p>	<p><b>Activity Status where compliance not achieved:</b></p>

<p><b>Low Density Residential Zone</b></p>	<p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> <li>1. 1.8m from any internal boundary <del>(except that this does not apply to an uncovered deck less than 1m in height)</del>; and</li> <li>2. 15m from <u>any property boundary which is adjacent to</u> the margin of any lake.</li> </ol> <p><u>LRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Uncovered decks of less than 1m in height.</u></li> <li>• <u>Internal boundaries within a retirement village.</u></li> <li>• <u>Two or more residential units connected horizontally and/or vertically by a common wall or floor.</u></li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Adverse effects on privacy, outlook, or shading on the affected property.</li> <li>b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>c. The compatibility of the building or structure with the surrounding built environment.</li> <li>d. Any adverse effects on accessibility to the lake.</li> </ol>
<p><b>LRZ-S7</b></p>	<p><b>Car parking</b></p>	<p><b>Activity Status where compliance not achieved:</b></p>
<p><b>Low Density Residential Zone</b></p>	<p>The following minimum carpark spaces shall be provided on the site:</p> <ol style="list-style-type: none"> <li>1. One carpark space per residential unit; and</li> <li>2. Where the activity is a home business, one additional carpark space; and</li> <li>3. Where the activity is visitor accommodation, one additional carpark space; and</li> <li>4. Where the activity is a childcare service, one additional carpark space.</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Any adverse effects on the safety and efficiency of the road network.</li> <li>b. Effects on amenity values of neighbouring properties.</li> </ol>

## MEDIUM DENSITY RESIDENTIAL ZONE

### Introduction

The Medium Density Residential Zone is located within the townships of Alexandra, Clyde and Cromwell in areas that are within a walkable distance of commercial areas or other key community facilities.

A more intensive density of development is anticipated in this zone compared with the ~~other~~ Large Lot Residential and Low Density Residential zones and it is intended to develop over time to provide for a range of housing options, including more intensive options, to meet the diverse needs of the community, provide affordable options and provide a greater critical mass to support commercial and community facilities.

While providing for more intensive density, buildings within this zone are expected to be well-designed to ensure that they integrate with the surrounding area, minimise the effects of development on adjoining sites and still provide a good quality living environment for residents. The provisions also provide a pathway for the approval of a Comprehensive Residential Development Plan, ~~allowing for~~ which enables an integrated and master planning approach to be undertaken on larger sites, including at higher densities, where this still achieves ~~the~~ high quality built form outcomes ~~sought~~. Approval of a Comprehensive Residential Development Plan provides certainty regarding the form of an overall development, and can precede, or be considered concurrently with subdivision consents and land use consents for residential units.

Precinct 1 is located within Clyde. Because Precinct 1 is within or near the Clyde Heritage Precinct, development within this area has the potential to impact on the character of the Heritage Precinct. Therefore, a lower height limit is applied in Precinct 1, and development within the Precinct needs to be considered in terms of its relationship with the Heritage Precinct.

While the focus of the zone is residential activity, some commercial and community facilities are anticipated, where they support the local residential population and are compatible with the purpose, character and amenity values of the zone.

The Future Growth Overlay identifies ~~any areas~~ that have either been signalled in the Vincent Spatial Plan for medium density residential zoning, in future, or other areas identified as being appropriate for future residential growth. ~~The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future.~~ However, there are some wider servicing constraints to developing these areas that must be addressed before they are able to be developed. Provisions are therefore applied in the Overlay ~~is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that~~ restricting development until there is capacity within the reticulated water and wastewater networks to service the additional development.

In addition to the provisions in this chapter, the provisions in Sections 1-3, 6 and 11 to 18 continue to apply to the MRZ.

### Objectives and Policies

Objectives	
<b>MRZ-O1</b>	<b>Purpose of the Medium Density Residential Zone</b>
The Medium Density Residential Zone provides primarily for more intensive residential living opportunities, as well as activities that support, and are compatible with, the zone's residential focus.	

<b>MRZ-O2</b>	<b>Character and amenity values of the Medium Density Residential Zone</b>
<p>The Medium Density Residential Zone is a good quality living environment, which:</p> <ol style="list-style-type: none"> <li>1. positively responds to the natural, heritage and cultural context and site features;</li> <li>2. <del>changes over time to</del> provides a range of housing types, including those of a greater density than other residential zones, making efficient use of land and providing for growth needs;</li> <li>3. is responsive to and well-connected into the surrounding area;</li> <li>4. is well-designed, balancing affordability with good urban design outcomes; and</li> <li>5. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites.</li> </ol>	

<b>Policies</b>	
<b>MRZ-P1</b>	<b>Built Form</b>
<p>Ensure that development within the Medium Density Residential Zone:</p> <ol style="list-style-type: none"> <li>1. actively and safely addresses road frontages and public open spaces;</li> <li>2. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li> <li>3. provides safe and appropriate access and on-site parking that is discretely integrated;</li> <li>4. maintains a level of openness around and between buildings that reflect a moderate scale and intensity of built form that does not unreasonably dominate adjoining sites;</li> <li>5. provides visual interest;</li> <li>6. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</li> <li>7. provides sufficient and usable common and private open space and storage space for residents;</li> <li>8. maintains the safe and efficient operation of accessways and <u>the roads network</u>;</li> <li>9. mitigates visual effects through screening of storage areas and provision of landscaping;</li> <li>10. incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment;</li> <li>11. encourages water efficiency measures; and</li> <li>12. within Precinct 1, does not detract from the <u>heritage values and</u> character of the Clyde Heritage Precinct.</li> </ol>	
<b>MRZ-P2</b>	<b>Comprehensive Development</b>
<p>Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it:</p> <ol style="list-style-type: none"> <li>1. provides <u>opportunities for a diversity of housing types choice</u>;</li> <li>2. is designed to respond positively to its context and the features of the site;</li> <li>3. is <u>compatible connected with the urban of to nearby centres and community facilities areas</u>;</li> <li>4. provides a well-connected <del>movement</del> <u>transport</u> network and usable public open spaces and streetscapes; and</li> <li>5. achieves the built form outcomes in MRZ-P1.</li> </ol>	
<b>MRZ-P3</b>	<b>Residential activities</b>
<p><del>Provide for Enable residential activities within</del> a range of residential unit types and sizes <u>to meet the diverse and changing residential demands of communities.</u></p>	
<b>MRZ-P4</b>	<b>Home businesses</b>
<p>Provide for home businesses where:</p> <ol style="list-style-type: none"> <li>1. <del>they are ancillary to a residential activity;</del></li> <li>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</li> </ol>	

3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring <del>are compatible with /</del> do not compromise the amenity of adjoining sites.	
<b>MRZ-P5</b>	<b>Retirement Living</b>
Provide for a range of retirement living options, including retirement villages, where they are comprehensively planned and: <ol style="list-style-type: none"> <li><del>1. any adverse effects on the residential amenity values of adjoining residential properties and the surrounding area are avoided or mitigated; and</del></li> <li>2. the scale, form, composition and design of the village <u>responds to</u> <del>maintains</del> the <u>anticipated</u> character and amenity values of the surrounding area, <u>while recognising the functional and operational needs of retirement villages</u>; and</li> <li><del>3. they are designed to provide safe, secure, attractive, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; and</del></li> <li>4. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li><del>5. road</del> <u>the safety and efficiency of the road network is maintained</u>; and</li> <li><del>6. they are well-connected to commercial areas and community facilities.</del></li> </ol>	
<b>MRZ-P6</b>	<b>Other non-residential activities</b>
Only allow other non-residential activities and buildings, <del>including the expansion of existing non-residential activities and buildings</del> , where: <ol style="list-style-type: none"> <li>1. any adverse effects of the activity, including noise, do not compromise the anticipated amenity of the surrounding area; and</li> <li>2. the nature, scale and intensity of the activity is compatible with the anticipated character and <u>amenity values</u> <del>qualities</del> of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serve</u> the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>residential properties/sites</u>, a sense of amenity, security and companionship is maintained; <u>and</u></li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. <del>the road</del> <u>the safety and efficiency of the road network is maintained</u>; or</li> <li>7. <u>the activity is an expansion of an existing non-residential activity or building, and the expansion does not result in any significant increase of any existing tension with (1)-(6) above.</u></li> </ol>	
<b>MRZ-P7</b>	<b>Future Growth Overlay</b>
Recognise and <del>provide for rezoning</del> <u>Restrict development</u> of land within the Future Growth Overlay for medium density development, <del>where until</del> : <ol style="list-style-type: none"> <li><del>1. It is demonstrated as necessary to meet anticipated demand; and</del></li> <li><del>2. it is able to be serviced by reticulated water and wastewater networks</del> <u>and transport infrastructure.</u></li> </ol>	

## Rules

<b>MRZ-R1</b>	<b>Residential units</b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: PER</b>  <b>Where:</b> <ol style="list-style-type: none"> <li>1. There are no more than two residential units per site.</li> </ol> <b>And the activity complies with the following rule requirements standards:</b> MRZ-S1 to MRZ-S13, except where the residential units are within an area for	<b>Activity status when compliance is not achieved with R1.1: RDIS</b>  <b>And the activity complies with the following rule requirements standards:</b> MRZ-S1 to MRZ-S13, except where the residential units are within an area for which a Comprehensive Residential Development <del>Master Plan</del> has been approved, and non-compliance with any

	<p>which a Comprehensive Residential Development <del>Master Plan</del> has been approved, and non-compliance with any <del>rule requirement standards</del> has been considered through that resource consent.</p>	<p><del>rule requirement standard(s)</del> has been considered through that resource consent.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. How the development responds to its context and site features, including any retained buildings, existing trees and, within Precinct 1, the Clyde Heritage Precinct.</li> <li>b. The design of road frontages and frontages to public open spaces in relation to public safety (including CPTED principles), activation, entrance recognition, access and servicing.</li> <li>c. Management of privacy, views and sunlight access for neighbours, including those on-site.</li> <li>d. The location, safety and landscape treatment of shared access and parking areas, including garages.</li> <li>e. Configuration of building / roof forms, façade design and material use.</li> <li>f. The balance between hard and soft landscaping and the extent to which landscaping enhances residential amenity.</li> <li>g. The location, size and quality of private and common open spaces, including orientation, privacy, and access to internal areas.</li> <li>h. The location, useability and screening of service, storage and waste management areas.</li> <li>i. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol> <p><b>Activity status when compliance with <del>rule requirement standard</del> (s) is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>
<b>MRZ-R2</b>	<b>Comprehensive Residential Development <del>Master Plan</del></b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p>	

	<ul style="list-style-type: none"> <li>a. Provision for housing diversity and choice,<del>relative to other residential areas.</del></li> <li>b. How the development responds to its context and site features, including solar orientation, views, existing buildings and vegetation, and, within Precinct 1, the Clyde Heritage Precinct.</li> <li>c. <del>Whether the urban form is compatible with the nearby land use mix, including providing</del> <u>Provision of</u> convenient access to commercial centres and community facilities.</li> <li>d. <del>The extent to which the development provides</del> <u>Provision of</u> well-connected and legible <del>movement transport networks,</del> integrating all access modes, with priority for walking and cycling.</li> <li>e. The location, extent and quality of public open space and streetscapes, taking into account servicing and maintenance requirements.</li> <li>f. The Incorporation of Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment.</li> <li>g. Whether the configuration of blocks and lots will allow for development that can readily achieve the outcomes sought in MRZ-P1.</li> <li>h. Where the application also seeks provision for future built development to breach any of the <del>rule requirements standards,</del> discretion is also restricted to those matters specified in the relevant <del>rule requirement standard.</del></li> <li>i. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ul>	
<b>MRZ-R3</b>	<b>Minor Residential Unit</b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: PER</b>  <b>Where:</b> <ol style="list-style-type: none"> <li>1. There is a maximum of one minor residential unit per <u>principal residential unit on any site;</u></li> </ol>	<b>Activity status when compliance is not achieved with R3.1,:-NC</b>  <del><b>Activity status when compliance is not achieved with R23.2 or R23.3: DIS</b></del>



	<p>2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> or 90m<sup>2</sup> including a garage; and</p> <p>3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</p> <p><b>And the activity complies with the following <del>rule requirements</del> standards:</b> MRZ-S2 to MRZ-S6 and MRZ-S8.</p>	<p><b>Activity status when compliance with <del>rule requirement standard</del> (s) is not achieved:</b> Refer to Rule Requirement Standards Table.</p>
<p><b>MRZ-R4</b></p>	<p><b>Relocated buildings</b></p>	
<p><b>Medium Density Residential Zone</b></p>	<p><b>Activity Status:</b> <del>CONPER</del></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling;</li> <li>2. <u>A building pre-inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building and shall include certification from the owner of the relocated building that the reinstatement work will be completed within a 12 month period;</u></li> <li>3. <u>The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and</u></li> <li>4. <u>All other reinstatement work required by the building pre-inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></li> </ol>	<p><b>Activity status when compliance is not achieved with R4.1: DIS</b></p> <p><b><u>Activity status when compliance is not achieved with R4.2-R4.4: RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>a. <u>The works required to reinstate the dwelling to an appropriate state of repair.</u></li> <li>b. <u>The appropriateness of any alternate time period.</u></li> <li>c. <u>Provision of servicing.</u></li> <li>d. <u>Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</u></li> </ol> <p><b>Activity status when compliance with <del>rule requirement standard</del> (s) is not achieved:</b> Refer to Rule Requirement Standards Table.</p>

	<p><b>And the activity complies with the following <u>rule requirements standards</u>:</b> MRZ-S1 to MRZ-S13.</p> <p><b><del>Matters of control are restricted to:</del></b></p> <p><del>a. The time period within which the building will be placed on its foundations.</del></p> <p><del>b. Identification of, and the time period to complete reinstatement works to the exterior of the building.</del></p> <p><del>c. Provision of servicing.</del></p> <p><del>d. Whether any bond is required to cover the cost of any reinstatement works required, and the type of bond.</del></p>	
<b>MRZ-R5</b>	<b>Accessory buildings and structures</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. The building is ancillary to a permitted activity <u>or other lawfully established activity</u>.</p> <p><b>And the activity complies with the following <u>rule requirements standards</u>:</b></p> <p>1. For buildings or structures of more than 10m<sup>2</sup>, MRZ-S2 to MRZ-S6; or</p> <p>2. For buildings or structures of 10m<sup>2</sup> or less, MRZ-S2 – MRZ-S5.</p>	<p><b>Activity status when compliance is not achieved with R5.1: DIS</b></p> <p><b>Activity status when compliance with <u>rule requirement standard (s)</u> is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>
<b>LLRZ-R6</b>	<b>Additions and alterations to existing non-residential buildings</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <p>1. <u>The additions or alterations do not increase the existing gross floor area by more than 30%.</u></p> <p><b>And where the activity complies with the following <u>rule requirements standards</u>:</b> <u>MRZ-S2 to MRZ-S6.</u></p>	<p><b>Activity status when compliance is not achieved with R6.1: DIS</b></p> <p><b>Activity status when compliance with <u>rule requirement standard (s)</u> is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>
<b>MRZ-R7</b>	<b>Residential Activity</b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: PER</b>	
<b>MRZ-R8</b>	<b>Visitor accommodation</b>	

<p><b>Medium Density Residential Zone</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The visitor accommodation is undertaken within a residential unit or minor residential unit; and</li> <li>2. is ancillary to a residential activity <u>In addition to the visitor accommodation activity, at least one person resides permanently on the site; and-</u></li> <li>3. The maximum occupancy is 6 guests per night; <del>and</del></li> <li>4. <del>The access to the site is not shared with another site.</del></li> </ol> <p><b>And the activity complies with the following <u>rule requirements standards</u>:</b> MRZ-S13</p>	<p><b>Activity status when compliance is not achieved with R8.1, <del>or R8.2 or R8.3</del>:</b> <b>Discretionary</b></p> <p><del><b>Activity status when compliance is not achieved with R6.3: Restricted Discretionary</b></del></p> <p><del><b>Matters of discretion are restricted to:</b></del></p> <ol style="list-style-type: none"> <li>a. <del>the effects of the activity on the amenity and safety of <u>on any sites sharing access of the use of the access on:</u></del> <ol style="list-style-type: none"> <li>i. <del>amenity; and</del></li> <li>ii. <del>safety and efficient access.</del></li> </ol> </li> </ol> <p><b>Activity status when compliance with <u>rule requirement standard (s)</u> is not achieved:</b> Refer to Rule Requirement Standards Table.</p>
<p><b>MRZ-R9</b></p>	<p><b>Home Business (unless otherwise specified in MRZ-R10 <del>or MRZ-R15</del>)</b></p>	
<p><b>Medium Density Residential Zone</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <del>The home business is undertaken within a residential unit;</del></li> <li>2. The maximum floor area occupied by the home business is no more than 30m<sup>2</sup>;</li> <li>3. <del>Any</del> <u>No more than one</u> employee engaged in the home business resides <u>off</u> <del>on</del>-site;</li> <li>4. the home business, including any storage of goods, materials, or equipment takes place entirely within a building; and</li> <li>5. The maximum number of vehicle trips for a home business per site must not exceed 32 per day.</li> </ol> <p><b>And where the activity complies with the following <u>rule requirements standards</u>:</b> MRZ-S13</p>	<p><b>Activity status when compliance is not achieved with R9.1 to R9.6:</b> <b>Discretionary</b></p> <p><b>Activity status when compliance with <u>rule requirement standard (s)</u> is not achieved:</b> Refer to Rule Requirement Standards Table.</p>
<p><b>MRZ-R10</b></p>	<p><b>Childcare Services</b></p>	
<p><b>Medium Density Residential Zone</b></p>	<p><b>Activity Status: PER</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. The childcare service is undertaken within a residential unit and is</li> </ol>	<p><b>Activity status when compliance is not achieved with R10.1 or R10.2:</b> <b>Discretionary</b></p> <p><b>Activity status when compliance with <u>rule requirement standard (s)</u> is not</b></p>

	<p><u>ancillary incidental</u> to a residential activity; and</p> <p>2. The maximum number of children in attendance at any one time is 6, excluding any children who live on-site.</p> <p><b>And the activity complies with the following <del>rule requirements</del> standards:</b> MRZ-S13</p>	<p><b>achieved:</b> Refer to <del>Rule Requirement Standards</del> Table.</p>
<b>MRZ-R11</b>	<b>Signs</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. There is a maximum of one sign per site;</li> <li>2. The sign relates to the site on which it is located;</li> <li>3. The sign does not exceed 0.5m<sup>2</sup> in area;</li> <li>4. The sign is not illuminated and does not use reflective materials;</li> <li>5. The sign is fixed and does not move; and</li> <li>6. The sign does not obscure driver visibility to and from access ways.</li> </ol> <p><i>Note: This rule applies in addition to the controls on signage contained in Section 12 – District Wide Rules and Performance Standards.</i></p>	<p><b>Activity status when compliance is not achieved with R11.1 – R11.6:</b> RDIS</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The effect on amenity values of neighbouring properties.</li> <li>2. The effect on amenity values of the neighbourhood, and in particular on the character of the streetscape.</li> <li>3. The effect on the safe and efficient operation of the roading network.</li> </ol>
<b>MRZ-R12</b>	<b>Excavation and Fill</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status:</b> PER</p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>2. The maximum volume <del>or area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>3</sup> per site, <u>excluding excavation required for construction of a building for which a building consent has been issued.</u></li> </ol> <p><i>Note: Any excavation that will or may modify or destroy the whole or part of an archaeological site requires an authority</i></p>	<p><b>Activity status when compliance is not achieved with R12.1 – R12.2:</b> RDIS</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. The location, volume and area of <u>excavation earthworks</u>.</li> <li>b. The effect on amenity values or safety of neighbouring <u>sites</u> <del>properties</del>.</li> <li>c. The effect on water bodies and their margins.</li> <li>d. The impact on visual amenity and landscape character.</li> <li>e. Any effects on the road network arising from the excavation.</li> <li>f. Any effects on archaeological, heritage or cultural values.</li> <li>g. Any mitigation measures proposed.</li> </ol>

	<i>to be obtained from Heritage New Zealand Pouhere Taonga.</i>	
<b>MRZ-R13</b>	<b>Convenience Retail activities</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following <del>rule requirements</del> standards:</b> MRZ-S2 to MRZ-S5.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Whether the proposed activity will primarily service the surrounding residential area.</li> <li>Hours of operation.</li> <li>Amenity effects on neighbouring properties, including noise, disturbance and privacy.</li> <li>Outdoor storage, including rubbish collection areas.</li> <li>The location and design of car parking and loading areas and access.</li> </ol>	<p><b>Activity status when compliance with <del>rule requirement standard</del> (s) is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>
<b>MRZ-R14</b>	<b>Retirement Villages</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following <del>rule requirements</del> standards:</b> MRZ-S2 to MRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Integration of vehicle, cycle and pedestrian access with the adjoining road network.</li> <li>Provision of landscaping, <del>or use of open space to integrate the proposal into the surrounding area,</del> <u>on-site amenity for residents, recreational facilities and</u></li> <li><u>Adequacy of stormwater systems and wastewater capacity.</u></li> <li><del>Design and layout of pedestrian circulation.</del></li> <li>Parking and <u>manoeuvring access.</u></li> <li>Traffic generation, including impacts on the <u>safety and efficiency of the wider transport road network.</u></li> <li><del>Residential amenity for neighbours in respect of outlook and privacy.</del></li> </ol>	<p><b>Activity status when compliance with <del>rule requirement standard</del> (s) is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>

	<p>h. <del>Visual quality and interest in the</del> <u>The design, form and layout of the retirement village, including buildings, fencing, location and scale of utility areas, parking areas and external storage areas.</u></p> <p>i. <u>Any functional or operational requirements.</u></p>	
<b>MRZ-R15</b>	<b>Community facilities and Educational Facilities</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following <del>rule requirements</del> standards:</b> MRZ-S2 to MRZ-S6.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The location and design of car parking and loading areas and access.</li> <li>Design and layout of on-site pedestrian and cycling connections.</li> <li>Hours of operation.</li> <li>Noise, disturbance and loss of privacy of neighbours.</li> <li>Location, size and numbers of signs.</li> <li>Traffic generation and impact on the <del>transport road</del> network.</li> <li>Landscaping.</li> <li>Site layout.</li> <li>The scale of activity.</li> <li>Scale, form and design of buildings.</li> </ol>	<p><b>Activity status when compliance with <del>rule requirement standard</del> (s) is not achieved:</b> Refer to <del>Rule Requirement Standards</del> Table.</p>
<b>MRZ-R16</b>	<b>Any activity not otherwise listed in <del>MRZ R1 to MRZ R13 or MRZ R15 to MRZ R18</del></b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: DIS</b>	
<b>MRZ-R17</b>	<b>Industrial Activities</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>MRZ-R18</b>	<b>Large format retailing</b>	
<b>Low Density Residential Zone</b>	<b>Activity Status: NC</b>	
<b>MRZ-R19</b>	<b>Noxious Activities</b>	
<b>Medium Density Residential Zone</b>	<b>Activity Status: NC</b>	

<b>MRZ-R19</b>	<b>Buildings on Land Subject to Hazards</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: NC</b></p> <p><b>Where:</b></p> <p>1. The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.</p>	

### Standards

<b>MRZ-S1</b>	<b>Density</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	<p>1. Where the residential unit is connected to a reticulated sewerage system, the minimum site area per unit is 200m<sup>2</sup>.</p> <p>2. Where the residential unit is not connected to a reticulated sewerage system, the minimum site area per unit is 800m<sup>2</sup>.</p>	<p><b>Where:</b></p> <p>3. MRZ-S1.1 is not met, but the minimum site area per unit is 180m<sup>2</sup>: <b>DIS</b></p> <p><b>Where:</b></p> <p>MRZ-S1.2 is not met, or MRZ-S1.1 and MRZ-S1.3 are not met: <b>NC</b></p>
<b>MRZ-S2</b>	<b>Height</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone (excluding within Precinct 1)</b>	<p>1. The maximum height of buildings and structures must not exceed:</p> <ol style="list-style-type: none"> <li>11m measured from ground level to the highest part of the building or structure; and</li> <li>3 storeys.</li> </ol> <p><u>MRZ-S2.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li><u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> <li><u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li><u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u></li> <li><u>Hose drying towers which do not exceed 15m in height.</u></li> </ul>	<p><b>Where:</b></p> <p>MRZ-S2.1 is not met, but the height of the building or structure does not exceed 120m: <b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Dominance of built form in the surrounding area.</li> <li>Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>Any mitigation measures proposed which reduce the adverse effects of the increased height.</li> <li><u>Any constraints which make compliance impractical.</u></li> <li><u>Whether the increase in height is necessary to mitigate natural hazard risk.</u></li> </ol>

		<p>f. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></p> <p><b>Where:</b> MRZ-S2.1 is not met, and the height of the building or structure exceeds 120m: <b>NC</b></p>
<b>Within Precinct 1</b>	<p>2. The maximum height of buildings and structures must not exceed:</p> <ol style="list-style-type: none"> <li>a. 8.5m measured from ground level to the highest part of the building or structure; and</li> <li>b. 2 storeys.</li> </ol> <p><u>MRZ-S2.2 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Antennas, aerials, satellite dishes (less than 1m in diameter).</u></li> <li>• <u>Solar panels which do not project beyond the building envelope by more than 0.5m.</u></li> <li>• <u>Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</u></li> <li>• <u>Hose drying towers which do not exceed 15m in height.</u></li> </ul>	<p><b>Where:</b> MRZ-S2.2 is not met: <b>NC</b></p>
<b>MRZ-S3</b>	<b>Height in relation to boundary</b>	<b><u>Activity Status where compliance not achieved:</u></b>
<b>Medium Density Residential Zone</b>	<p>1. Buildings must be contained within a building envelope defined by the recession plane angles set out in Schedule 1 to the Residential Zone chapter, from points 3.5m above ground level at the boundaries of the site; or from points 2.5m above ground level along boundaries that adjoin the Low Density Residential Zone or Large Lot Residential Zone.</p> <p>2. MRZ-S3.1 does not apply to:</p> <ul style="list-style-type: none"> <li>• <u>A boundary with a road or a shared access more than 3m in width.</u></li> <li>• Common walls along a site boundary.</li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Dominance of built form in the surrounding area.</li> <li>b. Effects on visual amenity values, privacy, outlook and sunlight and daylight access for neighbouring properties.</li> <li>c. Any mitigation measures <del>proposed</del> which reduce the adverse effects of the breach.</li> <li>d. <u>Any constraints which make compliance impractical.</u></li> <li>e. <u>Whether the increase in height is necessary to mitigate natural hazard risk.</u></li> </ol>



	<ul style="list-style-type: none"> <li>• Eaves inclusive of gutters with a maximum depth of 20cm measured vertically.</li> <li>• Antennas, aerials, satellite dishes (less than 1m in diameter).</li> <li>• Solar panels which do not project beyond the building envelope by more than 0.5m.</li> <li>• Chimney structures not exceeding 1.1m in width provided these do not project beyond the building envelope by more than 1m.</li> <li>• A gable end, dormer or roof where that portion projecting beyond the building envelope is no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height.</li> <li>• <u>Internal boundaries within a retirement village.</u></li> <li>• <u>Hose drying towers.</u></li> </ul>	
<b>MRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	The building coverage of the net area of any site must not exceed 45%, <u>excluding any area covered only by eaves.</u>	<b>RDIS</b> <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Compatibility of the built form with the existing or anticipated character of the area.</li> <li>Dominance of built form in the surrounding area.</li> <li>The extent to which a level of openness around and between buildings is retained.</li> <li>Any mitigation measures proposed which reduce the adverse effects of the breach.</li> <li><u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol>
<b>MRZ-S5</b>	<b>Setback from road boundary</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	<u>1.</u> Any building or structure shall be setback a minimum of 2m from a boundary with a road, except that this shall not apply to an uncovered deck less than 1m in height.	<b>RDIS</b> <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>Any adverse effects on the safety and efficiency of the road network.</li> </ol>

		<p>b. The extent to which the breach will have adverse effects on visual amenity values, including dominance.</p> <p>c. Compatibility of the building or structure with the surrounding built environment.</p> <p>d. <u>Any constraints which make compliance impractical.</u></p>
<p><b><u>Medium Density Residential Zone - Within 80m of the seal edge of a State Highway</u></b></p>	<p>2. New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p><del>a. Any adverse effects on the operation of the road network, including the potential for reverse sensitivity effects to arise.</del></p> <p>a. <u>The effect on the safe and efficient operation of the roading network.</u></p> <p>b. <u>The effect on the amenity of persons nearby as a consequence of noise generated by activities on the State highway network.</u></p>
<p><b>MRZ-S6</b></p>	<p><b>Setback from internal boundary</b></p>	<p><b><u>Activity Status where compliance not achieved:</u></b></p>
<p><b><u>Medium Density Residential Zone</u></b></p>	<p>Any building or structure shall be setback a minimum of:</p> <ol style="list-style-type: none"> <li>1m from any internal boundary <del>(except that this does not apply to common walls along a site boundary, or to an uncovered deck less than 1m in height);</del> and</li> <li>15m from <u>any property boundary which is adjacent to the margin of any lake.</u></li> </ol> <p><u>MRZ-S6.1 does not apply to:</u></p> <ul style="list-style-type: none"> <li>• <u>Uncovered decks of less than 1m in height.</u></li> <li>• <u>Internal boundaries within a retirement village.</u></li> <li>• <u>Two or more residential units connected horizontally and/or vertically by a common wall or floor.</u></li> </ul>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Adverse effects on privacy, outlook, or shading on the affected property.</li> <li>The extent to which the breach will have adverse effects on visual amenity values, including dominance.</li> <li>The compatibility of the building or structure with the surrounding built environment.</li> <li>Any adverse effects on accessibility to the lake.</li> <li><u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol>

	<ul style="list-style-type: none"> <li>• <u>'zero-lot line' development, where no setback applies on the internal boundary of one side of a building, provided the building is setback 2m from the boundary on the other side of the building, and an appropriate legal mechanism allows for maintenance access to the building.</u></li> </ul>	
<b>MRZ-S7</b>	<b>Outdoor Living Space</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	<p>Each residential unit must have an exclusive outdoor living space:</p> <ol style="list-style-type: none"> <li>1. for units with common living space at ground floor level, of at least 30m<sup>2</sup> with a minimum <del>dimension</del>-width of 4m; and</li> <li>2. for units <u>with a living space</u> located entirely above the ground floor level, that comprises a balcony of at least <del>128</del>m<sup>2</sup>, with a minimum <del>dimension</del>-width of 1.5m; and</li> <li>3. located on the north, west or east side of the residential unit and <del>which is accessible from the living space of the residential unit.</del></li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Provision of useable outdoor space; and</li> <li>b. Accessibility and convenience for residents; and</li> <li>c. Whether there is suitable alternative provision of public outdoor space, in close proximity, to meet resident's needs; <u>and</u></li> <li>d. <u>Any topographical or other constraints.</u></li> <li>e. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol>
<b>MRZ-S8</b>	<b>Landscaping</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	At least <del>30</del> 25% of the <u>net site area of any</u> site shall be planted in grass, trees, shrubs or other vegetation.	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Compatibility with the character of the area.</li> <li>b. Balance between built form and open space.</li> <li>c. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol>
<b>MRZ-S9</b>	<b><del>Service and</del> Storage Space</b>	<b>Activity Status where compliance not achieved:</b>
<b>Medium Density Residential Zone</b>	<ol style="list-style-type: none"> <li>1. Each residential unit must have an outdoor or indoor <del>service</del> space of at least 2.5m<sup>2</sup> with a minimum <del>dimension</del>-width of 1.5m available for use for the storage of waste and recycling bins.</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Provision of useable service and storage space.</li> <li>b. Accessibility and convenience for residents.</li> </ol>

	<p>2. <del>The required spaces can be</del>, provided either individually or within a communal space for multiple units.</p> <p>2. <u>Within the Clyde Heritage Precinct, any outdoor storage space must be positioned or screened so that it is not visible from any road.</u></p>	<p>c. <u>Within the Clyde Heritage Precinct, compatibility with the heritage values and character of the area.</u></p> <p>d. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></p>
<b>MRZ-S10</b>	<b>Outlook Space</b>	<b>Activity Status where compliance not achieved:</b>
	<p>Each residential unit must provide the following minimum outlook spaces:</p> <ol style="list-style-type: none"> <li>1. <del>for a principal living room, 4m in depth and 4m in width;</del></li> <li>2. <del>for a principal bedroom, 3m in depth and 3m in width;</del> and</li> <li>3. all other habitable rooms, 1m in depth and 1m in width.</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Visual privacy and outlook between habitable rooms of different buildings on the same or neighbouring sites.</li> <li>b. Visual dominance.</li> <li>c. Provision of a sense of space for residents.</li> <li>d. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol>
<b>MRZ-S11</b>	<b>Fencing</b>	<b>Activity Status where compliance not achieved:</b>
	<p>The maximum height of any fence along a road boundary shall be:</p> <ol style="list-style-type: none"> <li>1. <u>1.2m</u>, where less than 50% of the fence structure is visually transparent; or</li> <li>2. 1.8m, where <u>a minimum of 50% or more</u> of the fence structure is visually transparent.</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Effects on the streetscape.</li> <li>b. Adequacy of sunlight access to open spaces.</li> <li>c. Privacy for residents.</li> <li>d. The need to mitigate traffic noise on high volume roads.</li> <li>e. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol>
<b>MRZ-S12</b>	<b>Habitable Rooms</b>	<b>Activity Status where compliance not achieved:</b>
	<p><del>Each</del> <u>Any</u> residential unit must have a habitable room located at ground floor level, <u>unless the unit (excluding access to it) is located entirely above the ground floor level.</u></p>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Activation of frontages.</li> <li>b. Visual interest.</li> <li>c. Access to ground level open spaces.</li> <li>d. <u>Consistency with the Central Otago Medium Density Residential Zone Design Guide 2022, as it relates to the above matters.</u></li> </ol>

<b>MRZ-S13</b>	<b>Car parking</b>	<b>Activity Status where compliance not achieved:</b>
	<p>The following minimum carpark spaces shall be provided on the site:</p> <ol style="list-style-type: none"> <li>1. One carpark space per residential unit; and</li> <li>2. Where the activity is a home business, one additional carpark space; and</li> <li>3. Where the activity is visitor accommodation, one additional carpark space; and</li> <li>4. Where the activity is a childcare service, one additional carpark space.</li> </ol>	<p><b>RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Any adverse effects on the safety and efficiency of the road network.</li> <li>b. Effects on amenity values of neighbouring properties.</li> </ol>

## RESIDENTIAL ZONES SUBDIVISION

### Introduction

*Note: This chapter currently only applies to residential zones, and applies in addition to, and should be read in conjunction with, the district-wide provisions for subdivision contained in Section 16.*

### Objectives and Policies

<b>Objectives</b>	
<b>SUB-O1</b>	<b>Subdivision Design</b>
The subdivision of land within residential zones creates sites and patterns of development that are consistent with the purpose, character and amenity values anticipated within that zone.	
<b>Policies</b>	
<b>SUB-P1</b>	<b>Creation of new <u>sites-allotments</u></b>
Provide for subdivision within residential zones where it results in allotments that: <ol style="list-style-type: none"> <li>1. reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and</li> <li>2. are of a size and dimension that are sufficient to accommodate the intended built form for that zone;</li> <li>3. minimise natural hazard risk to people's lives and properties; and</li> <li>4. are adequately served by public open space that is accessible, useable and well-designed.</li> </ol>	
<b>SUB-P2</b>	<b>Dual Use</b>
Recognise the recreation and amenity benefits of the holistic and integrated use of public spaces, through: <ol style="list-style-type: none"> <li>1. encouraging subdivision designs which provide multiple uses for public spaces, including stormwater management and flood protection areas; and</li> <li>2. integration of walking and cycling connections with waterways, green spaces and other community facilities.</li> </ol>	
<b>SUB-P3</b>	<b>Energy Efficiency</b>
Recognise the benefits of subdivision that encourages energy efficiency through subdivision designs which: <ol style="list-style-type: none"> <li>1. maximise solar gain;</li> <li>2. support the uptake of energy efficient technologies; and</li> <li>3. support multi-modal transport choice.</li> </ol>	
<b>SUB-P4</b>	<b>Heritage Precincts</b>
Within heritage precincts, require consideration of future buildings on the heritage values and character of the precinct, at the time of subdivision.	
<b>SUB-P5</b>	<b>Structure Plans</b>
Ensure that subdivision and development in any area to which a Structure Plan applies is developed in general accordance with the Structure Plan.	

Rules

<b>SUB-R1</b>	<b>Boundary adjustments</b>	
<p><b>All Residential Zones</b></p>	<p><b>Activity Status: CON</b></p> <p><b>Where the activity complies with the following rule requirements standards:</b></p> <ol style="list-style-type: none"> <li>1. The allotments comply with SUB-S1; or</li> <li>2. Any existing allotment that does not meet SUB-S1 does not decrease in area.</li> </ol> <p><b>Matters of control are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The area of the proposed allotments.</li> <li>2. The location, design and construction of access, and its adequacy for the intended use of the subdivision.</li> <li>3. Public access requirements.</li> <li>4. The provision of services and their adequacy for the intended use of the subdivision.</li> <li><del>5. Any amalgamations and easements that are appropriate.</del></li> <li>6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan.</li> <li><del>7. Any other matters provided for in section 220 of the Act.</del></li> </ol>	<p><b>Activity Status when compliance is not achieved with R1.1 and R1.2: DIS</b></p>
<b>SUB-R2</b>	<b>Subdivision to create a new allotment for a network or public utility or a reserve</b>	
<p><b>All Residential Zones</b></p>	<p><b>Activity Status: CON</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. <u>Any balance allotment complies with SUB-S1.</u></li> </ol> <p><b>Matters of control are restricted to:</b></p> <ol style="list-style-type: none"> <li>a. The area of the proposed allotment taking into consideration the proposed use of the allotment, the amenities of neighbouring <del>properties</del> <u>sites</u> and the site's ability to dispose of waste (if required).</li> <li>b. The location, design and construction of access, and its adequacy for the intended use of the subdivision.</li> <li>c. Public access requirements.</li> </ol>	<p><b>Activity Status when compliance is not achieved with R2.1: DIS</b></p>

	<p>d. The provision of services and their adequacy for the intended use of the subdivision.</p> <p>e. <del>Any amalgamations and easements that are appropriate.</del></p> <p>f. Any financial contributions necessary for the purposes set out in Section 15 of the Plan.</p> <p>g. <del>Any other matters provided for in section 220 of the Act.</del></p>	
<b>SUB-R3</b>	<b>Subdivision where any part of the site is within a Heritage Precinct</b>	
<b>All Residential Zones</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>The application for subdivision consent is submitted concurrently with an application for land use consent under Section 11.</li> </ol> <p><b>Where the activity complies with the following <del>rule requirements standards</del>:</b> SUB-S1</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Those matters specified in SUB-R4.</li> <li>The impact of the proposed subdivision on the heritage values and character of the Heritage Precinct.</li> </ol>	<p><b>Activity status when compliance is not achieved with R3.1: DIS</b></p> <p><b>And the activity complies with the following <del>rule requirements standards</del>:</b> SUB-S1</p> <p><b>Activity status when compliance with <del>rule requirement standard (s)</del> is not achieved:</b> Refer to <u>Rule Requirement Standards Table</u>.</p>
<b>SUB-R4</b>	<b>Subdivision of land where each allotment contains an existing principal residential unit, or where a land use consent has been obtained, or is applied for concurrently, under MRZ-R1.</b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: CON</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li><u>The subdivision does not result in any new non-compliance with MRZ-S7, MRZ-S8, MRZ-S8, MRZ-S9 and MRZ-S10.</u></li> </ol> <p><b>Matters of control are restricted to:</b></p> <ol style="list-style-type: none"> <li><u>The provision of adequate network utility services, including the location, design and construction of these services.</u></li> <li><u>The ability to lawfully dispose of wastewater and stormwater.</u></li> <li><u>The location, design and construction of access, and its</u></li> </ol>	<p><b>Activity status when compliance is not achieved with SUB-R4.1: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b> <u>Those matters set out in SUB-R6</u></p>



	<p><u>adequacy for the intended use of the subdivision.</u></p> <p>d. <u>Earthworks necessary to prepare the site for development occupation, and/or use.</u></p> <p>e. <u>Subdivisional design including the shape and arrangement of allotments to:</u></p> <ul style="list-style-type: none"> <li>i. <u>facilitate convenient, safe, efficient and easy access.</u></li> <li>ii. <u>achieve energy efficiency, including access to passive solar energy sources.</u></li> <li>iii. <u>facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and co-ordinated ultimate pattern of development.</u></li> <li>iv. <u>maintain and enhance amenity values.</u></li> <li>v. <u>facilitate adequate access to back land.</u></li> <li>vi. <u>protect existing water races.</u></li> </ul> <p>f. <u>The provision of or contribution to the open space and recreational needs of the community.</u></p> <p>g. <u>Provision for pedestrian and cyclist movement, including the provision of, or connection to, walkways and cycleways.</u></p> <p>h. <u>The provision of esplanade strips or reserves and/or access strips.</u></p> <p>i. <u>The provision of services and their adequacy for the intended use of the subdivision.</u></p> <p>j. <u>Any financial contributions necessary for the purposes set out in Section 15 of the Plan.</u></p>	
<b><u>SUB-R5</u></b>	<b><u>Subdivision of land where a land use consent has been obtained, or is applied for concurrently, under LLRZ-R12, LRZ-R16 or MRZ-R2.</u></b>	

<p><b><u>Large Lot Residential Zone</u></b></p>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>The density across the site is no greater than 1 dwelling per:</u> <ol style="list-style-type: none"> <li>a. <u>2000m<sup>2</sup> gross site area in Precinct 2 or 3; or</u></li> <li>b. <u>1500m<sup>2</sup> gross site area elsewhere.</u></li> </ol> </li> </ol> <p><b><u>Matters of discretion are restricted to:</u></b>  <u>Those matters set out in SUB-R6.</u></p>	<p><b><u>Activity status when compliance is not achieved with R5.1.a: DIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>3. <u>The overall density across the site is no greater than 1 allotment per 1500m<sup>2</sup> gross site area; and</u></li> <li>4. <u>Either 1500m<sup>2</sup>, or 50m<sup>2</sup> per allotment, whichever is the greater, is provided for public use as an area of open space.</u></li> </ol> <p><b><u>Activity status when compliance is not achieved with R5.1.b, R5.2, R5.3 or R5.4: NC</u></b></p>
<p><b><u>Low Density Residential Zone</u></b></p>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li>2. <u>The density across the site is no greater than 1 allotment per 600m<sup>2</sup> gross site area.</u></li> </ol> <p><b><u>Matters of discretion are restricted to:</u></b>  <u>Those matters set out in SUB-R6.</u></p>	
<p><b><u>Medium Density Residential Zone</u></b></p>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b>  <u>Those matters set out in SUB-R6.</u></p>	
<p><b>SUB-R6</b></p>	<p><b>Subdivision not otherwise specified</b></p>	
<p><b>All Residential Zones</b></p>	<p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Where the activity complies with the following <del>rule requirements</del> standards:</u></b>  <u>SUB-S1 and SUB-S2</u></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>1. Whether the subdivision creates allotments that can accommodate anticipated land uses and are consistent with the purpose, character, and qualities of the applicable zone.</li> <li>2. The provision of adequate network utility services (given the intended use of the subdivision) including the location, design and construction of these services.</li> <li>3. The ability to lawfully dispose of wastewater and stormwater.</li> <li>4. The location, design and construction of access to public</li> </ol>	<p><b><u>Activity status when compliance with <del>rule requirement standard</del> (s) is Rule Requirement Standards Requirement Table.</u></b></p>

	<p>roads and its adequacy for the intended use of the subdivision.</p> <ol style="list-style-type: none"> <li>5. The provision of landscaping, including road berms.</li> <li>6. Earthworks necessary to prepare the site for development occupation, and/or use.</li> <li>7. Subdivisional design including the shape and arrangement of allotments to: <ol style="list-style-type: none"> <li>i. facilitate convenient, safe, efficient and easy access.</li> <li>ii. achieve energy efficiency, including access to passive solar energy sources.</li> <li>iii. facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and co-ordinated ultimate pattern of development.</li> <li>iv. maintain and enhance amenity values.</li> <li>v. facilitate adequate access to back land.</li> <li>vi. protect existing water races.</li> </ol> </li> <li>8. The provision of or contribution to the open space and recreational needs of the community.</li> <li>9. The provision of buffer zones adjacent to roads, network utilities or natural features.</li> <li>10. The protection of important landscape features, including significant rock outcrops and escarpments.</li> <li>11. Provision for pedestrian and cyclist movement, including the provision of, or connection to, walkways and cycleways.</li> <li>12. The provision of esplanade strips or reserves and/or access strips.</li> <li>13. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.</li> <li>14. <u>Any measures required to address the potential for reverse sensitivity effects to arise in relation to existing activities undertaken on adjoining land.</u></li> </ol>	
--	---	--

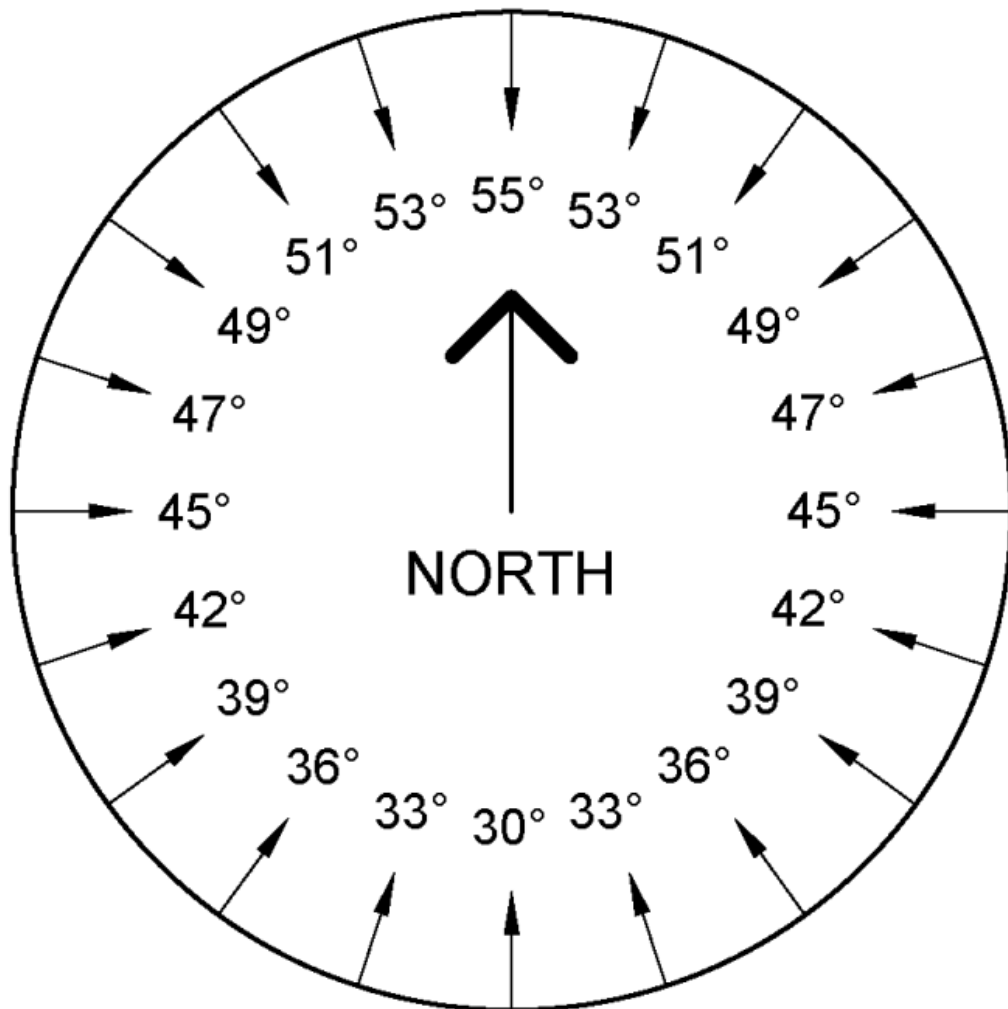
	<p>15. <u>Consistency with any Structure Plan included in this District Plan.</u></p> <p>16. <del>Any amalgamations and easements that are appropriate.</del></p> <p>17. <del>Any other matters provided for in section 220 of the Act.</del></p>	
<b>SUB-R5</b>	<b><u>Subdivision resulting in the creation of three or more allotments of 400m<sup>2</sup> or less in the Medium Density Residential Zone</u></b>	
<b>Medium Density Residential Zone</b>	<p><b>Activity Status: RDIS</b></p> <p><b>Where:</b></p> <p>1. <del>The application for subdivision consent made under this rule shall be submitted concurrently with an application for land use consent under MRZ-R1, or after the grant of a land use consent.</del></p> <p><b>Where the activity complies with the following rule requirements:</b> SUB-S1, except where a resource consent has been obtained for a Comprehensive Residential Development Plan, and the subdivision is in accordance with that consent.</p> <p><b>Matters of discretion are restricted to:</b></p> <p>1. <del>Those matters set out in SUB-R4.</del></p>	<p><b>Activity status when compliance is not achieved with R5.1: NC</b></p> <p><b>And the activity complies with the following rule requirements:</b> SUB-S1</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<b>SUB-R7</b>	<b><u>Subdivision of Land Subject to Hazards</u></b>	
<b>All Residential Zones</b>	<p><b>Activity Status: DIS</b></p> <p><b>Where:</b></p> <p>1. The subdivision involves land that is subject to or potentially subject to the effects of any hazard as identified on the planning maps; or</p> <p>2. The subdivision involves land that is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.</p>	
<b>SUB-R8</b>	<b><u>Subdivision of Land within a Future Growth Overlay</u></b>	
<b>Future Growth Overlay – Pisa Moorings</b>	<p><b>RDIS</b></p> <p><b>Where:</b></p> <p>1. <u>The Cromwell Wastewater Treatment plant has been upgraded to implement nitrogen removal and increase the</u></p>	<b><u>Activity status when compliance is not achieved with R8.1 or R8.2: NC</u></b>

	<p><u>capacity of the membrane treatment plant; and</u></p> <p>2. <u>The Cromwell and Pisa Moorings Water schemes have been combined and a regional council water take consent issued.</u></p> <p><b><u>Matters of discretion are restricted to:</u></b>  <u>Those matters set out in SUB-R6.</u></p>	
<b><u>Future Growth Overlay – Lowburn</u></b>	<p><b><u>RDIS</u></b></p> <p><b><u>Where:</u></b></p> <p>3. <u>The Cromwell Wastewater Treatment plant has been upgraded to implement nitrogen removal and increase the capacity of the membrane treatment plant; and</u></p> <p>4. <u>The Lowburn wastewater main and pumpstation has been reconfigured and upgraded.</u></p> <p><b><u>Matters of discretion are restricted to:</u></b>  <u>Those matters set out in SUB-R6.</u></p>	<b><u>Activity status when compliance is not achieved with R8.3 or R8.4: NC</u></b>
<b><u>Future Growth Overlay – Clyde, Alexandra and Manuherikia</u></b>	<p><b><u>RDIS</u></b></p> <p><b><u>Where:</u></b></p> <p>5. <u>The Alexandra Wastewater Treatment plant has been upgraded and a regional council discharge consent has been issued for treatment of Alexandra and Clyde wastewater.</u></p> <p><b><u>Matters of discretion are restricted to:</u></b>  <u>Those matters set out in SUB-R6.</u></p>	<b><u>Activity status when compliance is not achieved with R8.5: NC</u></b>
<b><u>Future Growth Overlay – Omakau</u></b>	<p><b><u>RDIS</u></b></p> <p><b><u>Where:</u></b></p> <p>6. <u>The Omakau Wastewater Treatment plant has been upgraded and a regional council discharge consent has been issued for treatment of Omakau wastewater.</u></p> <p><b><u>Matters of discretion are restricted to:</u></b>  <u>Those matters set out in SUB-R6.</u></p>	<b><u>Activity status when compliance is not achieved with R8.6: NC</u></b>

Standards

SUB-S1	<del>Density</del> <u>Minimum Allotment Size</u>	Activity Status where compliance not achieved:
<b>Medium Density Residential Zone</b>	<ol style="list-style-type: none"> <li>Where a reticulated sewerage system is available or is installed as part of the subdivision the minimum size of any allotment shall be no less than 200m<sup>2</sup>.</li> <li>Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Low Density Residential Zone</b>	<ol style="list-style-type: none"> <li>Where a reticulated sewerage system is available or is installed as part of the subdivision the minimum size of any allotment shall be no less than 4500m<sup>2</sup>.</li> <li>Where a reticulated sewerage system is not installed or available, the minimum size of any allotment shall be no less than 800m<sup>2</sup>.</li> </ol>	<p><b>Where:</b></p> <ol style="list-style-type: none"> <li><u>SUB-S1.3 is not met, but the minimum size of any allotment is no less than 250m<sup>2</sup>, the minimum average allotment size is no less than 400m<sup>2</sup> and only one additional allotment is created: <b>RDIS</b></u></li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Those matters set out in SUB-R6.</li> </ol> <p><b>Where:</b> SUB-S1.4 or SUB-S1.5 is not met: <b>NC</b></p>
<b>Large Lot Residential Zone (excluding Precincts 1, 2 &amp; 3)</b>	<ol style="list-style-type: none"> <li>The minimum size of any allotment shall be no less than <del>2000</del>1500m<sup>2</sup>.</li> </ol>	<p><b>Where:</b></p> <ol style="list-style-type: none"> <li><u>SUB-S1.6 is not met, but the minimum average allotment size is no less than 1500m<sup>2</sup> and only one additional allotment is created: <b>RDIS</b></u></li> </ol> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>Those matters set out in SUB-R6.</li> </ol> <p><b>Where:</b> SUB-S1.4 or SUB-S1.5 is not met: <b>NC</b></p>
<b>Large Lot Residential Zone - Precinct 1</b>	<ol style="list-style-type: none"> <li>The minimum size of any allotment shall be no less than 1000m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Large Lot Residential Zone - Precinct 2</b>	<ol style="list-style-type: none"> <li>The minimum size of any allotment shall be no less than 3000m<sup>2</sup>.</li> </ol>	<b>NC</b>
<b>Large Lot Residential Zone - Precinct 3</b>	<ol style="list-style-type: none"> <li>The minimum size of any allotment shall be no less than 5000m<sup>2</sup>.</li> </ol>	<b>NC</b>

## Schedule 1 – Height in Relation to Boundary



*Figure 1*

### **Determining Recession Plane Angles**

The angles of the recession plane are determined by a site boundary's orientation relative to the direction of true north. The recession plane indicator shown in Figure 1 determines the recession plane angle which applies to a site boundary.

### **How to use Figure 1**

1. Position Figure 1 on a site plan so that true north faces straight up.
2. Position the circle so that the outer edge of the circle touches the boundary
3. The correct angle is the number nearest where the circle touches the boundary (refer examples in Figure 2 below.)

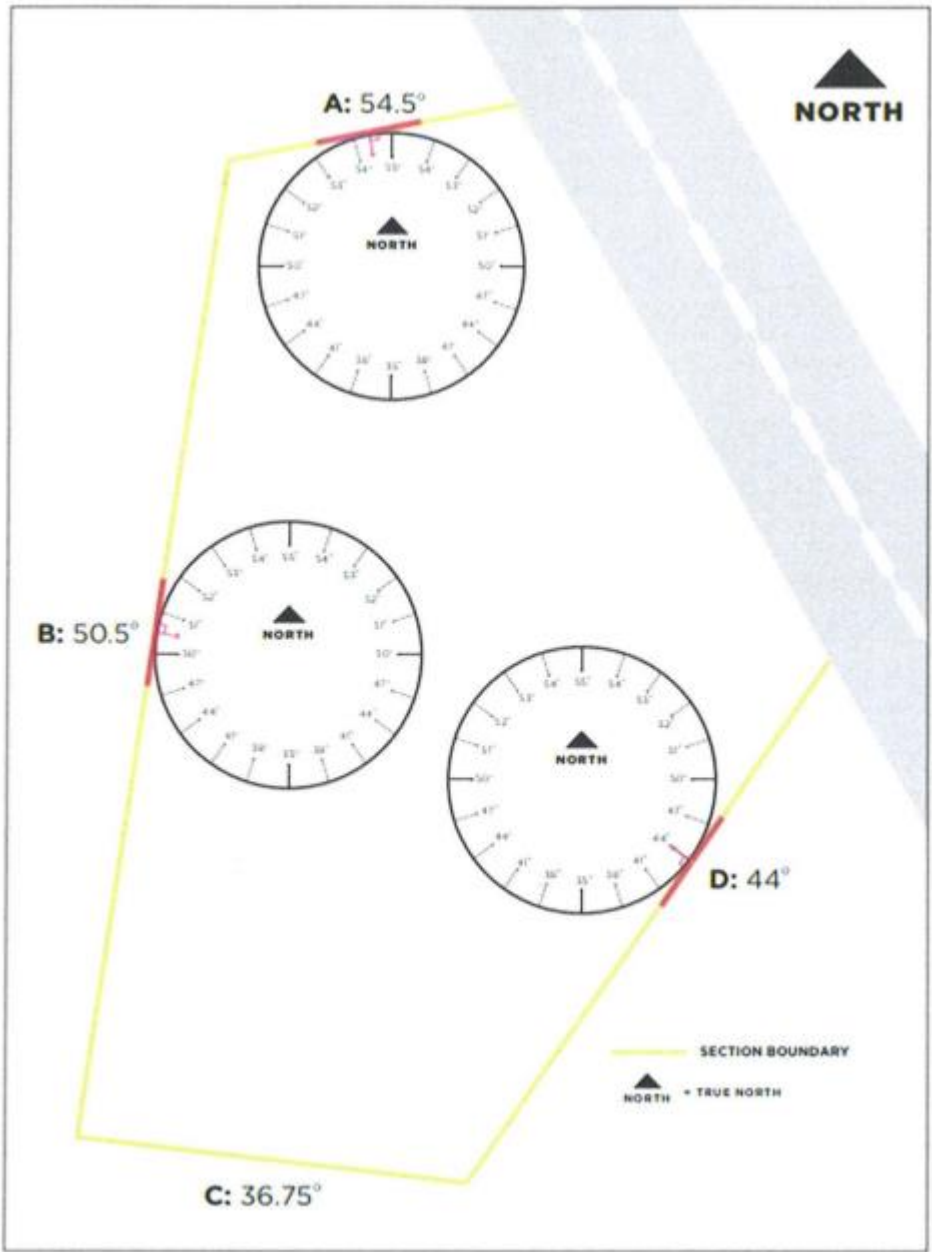


Figure 2



## Definitions

### **Accessory Building**

*in relation to any site within an urban area (but excluding any residential zone) means an ancillary detached building or structure (and includes a carport or garage and excludes a wall [other than a retaining wall] or fence of a height not exceeding 2 metres above the supporting ground) if:*

*(a) The use of the accessory building is clearly incidental to the existing or future use of the land, and*

*(b) The accessory building is located on the same site as the principal building. An accessory building includes a freestanding garage or carport, but not a garage or carport which is structurally part of or attached to the principal building on a site.*

*in relation to any site within a residential zone, means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit.*

### **Ancillary activity**

*means an activity that supports and is subsidiary to a primary activity.*

### **Building**

*except in a residential zone, shall have the same meaning as that contained in section 3 of the Building Act 1991 and excludes a wall [other than a retaining wall] or fence of a height not exceeding 2 metres above the supporting ground.*

*in a residential zone, means a temporary or permanent movable or immovable physical construction that is:*

*(a) partially or fully roofed; and*

*(b) fixed or located on or in land;*

*but excludes any motorised vehicle or other mode of transport that could be moved under its own power.*

### **Building Coverage**

*in relation to any site within a residential zone, means the percentage of the net site area covered by the building footprint.*

### **Boundary Adjustment**

*in a residential zone, means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.*

### **Comprehensive Residential Development Plan:**

*means a comprehensively planned and designed residential development where:*

- 1. in the Medium Density Residential Zone, the application site is greater than 3,000m<sup>2</sup> or*
- 2. in the Low Density Residential Zone, the application site is greater than 6,000m<sup>2</sup>; or*
- 3. in the Large Lot Residential Zone, the application site is greater than 2ha, or*
- 4. where less than 3,000m<sup>2</sup> the areas in 1. – 3. above, it is the subsequent development of an allotment created through a previous Comprehensive Residential Development consent.*

**Community facility**

except in a residential zone, includes educational facilities, (land and/or buildings used for the provision of regular instruction or training, teaching and learning, recreation for students and includes their ancillary administrative, cultural, commercial facilities and carparking and vehicle access), recreation facilities, emergency service activities as defined (see page 18:4), churches and places of worship, community centres and halls, care centres (as defined), and other similar community resources involving the use of buildings and land.

in a residential zone, means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.

**Convenience retail activities**

Means any retail activity that provides goods required on a day to day basis and which does not exceed 150m<sup>2</sup> in gross floor area.

**Educational facility**

in relation to any site within a residential zone, means land or buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities.

**Ground level**

in relation to any site within a residential zone, means:

- (a) the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created);
- (b) if the ground level cannot be identified under paragraph (a), the existing surface level of the ground;
- (c) if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary.

**Habitable room**

in relation to any site within a residential zone, means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.

**Height**

except in a residential zone, means the vertical distance measured from any point on the ground to the point directly above it, provided that the following structures are excluded for the purposes of calculating height in all resource areas: aerials and/or antennas, mounting fixtures, mast caps, lightening rods or similar appendages for the purpose of telecommunication and/or radiocommunication, but not including dish antennas and chimneys no greater than 750mm in width or depth.

in a residential zone, means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.

**Height in relation to boundary**

means the height of a structure, building or feature, relative to its distance from either the boundary of:

- (a) a site; or

(b) another specified reference point.

### **~~Home Occupation - Delete~~**

#### **Home business**

Means a commercial activity that is:

- (a) undertaken or operated by at least one resident of the site; and
- (b) incidental to the use of the site for a residential activity.

#### **Industrial activity**

in relation to any site within a residential zone, means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.

#### **Large Format Retailing**

Means a retail activity that exceeds 450m<sup>2</sup> in gross floor area, and includes supermarkets.

#### **Minor residential unit**

means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.

#### **Noxious Activity**

in a residential zone, means any of the following:

1. the disposal of waste onto land (excluding composting activities associated with residential gardening activities).
2. The intensive confinement of animals (excluding the keeping of domestic animals associated with residential activities), ~~plant~~ or fungi (excluding domestic glasshouses).
3. Any activity that uses, stores or generates quantities of hazardous substances that exceed the limits specified in Schedule 19.14.
4. Any activity that requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956.

#### **Outdoor living space**

means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.

#### **Outlook Space**

Outlook space is an area that is clear and unobstructed by buildings. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies. An outlook space must not extend over an outlook space or outdoor living space required by another residential unit, but may be over driveways and footpaths within the site, or over a public street or other public open space, or under or over a balcony and outlook spaces required from different rooms within the same building may overlap.

#### **Relocated building**

means any building that is removed from one site and relocated to another site, in whole or in parts. It excludes any new building which is designed for, or intended to be used on, a site but which is constructed or prefabricated off-site, in whole or in parts, and transported to the site.

**Residential activity**

*except in a residential zone, means a use of land and buildings by people for the purpose of living accommodation in a household unit and includes a dwelling. It includes accessory buildings, sleepouts, leisure activities associated with needs generated principally from living on the site; home occupation as defined; and homestay as defined.*

*in a residential zone, means the use of land and building(s) for people's living accommodation.*

**Residential unit**

*except in a residential zone, means one detached self-contained building used or capable of being used solely or principally for residential purposes and occupied or intended to be occupied exclusively as the home or residence of not more than one household unit.*

*in a residential zone, means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.*

**Retirement Village**

*means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.*

**Site**

*except in a residential zone, means an area of land held in one Certificate of Title, which may be sold or otherwise disposed of separately without reference to the Council, provided that a site may contain one or more certificates of title where a restriction has been registered on the title preventing sale or lease of individual titles except in conjunction with each other. Any land required to be dedicated for road or road widening shall be excluded as a part of any site for the purposes of this plan. Where any land held in one Certificate of Title is crossed by any Resource Area boundary that Resource Area boundary shall be deemed to be a site boundary and there shall be deemed to be more than one site.*

(a) 'Front site' means a site which has frontage to only one road.

(b) 'Rear site' means a site which is situated to the rear of another site, having access to a road by means of an access strip or access lot.

(c) 'Corner site' means a site which has frontage to two or more roads that are contiguous and that have an included angle measured within the site between the frontages of not greater than 135 degrees.

(d) 'Through site' means a site that has frontage to two roads that are not contiguous.

*in a residential zone, means*

*(a) an area of land comprised in a single record of title under the Land Transfer Act 2017; or*  
*(b) an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or*

*(c) the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or*

(d) despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.

**Visitor Accommodation**

*means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.*

## Section 19.3.6

*Community facilities and Shop as defined in Section 18 is a permitted activity on the site identified as Scheduled Activity 127 subject to compliance with LRZ-S2 Height and LRZ-S3 Height in relation to boundary, LRZ-S5 Setback from road boundary and LRZ-S6 Setback from internal boundary ~~Rule 7.3.6(iii) Bulk and Location of Buildings~~ and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road.*

## Consequential Changes

All consequential changes outlined in PC 19 are to be amended as notified.

## Schedules

*The following Schedules are deleted:*

- *Schedule 19.17: Concept Plan – Residential Resource Area (10)*
- *Schedule 19.18: Concept Plan – Residential Resource Area (6) – South of Roxburgh*
- *Schedule 19.19: Concept Plan – Residential Resource Area (3) – North of Cromwell*
- *Schedule 19.22: Concept Plan – Residential Resource Area (13)*

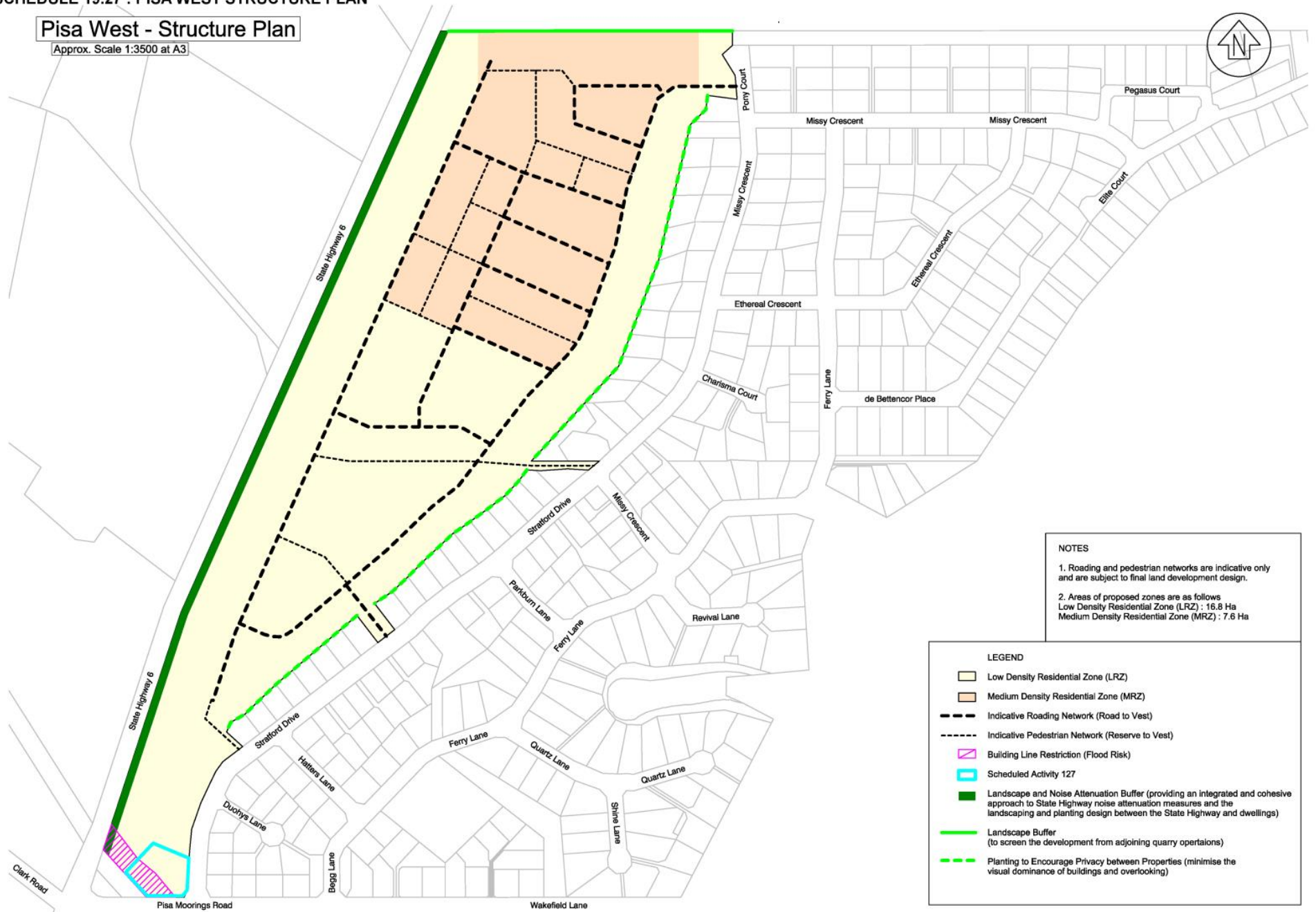
*The following additional Schedule is added:*

- *Schedule 19.27: Pisa West*

SCHEDULE 19.27 : PISA WEST STRUCTURE PLAN

Pisa West - Structure Plan

Approx. Scale 1:3500 at A3



**NOTES**

1. Roading and pedestrian networks are indicative only and are subject to final land development design.
2. Areas of proposed zones are as follows  
 Low Density Residential Zone (LRZ) : 16.8 Ha  
 Medium Density Residential Zone (MRZ) : 7.6 Ha

**LEGEND**

- Low Density Residential Zone (LRZ)
- Medium Density Residential Zone (MRZ)
- Indicative Roading Network (Road to Vest)
- Indicative Pedestrian Network (Reserve to Vest)
- Building Line Restriction (Flood Risk)
- Scheduled Activity 127
- Landscape and Noise Attenuation Buffer (providing an integrated and cohesive approach to State Highway noise attenuation measures and the landscaping and planting design between the State Highway and dwellings)
- Landscape Buffer (to screen the development from adjoining quarry operations)
- Planting to Encourage Privacy between Properties (minimise the visual dominance of buildings and overlooking)

## Appendix Two – Table of Decisions

#	Submitter	Decision Requested	Panel Decision
1	MA and JM Bird	Extend LLRZ (P1) on Manuherikia Road to include Part Section 81 Block VII Leaning Rock Survey District (41 Manuherikia Road).	Accepted in part – FGO overlay will assume future zoning but cannot be given effect to until the necessary infrastructure upgrades are completed and the sites are able to be serviced by reticulated water, wastewater and transport infrastructure.
2	John Wekking	Apply a 25-degree sightline gradient from property boundary lines on north and south to prevent excessive shading on adjacent properties and allow low angle winter sunlight.	Recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report – Schedule 1 to be amended to include explanation of how to use the shading diagram.
3	John (Snow) Hamilton	Superseded by submission #91	No Decision required
4	Deborah Glenis Reece	Extend Low Density Zone north of State Highway 8B to include all properties other than Lake front properties on Lakeview Terrace, Bell Avenue and Stout Terrace.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.

5	Colin James Reece	Extend Low Density Zone north of State Highway 8B to include all properties proposed to be Large Lot Residential between the State Highway and Lake Dunstan	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
6	Deborah & Colin Reece	Extend Low Density Zone north of State Highway 8B to include all properties other than Lake front properties on Lakeview Terrace, Bell Avenue and Stout Terrace.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
7	Russell Ibbotson	Supports proposed zone changes for Alexandra and request that the plan change proceed without delay	Accepted in part, subject to other decisions regarding zoning in Alexandra.
8	Richard & Wendy Byrne	Amend zoning to provide for allotments greater than 1000m2 between State Highway 8B and Lake Dunstan, allowing a 500m2 minimum elsewhere in Cromwell.	Accepted in part – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
9	Waka Kotahi NZ Transport Agency	Supports areas to be re-zoned from rural to residential as identified in the Cromwell and Vincent Spatial Plans but has raised some concerns with the proposed area of Medium Density between Waenga Drive and State Highway 6 in terms of any future proposed access to the State Highway; policies LRZ-P6 and MRZ-P7 be amended to include reference to transport infrastructure;	Accepted in part – LLRZ-P8.2, LRZ-P6.2 and MRZ-P7.2 to be amended to include reference to transport



		supports LLRZ-P5, LRZ-P5 and MRZ-P5 as it requires non-residential activities to maintain road safety and efficiency; supports LRZ-O2 and MRZ-O2 as they recognise the importance of residential development being well connected; supports MRZ-R2 which acknowledges the importance of comprehensive residential development providing for multi-modal transport options.	infrastructure; no access State Highway 6 directly from the MRZ between Waenga Drive and State Highway 6 (Limited Access Road).
10	Johan (Johnny) van Baaren & Brenda Dawn Hesson	Support change from RRA (2) to Large Lot (P3) on Bannockburn Road	Accepted in Part – LLRZ (P3) retained but reduced to 5000m2.
11	Geoffrey James & Margaret Anne Pye	Include Section 153 Block III Benger Survey District, Section 154 Block III Benger Survey District, Lot 2 DP 8288, and Lot 1 DP 8288 into the Millers Flat Residential Resource Area.	Rejected - Recommendation of Ms White in s42A report (Stage 2) is accepted for the reasons outlined in the report – property to remain Rural Resource Area.
12	Te What Ora, Public Health Service	Remove mandatory car parking requirements from standards; retain proposed zones in PC19; retain distribution of zones as notified in PC 19; remove requirement for car parking associated with MRZ; retain MRZ-O2 and investigate what enablers could put in place to facilitate community heating options; amend to minimise LLRZ zoning	Accepted in Part - Recommendations of Ms White in s42A report (Stage 1) are accepted for the reasons outlined in the report - retention of the current car parking requirements is appropriate, particularly given the lack of any form of public transport in the District. Enablers

			regarding community heating options unfortunately sit outside scope of the PC19.
13	Peter & Leanne Robinson	Retain minimum 4000m2 allotment sizes on Thelma Place north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
14	Paul & Angela Jacobson - Judge Rock	Plan Change 19 be defined as expansion of “ <i>Urban Zone</i> ”; rename LLRZ as LLUZ; Opposed to LLRZ being applied to the vineyard at 36 Hillview Road and be re-zoned "Viticultural Zone"	Accepted in Part - Recommendation of Ms White in her s42A report (Stage 2) and reply report is accepted for the reasons outlined in the report – site to remain RuRRA and a new reverse sensitivity matter of discretion included in SUB-R4.
15	Deborah & Neville Kershaw; Howard Anderson; Colleen & Russell Parker; Chris Pickard	Inniscourt and Donegal Streets be excluded from Plan Change 19 because of special character; three storeys only in areas where can be planned and appropriate - if proceeds in current zoning, should have neighbours’ approvals	Rejected - Recommendation of Ms White in s42A report (Stage 2) is accepted for the reasons outlined in the report – MRZ zoning to be retained.

16	John Lister	Minimum allotment size of 200m <sup>2</sup> in Medium Density is too small; concerns about shading and standards on smaller lots with stand-alone dwellings; prefer attached dwellings only at this density; minimum allotment size should be 300m <sup>2</sup> when interspersed with other larger allotments or 350m <sup>2</sup> minimum when grouped; parking ratio for medium density is too low to allow for potential 'flattening' situations; unlikely that there will be public transport in Central Otago in near future making adequate parking is an important qualification; concerned about the reduction in street widths.	Rejected - Recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report - MRZ standard is to be retained as amended by this decision.
17	Stuart Heal	Only allow three storey buildings in medium density on green fields sites and ensure parking available	Accepted in Part - Recommendations of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report – parking requirement to be retained and three storey buildings to be managed through compliance with the design guidelines.
18	Neroli McRae	Ensure any future higher density subdivision has substantial common green space for community use that allows for safe walking and cycling networks	Accepted in Part - Recommendations of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report - design guidelines and subdivision standards require connectivity

19	James & Gillian Watt	Extend 'no build' area along northern edge of the terrace from Domain Road Camping Ground to Gibson Road; don't allow any subdivision beyond existing 'no build' line at the end of Terrace Street;	Accepted in Part - The recommendation of Ms White in her reply is accepted for the reasons outlined in the report - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
20	Stephen & Lorene Smith	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
21	Brian De Geest	Amend proposed zoning for Lot 1 DP 23948 (current RRA (3) zoning north of State Highway 8B adjacent to Lake Dunstan and State Highway 8 to Medium Density; remove 30m Building Line restriction adjacent to State Highway 8; MRZ-R11 (2) - remove reference to volume; MRZ-R13 - remove requirement to comply with MRZ-S4 (building coverage) and amend RDIS matters accordingly to exclude MRZ-S4. MRZ-S6 (2) - reduce the setback from Lakes from 15m to 7m	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
22	Judith Horrell	Only allow three storey buildings in medium density on green fields sites and retain existing heights for infill sites in Alexandra and Cromwell.	Rejected - Recommendations of Ms White in s42A report

			(Stage 1) is accepted for the reasons outlined in the report – three storey buildings are able to be managed through compliance with the design guidelines.
23	Andrew James Wilkinson	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
24	Leanne Downie	Retain minimum allotment sizes in Clyde medium density to 250m2; concerns about effect on Clyde Heritage Precinct once reticulation is installed.	Rejected - Recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report - MRZ-S1 be retained.
25	Jan Hopcroft	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
26	Fulton Hogan Limited	Amend underlying zoning of D7, D8 and D21 (Molyneux Park Recreation Reserve, Molyneux Park Extension and Alexandra Town Belt Recreation	Rejected - Schedule 19.3 is outside the scope of

		Reserve) from Low to Medium Density. Incorporate D7, D8 and D21 into the list of Scheduled Areas in section 19.3 of the District Plan as "Public Recreation"	this plan change, the Panel agrees with Ms White that Molyneaux Park (D7) and the Alexandra Town Belt Recreation Reserve (D21) are already designated for recreation purposes (as per Schedule 19.2) - adding further areas to Schedule 19.3 is outside the scope of this plan change
27	Gordon & Jenn McGregor	Retain the current zoning of Domain Road Vineyard as Rural. Extend 'no build' area along northern edge of the terrace from Domain Camping Ground to Gibson Road	Accepted in Part - The recommendation of Ms White in her reply is accepted for the reasons outlined in the report - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints
28	Simon Thwaites	Retain medium density provisions as notified	Accepted in Part - As modified by other decisions on MRZ provisions

29	Ralph Allen & Jostina Riedstra	Retain the current zoning of Domain Road Vineyard as Rural.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
30	Freeway Orchards	Amend wording of MRZ-P6 to remove reference to expansion of existing non-residential activities or insert new policy to provide for existing non-residential activities; amend MRZ-R5 to remove reference to accessory buildings being ancillary to a permitted activity or amend to provide for accessory buildings to be ancillary to a lawfully established activity; remove reference to volume of earthworks from MRZ-R11 as volume is not measured in m2; amend MRZ-R13 (retirement villages) to remove reference MRZ-S4 building coverage; amend MRZ-S4 to provide for a site coverage of 60%; add new rule in MRZ for additions and alterations to existing non-residential buildings; amend MRZ-S6 to exclude decks, multi-unit housing, two or more residential units connected horizontally or vertically; delete MRZ-S7 and include 'provision of useable, accessible outdoor living space for residents' as a matter of discretion for MRZ-S4 to MrZ-S6 or retain MRZ-S7 but amend to change dimension to width in (1), remove reference to orientation of outdoor space (3) and insert new matter of discretion to consider potential site or topographical constraints; delete MRZ-S8 and add in 'provision of landscaping which increases the proposal's compatibility with the character of he are and	Accepted in part as outlined in the body of the Panel decision.

		provides a balance between built form and open space' as a matter of discretion for MRZ-S2 to MRZ-S6 or alternatively retain and amend from 30% to 20% coverage and amend to refer to the area being 'vegetated'; delete MRZ-S9 and add in 'provision of useable and accessible service and storage space for residents' as a matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S10 and add in 'provision of visual privacy and outlook between habitable rooms of different buildings on the same or neighbouring sites as matters of discretion for MRZ-S4-MRZ-S6; delete MRZ-S11 and include 'provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents and whether the height of fencing has adverse effects on streetscape' as matter of discretion for MRZ-S2 to MRZ-S6; delete MRZ-S12 and add in 'provision of habitable rooms at ground floor to ensure activation of frontages and visual interest' as matters of discretion for MRZ-S2 to MRZ-S6	
31	Goldfields Partnership	Rezone the site legally described as Sections 2 and 3 SO 24009 from LRZ to MRZ; delete 30m setback from State Highways; amend MRZ-R11 excavation to remove reference to volume; amend MRZ-R13 to remove requirement to comply with MRZ-S4 (building coverage); amend MRZ-S1 to provide for breach as discretionary activity; amend MRZ-S4 to provide for building coverage of 60%; amend MRZ-S6 to not apply to decks, multi-units and retirement villages and two or more units connected horizontally or vertically; delete MRZ-S7 and include 'provision of useable and accessible outdoor living space for residents' as a matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S8 and include 'provision of landscaping which increases the proposals compatibility with the character of the area and provides a balance between built form and open space' as a matter of discretion for MRZ-S2 to MRZ-S6; delete MRZ-S9 and include as matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S10 and include as matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S11 and include as matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S12 and include as matter of discretion for MRZ-S2 to MRZ-S6;	Accepted in Part – the recommendation of Ms White in her reply in relation to the request for re-zoning along is accepted and her assessment under s34AA is adopted by the Panel - The LRZ is to be retained other than a minor change to the boundary between the LRZ and MRZ as outlined in Ms White's reply.



32	Molyneux Lifestyle Village Limited	Amend LLRZ-R10 (2) to remove reference to volume of earthworks	Accepted in part as amended in the body of the Panel decision.
33	Mary & Graeme Stewart	Insert new standard into all residential zones requiring a setback with all light industrial zones for all habitable rooms in new or extended residential units; the habitable rooms must be designed to meet an internal noise level and a design certificate is to be provided.	Rejected – the Panel agrees with the recommendation of Ms White in her s42A (Stage 1) report for the reasons outlined in her report.
34	Gordon Stewart	LLRZ in Bannockburn be reduced to 1000m2. The Building Line Restrictions in Bannockburn be retained.	Accepted in part – Building Line Restriction to be retained. Minimum allotment size in LLRZ reduced to an average of 1500m2.
35	Bernard and Clare Lynch	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
36	N R Murray	Retain rural zoning for land opposite the Shakey Bridge in Alexandra; retain rural residential zoning of land on Dunstan Road, Alexandra; Retain rural zoning for Freeway Orchard site in Cromwell; protect Clyde Heritage Precinct from Low and Medium Density zone provisions and preserve access and frontages, building styles and replicate in any new builds; remove Low Density zoning on riverbank below Miners Terrace in Clyde and designate as reserve instead.	Accepted in Part – proposed re-zoning of Shaky Bridge to be removed and rural zoning retained.

37	Anthony Lawrence	Re-zone land between SH 8B, SH6 and Lake Dunstan (excluding Wooing Tree Development) as low density; use minimum setback rather than zoning to control activities in Lake margin; provision of nohoanga site near McNulty Inlet should only be made once any possible concerns are known - if larger lot is required in the immediate vicinity of the nohoanga site - should relate only to the land immediately adjacent to the site;	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
38	Lyall Hopcroft	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
39	Yvonne Maxwell	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
40	Roddy Maxwell	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
41	David George	Home-based childcare provision in Residential Zones should allow for relief staff who are non-resident in times of sickness or leave.	Accepted – no restriction proposed in PC19.

42	Hayden Lockhart	Allow Low Density Zoning in Alexandra (between Clutha Street and Boundary Road on the River side of Centennial Avenue to subdivide down to 200m2.	Rejected – the Panel agrees with the recommendation of Ms White in her s42A (Stage 2) report for the reasons outlined in her report.
43	Rosemarie Carroll	Remove Medium Density Zoning from the land between Waenga Drive and State Highway 6; amend rule MRZ-R3 to only allow minor units for family flat use only; amend standard MRZ-S2 to require the Low-Density height provisions when adjacent to a Low-Density Zone; amend standard MRZ-S6 to require the Low-Density setbacks to apply when adjacent to a Low-Density Zone.	Rejected - the Panel agrees with the recommendation of Ms White in her s42A (Stage 2) report regarding the appropriateness of the MRZ for the reasons outlined in her report.
44	Phil Murray & Lynne Stewart	Re-zone land on Earnsclough Road opposite Clyde from Rural Residential to Large Lot Residential.	Rejected - Rejected – the Panel agrees with the recommendation of Ms White in her s42A (Stage 2) report for the reasons outlined in her report.
45	Antony P Lingard	Retain Rural zoning on Domain Road Vineyard - if consent is granted the minim allotment size should be increased to 3000m2 and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m and infrastructure should be in the unformed legal road; make provision for public open space reserve on Bannockburn Road (opposite Black Rabbit); reduce eastern boundary of residential zone and establish a building line restriction to prevent visibility from Bannockburn Inlet; extend the southern boundary of the residential footprint over Schoolhouse Road to allow for residential in folds but not on ridges in new area.	Accepted in part – the recommendation of Ms White in her reply is accepted for the reasons outlined in the report - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning

			in Bannockburn Road with the community.
46	Charles & Nicola Hughes	Retain plan change proposals for Bannockburn	Rejected – Domain Road Vineyard to be retained as Rural and LLRZ zoning to be amended to provide for an average of 1500m2 for Bannockburn.
47	Roger Evans Family Trust	If zoning of Bannockburn Vineyard is approved, Domain Road should be upgraded to two way with footpath, the setback on the northern side of Domain Vineyard be increased to prevent building on the elevated portion and green space be provided for	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
48	Jean MacKenzie	Retain the zone changes proposed by PC 19	Accepted in part except as amended by other decisions in relation to specific zones.
49	Keith MacKenzie	Retain the zone changes proposed by PC 19	Accepted in part except as amended by other decisions in relation to specific zones.

50	John Walker	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
51	D & J Sew Hoy, Heritage Properties Ltd	Rezone the site legally described as Sections 2 and 3 SO 24009 from LRZ to MRZ; delete 30m setback from State Highways; amend MRZ-R11 excavation to remove reference to volume and increase area to 500m2; amend MRZ-R13 to remove requirement to comply with MRZ-S4 (building coverage); amend MRZ-S1 to provide for breach as discretionary activity; amend MRZ-S4 to provide for building coverage of 60%; amend MRZ-S6 to not apply to decks, multi-units and retirement villages and two or more units connected horizontally or vertically; delete MRZ-S7 and include 'provision of useable and accessible outdoor living space for residents' as a matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S8 and include 'provision of landscaping which increases the proposals compatibility with the character of the area and provides a balance between built form and open space' as a matter of discretion for MRZ-S2 to MRZ-S6; delete MRZ-S9 and include as matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S10 and include as matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S11 and include as matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S12 and include as matter of discretion for MRZ-S2 to MRZ-S6; amend LRZ-R10 to remove reference to volume and amend the minimum area to 250m2; amend LRZ-R12 to remove requirement of retirement villages to comply with LRZ-S4 building coverage; amend LRZ-S1 to reduce the minimum density to 300m2 and a breach as a discretionary activity; amend LRZ-S4 to increase building coverage to 50%	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
52	Perkins Miller Family Trust	Retain Rural zoning on Domain Road Vineyard - if consent is granted the minim allotment size should be increased to 3000m2 and any housing be	Accepted - The recommendation of Ms

		prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m; make provision for public open space reserve on Bannockburn Road (opposite Black Rabbit); reduce eastern boundary of residential zone and establish a building line restriction to prevent visibility from Bannockburn Inlet; extend the southern boundary of the residential footprint over Schoolhouse Road to allow for residential in folds but not on ridges in new area.	White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
53	David Stark	Amend rural provisions to allow for up to five dwellings per property	Rejected - Outside scope of PC19
54	North Cromwell Society Incorporated	Decline PC 19 in relation to the existing RRA (6) north of Scott Terrace and adjacent to State Highway 6, including Thelma Place and retain minimum 4000m2 allotment on RRA (6) and create a new Cromwell Rural Lifestyle area and an urban boundary, preventing urban development.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
55	Robert David (Bob) Scott	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
56	Meirion (Mike) & Celia Davies	Retain rural zoning on Domain Road Vineyard, Bannockburn	Accepted - The recommendation of Ms White in her reply is

			accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
57	Barbara Walker	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
58	Jo Robinson	Ensure that the new Large Lot Residential Zone framework for properties on Dunstan Road provides for connectivity to adjoining blocks through the roading network; ensure any single subdivision is not considered in isolation and that includes measures to open up large lot residential zonings for vehicle, walking and cycling connectivity and avoiding land locking of developable land that is physically constrained through ROW's;	Recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report - assessment matters provide for consideration of connectivity on a case-by-case basis.
59	Paul Robertson	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be

			retained with specified undeveloped lots to be re-zoned LLRZ- P1.
60	Ministry of Education	Amend definition of community facilities; include reference to community facilities in LLRZ-P8; amend LLRZ-R11 to include matters of discretion and an activity status of RDIS; retain LRZ-O1; amend LRZ-O2 to include reference to infrastructure and education facilities; amend wording of LRZ-P5; amend LRZ-P6 to include reference to community facilities; retain LRZ-R13; retain MRZ-O1; amend MRZ-O2 to include reference to infrastructure and education facilities; amend wording of MRZ-P6; amend MRZ-P7 to include reference to community facilities; retain MRZ-P14; amend SUB-P1 to include reference to infrastructure and education facilities	Rejected – the Panel agrees with the recommendation of Ms White in her s42A (Stage 1) recommendation that it is outside the scope of PC19 to consider the definition of community facilities. Amending the definitions as they apply to other zones would therefore increase the scope of the plan change as it would alter the effects of all other provisions applying in different zones which are not within the ambit of PC19.
61	Foodstuffs (South Island) Properties Ltd - Alexandra NW	Re-zone 32 &34 Kenmare Street (currently operated as part of the New World Alexandra) as Business Resource Area (BRA) to reflect the existing use; supports the intensification of development surrounding the Alexandra New World but seeks recognition in the policy framework that recognise existing commercial activities on adjoining Business Zone.	Accepted– re-zone 32 & 34 Kenmare Street to BRA.
62	Foodstuffs (South Island) Properties Ltd - Cromwell NW	Re-zone part of 182 Waenga Drive (that forms part of the extension to the New World Cromwell) as BRA to reflect the existing/consented use; supports the intensification of development surrounding the Cromwell New World but	Accepted – re-zone part of 182 Waenga Drive as BRA.



		seeks recognition in the policy framework that recognise existing commercial activities on adjoining Business Zone; section 32 does not adequately address the possible conflict between existing commercial activities and more dense medium density zoning in terms of a reduction in standards and potential for reverse sensitivity occurring.	
63	Julene Anderson	Oppose re-zoning of RRA (6) zone north of State Highway 8B; request a new precinct zone be created (P4) that would retain the minimum 4000m2 allotment size. Oppose provision for retirement villages in RRA (6) area; oppose controlled activity subdivision in RRA (6) creating allotments of less than 4000m2.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
64	Kenneth Charles Dickie	Opposed to change for Residential Resource Area zone to low density which increases the minimum allotment size from 250m2 to 500m2.	Accepted in part – density provisions to be amended to allow for a minimum of 400m2 in LRZ and allow for a comprehensive development approach.
65	Ian Anderson	Oppose re-zoning of RRA (6) zone north of State Highway 8B; request the area retain the minimum 4000m2 allotment size. Oppose provision for retirement villages in RRA (6) area; reduce minimum area for minor units to 50-70m2; oppose provision for minor units in RRA (6) area north of State Highway 8B unless 4000m2 is retained.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
66	Trevor Deaker & Mark Borrie	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be

			retained with specified undeveloped lots to be re-zoned LLRZ- P1.
67	Bruce Anderson	Retain Plan Change 19 provisions that propose greater density close to amenities in Cromwell.	Accepted in part except as amended by other decisions in relation to specific zones.
68	Karen Anderson	Retain Plan Change 19 provisions that propose greater density close to amenities in Cromwell.	Accepted in part except as amended by other decisions in relation to specific zones.
69	The Van Der Velden Family Trust	Re-Zone an area around the Ripponvale Rest Home on State Highway 6 as LLRZ (P3) to allow for minimum allotment sizes of 6000m2 and provide for Rest Homes as under Rule LLRZ-R10.	Rejected – the outcome of the Cromwell Spatial Plan determined that the form of growth should be consolidated within the existing urban area. No traffic assessment was provided and Waka Kotahi have submitted in opposition on the basis that it is not anticipated in infrastructure planning. Additionally, Ms Muir has advised that the site cannot be serviced by wastewater until 2029. The Panel agrees with the recommendation and reasons in Ms White's

			s42A report that the site remain rural.
70	James Dicey	Retain LLRZ of 2000m2 for Bannockburn; retain current building line restrictions; delete the inclusion of Domain Road Vineyard in LLRZ; amend parking requirements to one park per bedroom in the household unit; include provision for electric vehicle charging at property or suitable community charging; ensure road widths are sufficient to allow parking on both sides of the road; provisions should provide for safe and accessible connectivity to the community schools, CBD, community facilities, Ripponburn rest home, PC14(Shannon Farm) and future subdivisions; exclude productive soils from PC19; require developments to provide greenways	Accepted in part - The recommendation of Ms White in her reply is accepted for the reasons outlined in the report - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community; LLRZ zoning to be amended to provide for an average of 1500m2 for Bannockburn; subdivision provisions require connectivity and open spaces.
71	Bridgid Anne & Jason David Short	Retain Domain Road Vineyard in Bannockburn as rural	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road

			with the community and that considers the infrastructure constraints.
72	Robyn & Lindsay Crooks	Retain PC 19	Accepted in part other than as amended by other decisions.
73	Samuel Paardekooper	Retain a single zone for Cromwell 200m2 or 250m2 minimum density	Rejected – LRZ and MRZ provide for a variety of development density and allowing for comprehensive developments that increase density on larger lots.
74	Mason & Julie Stretch	Retain LLRZ with 2000m2 minimum allotment size in Bannockburn; support retention of building line restriction in Bannockburn and should be extended beyond the village in Bannockburn	Accepted in part – Building Line restrictions to be retained. LLRZ in Bannockburn to be amended to provide for a minimum density of 1500m2.
75	Residents for Responsible Development of Cromwell (R4RDC)	Retain LLRZ of 2000m2 for Bannockburn; retain current building line restrictions; delete the inclusion of Domain Road Vineyard in LLRZ; amend parking requirements to one park per bedroom in the household unit; include provision for electric vehicle charging at property or suitable community charging; ensure road widths are sufficient to allow parking on both sides of the road; provisions should provide for safe and accessible connectivity to the community schools, CBD, community facilities, Ripponburn rest home, PC14(Shannon Farm) and future subdivisions; exclude productive soils from PC19; require developments to provide greenways	Accepted in part – Building Line restrictions in Bannockburn to be retained; the recommendation of Ms White in her reply is accepted for the reasons outlined in the report - Domain Road Vineyard

			to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community; LLRZ in Bannockburn to be amended to provide for a minimum density of 1500m2.
76	John Sutton	Retain re-zoning of land on Muttontown Road; include section 1 SO 23741 and Lot 10 DP 12910 in the area for future growth low density zone	Accepted in part - property to remain Rural zoned other than the terrace area on Muttontown Road that is to be included in the FGO (LRZ).
77	Derek Shaw	Amend minimum allotment size for LLRZ (P3) to 4000m2.	Accepted in Part – Density in LLRZ (P3) to be reduced to 5000m2.
78	Astrid Geneblaza	Oppose the re-zoning of Domain Road Vineyard as Large Lot Residential Zone; if re-zoning is to proceed increase the minimum allotment size to 3000m2, don't allow any building on the norther slope of the vineyard are and on Templars Hill and increase the setback of any buildings bordering Domain Road to 20m from the boundary with the road.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and

			that considers the infrastructure constraints.
79	Wooring Tree Development Partnerships Limited	Amend planning maps to include to Business Area (2) zones on Lots 610 and 602 of the Wooring Tree development; amend rule 8.3.6 (i) (b) (ii) to increase the maximum gross floor area to 350m2 or amend the definition of 'Convenience Activities; amend the building line restriction on the Wooring Tree development; include new building line restriction on northern boundary of the site; delete rule 8.3.6 (xiv); amend MRZ-S1.1 to 150m2; amend the definition of comprehensive residential development to include super lots of less than 3000m2; insert new restricted discretionary rule for visitor accommodation; amend MRZ-S6 setback; amend MRZ-S4 to a building coverage of 50%; amend the definition of building coverage to include eaves or spouting; amend MRZ-S7 20m2 of common living space at ground level;	Accepted in Part – Building Line Restriction is to be reduced to 18m adjacent to State Highway 6 and State Highway 8B.
80	Matt & Sonia Conway	Support PC 19; create a clear framework to facilitate access to services and 'landlocked' properties in the LLRZ in particular in relation to the new LLRZ on Dunstan Road. Amend provisions to require connectivity, inter-connectivity of access, and services and protect amenity values. Recognise the relationship between efficient operation of new roads, their development and construction, which would encourage development of 'landlocked' parcels.	Recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report - assessment matters provide for consideration of connectivity on a case-by-case basis.
81	John Elliot	Amend mapping to provide for an extension of the LRZ in Ranfurly to include Lot 2 DP 364267 and Lot 2 DP 464414 and sections 1-2, 6-13, 16-20 Block IV Town of Ranfurly and Part Section 15 Block II Town of Ranfurly and Section 16-19, 27-29 Block II Town of Ranfurly; amend to include a controlled activity pathway for development	Accepted in Part – LRZ to be extended to Welles Street.
82	Jones Family Trust and Searell Family Trust	Amend the LLRZ (S1) and SUB-S1 to provide for a minimum of 1000m2 and an average of 1500m2 in Bannockburn; allow for retail, community facility activity and commercial activities to meet community needs on the property as	Accepted in part – LLRZ zoning in Bannockburn to be amended to

		88 Terrace Street, Bannockburn as contained in RT 474127 and OT 16B/1179; amend the site to include a mixture of MRZ and LRZ	provide for a minimum density of 1500m2.
83	A F King and Sons Ltd	Re-zone Lots 1-4 DP 444910 (Lowburn Valley Road) from Rural Residential by extending LLRZ (P2) to include property.	Accepted – property to be re-zoned as LLRZ (P2)
84	Dr Wendy Bamford and Mr Graham Bamford	Retain the Rural Zoning or increase the minimum allotment size of Domain Vineyard, Bannockburn to 3000m2, don't allow any building on the northern slope of the vineyard area (Templars Hill), and increase the setback of any buildings bordering Domain Road to 20m from the boundary with the road.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
85	Niall & Julie Watson	Retain the existing rural zoning of Domain Road Vineyard in Bannockburn; consider other areas for expansion of LLRZ in Bannockburn (to south) and include provision for public amenity areas and connected pedestrian pathways.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and

			that considers the infrastructure constraints.
86	David Olds	Retain the existing rural zoning of Domain Road Vineyard in Bannockburn.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
87	Mike & Keren Wright	Retain minimum 4000m2 allotment on RRA (6) zoning north of State Highway 8B or re-zone all medium and low-density zoning in this area to a minimum of 2000m2.	Accepted in part – LLRZ to be retained with undeveloped lots to be re-zoned LLRZ- P1.
88	GZR Property Investment Ltd	Retain MRZ-R1 to MRZR3; retain MRZ-S1, MRZ-S2, MRZ-S5 and MRZ-S6; amend MRZ-S4 to increase building coverage to 75%; amend MRZ-S7 to reduce common living space at ground floor level to 16m2; amend MRZ-S8 to 15% landscaping; delete MRZ-S12; amend MRZ-S13 in part to only require one car parking space for travellers' accommodation; exclude SA 101 from MRZ-R7	Accepted in part – Recommendation of Ms White and Mr Church that site coverage in MRZ to be increased to 45%.
89	Horticulture New Zealand	Delete 'plants' from definition of noxious activity or limit to residential zones only; amend standard 10.3.6 (i) (c) to provide for a 25m setback from Rural Resource Areas; amend LLRZ-S6 to provide for a 30m setback from Rural Resource Area; amend LLRZ-S6 RDIS to include matter of discretion 'the potential reverse sensitivity effects on adjacent rural activities.	Accepted in part – plants are removed from definition of noxious activity where they relate to a domestic or



			residential activity (as defined).
90	Graeme Pont	Retain existing Woodfield Estate zoning with a minimum allotment size of 6000m <sup>2</sup> and a separation distance of 50m between dwellings; New zoning should be north of Woodfield Estate; opposed to smaller allotment sizes on Bannockburn Road and Richards Beach Road	Rejected – the notified zoning of LLRZ is to be retained - the Panel considers it appropriate to provide for opportunities for further infill development while still ensuring the density of development maintains a predominance of open space over built form (i.e. applying LLRZ and therefore aligning with the outcomes sought in LLRZ-O2).
91	Judy and John Hamilton	Create a clear framework to facilitate access to services and 'landlocked' properties in the LLRZ in particular in relation to the new LLRZ on Dunstan Road. Amend provisions to require connectivity, inter-connectivity of access, and services and protect amenity values. Recognise the relationship between efficient operation of new roads, their development and construction, which would encourage development of 'landlocked' parcels.	Recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report - assessment matters provide for consideration of connectivity on a case-by-case basis.
92	Peter and Ngaire Grellet	Retain Rural zoning on Domain Road Vineyard - if consent is granted the minim allotment size should be increased to 3000m <sup>2</sup> and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain	Accepted - The recommendation of Ms White in her reply is

		Road increased to 20m; make provision for public open space reserve on Bannockburn Road (opposite Black Rabbit); reduce eastern boundary of residential zone and establish a building line restriction to prevent visibility from Bannockburn Inlet; extend the southern boundary of the residential footprint over Schoolhouse Road to allow for residential in folds but not on ridges in new area.	accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
93	Sean Dent	Amend LRZ-S1 to provide for a minimum density of 250m <sup>2</sup> ; amend LRZ-R2 to allow for 70-90m <sup>2</sup> minor unit instead of 70m <sup>2</sup> plus a garage; retain LRZ-R6 but clarify what 'ancillary' means in terms of level of use - include controlled activity up to 90 nights, restricted discretionary 91-180 nights used and non-complying 181-365 nights; retain SUB-R4; amend SUB-S1 to provide for 250m <sup>2</sup> in LRZ;	Accepted in part – provision for comprehensive developments in LRZ and LLRZ; recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report – one minor unit per residential unit on any site; no change to the area of a minor unit; travellers accommodation regime in Queenstown is not appropriate in the Central Otago context; the minimum allotment size of 400m <sup>2</sup> represents

			the pattern of development in existing Residential Zone.
94	Crossbar Trust	Amend LRZ-S1 to a minimum of 250m2 density; amend LRZ-R2 to allow for 70-90m2 minor unit instead of 70m2 plus a garage; retain LRZ-R6 but clarify what 'ancillary' means in terms of level of use - include controlled activity up to 90 nights, restricted discretionary 91-180 nights used and non-complying 181-365 nights; submitter interested in all rules and standards in LRZ; retain SUB-R4; amend SUB-S1 to provide for 250m2 in LRZ	Accepted in part – provision for comprehensive developments in LRZ and LLRZ; recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report – one minor unit per residential unit on any site; no change to the area of a minor unit; travellers accommodation regime in Queenstown is not appropriate in the Central Otago context; the minimum allotment size of 400m2 represents the pattern of development in existing Residential Zone.
95	Shamrock Hut Ltd	Amend LRZ-S1 to a minimum of 250m2 density; amend LRZ-R2 to allow for 70-90m2 minor unit instead of 70m2 plus a garage; retain LRZ-R6 but clarify what 'ancillary' means in terms of level of use - include controlled activity up to 90 nights, restricted discretionary 91-180 nights used and non-complying 181-	Accepted in part – provision for comprehensive developments in LRZ

		365 nights; submitter interested in all rules and standards in LRZ; retain SUB-R4; amend SUB-S1 to provide for 250m2 in LRZ	and LLRZ; recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report – one minor unit per residential unit on any site; no change to the area of a minor unit; travellers accommodation regime in Queenstown is not appropriate in the Central Otago context; the minimum allotment size of 400m2 represents the pattern of development in existing Residential Zone.
96	NTP Development Holdings Ltd	Amend LRZ-S1 to a minimum of 250m2 density; amend LRZ-R2 to allow for 70-90m2 minor unit instead of 70m2 plus a garage; retain LRZ-R6 but clarify what ‘ancillary’ means in terms of level of use - include controlled activity up to 90 nights, restricted discretionary 91-180 nights used and non-complying 181-365 nights; submitter interested in all rules and standards in LRZ; retain SUB-R4; amend SUB-S1 to provide for 250m2 in LRZ	Accepted in part – provision for comprehensive developments in LRZ and LLRZ; recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report – one minor unit per residential unit

			on any site; no change to the area of a minor unit; travellers accommodation regime in Queenstown is not appropriate in the Central Otago context; the minimum allotment size of 400m2 represents the pattern of development in existing Residential Zone.
97	Jim and Diane Walton et al	Retain Rural zoning on Domain Road Vineyard - if consent is granted the minim allotment size should be increased to 3000m2 and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
98	John and Mary Fletcher	Amend LLRZ-S1 and SUB-S1 (and any related provisions) as they relate to LLRZ (P3) are amended to provide for smaller allotments size and higher site coverage.	Accepted in Part - Density in LLRZ (P3) to be reduced to 5000m2.
99	Maddy Albertson	Amend LRZ-S1 to a minimum of 250m2 density; amend LRZ-R2 to allow for 70-90m2 minor unit instead of 70m2 plus a garage; retain LRZ-R6 but clarify	Accepted in part – provision for

		<p>what 'ancillary' means in terms of level of use - include controlled activity up to 90 nights, restricted discretionary 91-180 nights used and non-complying 181-365 nights; submitter interested in all rules and standards in LRZ; retain SUB-R4; amend SUB-S1 to provide for 250m2 in LRZ</p>	<p>comprehensive developments in LRZ and LLRZ;  recommendation of Ms White in s42A report (Stage 1) is accepted for the reasons outlined in the report – one minor unit per residential unit on any site; no change to the area of a minor unit; travellers accommodation regime in Queenstown is not appropriate in the Central Otago context; the minimum allotment size of 400m2 represents the pattern of development in existing Residential Zone.</p>
100	Nita Smith and Kieran Parsons	<p>Amend proposed Plan Change 19 to provide for Large Lot Residential Zoning on Lots 50 DP 511592 and part Lot 51 DP 511592, Lot DP 460583 and Lot 2 DP 460583 on School House Road, Bannockburn.</p>	<p>Rejected - site to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.</p>

101	Geoffrey Owen and Ingrid Janice Poole	Retain Rural zoning on Domain Road Vineyard - if consent is granted the minim allotment size should be increased to 3000m2 and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
102	Alfred Lustenberger	Amend proposed Plan Change 19 to provide for Large Lot Residential (2000m2) on the eastern side of Bannockburn Road to opposite Pearson Road, including all of the current RRA (2) area.	Accepted in part – the density of LLRZ (P3) has been reduced to 4000m2 to maintain the existing amenity and character but provide for some development opportunities.
103	Suz Allison	Retain Rural zoning on Domain Road Vineyard - if consent is granted the minim allotment size should be increased to 3000m2 and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m; make provision for public open space reserve on Bannockburn Road (opposite Black Rabbit); reduce eastern boundary of residential zone and establish a building line restriction to prevent visibility from Bannockburn Inlet; extend the southern boundary of the residential footprint over Schoolhouse Road to allow for residential in folds but not on ridges in new area.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning

			in Bannockburn Road with the community and that considers the infrastructure constraints.
104	Britta Sonntag	Decline new proposed Large Lot Residential zoning in Bannockburn and retain Bannockburn as rural recreational hub for Cromwell and its visitors.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
105	Jill Marshall	Retain Rural zoning on Domain Road Vineyard - if consent is granted the minim allotment size should be increased to 3000m2 and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m; make provision for public open space reserve on Bannockburn Road (opposite Black Rabbit); reduce eastern boundary of residential zone and establish a building line restriction to prevent visibility from Bannockburn Inlet; extend the southern boundary of the residential footprint over Schoolhouse Road to allow for residential in folds but not on ridges in new area.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.



106	Richard & Robyn Madden	Decline Medium Density zoning in Clyde; retain existing zoning in Clyde until a heritage plan is finalised.	Rejected – Input from heritage and urban design experts into the Medium Density Guidelines and Heritage Guidelines (introduced through PC20 with immediate legal effect). New buildings within the precinct require resource consent under Rule 11.4.1(b). Application of the guidelines through the resource consent process will protect the heritage values of the Township.
107	Annetta & Ross Cowie	Decline Medium Density zoning in Clyde; retain existing zoning in Clyde until a heritage plan is finalised.	Rejected – Input from heritage and urban design experts into the Medium Density Guidelines and Heritage Guidelines (introduced through PC20 with immediate legal effect). New buildings within the precinct require resource consent under Rule 11.4.1(b). Application of the guidelines through

			the resource consent process will protect the heritage values of the Township.
108	Michael Rooney	Amend Plan Change 19 to include the future large lot residential zone on Young Lane	Rejected – the proposed re-zoning is dependent on connection to the reticulated water and wastewater networks. Those networks are not available nor are there any plans to extend the network in current work programme.
109	Louise Joyce	Decline medium density housing in Clyde Heritage Precinct; Support the development of design guidelines for heritage precincts	Rejected – Input from heritage and urban design experts into the Medium Density Guidelines and Heritage Guidelines (introduced through PC20 with immediate legal effect). New buildings within the precinct require resource consent under Rule 11.4.1(b). Application of the guidelines through the resource consent process will protect the

			heritage values of the Township.
110	Murray McLennan	Decline medium density housing in Clyde Heritage Precinct	Accepted in part – Input from heritage and urban design experts into the Medium Density Guidelines and Heritage Guidelines (introduced through PC20 with immediate legal effect). New buildings within the precinct require resource consent under Rule 11.4.1(b). Application of the guidelines through the resource consent process will protect the heritage values of the Township.
111	Central Otago District Council	Amend error in height in MRZ-S2 to 11m; amend error in MRZ-S2.1 to refer to no more than one residential unit per site; amend recession plane diagram to include instructions for use and possible interpretation diagrams	Accepted
112	Heritage New Zealand Pouhere Taonga	Reduce intensification in Clyde Heritage Precinct (MRZ (P1)); Reduce intensification in area immediately adjacent to the Clyde Heritage Precinct; Develop design guidance which relates to the heritage values and character of each area of Medium Density.	Accepted in part - Heritage Guidelines have been introduced through PC20 with immediate legal effect.
113	Mark Mitchell	Amend the minimum allotment Size for all Bell Avenue, Scott Terrace, Stout Terrace, and eastern Lakeview Terrace, (Cromwell), to 1000m2 applying	Accepted in part – the recommendation of Ms White in her reply is

		LLRZ (P1) provisions; move the interface between LLRZ and LRZ on Bell Avenue	accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
114	Fire and Emergency New Zealand (Fire and Emergency	Include provision for adequate water supply for firefighting purposes in provisions; any new subdivision or land use should include provision for adequate water supply for firefighting purposes; include a new definition 'Emergency Service Facilities'; include a new objective LLRZ-04 'Infrastructure'; include new policy LLRZ-P2 'Servicing'; amend LLRZ-P5 to include reference to emergency service facilities; retain LLRZ-P8; amend LLRZ- R1 to LLRZ-R8 to include reference to LLRZ-S8; amend LLRZ-R3 to include reference to LLRZ-S8 and a new matter of control relating to firefighting supply; amend LLRZ-R10 to include reference to LLRZ-S8 and a new matter of discretion relating to firefighting supply; add new rule LLRZ-RX – Emergency Service Facilities as a permitted activity; amend LLRZ-S2 to include a note that exempts emergency service facilities up to 9m and hose drying towers up to 15m; amend LLRZ-S3 to include reference to emergency service facilities and hose drying towers; insert a new standard LLRZ-S8 Servicing; insert new objective LRZ-O3-Infrastructure; include new policy LRZ-P2 'Servicing'; amend LRZ-P5 to include reference to emergency service facilities; retain LRZ-P6; amend LRZ-R1, LRZ-R2, and LRZ-R4 to LRZ-R8 to include reference to LRZ-S8; amend LRZ-R3 to include reference to LLRZ-S8 and a new matter of control relating to firefighting supply; amend LRZ-R11 to LRZ-R13 to include reference to LLRZ-S8 and a new matter of control relating to firefighting supply; insert new rule LRZ-RX Emergency Service Facilities as a permitted activity; amend LRZ-S2 to include a note that exempts emergency service facilities up to 9m and hose drying towers up to 15m; amend LRZ-S3 to include reference to emergency service facilities and hose drying towers; insert new objective MRZ-O3 Infrastructure; retain MRZ-P1; insert new policy MRZ-P8 'Servicing'; amend MRZ-P6 to include reference to emergency	Accepted in Part – the recommendation of Ms White in her s42A (Stage1) report are accepted by the Panel in relation to the following: Height standards (LLRZ-S2, LRZ-S2 and MRZ-S2) to be amended to provide for hose drying towers up to 15m; height in relation to boundary standards (LLRZ-S3.2, LRZ-S3.2 and MRZ S3.2) amended to exclude hose drying towers; LLRZ-P5, LRZ-P5 and MRZ-P6 are amended in accordance with paragraph 80 of the section 42A report (Stage 1).

		service facilities; retain MRZ-P7; amend MRZ-R1, MRZ-R2, MRZ-R5 to MRZ-R9 to include reference to MRZ-S14; amend MRZ-R4 to include reference to MRZ-S14 and a new matter of control relating to firefighting supply; amend MRZ-R12 to MRZ-R14 to include reference to MRZ-S14 and a new matter of control relating to firefighting supply; amend MRZ-S2 to exclude drying towers up to 15m; amend MRZ-S3 to exempt hose drying towers; insert new objective SUB-O2 Infrastructure; insert new policy SUB-P5 regarding reticulation (including firefighting); amend SUB-R1 to include matter of control relating firefighting supply and access to supply; amend SUB-R3 to include reference to SUB-SX; insert new standard SUB-SX 'Water Supply'.	
115	Donna Hall	Retain Rural zoning on Domain Road Vineyard	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
116	Billie Marsh	Consider providing for new residential land in Tarras; retain existing pattern of development and 'countryside' living amenity and landscape values; enable contiguous development with existing residential subdivision to encourage growth and protect productive land	Rejected - PC 19 does not propose to amend any Rural Settlement zones and future growth in Tarras would be better considered as part of a review of the Rural

			Settlement provisions at a later date.
117	Graeme Crosbie	Amend minimum allotment size in Bannockburn for LLRZ to 1000m2	Accepted in part – minimum density in LLRZ reduced to 1500m2.
118	Lakefield Estate Unincorporated Residents Group	Amend provisions to retain RRA (6) minimum allotment size of 4000m2 north or State Highway 8B, Cromwell.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
119	Jack Longton and Karen Lilian Searle	Retain Rural zoning on Domain Road Vineyard - if approval is granted the minimum allotment size should be increased to 3000m2 and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m; make provision for public open space reserve on Bannockburn Road (opposite Black Rabbit); reduce eastern boundary of residential zone and establish a building line restriction to prevent visibility from Bannockburn Inlet; extend the southern boundary of the residential footprint over Schoolhouse Road to allow for residential in folds but not on ridges in new area.	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
120	Robyn Jane Fluksova and Jindrich Fluksa	Retain Rural zoning on Domain Road Vineyard - if approval is granted the minimum allotment size should be increased to 3000m2 and any housing be prohibited on the northern slope (Templars Hill) and setback from Domain Road increased to 20m; make provision for public open space reserve on	Accepted - The recommendation of Ms White in her reply is accepted for the reasons

		Bannockburn Road (opposite Black Rabbit); reduce eastern boundary of residential zone and establish a building line restriction to prevent visibility from Bannockburn Inlet; extend the southern boundary of the residential footprint over Schoolhouse Road to allow for residential in folds but not on ridges in new area.	outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints.
121	Gary Anderson	Remove LRZ allowing for a minimum allotment size of 500m2 on Lots 2-3 DP 325235 north of State Highway 8B, Cromwell; an amendment to allow a minimum allotment of 1500m2 would be more appropriate next to a 4000m2 minimum allotment zone (former RRA (6))	Accepted in part – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
122	Aimee Cornforth	Decline zoning of Freeway Orchard to MRZ; re-zone LRZ	Rejected – the re-zoning of Freeway Orchard to MRZ was identified in the Cromwell Spatial Plan and the Panel considers the zoning to be appropriate.
123	Lowburn Viticulture Ltd	Re-zone Section 27 Block V Cromwell Survey District (OT 353/37) as LLRZ (P2); amend LLRZ - R10 to 500m2/m3; amend re-considered to include a controlled activity pathway for development	Accepted in part – re-zone LLRZ (P2), with development restricted until infrastructure upgrades have been undertaken.

124	Cromwell Motorsport Part Trust Ltd	Supports PC 19's restricting residential development to within the existing urban areas.	Accepted
125	Keyrouz Holdings Limited	Amend to provide for Business Zoning on Section 123 Block III Cromwell Survey District and Part Section 117 Block III Cromwell Survey District on the corner of Barry Avenue and State Highway 8B, Section 124 Block III Cromwell Survey District and Section 122 Block III Cromwell Survey District ('The Gate')	Accepted - the recommendation of Ms White in her s42A (Stage 2) report is accepted and the property should be re-zoned as Business Resource Area.
126	Christine and James Page and MB and RA Cromwell Ltd	Amend Plan Change 19 to include the future LLRZ on Young Lane on Part Lot 1 DP 6384, in current zone change	Rejected – re-zoning dependant on infrastructure upgrades to enable water and wastewater reticulation being available.
127	Harold Kruse Davidson	Amend Plan Change 19 to extend LLRZ in Bannockburn to include Lot 5 DP 414299 and Part Lot 3 DP 414299	Rejected - The NPS-HPL applies to the site and there is difficulty in undertaking an assessment of whether the rezoning of this site meets clause 3.6(4) of the NPS-HPL in isolation from consideration of other options for the provision of development capacity.  The Panel considers it would be more



			appropriate for the site to remain rural and future growth options in Bannockburn are better dealt with through a more detailed township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn.
128	Transpower New Zealand Ltd	Ensure there is no adverse effect on the national grid; Amend the new residential chapter to include reference to sections 12, 13 and 16; undertake further analysis on 147 & 149 Dunstan Road in the context of the NPSET.	Accepted in part - amendments to the introduction to each zone to note the continued relevance of other sections of the Plan; NPSET will be considered in relation to any future development.
129	John and Barbara Walker	Remove Medium Density Zoning from PC 19	Rejected – MRZ is necessary to provide for well-planned urban environments. PC19 is based on the Vincent and Cromwell Spatial Plans, which were prepared by the Council to plan for where growth over the next 30 years

			should occur, in a manner that meets anticipated demand for residential land and helps address housing affordability.
130	Aidan and Philippa Helm	Amend to provide for an extension of the LLRZ on the lower portion of Lot 3 DP 399742 is located at 129 Gilligans Gully Road that immediately adjoins 155 Dunstan Road; amend the LLRZ on Dunstan Road to LRZ	Accepted in part – the lower portion of 129 Gilligans Gully Road as identified in submission is to be rezoned LLRZ.
131	Lois D Gill	Amend provisions to retain RRA (6) minimum allotment size of 4000m2 north or State Highway 8B, Cromwell.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.
132	Johnathan Brass	Remove medium density zoning south of Waenga Drive & south of Neplusaltra Street and only allow medium density adjacent to commercial area.	Rejected – the application of MRZ to these areas is part of the Council's response to providing sufficient supply to meet anticipated demand. It is also consistent with the direction taken in the Cromwell Spatial Plan. The MRZ in Cromwell is retained as notified,

			except where recommended otherwise in this decision.
133	John Morton as trustee for J and DM Morton Family Trust	Amend LLRZ -S1 on Bannockburn Road to provide for a minimum density of 600m2 and a minimum of 50m between dwellings; amend SUB-S1 to provide for a minimum allotment size of 600m2.	Rejected – the Panel agrees with Ms White in her s42A recommendation (Stage 1) that reducing the density to 600m2 would not be consistent with the objectives of the LLRZ and would be more akin to the density of development in the LRZ, therefore losing the distinction between the LRZ and LLRZ.
134	Ros and Peter Herbison	Retain existing Rural zoning on Domain Road Vineyard; don't allow high density developments in Bannockburn	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and that considers the infrastructure constraints

135	Cairine Heather MacLeod	Section 7 Block 1 Bannockburn Survey District be re-zoned from Rural to LLRZ; Section 52 Block 1 Bannockburn Survey District proposed to be re-zoned as LLRZ, be subject to a new zone with a minimum area of 1200m2 and average of 1500m2; 50 Domain Road and 24 Terrace Street proposed to be zoned LLRZ be subject to a new zone with a minimum area of 1200m2 and average of 1500m2; amend Rule LLRZ-S1 and SUB-S1 to provide for LLRZ to have a minimum of 1200m2 and an average of 1500m2.	<p>Rejected - The NPS-HPL applies to the site and there is difficulty in undertaking an assessment of whether the rezoning of this site meets clause 3.6(4) of the NPS-HPL in isolation from consideration of other options for the provision of development capacity.</p> <p>The Panel considers it would be more appropriate for the site to remain rural and future growth options in Bannockburn are better dealt with through a more detailed township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn.</p>
136	Lawrence O`Callaghan	Change zoning in Clyde to require a minimum allotment size of 400m2	Accepted in part – density in LRZ has been reduced to 400m2. Input from heritage and urban

			design experts into the Medium Density Guidelines and Heritage Guidelines (introduced through PC20 with immediate legal effect). New buildings within the precinct require resource consent under Rule 11.4.1(b). Application of the guidelines through the resource consent process will protect the heritage values of the Township.
137	R S (Bob) Perriam	Amend maps to include the balance of Lot 1 DP 373227 (Pisa Moorings) in LLRZ (P1); re-zone LLRZ land in the vicinity of Clark Road as LLRZ (P1).	Accepted in part - the balance of Lot 1 DP 373227 is to be re-zoned as LLRZ (P1). In terms of s32AA of the RMA, the Panel agrees with Ms Whites evaluation and consider that zoning the full site is a relatively minor boundary adjustment, and is more efficient than the current split zoning of the site.

138	Wakefield Estates Limited	Amend maps to include a part of Lot 100 DP433991 (Clark Road, Pisa Moorings) and fronting State Highway 6 in LLRZ (P1) and the balance of Lot 1 DP 373227 (Pisa Moorings) in LLRZ (P1);	Accepted in part - the balance of Lot 1 DP 373227 is to be re-zoned as LLRZ (P1). In terms of s32AA of the RMA, the Panel agrees with Ms Whites evaluation and consider that zoning the full site is a relatively minor boundary adjustment, and is more efficient than the current split zoning of the site.
139	Shanon Garden	Re-zone 155 Dunstan Road, 157 Dunstan Road and the lower portion of 129 Gilligans Gully Road from LLRZ to LRZ with a minimum allotment size of 500m2 or to LLRZ (P1) with a minimum allotment size of 1000m2; create a buffer between the area and the Industrial properties east of the properties; enable retail/hospitality to support residential activity on Dunstan Road	Rejected – LLRZ to be retained.
140	Bannockburn Responsible Development Inc.	Support proposed LLRZ in Bannockburn; Remove LLRZ from Domain Road Vineyard Site	Accepted - The recommendation of Ms White in her reply is accepted for the reasons outlined in her reply - Domain Road Vineyard to remain rural in favour of a comprehensive consideration of Zoning in Bannockburn Road with the community and

			that considers the infrastructure constraints
141	Dr Chris Cameron and Ms Carolyn Patchett	Re-zone 157 Dunstan Road to LRZ with a minimum allotment size of 500m2 or to LLRZ (P1) with a minimum allotment size of 1000m2	Rejected – LLRZ to be retained.
142	Lakeside Christian Centre	Re-zone section 2 SO 22525 (Lakeside Christian Centre, Lowburn Valley Road) to LLRZ (P2)	Rejected - In terms of the criteria outlined 3.6(4) of the NPS-HPL the Panel agrees with Ms White that there is no evidence on which to conclude that rezoning of this land meets the criteria and on that basis the Lakeside Christian Centre site should remain zoned as Rural Resource Area.
143	Koraki Limited and Scott Scott Limited	Extend the proposed LLRZ in Bannockburn to include Lots 1 - 3 DP 469342 and Section 1 SO 480705	Rejected – the Panel considers that it would be more appropriate for the site to remain rural and future growth options in Bannockburn are better dealt with through a more detailed township-specific Spatial Planning exercise that considers where and how growth will occur in Bannockburn and the

			site should remain zoned Rural Resource Area.
144	Wally Sanford	Include construction vibration standards; clarify zoning in Pisa Moorings; clarify underlying zones for roads, reserves golf courses, schools, pools and playgrounds and on 'wrong side of building line restriction; amend methodology for medium density zoning in Old Cromwell to a radius rather than a strip; relocated dwellings - timeframes for re-instatement amend to provide more detail so Council can respond more predictably and consistently in variable situations.	Accepted in Part as outlined in the body of the Panel decision.
145	Thyme Care Properties Ltd	Amend the zoning of Part Lot 4 DP 22109 and Part Lot 2 DP 23343 and part Lot 2 DP 23343 (Ripponvale Rest Home and adjacent site) from Rural Residential Resource Area to MRZ; amend MRZ-R11 to remove reference to volume; amend MRZ-R13 to remove requirement for retirement villages to comply with building coverage and include reference to MRZ-S3 and MRZ-S5; amend MRZ-S1 to a breach being discretionary; amend MRZ-S4 to a building coverage of 60%; amend MRZ-S6 to exempt decks, multi-unit housing and retirement villages and two or more residential activities connected vertically or vertically; delete MRZ-S7 and include as matter of discretion for MRZ-S4 to MRZ-S6, or amend and include matters of discretion; delete MRZ-S8 and include as a matter of discretion for MRZ-S2 through MRZ-S6 or reduce vegetation requirement to 20%; delete MRZ-S9 and include as matter of discretion for MRZ-S4 to MRZ-S6 or amend; delete MRZ-S10 and include as matter of discretion for MRZ-S4 to MRZ-S6; delete MRZ-S7 and include as matter of discretion for MRZ-S2 to MRZ-S6, or amend to provide for a maximum height of 1.2m or where 50% of the fence is transparent; delete MRZ-S12 and include in matters of discretion for MRZ-S2 to MRZ-S6	Accepted in Part as outlined in the body of the Panel decision. Zoning to remain Rural Residential.
146	Pisa Moorings Vineyard Ltd & Pisa Village Developments Ltd	Re-zone land at 828 Luggate-Cromwell Road and the adjoining site south of Pisa Moorings, legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309 from Rural Resource Area, LLRZ (P1) and LRZ to a mixture of LRZ, MRZ and commercial zoning through a	Accepted in part as outlined in the body of the Panel decision. "Pisa West Structure



		<p>structure plan over the requested zoning; amend medium density and low density provisions to provide for the new zoning in Pisa Moorings, and provide for a commercial precinct; amend LRZ and MRZ provisions to remove restriction on garage or accessory building size associated with a minor unit; amendments to earthworks provisions to include fill in all residential zones; enable a range of typologies in LRZ; amend and clarify State Highway noise rule LRZ-S5 and MRZ-S6 regarding noise levels increasing to 40dBA; amend MRZ- P1, P2 and P3 to include specific reference to the Medium Density Guidelines; amend building coverage in MRZ to a maximum of 50%; retain scheduled activity 127; other sundry amendments to text.</p> <p><b>Note: Submitter Name changed at request of submitter 16/12/2022 – see email</b></p>	<p>Plan” to be included in the District Plan, subject to amendments outlined in the body of the Panel decision (commercial precinct removed, renaming of scheduled activity 127, inclusion of a building line restriction)</p>
147	Stephen Davies	<p>Re-zone Doctors Point vineyard to include residential sections approved by Environment Court Decision 2017 NZEnv 193 in the residential zone; amend area of vineyard in RRA (4) as described in RC 020122 as rural.</p>	<p>Accepted – re-zoning in accordance with the body of this decision.</p>
148	CHP Developments Limited	<p>Amend MRZ standards to allow for better flexibility in design (building coverage, outdoor living space, landscaping, outlook space and habitable rooms)</p>	<p>Rejected – MRZ Guidelines have been introduced to ensure good design outcomes.</p>
149	Kathryn Adams	<p>Reduce minimum allotment size in LRZ to 400m<sup>2</sup>; re-zone the Cromwell Golf Course as MRZ</p>	<p>Accepted in part – LRZ reduced to 400m<sup>2</sup></p>
150	Landpro Limited	<p>Alexandra, Clyde and Cromwell combined should be considered an urban environment in terms of the NPS UD 2020 and should be addressed in the plan change; concerned greenways and building line restrictions will affect yield; the chapter by chapter approach to the review has resulted in issues with hazard mapping but the mapping has not been corrected with up to date information; amend definition of noxious activity to clarify what would be captured; clarify definitions of convenience retail and large format retail; amend some areas of Bannockburn on Lynn Lane that are currently RRA (4)</p>	<p>Accepted in part as outlined in the body of the Panel decision.</p>

		to be included in LLRZ; clarify what is meant by 'activation' in LRZ and MRZ matters of discretion; question the MRZ north west of Alexandra as being appropriate given lack of commercial facilities in this area - LRZ may be more appropriate; not clear what is meant by Rule MRZ-R2 matter of discretion 'whether the urban form is compatible with nearby land use mix.....'; MRZ-S4 building coverage should be increased to 50%; reduce minimum allotment size in LRZ to 400m2; update diagram in Schedule 1 for height in relation to boundary to include instruction on how to calculate recession plane; across all zones there is little intensification other than in relation to large lot residential areas - consider greater density; future growth areas shouldn't require a future plan change and should be allowed to develop and connect to services now; clarification sought as to whether the future growth overlay meets the national planning standards definition of an overlay.	
151	The House Movers Section of the New Zealand Haulage Association Inc.	Amend provisions in MRZ and LRZ to provide for relocated dwellings as a permitted activity subject to standards, including having been designed and used as a dwelling, the use of a pre-inspection report template (provided by submitter), building to be located on foundations withing two months of arrival at site and all work identified in the inspection report, to be completed within twelve months.	Accepted – as outlined in the body of the Panel decision.
152	Susan Margaret Walsh	Retain option to have minor residential units in LLRZ zone; provide for LLRZ (P1) in Pisa Moorings to have a minimum allotment size of below 1000m2	Accepted in part – minor unit provisions retained.
153	Fraser James Sinclair & Kelly Michelle Checketts	LLRZ zone boundaries north of State Highway 8B be amended to include all properties in Scott Terrace; include additional rules in LLRZ to protect the visual impact of development north of Cromwell; LRZ north of Cromwell be increased to a minimum allotment size of 1000m2; LLRZ rules be clarified to ensure access ROWs are included in calculation for minimum allotment sizing of 2000m2	Accepted in part – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.

154	Professor Jennifer Dixon	Retain the Domain Road Vineyard in Bannockburn as Rural Resource Area - if re-zoning is approved increase minimum allotment size to 3000m2 and no housing on Templars Hill	Accepted in part – Rural zoning on Domain Road Vineyard to be retained.
155	Hannah Reader	Amend town centre zoning in Alexandra and Cromwell to MRZ with a minimum of 250m2 allotment size.	Accepted in part – density in LRZ reduced to 400m2.
156	Werner Murray	Amend LLRZ in Bannockburn to a minimum allotment size of 1400m2 and re-instate multi-unit rule.	Accepted in part – LLRZ in Bannockburn to be amended to a minimum density of 1500m2.
157	Susan Woodard and David Barkman	Exclude the heritage areas of Old Cromwell from Plan Change 19 specifically in Monaghan Street/Inniscort Street/Melmore Terrace/ Neplusultra	Rejected – Input from heritage and urban design experts into the Medium Density Guidelines and Heritage Guidelines (introduced through PC20 with immediate legal effect). New buildings within the precinct require resource consent under Rule 11.4.1(b). Application of the guidelines through the resource consent process will protect the heritage values of the Township.
158	Retirement Villages Ass of NZ INC	Amend the introduction to the LRZ to include specific reference to retirement villages; amend objectives in MRZ and LRZ to specifically acknowledge and recognise the importance of providing for an ageing population, recognising	Rejected - the Panel agrees with Ms White's recommendation in her

		<p>the nature and effects of retirement villages are different to other higher density residential activities; include a new objectives in MRZ and LRZ that specifically provide for an ageing population and recognises the changing needs of communities; new policy in MRZ and LRZ that recognises the intensification opportunities provided by larger sites; delete LRZ-P4 and MRZ-P5 and replace with new policy "Provision of housing for an ageing population"; supports retirement villages as a restricted discretionary activity in LRZ-R12 and MRZ-13; opposes matter of discretion regarding integration of vehicle, cycle and pedestrian access to adjoining road as adequately provided for in other assessment matters; matters of discretion for retirement villages should be clear and focussed on effects; applications for resource consent made under LRZ-R12 be precluded from public notification; an application made under LRZ-R12 that complies with standards LRZ-S2-LRZ-S6 be precluded from limited notification; delete MRZ-S1 and replace with a standard that matches clause 11 of schedule 3A of the RMA; delete MRZ-S3 and replace with the appropriate standard to match clause 12 (1) of schedule 3A of the RMA; delete MRZ-S4 and replace with the appropriate standard to match clause 14 of schedule 3A of the RMA.</p>	<p>Stage 1 section 42A report and her reply following the hearing of evidence, that retirement villages are able to be managed within the residential provisions and that policies need to be considered in the context of the achievement of the objectives in PC 19 and not alignment with the Enabling Housing Act.</p>
159	Rocky Glen Ltd c/- Lewis McGregor	<p>Extend LLRZ to include Lot 1 DP 498688 and Section 184 Block I Fraser Survey District adjacent to State Highway 8 Alexandra- Fruitlands Road</p>	<p>Rejected - the property is unable to be serviced and the panel has not been presented with any evidence supporting the appropriateness of the proposed. The Rural Resource Area zoning of the Alexandra-Fruitlands Road and McGregor Road sites should be retained.</p>

160	Ryman Healthcare Limited	<p>Amend the introduction to the LRZ to include specific reference to retirement villages; amend objectives in MRZ and LRZ to specifically acknowledge and recognise the importance of providing for an ageing population, recognising the nature and effects of retirement villages are different to other higher density residential activities; include a new objectives in MRZ and LRZ that specifically provide for an ageing population and recognises the changing needs of communities; new policy in MRZ and LRZ that recognises the intensification opportunities provided by larger sites; delete LRZ-P4 and MRZ-P5 and replace with new policy "Provision of housing for an ageing population"; supports retirement villages as a restricted discretionary activity in LRZ-R12 and MRZ-13; opposes matter of discretion regarding integration of vehicle, cycle and pedestrian access to adjoining road as adequately provided for in other assessment matters; matters of discretion for retirement villages should be clear and focussed on effects; applications for resource consent made under LRZ-R12 be precluded from public notification; an application made under LRZ-R12 that complies with standards LRZ-S2-LRZ-S6 be precluded from limited notification; delete MRZ-S1 and replace with a standard that matches clause 11 of schedule 3A of the RMA; delete MRZ-S3 and replace with the appropriate standard to match clause 12 (1) of schedule 3A of the RMA; delete MRZ-S4 and replace with the appropriate standard to match clause 14 of schedule 3A of the RMA.</p>	<p>Rejected - the Panel agrees with Ms White's recommendation in her Stage 1 section 42A report and her reply following the hearing of evidence, that retirement villages are able to be managed within the residential provisions and that policies need to be considered in the context of the achievement of the objectives in PC 19 and not alignment with the Enabling Housing Act.</p>
161	Topp Property Investments 2015 Ltd	<p>MRZ-O2, MRZ-P1 and MRZ-P2 should be amended to highlight amenity and character is anticipated to change over time; MRZ-R1 should be amended to allow for up to three units; 'define Comprehensive Residential Development Master Plan'; amend MRZ to provide for only one minor unit per principal rather than site; amend MRZ-R19 provide for hazards as a restricted discretionary activity; amend MRZ-S1 to provide for a density of 150m2 rather than 200m2; amend MRZ-S4 to provide for 50% site coverage: amend MRZ-S8 to decrease landscape permeability; remove MRZ-S10; MRZ-S13 - minimum car parking requirements have been removed for Tier 3 Councils;</p>	<p>Accepted in part – as outlined in the body of the Panel decision.</p> <p>Decisions on FGO framework will enable development to occur when servicing capacity is available and provision</p>

		<p>Medium Density Guidelines should be explicitly referred to in matters of discretion to provide weight; replace Low Density Zone with General Residential Zone; amend future growth areas to development areas identified in national planning standards; amend LRZ-O2 and LRZ-P1 to highlight amenity and character is anticipated to change over time; amend LRZ-R1 to allow for up to three units per site as a permitted activity; amend LRZ-S2 to allow for one minor unit per principal unit rather than site; amend LRZ-R6 to enable visitor accommodation activity in minor residential units as well as principal units and remove permitted standard 3; amend LRZ-R18 to provide for building on sites subject to hazards as a restricted discretionary activity; amend LRZ-S2 to a maximum height of 8m and include provision for chimneys beyond that; amend LRZ-S5 to a setback of 3m; delete LLRZ-R1 (limiting number of units per site); amend LLRZ-R2 to provide for one minor unit per principal unit; amend LLRZ-R6 to enable visitor accommodation in minor unit and principal unit and remove permitted standard 3; amend LLRZ-R10 to increase the volume of earthworks permitted; amend LLRZ-R15 to provide for building on sites subject to hazards as a restricted discretionary activity; amend LLRZ-S2 to provide for a maximum height of 8m; enable infill development; submitter considers the Central Otago District to be a Tier 3 Council and accordingly National Policy Statemen for Urban Development should apply</p>	<p>of comprehensive development opportunities in all residential zones will allow flexibility.</p>
162	Sugarloaf Vineyards Ltd	<p>Proposed RRA (3) and RRA (13) is indicated in plan change documents as being Low Density - Precinct 1, clarify if should be LLRZ (P1); MRZ-O2, MRZ-P1 and MRZ-P2 should be amended to highlight amenity and character is anticipated to change over time; MRZ-R1 should be amended to allow for up to three units; 'define Comprehensive Residential Development Master Plan'; amend MRZ to provide for only one minor unit per principal rather than site; amend MRZ-R19 provide for hazards as a restricted discretionary activity; amend MRZ-S1 to provide for a density of 150m2 rather than 200m2; amend MRZ-S4 to provide for 50% site coverage: amend MRZ-S8 to decrease</p>	<p>Accepted in part – as outlined in the body of the Panel decision.</p> <p>Decisions on FGO framework will enable development to occur when servicing capacity is available and provision</p>

		<p>landscape permeability; remove MRZ-S10; MRZ-S13 - minimum car parking requirements have been removed for Tier 3 Councils; Medium Density Guidelines should be explicitly referred to in matters of discretion to provide weight; replace Low Density Zone with General Residential Zone; amend future growth areas to development areas identified in national planning standards; amend LRZ-O2 and LRZ-P1 to highlight amenity and character is anticipated to change over time; amend LRZ-R1 to allow for up to three units per site as a permitted activity; amend LRZ-S2 to allow for one minor unit per principal unit rather than site; amend LRZ-R6 to enable visitor accommodation activity in minor residential units as well as principal units and remove permitted standard 3; amend LRZ-R18 to provide for building on sites subject to hazards as a restricted discretionary activity; amend LRZ-S2 to a maximum height of 8m and include provision for chimneys beyond that; amend LRZ-S5 to a setback of 3m; delete LLRZ-R1 (limiting number of units per site); amend LLRZ-R2 to provide for one minor unit per principal unit; amend LLRZ-R6 to enable visitor accommodation in minor unit and principal unit and remove permitted standard 3; amend LLRZ-R10 to increase the volume of earthworks permitted; amend LLRZ-R15 to provide for building on sites subject to hazards as a restricted discretionary activity; amend LLRZ-S2 to provide for a maximum height of 8m; enable infill development; submitter considers the Central Otago District to be a Tier 3 Council and accordingly National Policy Statemen for Urban Development should apply</p>	<p>of comprehensive development opportunities in all residential zones will allow flexibility.</p>
163	<p>John and Rowan Klevstul and Rubicon Hall Road Ltd</p>	<p>Lot 1 DP 460583, Lot 2 DP460583, Lot 50 DP 511592 and Lot 51 DP 511592 (Schoolhouse Road/Hall Road, Bannockburn) be re-zoned LLRZ with a minimum allotment size of 1000m2; provide for urban design principals in the new zone consistent with a 'rural hamlet vision' that provides for a development through a development area plan/structure plan; zone should include provisions that retain historic character, identify and implement key roading connections onto Lynn Lane and Schoolhouse Road, pedestrian/cycling connectivity; retention of highly productive land, indigenous</p>	<p>Rejected - The Panel accepts the evidence of Ms Muir that the site is unable to be serviced at this time.</p> <p>The Panel agrees with Ms White that the site</p>

		vegetation restoration in gullies and stormwater management, integration and enhancement; the plan change should consider the National Policy Statement for Urban Development.	should not be rezoned at this time, but instead considered as part of a wider spatial planning process encompassing a range of options for the growth of the Township, and allowing the community the opportunity to consider the various options for future growth in Bannockburn that considers where and how growth will occur in Bannockburn.
164	Fulton Hogan Limited	Amend PC 19 to include Parkburn site in the Future Growth Overlay area; amend or vary to include Low and Medium Density zoning in Parkburn	No decision necessary - submitter indicated they would be relying on the outcome of PC21.
165	Paterson Pitts Group (Cromwell)	Insert definition of boundary adjustment from National Planning Standards; consider including non-notification clauses where appropriate; amend LLRZ-O3 to split up LLRZ 1-3 with separate objectives that reflect National Planning Standard numbering and make consequential changes to numbering throughout plan change; amend wording on LLRZ-P1 Built form; amend wording on LLRZ- P2 Residential Activities; amend wording on LLRZ-P3; amend wording on LLRZ -P4; amend wording on LLRZ-P5; amend wording on LLRZ-P6; amend wording on LLRZ- P7; amend activity status for breach of LLRZ- R2 to discretionary; delete LLRZ-R3 or amend to exclude reference to re-instatement; amend wording on LLRZ-R4; amend LLRZ-R6; amend	Accepted in Part as outlined in the body of the Panel decision.



	<p>wording on LLRZ- R7; amend LLRZ-R8 to remove requirement of childcare to be ancillary to a residential activity; amend wording on LLRZ-R9; amend LLRZ-R10 earthworks to remove reference to a volume; amend numbering on LLRZ-R10 retirement villages and correct double up in numbering; amend LLRZ-R11; amend LLRZ-R15 to refer to the construction of buildings on land subject to hazards; amend LLRZ-S1 to provide for a breach of density as a discretionary activity; amend LLRZ-S2 to exclude solar panels, chimneys, antennas from height standard and include additional matters of discretion; amend LLRZ-S3 to identify exemptions as a note and include additional exemptions related to boundaries with shared access in excess of 3m; amend LLRZ- S4 to provide for building coverage to apply to the net area of a site and add new precinct specific standard; amend LLRZ-S5 to provide for a 4.5m setback from road; and provide new assessment matters; amend LLRZ-S6 to include exemptions in relation to uncovered decks, retirement villages, two or more residential units connected vertically or horizontally and define the meaning of 'margin of the lake'; amend wording of LRZ- P1; amend wording of LRZ-P2; amend wording of LRZ-P3 to remove requirement of home occupation being ancillary to a residential activity; amend wording of LRZ-P4 in relation to retirement villages; amend wording of LRZ-P5 and define 'sense of amenity, security and companionship; amend wording of LRZ-R2 ; delete LRZ-S3; amend LRZ-R4 to remove requirement for accessory building to be ancillary to a permitted activity; amend wording on LRZ-R6; amend wording of LRZ-R7 and remove requirement for home occupation to be ancillary to a residential activity; amend LRZ-R8 to remove requirement for childcare facilities to be ancillary to a residential activity and remove requirement for walking and cycling connectivity and parking; amend wording of LRZ-14; amend LRZ-R18 to refer to the construction of habitable buildings subject to hazards with a breach being discretionary; amend wording of LRZ-S1 to provide for a minimum allotment size of 300m2 with a breach being discretionary; amend LRZ-S2 to exclude solar panels, chimneys, antennas,</p>	
--	---	--

	<p>aerials and satellite dishes and include additional matters of discretion; amend wording of LRZ-S3 to exclude a boundary shared with an access in excess of 3m wide and retirement villages and provide additional assessment matters; amend LRZ-S4 to provide for 50% site coverage; amend wording of LRZ-S5 and include additional matters of discretion; amend LRZ-S6 to exclude decks, retirement villages and two or more units connected horizontally and vertically; amend MRZ to include new Objective and Policy that defines the character and amenity anticipated in the Clyde Heritage Precinct; amend wording of MRZ-P1; amend wording of MRZ-P2; amend wording of MRZ-P3; amend MRZ-P4 to remove requirement for home business to be ancillary to a residential activity; amend wording of MRZ-P5; amend wording of MRZ-P6; amend wording of MRZ-R2; amend wording of MRZ-R3; delete MRZ-R4; amend MRZ-R5 to remove requirement for accessory buildings and structures to be ancillary to a permitted activity; amend wording of MRZ-R7; amend MRZ-R8 to remove requirement for a home business to be ancillary to a residential activity; amend MRZ-R9 to remove requirement for childcare to be ancillary to a residential activity; amend wording of MRZ-R10; amend wording of MRZ-R11 and remove reference to volume of earthworks; amend MRZ-R13 to remove requirement for retirement villages to comply with building coverage; amend MRZ-R15 to remove reference to MRZ-R1- MRZ-R13 and MRZ-R15-MRZ-R18; amend MRZ-R19 to refer to the construction of habitable buildings on hazard sites; amend wording of MRZ-S1; amend MRZ-S2 to provide for four storeys and 12m height, and include additional assessment matters except in MRZ (P1) Clyde where a maximum height of 8.5m and two storeys is to be maintained; amend wording of MRZ-S3 to exclude boundaries with accesses in excess of 3m and retirement villages and replace the diagram in schedule 1 with one that is easier to interpret; amend MRZ-S4 to provide for 60% site coverage; amend wording of MRZ-S5 and include new matters of discretion; amend MRZ-S6 to exclude decks, multi-units/residential units/ retirement villages and two or more residential units connected</p>	
--	--	--

	<p>horizontally or vertically; delete MRZ-S7 and add in 'provision of useable, accessible outdoor living space for residents' as a matter of discretion in MRZ-S4 to MRZ-S6; delete MRZ-S8 and include new matters of discretion in MRZ-S2 to MRZ-S6 'provision of landscaping which increases the proposal's compatibility with the character of the area and provides a balance between built form and open space'; delete MRZ-S9 and replace with new matter of discretion for MRZ-S4 to MRZ-S6 'provision of useable and accessible serve and storage space for residents'; delete MRZ-S10 and include new assessment matter in MRZ-S4 to MRZ-S6 'provision of visual privacy and outlook between habitable rooms of different buildings and the same or neighbouring sites'; delete MRZ-S11 and include new matters of discretion in MRZ-S4 to MRZ-S6 'provision of fencing that is of a suitable height and permeability to ensure adequate sunlight access and privacy for residents, and whether the height of fencing has adverse effects on sunlight' or amend to include provision for a 1.2m height fence where the structure is not transparent; delete MRZ-S12 and include as a matter of discretion for MRZ-S2 to MRZ-S6 'provision of habitable rooms at ground floor to ensure activation of frontages and visual interest'; re-write objectives and policies for subdivision; amend SUB-O1 to provide for the health and wellbeing of communities and the safety and efficiency of the transport network; amend wording of SUB-P1; insert new policy SUB-P6 for boundary adjustments; insert new policy SUB-P7 functioning of the transport network; insert new policy SUB-P8 integration with infrastructure; insert new policy SUB-P9 subdivision in future urban zones; insert new policy SUB-P10 subdivision for infrastructure; insert new policy SUB-P11 subdivision around existing lawfully established residential units in a residential zone; insert new policy SUB-P12 access to back land; insert new policy SUB-P13 protection of water races; amend wording of SUB-R1; amend wording of SUB-R2; amend wording of SUB-R3; amend wording of SUB-R4; amend wording of SUB-R5; insert new rule SUB-R7 to allow for subdivision around lawfully established buildings to breach the density standard; amend</p>	
--	---	--

		wording of SUB-S1 and provide for low density with a minimum allotment size of 300m2 and remove minimum of 800m2 where no reticulation is available; amend SUB-S1 to provide for a breach of density as a discretionary activity in all zones; delete SUB- S1 (4); amend rule numbering on SUB-S1 (6)-(8); insert new standard SUB-S2- Access; insert new standard SUB-S3- water supply; insert new standard SUB-S4 - wastewater supply; insert new standard SUB-S5 - stormwater disposal; insert new standard SUB- S6- telecommunications and electricity supply.	
166	Christian Paul Jordan	Retain minimum allotment size of 250m2 in LRZ or provide for a minimum density of 250m2 and a maximum of 30 households per hectare (1 lot per 333m2).	Rejected – LRZ allows for comprehensive developments that increase density on larger lots. Density in LRZ to be reduced to 400m2.
167	Holly Townsend	Retain minimum allotment size of 250m2 in LRZ between Clutha Street and Boundary Road, Alexandra.	Rejected – LRZ allows for comprehensive developments that increase density on larger lots. Density in LRZ to be reduced to 400m2.
168	Carey J Weaver	Retain rural residential lifestyle future development area on the Dunstan Flats and expand to include properties east side of Waipuna Road.	Rejected – the Panel accepted the recommendation of Ms White in her s42A (Stage 2) report for the reasons outlined in her report.
169	Rayya Ali on behalf of NZ	Undertake further assessment on reverse sensitivity effects on camping grounds and NZMCA sites that may arise as a result of proposed MRZ zoning.	Rejected - the Panel is not aware of any sites

	Motor Caravan Ass		where NZMCA sites are located adjacent to MRZ.
170	Hokonui Runanga	Request the potential for Māori Purpose Zones be explored in future plan changes; amend matters of discretion for activities such as retirement villages and community facilities; include requirement to adhere to an approved Accidental Discovery Protocol for kōiwi and taonga tūtura be incorporated into the earthworks provisions in line with Te Tangi a Taura: Nga Tahuki Murihiku Natural Resource & Environmental Iwi Management Plan 2008.	Accepted in part as outlined in the body of the Panel decision.  Request to explore the use of Māori Purpose Zones in the future is noted.
171	Fin White	Retain minimum of 4000m2 allotment size or greater north of State Highway 8B (excluding Wooing Tree). Create a new precinct with a minimum of 4000m2.	Rejected – the recommendation of Ms White in her reply is accepted - LLRZ to be retained with specified undeveloped lots to be re-zoned LLRZ- P1.

**Attachment 2: The Appellant's submission**

## Resource Management Act 1991

### Submission on Notified Proposed Plan Change to Central Otago District Plan

Clause 6 of Schedule 1, Resource Management Act 1991

#### (FORM 5)

To: The Chief Executive  
Central Otago District Council  
PO Box 122  
Alexandra 9340

#### Details of submitter

- Name: Pisa Moorings Developments Limited and Pisa Village Development Limited
- 

Postal address: 17A Murray Terrace  
(Or alternative method of service under [section 352](#) of the Act)

Phone: \_03 4450376

Email: [campbell@chasurveyors.co.nz](mailto:campbell@chasurveyors.co.nz)

Contact person: Campbell Hills

**This is a submission on proposed Plan Change 19 to the Central Otago District Plan (the proposal).**

**I am not a trade competitor for the purposes of [section 308B](#) of the Resource Management Act 1991**

**The specific provisions of the proposal that my submission relates to are:**

Refer to the attached submission document and supporting information.

**This submission is:**

Refer to the attached submission document and supporting information.

**We seek the following decision from the consent authority:**

Refer to the attached submission document and supporting information.

**I wish to be heard in support of this submission**

In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.



PP  
Signature

—  
1 September 2022  
Date

**Submissions close at 4pm on Friday 2 September 2022**

Submissions can be emailed to [districtplan@codc.govt.nz](mailto:districtplan@codc.govt.nz)

**Note to person making submission:**

*If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.*

*Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that a least 1 of the following applies to the submission (or part of the submission):*

- it is frivolous or vexatious:*
- it discloses no reasonable or relevant case:*
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:*
- it contains offensive language:*
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.*



## Overview of the submission

Pisa Moorings Vineyard Limited and Pisa Village Development Limited (**Submitters**) request that the land at 828 Luggate-Cromwell Road SH6 and the adjoining site to the south at Pisa Moorings, located between State Highway 6 and the existing Pisa Moorings residential settlement, is rezoned from Rural Resource Area and Residential Resource Areas (3) and (13) to a mix of Low Density Residential, Medium Density and a local convenience retail zone or precinct.

The land is 24.3ha in area and currently zoned (in terms of PC 19) Rural Resource Area, Large Lot Residential (Precinct 1) and Low Density Residential. The land is legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309.

The area of land within the site zoned by PC 19 as Large Lot Residential is approximately 2.2ha, and the area of Low Density Residential Land is approximately 0.9ha. The balance of the land is zoned Rural Resource Area.

The rezoning seeks 16.8ha Low Density Residential zoning, 7.6ha Medium Density Residential zoning and within this 7.6ha area, a local retail/convenience commercial zoning of 1.7ha.

The proposed rezoning would facilitate in the order of 292 residential lots. The intended land uses within the proposed commercial precinct would be for local convenience retail activities, small scale education and community or commercial activities such as an early childhood education centre, medical consulting rooms and consulting services.

Vehicle access to the rezoned land will be via the existing Pisa Moorings roading network, and onto State Highway 6 via Pisa Moorings Road. Water and wastewater servicing will be via the Council's reticulated supply.

The rezoning can be facilitated by way of the following amendments to the Central Otago District Plan:

- Amending the plan maps to rezone the site from Rural Resource Area and Residential Resource Area (3) and (13) to a mix of Low Density Residential, Medium Density Residential and Medium Density Residential with a Commercial zoning such as Precinct Overlay in accordance with the National Planning Standards, as shown in **Attachment A**.
- Inserting a development area plan/structure plan into the District Plan which will guide future subdivision development at the site, as shown in **Attachment B**.
- Adding text including any purpose statement text, objectives and other methods such as policies, rules and assessment matters to facilitate a commercial zoning, as indicated in the following submission document in red text.

The submission is supported by the following information (text amendments to the Central Otago District Plan are included below as part of the general submission on the PC 19 notified text):

1. **Attachment A** Proposed Rezoning Plan
2. **Attachment B** Proposed Structure Plan
3. **Document 1** Planning Statement and Assessment of Effects on the Environment
4. **Document 2** Section 32AA evaluation
5. **Document 3** Preliminary Infrastructure and Services Report
6. **Document 4** Transport Assessment
7. **Document 5** Landscape assessment
8. **Document 6** Acoustic assessment
9. **Document 7** Detailed Site Investigation

The following table summarises the rezoning by way of a summary of the decisions requested on the rezoning and the notified PC 19 provisions.

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
<p><b>Rezoning</b></p>		
<p>Plan Maps</p>	<p>Amend</p>	<p>Amend the Plan Maps to rezone the land at 828 Luggate-Cromwell Road SH6 and the site to the south, collectively legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309. (as shown in <b>Attachment A</b>) from Rural Resource Area and Residential Resource Areas (3) and (13) to a mix of Low Density Residential Zone, Medium Density Residential Zone and a local convenience business zone, such as a Medium Density Residential Zone Commercial Precinct</p>
<p>Plan text</p>	<p>Amend</p>	<p>Amend the District Plan text to facilitate the rezoning described above, including any consequential amendments to the District Wide sections and rules of the District Plan.</p> <p>Without derogating from the breadth of the changes sought above, the specific amendments to the notified Plan Change 19 provisions and consequential amendments to the District Plan associated with the rezoning shown in <b>Attachment A</b>, can include (but not be limited by) the following particular amendments:</p> <ul style="list-style-type: none"> <li>• Inserting a structure plan into the District Plan which will guide future development as shown in <b>Attachment B</b>.</li> <li>• Amending the District Plan text by including any purpose statement text, objectives and other methods such as policies, rules and assessment matters to facilitate the proposed zoning, including a commercial zoning to serve the local Pisa Moorings community:</li> </ul>

*The specific provisions of the proposal that my submission relates to are:*

*I support or oppose the specific provisions or wish to have them amended.*

The reasons for my views and the decision I seek from the local authority are:

The rezoning amendments are shown alongside the general submission on the PC 19 provisions. The rezoning related additions are shown in red underline and strikethrough, and the general submission amendments sought are shown in black underline and ~~strikethrough~~.

**Amend Introduction text in the MRZ**

Add the following text after the fourth paragraph:

...

While the focus of the zone is residential, some commercial and community facilities are anticipated, where they support the local residential population and are compatible with the purpose, character and amenity values of the zone.

Commercial Precincts identify where commercial and community facilities are encouraged to establish that are of a scale which is compatible with residential amenity and character and serve a local convenience purpose.

**New Objectives and Policies Medium Density Residential Zone**

<b>Objectives</b>	
<b><u>MRZ-O3</u></b>	<b><u>Commercial Precincts</u></b>
<u>Commercial activities and community facilities are provided for within the Commercial Precincts, are limited in scale and maintain or enhance residential amenity, provide for local convenience and services, and support the local economy.</u>	

--

*The specific provisions of the proposal that my submission relates to are:*

*I support or oppose the specific provisions or wish to have them amended.*

The reasons for my views and the decision I seek from the local authority are:

**Policies**

**MRZ-P7**

**Commercial Precincts**

Identify Commercial Precincts on the Planning Maps, within which commercial activities and community facilities are provided for in order to meet the day-to-day needs of residents and visitors and support the local economy, subject to:

- 1. restricting the gross floor area of individual retail activities and individual office activities that may adversely affect the:
  - a. establishment and retention of a diverse range of activities within the Commercial Precinct;
  - b. role and function of the Business Resource Areas that provide for large scale retailing;  
and
  - c. safe and efficient operation of the transport network.
  
- 2. controlling the height, scale, appearance and location of buildings to achieve a built form that:
  - a. complements the existing pattern of development, where established;
  - b. positively contributes to the streetscape and any open space; and
  - c. minimises adverse effects on neighbouring residential activities.

**New Rules  
(New restricted discretionary rule added after Rule MRZ-R14)**

**MRZ-RX**

**Commercial Precinct**

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

<p><b><u>Medium Density Residential Zone</u></b></p>	<p><b><u>The following activities within a Commercial Precinct</u></b></p> <p><b><u>Activity Status: RDIS</u></b></p> <p><b><u>Where:</u></b></p> <ol style="list-style-type: none"> <li><u>1. Buildings;</u></li> <li><u>2. Commercial Activity;</u></li> <li><u>3. Community Facilities;</u></li> <li><u>4. Residential Activity located above ground floor.</u></li> </ol>	<p><b><u>Activity status where compliance with Rx1-4 is not achieved: NC</u></b></p> <p><b><u>Matters of Discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li><u>1. Hours of operation.</u></li> <li><u>2. Location of parking, provision for mobility parking, traffic safety, manoeuvring.</u></li> <li><u>3. Location and screening of recycling and waste.</u></li> <li><u>4. Servicing.</u></li> <li><u>5. Noise.</u></li> <li><u>6. Design.</u></li> <li><u>7. Scale and appearance of buildings.</u></li> <li><u>8. Signs.</u></li> <li><u>9. Lighting.</u></li> </ol>
--	---	---

**New Standard**

<p><b><u>MRZ-SX</u></b></p> <p><b><u>Medium Density Residential Zone</u></b></p>	<p><b><u>Retail and office activities within a Commercial Precinct</u></b></p> <ol style="list-style-type: none"> <li><u>1. Individual retail activities within a Commercial Precinct shall not exceed 200m<sup>2</sup> gross floor area.</u></li> </ol>	<p><b><u>Activity status where compliance is not achieved: NC</u></b></p>
--	--	---

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

			<p>2. <u>Individual office activities within a Commercial Precinct shall not exceed 100m<sup>2</sup> gross floor area.</u></p> <p>3. <u>In the Commercial Precinct at Pisa Moorings, in addition to rule SX.1 one individual retail activity may exceed 200m<sup>2</sup> but shall not exceed 400m<sup>2</sup> gross floor area.</u></p> <p><u>Note: For rules Sx. 1 and Sx.3 any associated office, storage, staffroom and bathroom facilities used by the activity shall not be included in the calculation of gross floor area.</u></p>		
--	--	--	--	--	--

**Amendments to the Subdivision Chapter text:  
(Add the following new policy after policy SUB-P4)**

<p><b>Policies</b></p>	
<p><b><u>SUB-PX</u></b></p>	<p><b><u>Pisa Moorings Development Area Plan/Structure Plan</u></b></p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p><u>Ensure subdivision and development is undertaken in accordance with the Pisa Moorings Structure Plan to:</u></p> <ol style="list-style-type: none"> <li>1. <u>Provide integration and connection of internal roading and pedestrian cycle access through the Structure Plan area and the existing roading access at Pisa Moorings, while allowing for limited flexibility by enabling internal roading, pedestrian and cycling links to move +/- 20m.</u></li> <li>2. <u>Provide for a range of residential densities to promote a diversity of housing choice.</u></li> <li>3. <u>Provide safe pedestrian and cycle connections to the Commercial Precinct.</u></li> <li>4. <u>Encourage an integrated and cohesive approach to State Highway noise attenuation measures and the landscaping and planting design to provide a buffer between the State Highway and dwellings.</u></li> <li>5. <u>Provide a landscape buffer along the northern boundary to screen the development from adjoining quarry operations.</u></li> <li>6. <u>Provide planting along the eastern terrace edge and the existing adjoining residential properties located off Stratford Drive, Pony Court and Missy Crescent, to encourage privacy between properties, minimise the visual dominance of buildings and overlooking.</u></li> <li>7. <u>Encourage roofs to have a light reflectance value not greater than 30% to ensure buildings are not prominent in views from the wider rural area.</u></li> </ol> <p><b>Amend Rule SUB-R4 by adding a matter of discretion to have regard to structure plans.</b></p>



<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

		<table border="1"> <tr> <td data-bbox="584 422 808 499"> <p><b>SUB-R4</b></p> </td> <td colspan="2" data-bbox="813 422 1942 499"> <p><b>Subdivision not otherwise specified</b></p> </td> </tr> <tr> <td data-bbox="584 502 808 1010"> <p><b>All Residential Zones</b></p> </td> <td data-bbox="813 502 1319 1010"> <p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b></p> <p>SUB-S1</p> <p><b>Matters of discretion are restricted to:</b></p> <p>...</p> <p><u>16. Consistency with any Structure Plan included in the District Plan.</u></p> </td> <td data-bbox="1323 502 1942 1010"> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b></p> <p>Refer to Rule Requirement Table.</p> </td> </tr> </table>	<p><b>SUB-R4</b></p>	<p><b>Subdivision not otherwise specified</b></p>		<p><b>All Residential Zones</b></p>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b></p> <p>SUB-S1</p> <p><b>Matters of discretion are restricted to:</b></p> <p>...</p> <p><u>16. Consistency with any Structure Plan included in the District Plan.</u></p>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b></p> <p>Refer to Rule Requirement Table.</p>
<p><b>SUB-R4</b></p>	<p><b>Subdivision not otherwise specified</b></p>							
<p><b>All Residential Zones</b></p>	<p><b>Activity Status: RDIS</b></p> <p><b>Where the activity complies with the following rule requirements:</b></p> <p>SUB-S1</p> <p><b>Matters of discretion are restricted to:</b></p> <p>...</p> <p><u>16. Consistency with any Structure Plan included in the District Plan.</u></p>	<p><b>Activity status when compliance with rule requirement(s) is not achieved:</b></p> <p>Refer to Rule Requirement Table.</p>						

**General Submission on all PC 19 text:**

The LLRZ, LRZ and MRZ text alternates in some instances between alphabet and numerical referencing, i.e compare Rules LRZ-R10 and R-11. It may be beneficial to list the rule qualifiers and standards (i.e the middle column) to numerical and matters of control (i.e. the right hand column) to alphabet.

In any case the formatting should be consistent and amendments made to that effect.

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

**General Submission on the design guidelines**

The Medium Density Residential Design Guide, containing the Medium Density Guide and Comprehensive Residential Guide are identified in the section 32 evaluation and whether the guide should be incorporated by reference is discussed (paragraph 92 at page 29).

The s32 evaluation opted to not incorporate the design guide by reference because:

*This option is not considered the most appropriate approach as it limits the flexibility of design options and affects the ability of Council to update these design guides, if improvements are required. As such it would be effective at achieving the outcomes sought, but less efficient. Retaining design guides outside the Plan, and ensuring these guides align with the matters of discretion and policy direction, will still allow for design guides to be used to assist with any resource consent process, without formalising their status within the Plan itself.*

While this approach does provide flexibility for changes, there are two deficiencies with this approach which are not discussed in the section 32 evaluation. The first is that the use of the design guide in a resource consent context will only be able to be considered as an ‘other matter’ under section 104(c) of the RMA. The lack of specific reference to the design guide in the plan provisions clouds when they would actually be applied and whether any reliance can be placed on them as part of the notification assessment under section 95 of the RMA.

The utility of the design guide and their effectiveness would be improved if they were identified in policies and/or rules.

The second matter is that the ability for the planning authority to modify the design guidelines without any opportunity for public involvement and formal process, and the use of the guidelines by the Council as part of the consideration of resource consent applications to ‘assist in guiding the Council’s consideration of development within the Medium Density Zone’ as referred to in the section 32 evaluation has the potential for uncertainty, and a ‘shifting of the goalposts’ in terms of how the Council would interpret and implement the policies and matters of discretion in relation to the design guide. The guidelines colour and influence how the Council acting in its role as a consent authority perceive an application for resource consent and the ability to change the guidelines on an ad hoc and informal basis would effectively have the same effect as amending the policies and matters of discretion without the proper plan change or variation processes and opportunities for submissions and the efficacy of those documents being tested in a transparent manner.

For these reasons, not incorporating the design guidelines into the District Plan results in a lack of transparency with how the Medium Density Residential Zone provisions will be implemented.

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

For the above reasons, it is sought that the Medium Density Residential Design Guide is incorporated by reference into the District Plan; by

1. adding a policy to the MRZ chapter which requires consideration of the design guides; and
2. a rule or other method which requires consideration of the Medium Density Residential Design Guide.

Identified as follows:

**Amend Policies MRZ-P1 and MRZ-P2 as follows:**

<b>MRZ-P1 &amp; P2</b>	<b>Built Form</b>
<p>Ensure that development within the Medium Density Residential Zone:</p> <ol style="list-style-type: none"> <li>1. <u>Considers the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022;</u></li> <li>2. ...</li> </ol>	

**Add the following standard**

<b><u>MRZ-SX</u></b>	<b><u>Medium Density Residential Zone Design Guide 2022</u></b>	<b><u>Activity status when compliance is not achieved:</u></b>
<b><u>Medium Density Residential Zone</u></b>	<p><u>For all restricted discretionary, discretionary and non-complying activities under the MRZ rules, applications for resource consent shall include a statement confirming that the relevant design elements from the Central Otago Medium Density Residential Zone Design Guide 2022 have been considered.</u></p>	<b><u>NC</u></b>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

	<p>Rule MRZ-SX does not apply to rule [<i>the unreferenced rule attenuating state highway noise</i>].</p>		
--	---	--	--

**General Submission: Large Lot Residential Zone (LLRZ)**

<p>Large Lot Residential Zone</p> <p>Introductory Text</p>	<p>Amend</p>	<p>The introductory text refers to the location of settlement zones, including Lowburn (which is approximately 32ha), and which contains a smaller number of existing houses than Pisa Moorings. Pisa Moorings is not referred to specifically but could be intended to be included in the reference to isolated areas of existing large lot residential near Lake Dunstan.</p> <p>There are four small areas of Large Lot Residential Zone located along the eastern margin of Lake Dunstan, however the existing (i.e. residential zoned) area of Pisa Moorings is located on the western side of Lake Dunstan and the existing LLR zone comprises an area of approximately 65ha (the portion of Low Density Residential is approximately 9ha).</p> <p>Pisa Moorings is not an isolated area and nor is it part of Lowburn. The introductory text needs to be amended to acknowledge and include Pisa Moorings, and to provide more certainty as to the isolated areas near Lake Dunstan.</p> <p>Amend the Introductory text as follows (underline to show additions and strikethrough to show deletions):</p> <p>Introduction</p> <p>The Large Lot Residential Zone (LLRZ) is located in some of the outer residential areas within the townships of Alexandra, Clyde and Cromwell, as well as in Bannockburn, <u>Pisa Moorings</u>, Lowburn and Roxburgh, along with some isolated areas of existing large lot residential near <u>located along the eastern side of</u> Lake Dunstan.</p>
--	--------------	--

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
<p>Large Lot Residential Zone</p> <p>Introductory Text</p>	<p>Amend</p>	<p>The references to the anticipated densities in the 3<sup>rd</sup> and 4<sup>th</sup> paragraphs require greater certainty as to what the slightly higher or lower densities are. The reference to historic may be better replaced with the phrase 'existing' so it is not conflated historic heritage.</p> <p>Amend the Introductory text as follows (underline to show additions and strikethrough to show deletions):</p> <p>...</p> <p>The <del>density</del> <u>densities</u> within the Large Lot Residential Zone <del>is</del> <u>are</u> the lowest of all the residential zones, providing for detached houses on large sites, maintaining a high open space to built form ratio. Generous setbacks are also provided from the road and neighbouring boundaries. Buildings are expected to maintain these existing low density characteristics, minimise the effects of development on adjoining sites and integrate with the surrounding area.</p> <p>The focus of the zone is residential <u>activity at a density of 2000m<sup>2</sup></u>, with limited commercial and community facilities anticipated.</p> <p>Within Precinct 1, <del>slightly</del> higher densities <u>of 1000m<sup>2</sup></u> are anticipated, which reflects the <del>historic</del> <u>existing</u> pattern of development. Within Precincts 2 &amp; <u>and</u> 3, a lower density <u>of 3000m<sup>2</sup> and 6000m<sup>2</sup> respectively</u> is anticipated, to maintain the existing amenity and character in these areas.</p>
<p><b>LLRZ-P3 Home Business</b></p>	<p>Amended</p>	<p>The use of a '/' does not provide sufficient certainty and makes it unclear whether the policy intends that the matters are exclusive or inclusive of each other. It is understood that the intent of the policy is both that home occupations are compatible and that it will not compromise the amenity of adjoining sites.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions):</p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p>Provide for home businesses where:</p> <ol style="list-style-type: none"> <li>1. they are ancillary to a residential activity;</li> <li>2. they are consistent the anticipated character, amenity values and purpose of the zone; and</li> <li>3. the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with <u>and</u> do not compromise the amenity of adjoining sites.</li> </ol>
<p><b>LLRZ-P5 Other non-residential activities</b></p>	<p>Amend</p>	<p>The policy refers to ‘other’ non residential activities however the only outstanding non-residential activity otherwise specified in the other policies is Policy LLRZ-P4 which relates to retirement villages. The policy therefore, applies to every other non-residential activity.</p> <p>The policy’s preamble does not sufficiently contemplate the ability for appropriate non-residential activities to establish, and is unnecessarily strict without sufficient justification. Non residential activities also include community activities and activities that serve to fulfil the needs of the community.</p> <p>The expansion of existing non-residential activities does not need to be referenced because any increase to the scale would be treated as a new activity.</p> <p>The policy should not refer to the ‘anticipated amenity’. Amenity values will vary across the zone based on the different environments and the varying densities of the identified precincts. The policy should refer to the environment in the context of the other objectives for the LLRZ.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions):</p> <p><del>Avoid other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless:</del></p> <p><u>Provide for non-residential activities that do not undermine residential amenity values or the viability of any Business</u></p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p><u>Resource Area, including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>minimising</u> any adverse effects of the activity, including noise, <del>do not compromise the anticipated amenity of the surrounding area;</del> and</li> <li>2. <u>ensuring</u> the nature, scale and intensity of the activity is compatible with the <del>anticipated</del> character and qualities of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serves</u> the needs of the local community and does not undermine the viability of the Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>Residential Zoned</u> properties, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. <u>maintaining</u> road safety and efficiency <del>is maintained</del>.</li> </ol>
<p><b>LLRZ-R10</b></p>	<p>Oppose</p>	<p>Extraction</p> <p>The rules refer to extraction but do not refer to fill. Placement of fill can have the same adverse effects as extraction. Clarification is sought (and amendments to the text) as to the relationship between extraction and other earthworks activities. In addition, the rule conflates volume with area, a 200m<sup>2</sup> limitation would require that every new house build which is anticipated by the Zone obtains an earthworks resource consent.</p> <p>It is more efficient and practicable to monitor erosion and sediment through the building consent conditions and inspections, as well as general compliance functions of the local authority than impose a very small permitted area limitation of 200m<sup>2</sup>.</p> <p>The rule should more readily permit earthworks but subject to standards to control erosion and sediment. The reference to the Auckland Council Guideline Document GD2016/005 is consistent with the Otago Regional Plan: Water for Otago (Plan Change 8 provisions) Rule 14.5.1.1.</p> <p>The matters of discretion also would be better refined to refer to the urban environment only because landscape character is not relevant in an urban context. Mitigation is an inherent part of a resource consent and need not be referred to in the matters of discretion, in addition this method also creates an inconsistency with all other matters of discretion which do not list 'mitigation measures'.</p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

Amend the text as follows (underline to show additions and strikethrough to show deletions):

<b>LLRZ-R10</b>	<b><del>Extraction Earthworks</del></b>	
<b>Large Lot Residential Zone</b>	<p><b>Activity Status: PER</b>  <b>Where:</b>          1. Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and          2. The maximum volume <del>or area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site.          3. <u>Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.</u></p> <p><u>Note:</u>  <u>Compliance with this standard is generally deemed to be compliance with Erosion and Sediment Control Guide for Land Disturbing Activities in the</u></p>	<p><b>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</b>  <b>Matters of discretion are restricted to:</b>          1. The location, volume and area of earthworks.          2. The effect on amenity values or safety of neighbouring properties.          3. The effect on water bodies and their margins.          4. The impact on visual amenity <del>and landscape character</del>.          5. Any effects on the road network arising from the excavation.          6. Any effects on archaeological, heritage or cultural values.          7. <del>Any mitigation measures proposed.</del></p>



<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>		
			<p><u>Auckland region. Auckland Council Guideline Document GD2016/005.</u></p>	
<p><b>LLRZ-R11</b></p>	<p>Support</p>	<p>Rule LLRZ-11 identifies that any activity not otherwise specified is a discretionary activity. On the basis that the activity rules do not list other activities which may be appropriate such as education activities, the rule is supported in favour of a non-complying activity status coupled with the lack of identification of other activities which would be appropriate as discretionary activities.</p>		
<p><b>General Submission: Low Density Residential Zone (LRZ)</b></p>				
<p><b>LRZ Introductory text</b></p>	<p>Amend</p>	<p>The existing LRZ at Pisa Moorings should be identified in the introductory text.</p> <p>The existing LRZ at Pisa Moorings is approximately 10ha, which is similar in area to some of the other existing LRZ areas identified in the introductory text being Etrick (approximately 12ha), Ophir (approximately 16ha), St Bathans (6ha) and Patearoa (14ha).</p> <p>Alexandra and Cromwell aside, the larger settlements are Roxburgh which is approximately 70ha, Millers Flat (approximately 35ha), Ranfurly (80ha), and Omakau (36ha).</p> <p>Amend the Introductory text as follows (underline to show additions and strikethrough to show deletions):</p> <p>LOW DENSITY RESIDENTIAL ZONE</p> <p>Introduction</p> <p>The Low Density Residential Zone covers the majority of the residential areas in the townships of Alexandra, Clyde, <del>and Cromwell</del> <u>and Pisa Moorings</u>, as well as all of the residential areas in the townships of Roxburgh, Etrick, Millers Flat, Omakau, Ophir, St Bathans, Naseby, Ranfurly and Patearoa.</p>		

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p>This zone provides for traditional suburban housing, comprised predominately of detached houses on sections with ample on-site open space, and generous setbacks from the road and neighbouring boundaries. Buildings are expected to maintain these existing low density characteristics, minimise the effects of development on adjoining sites and integrate with the surrounding area.</p> <p>While the focus of the zone is residential, some commercial and community facilities are anticipated, where they support the local residential population and are compatible with the character and amenity values of the zone.</p> <p>The Future Growth Overlay identifies any area that has been signalled in the Vincent Spatial Plan for low density residential zoning, in future. The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future. However, the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that there is capacity within the reticulated water and wastewater networks to service the additional development.</p>
<p><b>LRZ-P2</b></p>	<p>Amend</p>	<p>LRZ-P2 states: <i>Enable residential activities within a range of residential units types and sizes.</i></p> <p>However, the policy does not further explain how a range of residential unit types and sizes can enable residential activity, particularly given that the proposed minimum allotment size of 500m<sup>2</sup> is fixed. The utility of the policy is questioned given that the only guiding text is the introduction statement which refers to the zone being for traditional suburban housing, comprised predominantly of detached houses.</p> <p>If the intent of the policy is to enable what is contemplated in the permitted standards, the policy could be improved and amended as follows to include minor residential units and contemplate a range of varying types of activity.</p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p>Amend the policy as follows (underline to show additions and strikethrough to show deletions):</p> <p><del>Enable residential activities within a range of residential units types and sizes.</del></p> <p><u>Enable a diversity of residential activity, including through permitting:</u></p> <ol style="list-style-type: none"> <li>1. <u>residential density up to 500m<sup>2</sup>;</u></li> <li>2. <u>minor residential units;</u></li> <li>3. <u>building height up to 7.5m, with provision for building heights to 8.5m subject to LRZ-P1; and</u></li> <li>4. <u>providing for relocated buildings.</u></li> </ol>
<p><b>LRZ-P5 Other non-residential activities</b></p>	<p>Amend</p>	<p>The policy refers to ‘other’ non residential activities however the only outstanding non-residential activity otherwise specified in the other policies is Policy LRZ-P4 which relates to retirement villages. The policy, therefore, applies to every other non-residential activity.</p> <p>The policy’s preamble does not sufficiently contemplate the ability for appropriate non-residential activities to establish, and is unnecessarily strict without sufficient justification. Non residential activities also include community activities and activities that serve to fulfil the needs of the community.</p> <p>The expansion of existing non-residential activities does not need to be referenced because any increase to the scale would be treated as a new activity.</p> <p>The policy should not refer to the ‘anticipated amenity’. Amenity values will vary across the zone based on the different environments. The policy should refer to the environment in the context of the other objectives for the LLRZ.</p> <p>The policy is also drafted exactly the same as Policy LLRZ-P5 for the Large Lot Residential Zone, however the LRZ provides a framework for ‘local convenience retail’ which should be better reflected in the policies.</p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p>Amend the text as follows (underline to show additions and strikethrough to show deletions, text in red to reflect the submitters requested rezoning amendments):</p> <p><del>Avoid other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless:</del></p> <p><u>Provide for Local Convenience Retail and other non-residential activities that do not undermine the residential amenity values or the viability of any Business Resource Area, including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>minimising</u> any adverse effects of the activity, including noise, <del>do not compromise the anticipated amenity of the surrounding area;</del> and</li> <li>2. <u>ensuring</u> the nature, scale and intensity of the activity is compatible with the <del>anticipated</del> character and qualities of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serves</u> the needs of the local community and does not undermine the viability of the <u>Commercial Precincts or</u> Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>Residential Zoned</u> properties, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> <li>6. <u>maintaining</u> road safety and efficiency <del>is maintained</del>.</li> </ol>
<p><b>Rule LRZ-R2</b></p>	<p>Amend</p>	<p>Minor Residential Unit</p> <p>The permitted status for minor residential units are supported.</p> <p>The area limit on the minor unit itself can be supported to ensure the site is not overdeveloped and the intensity and nature and scale of activities do not result in adverse effects. However, the requirement for any garage to be limited</p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>						
		<p>to 20m<sup>2</sup> is not necessary because the building coverage rules limit the overall coverage and intensity of activities on a site. The requirement for a garage to be 20m<sup>2</sup> may give rise to arbitrary identification of garage space (i.e. where the minor residential unit is attached to the principal unit or within a garage loft) serves no resource management purpose and would not assist with achieving the objectives of the LRZ.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions):</p> <table border="1" data-bbox="584 644 1704 1385"> <tr> <td data-bbox="584 644 775 691"> <p><b>LRZ-R2</b></p> </td> <td colspan="2" data-bbox="779 644 1704 691"> <p><b>Minor Residential Unit</b></p> </td> </tr> <tr> <td data-bbox="584 694 775 1385"> <p><b>Low Density Residential Zone</b></p> </td> <td data-bbox="779 694 1189 1385"> <p><b>Activity Status: PER</b>  <b>Where:</b>            1. There is a maximum of one minor residential unit per site;            2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> <del>or 90m<sup>2</sup> including</del> <u>excluding any garage or other accessory building;</u> and            3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</p> <p><b>And the activity complies with the following rule requirements:</b>            LRZ-S2 to LRZ-S7.</p> </td> <td data-bbox="1193 694 1704 1385"> <p><b>Activity status when compliance is not achieved with R2.1: NC</b></p> <p><b>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b>            Refer to Rule Requirement Table.</p> </td> </tr> </table>	<p><b>LRZ-R2</b></p>	<p><b>Minor Residential Unit</b></p>		<p><b>Low Density Residential Zone</b></p>	<p><b>Activity Status: PER</b>  <b>Where:</b>            1. There is a maximum of one minor residential unit per site;            2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> <del>or 90m<sup>2</sup> including</del> <u>excluding any garage or other accessory building;</u> and            3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</p> <p><b>And the activity complies with the following rule requirements:</b>            LRZ-S2 to LRZ-S7.</p>	<p><b>Activity status when compliance is not achieved with R2.1: NC</b></p> <p><b>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b>            Refer to Rule Requirement Table.</p>
<p><b>LRZ-R2</b></p>	<p><b>Minor Residential Unit</b></p>							
<p><b>Low Density Residential Zone</b></p>	<p><b>Activity Status: PER</b>  <b>Where:</b>            1. There is a maximum of one minor residential unit per site;            2. The maximum floor area of the minor residential unit is 70m<sup>2</sup> <del>or 90m<sup>2</sup> including</del> <u>excluding any garage or other accessory building;</u> and            3. The minor residential unit shall use the same servicing connections and accessway as the principal residential unit.</p> <p><b>And the activity complies with the following rule requirements:</b>            LRZ-S2 to LRZ-S7.</p>	<p><b>Activity status when compliance is not achieved with R2.1: NC</b></p> <p><b>Activity status when compliance is not achieved with R2.2 or R2.3: DIS</b></p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b>            Refer to Rule Requirement Table.</p>						

<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support or oppose the specific provisions or wish to have them amended.</i>	The reasons for my views and the decision I seek from the local authority are:
---	--	--

--	--	--

<b>LRZ-R10 Low Density Residential Zone</b>	Amend	<p>The rules refer to extraction but do not refer to fill. Placement of fill can have the same adverse effects as extraction.</p> <p>Clarification is sought (and amendments to the text) as to the relationship between extraction and other earthworks activities. In addition, the rule conflates volume with area, a 200m<sup>2</sup> limitation would require that every new house build which is anticipated by the Zone obtains an earthworks resource consent.</p> <p>It is more efficient and practicable to monitor erosion and sediment through the building consent conditions and inspections, as well as general compliance functions of the local authority than impose a very small permitted area limitation of 200m<sup>2</sup>.</p> <p>The rule should more readily permit earthworks but subject to standards to control erosion and sediment. The reference to the Auckland Council Guideline Document GD2016/005 is consistent with the Otago Regional Plan: Water for Otago (Plan Change 8 provisions).</p> <p>The matters of discretion also would be better refined to refer to the urban environment only and landscape character is not relevant in an urban context. Mitigation is an inherent part of a resource consent and need not be referred to in the matters of discretion, this method also creates an inconsistency with all other matters of discretion which do not list 'mitigation measures'.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions):</p> <table border="1" data-bbox="584 1246 1704 1481"> <tr> <td data-bbox="584 1246 775 1289"><b>LRZ-R10</b></td> <td colspan="2" data-bbox="775 1246 1704 1289"><del>Extraction</del>-Earthworks</td> </tr> <tr> <td data-bbox="584 1289 775 1481"><b>Low Density Residential Zone</b></td> <td data-bbox="775 1289 1189 1481"><b>Activity Status: PER</b> <b>Where:</b> 1. Any extraction <u>or fill</u> of material shall not exceed 1m</td> <td data-bbox="1189 1289 1704 1481"><b>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</b> <b>Matters of discretion are restricted to:</b> 1. The location, volume and area of earthworks.</td> </tr> </table>	<b>LRZ-R10</b>	<del>Extraction</del> -Earthworks		<b>Low Density Residential Zone</b>	<b>Activity Status: PER</b> <b>Where:</b> 1. Any extraction <u>or fill</u> of material shall not exceed 1m	<b>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</b> <b>Matters of discretion are restricted to:</b> 1. The location, volume and area of earthworks.
<b>LRZ-R10</b>	<del>Extraction</del> -Earthworks							
<b>Low Density Residential Zone</b>	<b>Activity Status: PER</b> <b>Where:</b> 1. Any extraction <u>or fill</u> of material shall not exceed 1m	<b>Activity status when compliance is not achieved with R10.1 – R10.2: RDIS</b> <b>Matters of discretion are restricted to:</b> 1. The location, volume and area of earthworks.						

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>			
			<p>in depth within 2m of any site boundary; and</p> <p>2. The maximum volume <del>or area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>3</sup> per site.</p> <p>3. <u>Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.</u></p> <p><u>Note:</u>  <u>Compliance with this standard is generally deemed to be compliance with Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region.</u>  <u>Auckland Council Guideline Document GD2016/005.</u></p>	<p>2. The effect on amenity values or safety of neighbouring properties.</p> <p>3. The effect on water bodies and their margins.</p> <p>4. The impact on visual amenity <del>and landscape character.</del></p> <p>5. Any effects on the road network arising from the excavation.</p> <p>6. Any effects on archaeological, heritage or cultural values.</p> <p><del>7. Any mitigation measures proposed.</del></p>	
<p><b>LRZ-R14</b></p>	<p>Support</p>	<p>Rule LRZ-14 identifies that any activity not otherwise specified is a discretionary activity. On the basis that the activity rules do not list other activities which may be appropriate such as education activities, the rule is supported in favour of a non-complying activity status coupled with the lack of identification of other activities which would be appropriate as discretionary activities.</p>			

<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support or oppose the specific provisions or wish to have them amended.</i>	The reasons for my views and the decision I seek from the local authority are:
<b>LRZ-S2</b>	Support	Support the permitted height of 7.5 with a restricted discretionary resource consent pathway up to 8.5m.
<b>LRZ-S5 or unspecified rule</b>	Amend	<p>State Highway Noise Mitigation</p> <p>The rule beneath LRZ-S5 is incongruent with the formatting style of the rest of the chapter text. The left hand column is the 'place' context qualifier but this column is reserved for the rule identifier.</p> <p>In the absence of any further text the rule is incongruent with the 'setback from road boundary' subheading because the rule does not require a setback, but attenuation treatment to buildings within a certain distance from the road.</p> <p>The text at the end of the rule states”  <i>This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</i></p> <p>It is unsure if this is an advice note identifying that the 80m setback takes into account projected growth or whether the rule itself is malleable and subject to projected traffic growth. If the matter is the former, it should be an advice note, if it is the latter it is not appropriate to include this type of arbitrary discretion in a rule where the projected growth is not defined nor referenced elsewhere.</p> <p>The Submitter supports the intent of the rule providing it is appropriate for the context of the District and in particular land at Pisa Moorings, subject to clarification and drafting improvements.</p> <p>The New Zealand Transport Agency's / Waka Kotahi <i>Guide to the management of effects on noise sensitive land use near to the state highway network</i> (Version 1.0 dated September 2015), which states that dwellings within 100m of a State Highway need to be designed and constructed to achieve an internal noise level of 40 dB LAeq (24h) for living and sleeping spaces. If windows must be closed to achieve the internal noise level of 40 dB LAeq (24h), the building must be designed, constructed and maintained with a ventilation and cooling system.</p> <p>It is therefore uncertain why a noise level of 35 dB LAeq (24h) has been identified for bedrooms.</p>



<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

Amend the text as follows (underline to show additions and strikethrough to show deletions):

<p><b><u>LLRZ-S6</u></b></p>	<p><b><u>State Highway Road Noise Attenuation</u></b></p>	
<p><b><u>Low Density Residential Zone</u></b></p>	<p><b><u>Activity Status: PER</u></b> <b><u>Where:</u></b></p> <p>New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed <del>35dBA Leq (24hr) in bedrooms and</del> 40dBA Leq (24hr) for <del>other</del> habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. <del>This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</del></p>	<p><b><u>RDIS</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li><u>1. The potential for reverse sensitivity effects on the State Highway.</u></li> <li><u>2. The effect on amenity values and sleep of occupants, or safety of neighbouring properties.</u></li> </ol>

<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support or oppose the specific provisions or wish to have them amended.</i>	The reasons for my views and the decision I seek from the local authority are:
---	--	--

--	--	--

**Medium Density Residential Zone (MRZ)**

<b>MRZ Introductory text</b>	Amend	<p>The introductory text be amended to include the proposed MRZ at Pisa Moorings.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions, red text is associated with the rezoning):</p> <p>MEDIUM DENSITY RESIDENTIAL ZONE</p> <p>Introduction</p> <p>The Medium Density Residential Zone is located within the townships of Alexandra, Clyde, and Cromwell <u>and Pisa Moorings</u> in areas that are within a walkable distance of commercial areas or other key community facilities.</p> <p>A more intensive density of development is anticipated in this zone compared with the <del>other</del> <u>Large Lot Residential and Low Density Residential zones</u> and it is intended to develop over time to provide for a range diversity of housing options, <del>including more intensive options,</del> to meet the diverse needs of the community, <u>including opportunities for provide affordable options better housing affordability.</u> An increase in residential density can contribute to and provide a greater critical mass to support commercial and community facilities.</p> <p>While providing for more intensive density, buildings within this zone are expected to be well-designed to ensure that they integrate with the surrounding area, minimise the effects of development on adjoining sites and still provide a good quality living environment for residents. <u>Because of the greater densities anticipated in this zone, residential development will be subject to</u> <del>The provisions also provide a pathway for the approval of a Comprehensive Residential Development Plan, which enables allowing for an integrated and master planning master planned approach</del> to be undertaken on larger sites, including at higher densities, where this still achieves the <u>quality</u> built form outcomes sought.</p>
------------------------------	-------	---

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p>Approval of a Comprehensive Residential Development Plan provides certainty regarding the <u>appropriate function and form of an overall development, and can will precede, or be considered concurrently with subdivision consents and land use consents for residential units.</u></p> <p>Precinct 1 is located within Clyde. Because Precinct 1 is within or near the Clyde Heritage Precinct, development within this area has the potential to impact on the character of the Heritage Precinct. Therefore, a lower height limit is applied in Precinct 1, and development within the Precinct needs to be considered in terms of its relationship with the Heritage Precinct.</p> <p><u>Commercial Precincts identify where commercial and community facilities are encouraged to establish that are of a scale which is compatible with residential amenity and character and serve a local convenience purpose.</u> While the focus of the zone is residential <u>activity</u>, some commercial and community facilities are anticipated, where they support the local residential population and are compatible with the purpose, character and amenity values of the zone.</p> <p>The Future Growth Overlay identifies any area that has been signalled in the Vincent Spatial Plan for medium density residential zoning, in future. The provisions applying to this area are those of the underlying zoning, and therefore a Plan Change will be required to rezone this area in future. However, the Overlay is intended to identify any location where future growth is anticipated, when further supply of residential land is required, and provided that there is capacity within the reticulated water and wastewater networks to service the additional development.</p>
<p><b>MRZ-P1</b></p>	<p>Amend</p>	<p>Policy MRZ-P1.3. requires on-site parking that is discretely integrated. It is unlikely to be practicable, despite best intentions, to hide carparking where the Zone anticipates sites as small as 200m<sup>2</sup>, but still require a minimum amount of carparking. Provisions encouraging the sensitive location of carparking are better addressed in the comprehensive development policy MRZ-P2.</p> <p>Policy limb (4) requires a level of openness around buildings. This policy limb will stymie the ability for housing variety and efficiencies, such as terrace housing typologies and is better addressed through the comprehensive housing policy MRZ-P2.</p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>				
		<p>The policy should refer to the outcomes of the design guidelines.</p> <p>Amend the policy as follows (underline to show additions and strikethrough to show deletions):</p> <table border="1" data-bbox="584 552 1944 1249"> <thead> <tr> <th data-bbox="584 552 808 595">MRZ-P1</th> <th data-bbox="808 552 1944 595">Built Form</th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="584 595 1944 1249"> <p>Ensure that development within the Medium Density Residential Zone:</p> <p><u>1. Considers the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022:</u></p> <ol style="list-style-type: none"> <li>1. actively and safely addresses road frontages and public open spaces;</li> <li>2. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li> <li>3. provides safe and appropriate access and on-site parking <del>that is discretely integrated;</del></li> <li>4. <del>maintains a level of openness around and between buildings that reflect a moderate scale and intensity of built form that does not unreasonably dominate adjoining sites;</del></li> <li>5. provides visual interest;</li> <li>6. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</li> <li>7. provides sufficient and usable common and private open space and storage space for residents;</li> <li>8. maintains the safe and efficient operation of <u>shared</u> accessways and roads;</li> <li>9. mitigates visual effects through screening of storage areas and provision of landscaping;</li> <li>10. incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment;</li> <li>11. encourages water efficiency measures; and</li> <li>12. within Precinct 1, does not detract from the character of the Clyde Heritage Precinct.</li> </ol> </td> </tr> </tbody> </table>	MRZ-P1	Built Form	<p>Ensure that development within the Medium Density Residential Zone:</p> <p><u>1. Considers the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022:</u></p> <ol style="list-style-type: none"> <li>1. actively and safely addresses road frontages and public open spaces;</li> <li>2. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li> <li>3. provides safe and appropriate access and on-site parking <del>that is discretely integrated;</del></li> <li>4. <del>maintains a level of openness around and between buildings that reflect a moderate scale and intensity of built form that does not unreasonably dominate adjoining sites;</del></li> <li>5. provides visual interest;</li> <li>6. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</li> <li>7. provides sufficient and usable common and private open space and storage space for residents;</li> <li>8. maintains the safe and efficient operation of <u>shared</u> accessways and roads;</li> <li>9. mitigates visual effects through screening of storage areas and provision of landscaping;</li> <li>10. incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment;</li> <li>11. encourages water efficiency measures; and</li> <li>12. within Precinct 1, does not detract from the character of the Clyde Heritage Precinct.</li> </ol>	
MRZ-P1	Built Form					
<p>Ensure that development within the Medium Density Residential Zone:</p> <p><u>1. Considers the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022:</u></p> <ol style="list-style-type: none"> <li>1. actively and safely addresses road frontages and public open spaces;</li> <li>2. provides reasonable levels of privacy, outlook and adequate access to sunlight;</li> <li>3. provides safe and appropriate access and on-site parking <del>that is discretely integrated;</del></li> <li>4. <del>maintains a level of openness around and between buildings that reflect a moderate scale and intensity of built form that does not unreasonably dominate adjoining sites;</del></li> <li>5. provides visual interest;</li> <li>6. is managed so that relocated buildings are reinstated to an appropriate state of repair within a reasonable timeframe;</li> <li>7. provides sufficient and usable common and private open space and storage space for residents;</li> <li>8. maintains the safe and efficient operation of <u>shared</u> accessways and roads;</li> <li>9. mitigates visual effects through screening of storage areas and provision of landscaping;</li> <li>10. incorporates Crime Prevention Through Environmental Design (CPTED) principles to achieve a safe and secure environment;</li> <li>11. encourages water efficiency measures; and</li> <li>12. within Precinct 1, does not detract from the character of the Clyde Heritage Precinct.</li> </ol>						
<p><b>MRZ-P2 And residential</b></p>	<p>Amend</p>	<p>Policy MRZ-P2 relates to comprehensive residential development, it understood that Rules MRZ-R1 requires a resource consent where more than two residential units are proposed on a site, while Rule MRZ-R2 requires a resource consent for a residential comprehensive development.</p>				

<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support or oppose the specific provisions or wish to have them amended.</i>	The reasons for my views and the decision I seek from the local authority are:
---	--	--

design guidelines and comprehensive development generally.		<p>The policy framework and matters of do not refer to the design guidelines for medium residential development or comprehensive residential development, prepared by Boffa Miskell which accompanied information to Council to resolve to notify PC19.</p> <p>Policies MRZ-P1 and P2 are unlikely to be satisfactorily implemented without additional objective guidance from appropriate guidelines.</p> <p>It is considered that the success of the MRZ and concept of comprehensive residential development is contingent on supporting guidance such as appropriate design. It is requested that design guidelines and guidance associated with commercial residential development are provided and incorporated by reference into the District Plan.</p> <p>The subdivision provisions also need to provide an appropriate consenting pathway to take into account the design guidelines and comprehensive residential development.</p> <p>Amend the policy as follows (underline to show additions and strikethrough to show deletions), including the addition of appropriate guidelines and that these are incorporated by reference:</p> <table border="1" data-bbox="577 1082 1944 1466"> <thead> <tr> <th data-bbox="577 1082 810 1129">MRZ-P2</th> <th data-bbox="810 1082 1944 1129">Comprehensive Development</th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="577 1129 1944 1466">           Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it:           <ol style="list-style-type: none"> <li data-bbox="600 1193 1877 1264">1. <u>Considers the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022;</u></li> <li data-bbox="600 1264 1438 1295">1. <del>provides</del> <u>enables opportunity for a diversity of housing choice;</u></li> <li data-bbox="600 1295 1594 1327">2. is designed to respond positively to its context and the features of the site;</li> <li data-bbox="600 1327 1281 1359">3. is compatible with the urban form of nearby areas;</li> <li data-bbox="600 1359 1877 1423">4. provides a well-connected movement network and usable public open spaces and streetscapes;</li> </ol>           and           <ol style="list-style-type: none"> <li data-bbox="600 1423 1214 1455">5. achieves the built form outcomes in MRZ-P1.</li> </ol> </td> </tr> </tbody> </table>	MRZ-P2	Comprehensive Development	Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it: <ol style="list-style-type: none"> <li data-bbox="600 1193 1877 1264">1. <u>Considers the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022;</u></li> <li data-bbox="600 1264 1438 1295">1. <del>provides</del> <u>enables opportunity for a diversity of housing choice;</u></li> <li data-bbox="600 1295 1594 1327">2. is designed to respond positively to its context and the features of the site;</li> <li data-bbox="600 1327 1281 1359">3. is compatible with the urban form of nearby areas;</li> <li data-bbox="600 1359 1877 1423">4. provides a well-connected movement network and usable public open spaces and streetscapes;</li> </ol> and <ol style="list-style-type: none"> <li data-bbox="600 1423 1214 1455">5. achieves the built form outcomes in MRZ-P1.</li> </ol>	
MRZ-P2	Comprehensive Development					
Provide for comprehensively designed, medium density residential development on larger sites, at higher densities, where it: <ol style="list-style-type: none"> <li data-bbox="600 1193 1877 1264">1. <u>Considers the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022;</u></li> <li data-bbox="600 1264 1438 1295">1. <del>provides</del> <u>enables opportunity for a diversity of housing choice;</u></li> <li data-bbox="600 1295 1594 1327">2. is designed to respond positively to its context and the features of the site;</li> <li data-bbox="600 1327 1281 1359">3. is compatible with the urban form of nearby areas;</li> <li data-bbox="600 1359 1877 1423">4. provides a well-connected movement network and usable public open spaces and streetscapes;</li> </ol> and <ol style="list-style-type: none"> <li data-bbox="600 1423 1214 1455">5. achieves the built form outcomes in MRZ-P1.</li> </ol>						

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<p><b>MRZ-P3</b></p>	<p>Amend</p>	<p>LRZ-P2 states: <i>Enable residential activities within a range of residential units types and sizes.</i></p> <p>However, the policy does not further explain how a range of residential unit types and sizes can enable residential activity, particularly given that the proposed minimum allotment size of 200m<sup>2</sup> is fixed.</p> <p>Amend the policy as follows (underline to show additions and strikethrough to show deletions):</p> <p><del>Enable residential activities within a range of residential units types and sizes.</del></p> <p><u>Enable a diversity of residential activity, including through permitting:</u></p> <ol style="list-style-type: none"> <li>5. <u>residential density up to 200m<sup>2</sup> which is consistent with the outcomes of the relevant design elements of the Central Otago Medium Density Residential Zone Design Guide 2022;</u></li> <li>6. <u>minor residential units;</u></li> <li>7. <u>building height up to 11m; and</u></li> <li>8. <u>providing for relocated buildings.</u></li> </ol>
<p><b>MRZ-P6</b> <b>Other non-residential activities</b></p>	<p>Amend</p>	<p>The policy refers to ‘other’ non residential activities however the only outstanding non-residential activity otherwise specified in the other policies is Policy MRZ-P5 which relates to retirement villages. The policy therefore, applies to every other non-residential activity.</p> <p>The policy’s preamble does not sufficiently contemplate the ability for appropriate non-residential activities to establish, and is unnecessarily strict without sufficient justification. Non residential activities also include community activities and activities that serve to fulfil the needs of the community.</p>

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
		<p>The expansion of existing non-residential activities does not need to be referenced because any increase to the scale would be treated as a new activity.</p> <p>The policy should not refer to the 'anticipated amenity'. Amenity values will vary across the zone based on the different environments. The policy should refer to the environment in the context of the other objectives for the LLRZ.</p> <p>The policy is also drafted exactly the same as Policies LLRZ-P5 and LRZ-P5 for the Large Lot Residential Zone and Low Density residential Zone, however the MRZ should provide great contemplation for mixed use activities because of the higher densities of residents encouraged.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions, text in red to reflect the submitters rezoning amendments):</p> <p><del>Avoid other non-residential activities and buildings, including the expansion of existing non-residential activities and buildings, unless:</del></p> <p><u>Provide for Local Convenience Retail and other non-residential activities that do not undermine the residential amenity values or the viability of any Business Resource Area, including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>minimising</u> any adverse effects of the activity, including noise, <del>do not compromise the anticipated amenity of the surrounding area;</del> and</li> <li>2. <u>ensuring</u> the nature, scale and intensity of the activity is compatible with the <del>anticipated</del> character and qualities of the zone and surrounding area; and</li> <li>3. the activity is of a nature and scale that <del>meet</del> <u>serves</u> the needs of the local community and does not undermine the viability of the <u>Commercial Precincts or</u> Business Resource Areas; and</li> <li>4. the surrounding area retains a predominance of residential activities, and for adjoining <u>Residential Zoned</u> properties, a sense of amenity, security and companionship is maintained;</li> <li>5. any parking and vehicle manoeuvring provided on-site is appropriately designed; and</li> </ol>

<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support or oppose the specific provisions or wish to have them amended.</i>	The reasons for my views and the decision I seek from the local authority are:
---	--	--

		6. <u>maintaining</u> road safety and efficiency <del>is maintained</del> .
--	--	---

<b>Rule MRZ-P1</b>	Amend	<p>The intent of the comprehensive residential rule is conditionally supported. However, the rule and intended outcomes needs to be directly supported by design guidelines and appropriate matters of discretion. A proposed standard is requested to include consideration of the Design Guide (as set out above).</p> <p>It is also unclear how the rule would be engaged and what the threshold of activity is which engages a requirement for a resource consent. The drafting of the rule needs to be amended to ensure that the rule is a use of land in terms of section (9) of the RMA. The following amendments are requested to also integrate the rule with subdivision (Rule SUB-R5.1).</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions, text in red to reflect the submitters rezoning amendments):</p> <table border="1" data-bbox="584 975 1704 1465"> <tr> <td data-bbox="584 975 775 1018"><b>MRZ-R2</b></td> <td data-bbox="775 975 1704 1018"><b>Comprehensive Residential Development Master Plan</b></td> </tr> <tr> <td data-bbox="584 1018 775 1465"><b>Medium Density Residential Zone</b></td> <td data-bbox="775 1018 1704 1465"> <p><u>The use of land for residential activity which results in two or more residential units.</u></p> <p><b>Activity Status: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. ...</p> <p>b. ...</p> </td> </tr> </table>	<b>MRZ-R2</b>	<b>Comprehensive Residential Development Master Plan</b>	<b>Medium Density Residential Zone</b>	<p><u>The use of land for residential activity which results in two or more residential units.</u></p> <p><b>Activity Status: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. ...</p> <p>b. ...</p>
<b>MRZ-R2</b>	<b>Comprehensive Residential Development Master Plan</b>					
<b>Medium Density Residential Zone</b>	<p><u>The use of land for residential activity which results in two or more residential units.</u></p> <p><b>Activity Status: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>a. ...</p> <p>b. ...</p>					



<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support or oppose the specific provisions or wish to have them amended.</i>	The reasons for my views and the decision I seek from the local authority are:
---	--	--

--	--	--

<b>Rule MRZ-R3</b>	Amend	<p>Minor Residential Unit</p> <p>The permitted status for minor residential units is supported. However standard (3) in Rule MRZ-R3 requires that the minor residential unit shall use the same servicing connections as the principal residential unit.</p> <p>The area limit on the minor unit itself can be supported to ensure the site is not overdeveloped and the intensity and nature and scale of activities do not result in adverse effects. However, the requirement for any garage to be limited to 20m<sup>2</sup> is not necessary because the building coverage rules limit the overall coverage and intensity of activities on a site. The requirement for a garage to be 20m<sup>2</sup> may give rise to arbitrary identification of garage space (i.e. where the minor residential unit is attached to the principal unit or within a garage loft) serves no resource management purpose and would not assist with achieving the objectives of the LRZ.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions):</p> <table border="1" data-bbox="577 1018 1704 1497"> <thead> <tr> <th data-bbox="577 1018 779 1066"><b>MRZ-P3</b></th> <th colspan="2" data-bbox="779 1018 1704 1066"><b>Minor Residential Unit</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="577 1066 779 1497"><b>Medium Density Residential Zone</b></td> <td data-bbox="779 1066 1189 1497"> <b>Activity Status: PER</b>  <b>Where:</b> <ol style="list-style-type: none"> <li>There is a maximum of one minor residential unit per site;</li> <li>The maximum floor area of the minor residential unit is 70m<sup>2</sup> <del>or 90m<sup>2</sup> including</del> <u>excluding any garage or other accessory building;</u> and</li> <li>The minor residential unit shall use the same servicing</li> </ol> </td> <td data-bbox="1189 1066 1704 1497"> <b>Activity status when compliance is not achieved with R3.1: NC</b>   <b>Activity status when compliance is not achieved with R3.2 or R3.3: DIS</b>   <b>Activity status when compliance with rule requirement(s) is not achieved:</b>  Refer to Rule Requirement Table. </td> </tr> </tbody> </table>	<b>MRZ-P3</b>	<b>Minor Residential Unit</b>		<b>Medium Density Residential Zone</b>	<b>Activity Status: PER</b> <b>Where:</b> <ol style="list-style-type: none"> <li>There is a maximum of one minor residential unit per site;</li> <li>The maximum floor area of the minor residential unit is 70m<sup>2</sup> <del>or 90m<sup>2</sup> including</del> <u>excluding any garage or other accessory building;</u> and</li> <li>The minor residential unit shall use the same servicing</li> </ol>	<b>Activity status when compliance is not achieved with R3.1: NC</b>  <b>Activity status when compliance is not achieved with R3.2 or R3.3: DIS</b>  <b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.
<b>MRZ-P3</b>	<b>Minor Residential Unit</b>							
<b>Medium Density Residential Zone</b>	<b>Activity Status: PER</b> <b>Where:</b> <ol style="list-style-type: none"> <li>There is a maximum of one minor residential unit per site;</li> <li>The maximum floor area of the minor residential unit is 70m<sup>2</sup> <del>or 90m<sup>2</sup> including</del> <u>excluding any garage or other accessory building;</u> and</li> <li>The minor residential unit shall use the same servicing</li> </ol>	<b>Activity status when compliance is not achieved with R3.1: NC</b>  <b>Activity status when compliance is not achieved with R3.2 or R3.3: DIS</b>  <b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.						

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>		
			<p>connections and accessway as the principal residential unit.</p> <p><b>And the activity complies with the following rule requirements:</b> LRZ-S2 to LRZ-S7.</p>	
<p><b>MRZ-11 Medium Density Residential Zone</b></p>	<p>Amend</p>	<p>The rules refer to extraction but do not refer to fill. Placement of fill can have the same adverse effects as extraction. Clarification is sought (and amendments to the text) as to the relationship between extraction and other earthworks activities. In addition, the rule conflates volume with area, a 200m<sup>2</sup> limitation would require that every new house build which is anticipated by the Zone obtains an earthworks resource consent.</p> <p>It is more efficient and practicable to monitor erosion and sediment through the building consent conditions and inspections, as well as general compliance functions of the local authority than impose a very small permitted area limitation of 200m<sup>2</sup>.</p> <p>The rule should more readily permit earthworks but subject to standards to control erosion and sediment. The reference to the Auckland Council Guideline Document GD2016/005 is consistent with the Otago Regional Plan: Water for Otago (Plan Change 8 provisions).</p> <p>The matters of discretion also would be better refined to refer to the urban environment only and landscape character is not relevant in an urban context. Mitigation is an inherent part of a resource consent and need not be referred to in the matters of discretion, this method also creates an inconsistency with all other matters of discretion which do not list 'mitigation measures'.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions):</p>		

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

		<table border="1"> <tr> <td data-bbox="555 379 779 1477"> <p><b>MRZ-R11</b> <b>Medium Density Residential Zone</b></p> </td> <td data-bbox="779 379 1189 1477"> <p><b><u>Extraction-Earthworks</u></b> <b>Activity Status: PER</b> <b>Where:</b></p> <ol style="list-style-type: none"> <li>Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>The maximum volume <del>or</del> <del>area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site.</li> <li><u>Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.</u></li> </ol> <p><u>Note:</u> Compliance with this standard is generally deemed to be compliance with <u>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region. Auckland Council Guideline Document GD2016/005.</u></p> </td> <td data-bbox="1189 379 1704 1477"> <p><b>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</b> <b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The location, volume and area of earthworks.</li> <li>The effect on amenity values or safety of neighbouring properties.</li> <li>The effect on water bodies and their margins.</li> <li>The impact on visual amenity <del>and</del> <u>landscape character.</u></li> <li>Any effects on the road network arising from the excavation.</li> <li>Any effects on archaeological, heritage or cultural values.</li> <li><del>Any mitigation measures proposed.</del></li> </ol> </td> </tr> </table>	<p><b>MRZ-R11</b> <b>Medium Density Residential Zone</b></p>	<p><b><u>Extraction-Earthworks</u></b> <b>Activity Status: PER</b> <b>Where:</b></p> <ol style="list-style-type: none"> <li>Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>The maximum volume <del>or</del> <del>area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site.</li> <li><u>Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.</u></li> </ol> <p><u>Note:</u> Compliance with this standard is generally deemed to be compliance with <u>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region. Auckland Council Guideline Document GD2016/005.</u></p>	<p><b>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</b> <b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The location, volume and area of earthworks.</li> <li>The effect on amenity values or safety of neighbouring properties.</li> <li>The effect on water bodies and their margins.</li> <li>The impact on visual amenity <del>and</del> <u>landscape character.</u></li> <li>Any effects on the road network arising from the excavation.</li> <li>Any effects on archaeological, heritage or cultural values.</li> <li><del>Any mitigation measures proposed.</del></li> </ol>	
<p><b>MRZ-R11</b> <b>Medium Density Residential Zone</b></p>	<p><b><u>Extraction-Earthworks</u></b> <b>Activity Status: PER</b> <b>Where:</b></p> <ol style="list-style-type: none"> <li>Any extraction <u>or fill</u> of material shall not exceed 1m in depth within 2m of any site boundary; and</li> <li>The maximum volume <del>or</del> <del>area</del> of land excavated within any site in any 12-month period does not exceed 200m<sup>23</sup> per site.</li> <li><u>Erosion and sediment control measures must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.</u></li> </ol> <p><u>Note:</u> Compliance with this standard is generally deemed to be compliance with <u>Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region. Auckland Council Guideline Document GD2016/005.</u></p>	<p><b>Activity status when compliance is not achieved with R11.1 – R11.2: RDIS</b> <b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>The location, volume and area of earthworks.</li> <li>The effect on amenity values or safety of neighbouring properties.</li> <li>The effect on water bodies and their margins.</li> <li>The impact on visual amenity <del>and</del> <u>landscape character.</u></li> <li>Any effects on the road network arising from the excavation.</li> <li>Any effects on archaeological, heritage or cultural values.</li> <li><del>Any mitigation measures proposed.</del></li> </ol>				

<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support or oppose the specific provisions or wish to have them amended.</i>	The reasons for my views and the decision I seek from the local authority are:
---	--	--

		<table border="1"> <tr> <td data-bbox="555 379 779 475"></td> <td data-bbox="779 379 1189 475"></td> <td data-bbox="1189 379 1704 475"></td> </tr> </table>			

<b>MRZ-S4</b>	Amend	<p>Amend the building coverage from 40% to 50%.</p> <table border="1"> <thead> <tr> <th data-bbox="577 560 779 635"><b>MRZ-S4</b></th> <th data-bbox="779 560 1189 635"><b>Building Coverage</b></th> <th data-bbox="1189 560 1697 635"><b>Activity Status where compliance not achieved</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="577 635 779 1155"><b>Medium Density Residential Zone</b></td> <td data-bbox="779 635 1189 1155">The building coverage of the net area of any site must not exceed 40 <u>50</u>%.</td> <td data-bbox="1189 635 1697 1155"> <b>RDIS</b>  <b>Matters of discretion are restricted to:</b> <ul style="list-style-type: none"> <li>a. Compatibility of the built form with the existing or anticipated character of the area.</li> <li>b. Dominance of built form in the surrounding area.</li> <li>c. The extent to which a level of openness around and between buildings is retained.</li> <li><del>d. Any mitigation measures proposed which reduce the adverse effects of the breach.</del></li> </ul> </td> </tr> </tbody> </table>	<b>MRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved</b>	<b>Medium Density Residential Zone</b>	The building coverage of the net area of any site must not exceed 40 <u>50</u> %.	<b>RDIS</b> <b>Matters of discretion are restricted to:</b> <ul style="list-style-type: none"> <li>a. Compatibility of the built form with the existing or anticipated character of the area.</li> <li>b. Dominance of built form in the surrounding area.</li> <li>c. The extent to which a level of openness around and between buildings is retained.</li> <li><del>d. Any mitigation measures proposed which reduce the adverse effects of the breach.</del></li> </ul>
<b>MRZ-S4</b>	<b>Building Coverage</b>	<b>Activity Status where compliance not achieved</b>						
<b>Medium Density Residential Zone</b>	The building coverage of the net area of any site must not exceed 40 <u>50</u> %.	<b>RDIS</b> <b>Matters of discretion are restricted to:</b> <ul style="list-style-type: none"> <li>a. Compatibility of the built form with the existing or anticipated character of the area.</li> <li>b. Dominance of built form in the surrounding area.</li> <li>c. The extent to which a level of openness around and between buildings is retained.</li> <li><del>d. Any mitigation measures proposed which reduce the adverse effects of the breach.</del></li> </ul>						

<b>MRZ-S5 or unspecified rule</b>	Amend	The rule beneath MRZ-S5 is incongruent with the formatting style of the rest of the chapter text. The left hand column is the 'place' context qualifier but this column is reserved for the rule identifier.
-----------------------------------	-------	--

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

		<p>In the absence of any further text the rule is incongruent with the ‘setback from road boundary’ subheading because the rule does not require a setback, but attenuation treatment to buildings within a certain distance from the road.</p> <p>The text at the end of the rule states  <i>This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</i></p> <p>It is unsure if this is an advice note identifying that the 80m setback takes into account projected growth or whether the rule itself is malleable and subject to projected traffic growth. If the matter is the former, it should be an advice note, if it is the latter it is not appropriate to include this type of arbitrary discretion in a rule where the projected growth is not defined nor referenced elsewhere.</p> <p>The Submitter supports the intent of the rule providing it is appropriate for the context of the District and in particular land at Pisa Moorings, subject to clarification and drafting improvements.</p> <p>The New Zealand Transport Agency’s / Waka Kotahi <i>Guide to the management of effects on noise sensitive land use near to the state highway network</i> (Version 1.0 dated September 2015), which states that dwellings within 100m of a State Highway need to be designed and constructed to achieve an internal noise level of 40 dB LAeq (24h) for living and sleeping spaces. If windows must be closed to achieve the internal noise level of 40 dB LAeq (24h), the building must be designed, constructed and maintained with a ventilation and cooling system.</p> <p>It is therefore uncertain why a noise level of 35 dB LAeq (24h) has been identified for bedrooms.</p> <p>Amend the text as follows (underline to show additions and strikethrough to show deletions):</p> <table border="1" data-bbox="577 1347 1850 1465"> <tr> <td data-bbox="577 1347 831 1390"><b>MRZ-S6</b></td> <td colspan="2" data-bbox="831 1347 1850 1390"><b>State Highway Road Noise Attenuation</b></td> </tr> <tr> <td data-bbox="577 1390 831 1433"><b>Low Density Residential Zone</b></td> <td data-bbox="831 1390 1245 1433"><b>Activity Status: PER</b></td> <td data-bbox="1245 1390 1850 1433"><b>RDIS</b></td> </tr> <tr> <td data-bbox="577 1433 831 1465"></td> <td data-bbox="831 1433 1245 1465"><b>Where:</b></td> <td data-bbox="1245 1433 1850 1465"></td> </tr> </table>	<b>MRZ-S6</b>	<b>State Highway Road Noise Attenuation</b>		<b>Low Density Residential Zone</b>	<b>Activity Status: PER</b>	<b>RDIS</b>		<b>Where:</b>	
<b>MRZ-S6</b>	<b>State Highway Road Noise Attenuation</b>										
<b>Low Density Residential Zone</b>	<b>Activity Status: PER</b>	<b>RDIS</b>									
	<b>Where:</b>										

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>			
			<p>New residential buildings shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed <del>35</del><sup>35</sup> dBA Leq (24hr) in bedrooms and 40 dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.</p>	<p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li><u>1. The potential for reverse sensitivity effects on the State Highway.</u></li> <li><u>2. The effect on amenity values and sleep of occupants. or safety of neighbouring properties.</u></li> </ol>	

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>
--	---	---

**Residential Zones Subdivision**

<p><b>Sub-R5</b></p>	<p>Support</p>	<p>The rule requiring a restricted discretionary activity resource consent for a subdivision or more than three lots in the MRZ is supported, however the following amendments are sought to ensure that activities are covered as intended and the relevant guidelines are adhered to:</p> <table border="1" data-bbox="584 628 1850 1428"> <tr> <td data-bbox="584 628 831 743"> <p><b>SUB-R5</b></p> </td> <td colspan="2" data-bbox="837 628 1850 743"> <p><b>Subdivision <u>resulting in the creation of</u> three or more allotments in the Medium Density Residential Zone</b></p> </td> </tr> <tr> <td data-bbox="584 748 831 1423"> <p><b>Medium Density Residential Zone</b></p> </td> <td data-bbox="837 748 1245 1423"> <p><b>Activity Status: RDIS</b> <b>Where:</b></p> <p>1. The application for subdivision consent made under this rule shall be submitted concurrently with an application for land use consent under MRZ-R1, or after the grant of a land use consent.</p> <p><b>Where the activity complies with the following rule requirements:</b> SUB-S1, except where a resource consent has been obtained for a Comprehensive Residential Development</p> </td> <td data-bbox="1252 748 1850 1423"> <p><b>And the activity complies with the following rule requirements:</b> SUB-S1</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p> </td> </tr> </table>	<p><b>SUB-R5</b></p>	<p><b>Subdivision <u>resulting in the creation of</u> three or more allotments in the Medium Density Residential Zone</b></p>		<p><b>Medium Density Residential Zone</b></p>	<p><b>Activity Status: RDIS</b> <b>Where:</b></p> <p>1. The application for subdivision consent made under this rule shall be submitted concurrently with an application for land use consent under MRZ-R1, or after the grant of a land use consent.</p> <p><b>Where the activity complies with the following rule requirements:</b> SUB-S1, except where a resource consent has been obtained for a Comprehensive Residential Development</p>	<p><b>And the activity complies with the following rule requirements:</b> SUB-S1</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>
<p><b>SUB-R5</b></p>	<p><b>Subdivision <u>resulting in the creation of</u> three or more allotments in the Medium Density Residential Zone</b></p>							
<p><b>Medium Density Residential Zone</b></p>	<p><b>Activity Status: RDIS</b> <b>Where:</b></p> <p>1. The application for subdivision consent made under this rule shall be submitted concurrently with an application for land use consent under MRZ-R1, or after the grant of a land use consent.</p> <p><b>Where the activity complies with the following rule requirements:</b> SUB-S1, except where a resource consent has been obtained for a Comprehensive Residential Development</p>	<p><b>And the activity complies with the following rule requirements:</b> SUB-S1</p> <p><b>Activity status when compliance with rule requirement(s) is not achieved:</b> Refer to Rule Requirement Table.</p>						

<p><i>The specific provisions of the proposal that my submission relates to are:</i></p>	<p><i>I support or oppose the specific provisions or wish to have them amended.</i></p>	<p>The reasons for my views and the decision I seek from the local authority are:</p>			
			<p>Plan, and the subdivision is in accordance with that consent.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. Those matters set out in SUB-R4.</li> <li>2. <u>Consideration of the Central Otago Comprehensive Residential Development Design Guidelines 2022.</u></li> </ol>		
<p><b>District Plan Map (Operative)</b></p>	<p>Support with amendments if necessary</p>	<p>The southern part of the site contains Scheduled activity '127'. District Plan Section 19.3.6 'Other Scheduled Activities' in the District Plan identifies #127 as '<i>Commercial facilities and Shop as defined in Section 18. Community facilities and Shop as defined in Section 18 is a permitted activity on the site identified as Scheduled Activity 127 subject to compliance with Rule 7.3.6(iii) Bulk and Location of Buildings and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road</i>'.</p> <p>The PC 19 provisions do not seek this scheduled activity is struck out, however for the avoidance of doubt it is submitted that Schedule Activity 127 is retained on the basis it is sought to be removed as part of PC 19.</p> <p>The reference in the provision to <i>Rule 7.3.6(iii)</i> may need to be updated to refer to the revised bulk and location of buildings rules introduced by PC19.</p>			



*The specific provisions of the proposal that my submission relates to are:*

*I support or oppose the specific provisions or wish to have them amended.*

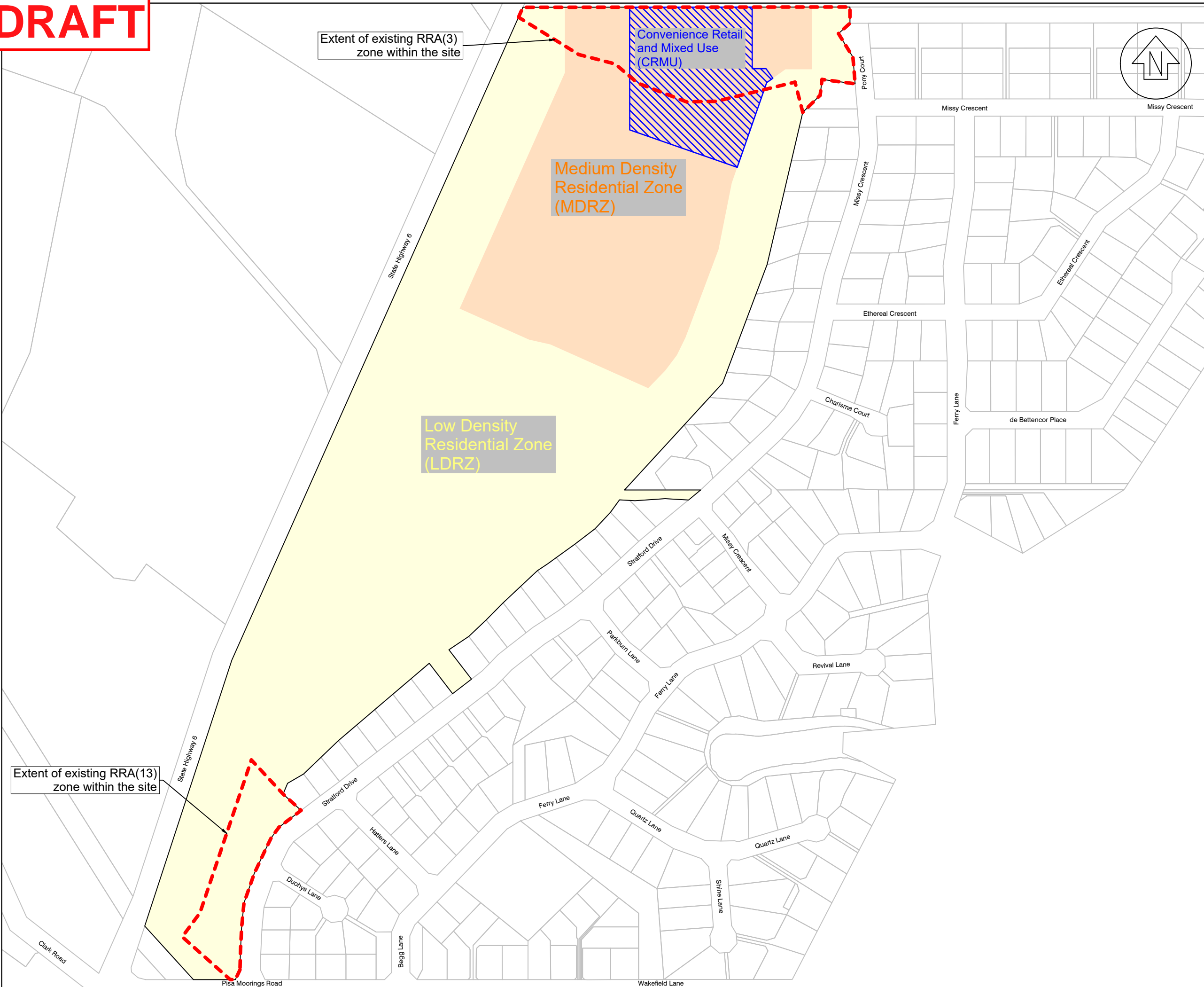
The reasons for my views and the decision I seek from the local authority are:



Excerpt of PC 19 District Plan map identifying Scheduled Activity 127.



**DRAFT**

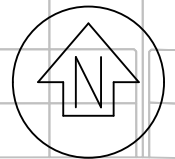


Extent of existing RRA(3) zone within the site

Convenience Retail and Mixed Use (CRMU)

Medium Density Residential Zone (MDRZ)

Low Density Residential Zone (LDRZ)



NOTES:

Revision	Amendments	Date

**C. HUGHES & ASSOCIATES LTD**  
 Surveying and Resource Management • Central Otago

<b>CROMWELL</b> 17A MURRAY TERRACE P.O. BOX 51 03 445 0376	<b>WANAKA</b> LEVEL 3, 80 ARDMORE ST P.O. BOX 599 03 443 5052	
---	--	---

[www.chasurveyors.co.nz](http://www.chasurveyors.co.nz)

Project:  
**PROPOSED REZONING**  
 LOT 2 DP 397990, LOT 2 DP 405431  
 LOT 19 DP 520912 & LOT 112 DP 546309  
 PISA MOORINGS

Title:  
**PROPOSED REZONING**

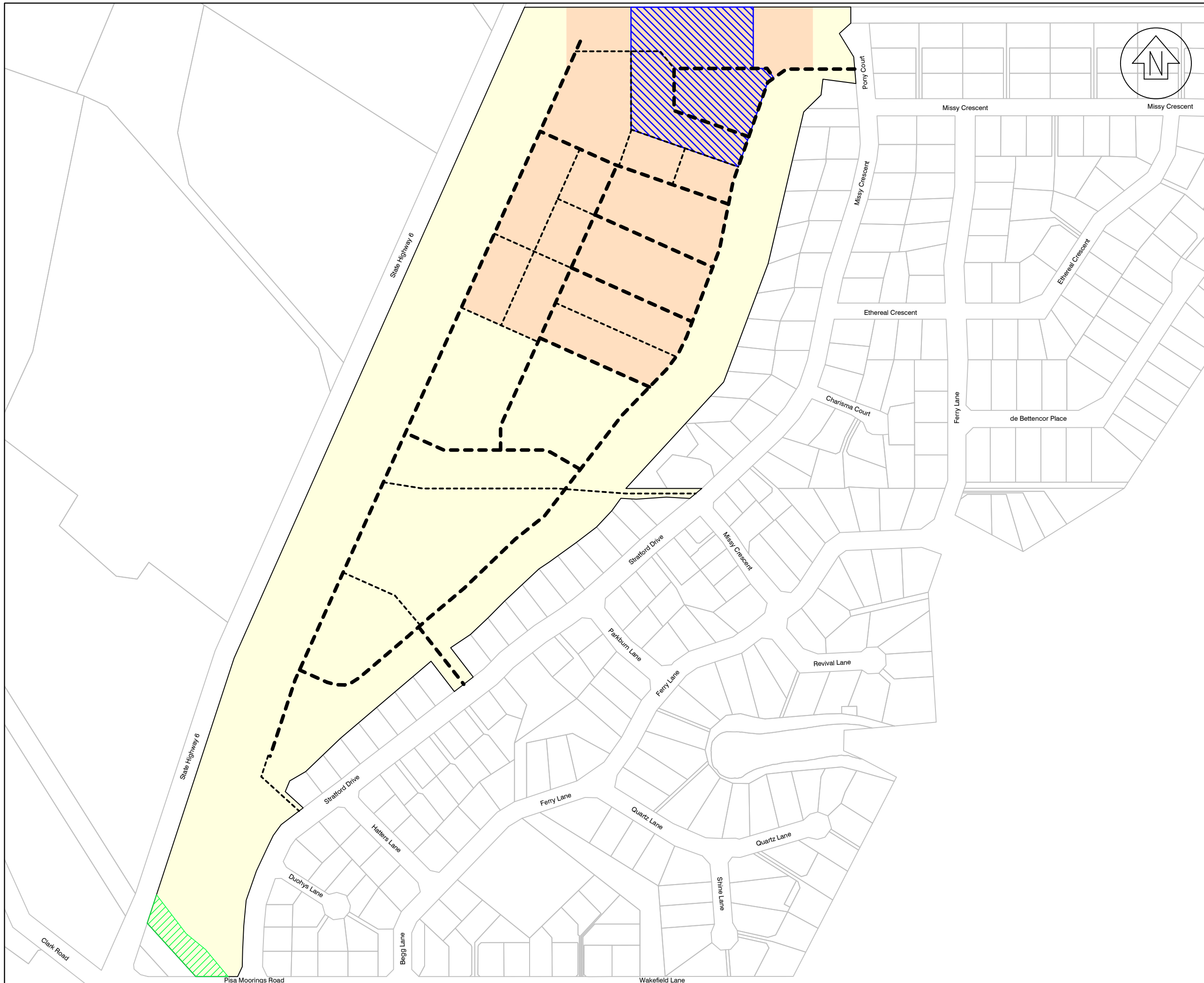
**REZONING PLAN**

Copyright of this drawing is vested in C. Hughes & Associates Limited.  
 The Contractor shall verify all dimensions on site.

CAUTION - The information shown on this plan has been prepared under specific instruction from the client and is intended solely for the clients use. The information is valid as at the date of survey. C. Hughes & Associates Limited will accept no liability for any consequence arising out of this plan, or the information thereon whether in hard copy or electronic format by any other party for any purpose whatsoever.

Scale:  
**1:3500 (A3)**

Job No: <b>6182</b>	Drawn By: <b>ALC</b>	Datum: <b>-</b>
Drawing No: <b>C1715</b>	Sheet No: <b>1 OF 1</b>	Revision: Date Created: <b>A 25/08/2022</b>



NOTES:

1. Roading and pedestrian networks are indicative only and are subject to final land development design.
2. Areas of proposed zones are as follows  
 Low Density Residential Zone (LDRZ) : 16.8 Ha  
 Medium Density Residential Zone (MDRZ) : 7.6 Ha  
 Convenience Retail and Mixed Use (CRMU) : 1.7 Ha  
 (note MDRZ area includes CRMU area)

- LEGEND
- Low Density Residential Zone (LDRZ)
  - Medium Density Residential Zone (MDRZ)
  - Indicative Roading Network (Road to Vest)
  - Indicative Pedestrian Network (Reserve to Vest)
  - Building Line Restriction (Flood Risk)
  - Convenience Retail and Mixed Use (CRMU)

Revision	Amendments	Date
B	Minor title block amendments	30/08/2022

**C. HUGHES & ASSOCIATES LTD**  
 Surveying and Resource Management • Central Otago

<b>CROMWELL</b> 17A MURRAY TERRACE P.O. BOX 51 03 445 0376	<b>WANAKA</b> LEVEL 3, 80 ARDMORE ST P.O. BOX 599 03 443 5052	
---	--	--

[www.chasurveyors.co.nz](http://www.chasurveyors.co.nz)

Project:  
**PROPOSED REZONING**  
 LOT 2 DP 397990, LOT 2 DP 405431  
 LOT 19 DP 520912 & LOT 112 DP 546309  
 PISA MOORINGS

Title:  
**PROPOSED STRUCTURE**

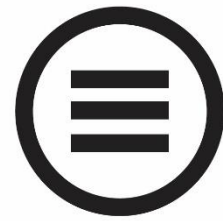
**STRUCTURE PLAN**

Copyright of this drawing is vested in C. Hughes & Associates Limited.  
 The Contractor shall verify all dimensions on site.

CAUTION - The information shown on this plan has been prepared under specific instruction from the client and is intended solely for the clients use. The information is valid as at the date of survey. C. Hughes & Associates Limited will accept no liability for any consequence arising out of this plan, or the information thereon whether in hard copy or electronic format by any other party for any purpose whatsoever.

Scale:  
**1:3500 (A3)**

Job No: <b>6182</b>	Drawn By: <b>ALC</b>	Datum: <b>-</b>
Drawing No: <b>C1710</b>	Sheet No: <b>1 OF 1</b>	Revision: <b>B</b>
		Date Created: <b>01/08/2022</b>



TOWNPLANNING  
GROUP

## Pisa Moorings Rezoning

Pisa Moorings Vineyard Limited and Pisa Village  
Development Limited

*PLANNING STATEMENT  
SUMMARY OF TECHNICAL REPORTS  
ASSESSMENT OF EFFECTS*

1 September 2022

Document prepared by:

**Town Planning Group (NZ) Limited**

**Phone:** 0800 22 44 70

**Email:** [office@townplanning.co.nz](mailto:office@townplanning.co.nz)

**Web:** [www.townplanning.co.nz](http://www.townplanning.co.nz)

**Offices in Tāhuna, Wānaka, Ōtautahi & Tāmaki Makaurau**



# Contents

<b>1</b>	<b>Proposal Summary</b> .....	<b>4</b>
1.1	Objectives of the proposal .....	4
<b>2</b>	<b>Site and Surrounds</b> .....	<b>5</b>
<b>3</b>	<b>District Plan Zoning</b> .....	<b>6</b>
3.1.1	Design and rezoning rationale and built form outcomes .....	7
3.1.2	Provisions to be included within the ODP/PC 19 Provisions.....	7
<b>4</b>	<b>Assessment of Effects</b> .....	<b>9</b>
4.1	Urban Design .....	9
4.2	Landscape.....	10
4.3	Contaminated land .....	12
4.4	Ecological Effects .....	13
4.5	Three waters .....	13
4.5.1	Stormwater .....	13
4.5.2	Water .....	13
4.5.3	Wastewater.....	14
4.6	Transport.....	14
4.7	State Highway Road Noise.....	15
<b>5</b>	<b>Summary</b> .....	<b>18</b>

## Figures

<b>Figure 1.</b>	Site and its location between State Highway 6 (west), Pisa Moorings residential area (east and south) a quarry (north) and Lake Dunstan and wider rural environment.....	5
<b>Figure 2.</b>	Excerpt of the Council webmap. The blue polygon is Scheduled Activity #127. The green areas are designations and appear to be reserves.....	7
<b>Figure 3.</b>	Proposed Structure Plan with LRZ (Yellow), MRZ (orange) and blue shading representing the proposed Commercial Precinct. The green hatching identifies an existing stormwater flowpath/no build area.....	8
<b>Figure 4.</b>	Excerpt of the Indicative landscape master plan illustrating the grided street layout and connectivity.....	10
<b>Figure 5.</b>	Excerpt of Bridget Gilbert Landscape Architecture assessment showing an indicative earth mound and planting option.....	16
<b>Figure 6.</b>	Indicative sketch illustrating earth mound and acoustic fence option.....	17





# 1 Proposal Summary

---

## 1.1 Objectives of the proposal

The objectives of the proposal are to rezone four sites with a collective area of 24.3ha located adjacent to the existing Pisa Moorings residential suburban township, to 16.8ha Low Density Residential zoning, 7.6ha Medium Density Residential zoning and within this 7.6ha area, a local retail/convenience commercial zoning of 1.7ha. The rezoning will provide for residential subdivision and development and small scale commercial zoning while:

- Ensuring subdivision and development is well connected for both vehicles and walking / cycling;
- Ensuring landscape buffers are installed along the State Highway 6 interface, eastern interface with the existing Pisa Moorings neighbourhood, and the quarry located to north of the site;
- Ensuring State Highway road noise is attenuated, and attenuation measures are encouraged to be integrated with landscaping;
- Ensuring retail, community facilities, and commercial activities within the Commercial Precinct are of a nature and scale that maintains amenity and serves the needs of the local Pisa Moorings neighbourhood.

The proposal and the intended built form outcomes are compatible with the Central Otago District Council's (**CODC/Council**) zoning framework proposed as part of Plan Change 19, as the proposal seeks to utilise the Low Density Residential and Medium Density Residential zone frameworks (with some relatively minor amendments as set out in the submission document).

This document should be considered in conjunction with the supporting technical report and the section 32 evaluation.



## 2 Site and Surrounds

---

The site is 24.3ha in area and currently zoned (in terms of PC 19) Rural Resource Area, Proposed Large Lot Residential (Precinct 1) and Proposed Low Density Residential. The land is legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309.

The site is located on the western edge of the existing urban settlement of Pisa Moorings and contains an existing orchard, pack house and worker accommodation in the northern half, and an existing vineyard with supporting infrastructure in the southern half.

The site is predominantly flat with localised undulations, and is at a similar level as the State Highway located along the western boundary of the site. The surrounding areas consist generally of agricultural / horticultural land towards the west, industrial land (Parkburn Quarry) to the north, and residential suburban land developed to a density of large lot residential and low density suburban housing. Lake Dunstan is located approximately 500 metres to the east of the site.

A pond covering approximately 4,000 m<sup>2</sup> is located within the site boundary, near to the northern site boundary within the pack house area.



**Figure 1.** Site and its location between State Highway 6 (west), Pisa Moorings residential area (east and south) a quarry (north) and Lake Dunstan and wider rural environment.

### 3 District Plan Zoning

The majority of the site is zoned Rural Resource Area, with the exception of an approximately 2.2ha area zoned Residential Resource Area 3 under the Operative District Plan (ODP) in the northern part of the site (Large Lot Residential Precinct 1 under PC19), which contains the existing pack house and infrastructure. Also, in the southern part of the site an area of approximately 0.9ha is zoned Residential Resource Area 13 under the ODP, and Low Density Residential under PC19.

The southern part of the site contains a scheduled activity #127. ODP Section 19.3.6 identifies and describes the Scheduled Activity as:

*'Other Scheduled Activities' identifies Scheduled Activity #127 as 'Commercial facilities and Shop as defined in Section 18. Community facilities and Shop as defined in Section 18 is a permitted activity on the site identified as Scheduled Activity 127 subject to compliance with Rule 7.3.6(iii) Bulk and Location of Buildings and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road'.*

The PC 19 provisions do not show this scheduled activity as being struck out and therefore it is being retained<sup>1</sup>. **Figure 2** below is an excerpt of the Council webmap which shows the site with PC 19 zoning and relevant district wide overlays and annotations.



<sup>1</sup> The Submitters have made a submission on the retention of the Scheduled Activity for the avoidance of doubt.

**Figure 2.** Excerpt of the Council webmap. The blue polygon is Scheduled Activity #127. The green areas are designations and appear to be reserves.

### 3.1.1 Design and rezoning rationale and built form outcomes

Having considered a range of reasonably practicable options, and the costs and benefits of those options in the accompanying section 32 evaluation, the most appropriate way to meet the objectives of the proposal and the objectives of PC19 are to adopt the PC19 policy, rule and zone framework to the site (with minor amendments as set out in the accompanying submission).

The built form and amenity outcomes of the proposed Low Density Residential Zone (LRZ) and Medium Density Residential Zone (MRZ) are compatible with the built form and associated amenity outcomes of the proposal. While the PC19 MRZ is relatively 'intense' by traditional Medium Density standards in New Zealand, with a minimum lot size of 200m<sup>2</sup> and building height of 11 metres and 3 storeys, good quality outcomes can be achieved through proposals considering the residential design guidelines and comprehensive residential development criteria proposed as part of PC19. It is also noted that there is no maximum lot size specific for the zone, and a medium density housing form can be achieved by way of two-storey dwellings on lots ranging in size from 300m<sup>2</sup>- 400m<sup>2</sup>.

In addition, a precinct overlay is proposed within a 1.7ha portion of the proposed MRZ zone to provide for small scale commercial activities that meet the needs of the existing and future Pisa Moorings settlement. While the PC19 framework provides a resource consent pathway for 'local convenience retail' a dedicated precinct is considered the most appropriate option because this will provide a dedicated 'village node' to support the proposed MRZ neighbourhood and surrounding residential area.

A dedicated commercial precinct overlay will also provide certainty to existing and future landowners of the intended land use and the proposed structure plan will provide an indicative roading layout which can ensure good connectivity through the MRZ area, Commercial Precinct and wider site to connect with the existing Pisa Moorings area.

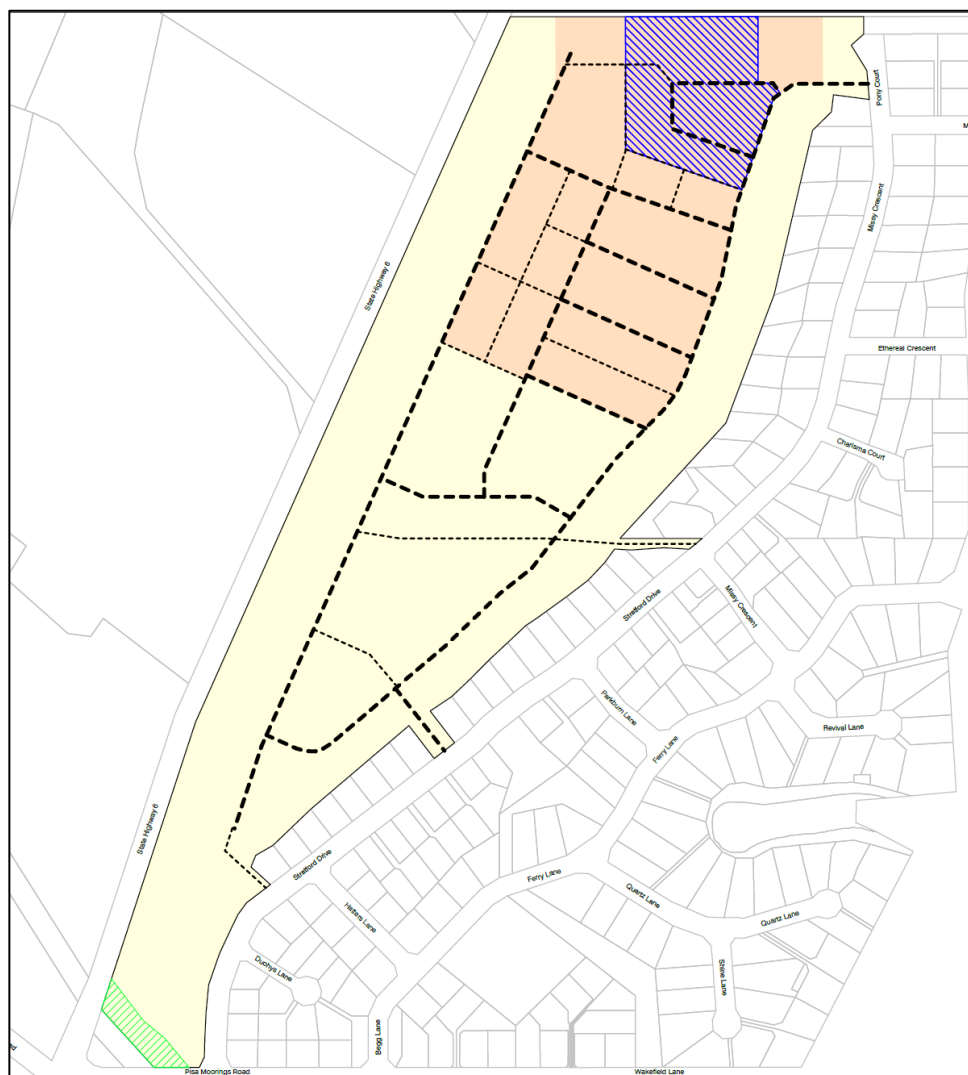
### 3.1.2 Provisions to be included within the ODP/PC 19 Provisions

The submission document includes the specific amendments sought to the ODP and PC 19 provisions. The following provides a summary of the amendments sought:

- Amend the zoning as sought in **Attachment A** and **Figure 3** below.
- Minor amendments to the MRZ Chapter text to:
  - Refer to Pisa Moorings MRZ area and the proposed Commercial Precinct.
  - Adding an objective and a policy to provide for retail and commercial activities within the Commercial Precinct while appropriately managing

the effects of activities, including on the established town centres of the District.

- Adding a rule which provides for buildings, retail, community facilities and residential activity above ground floor level subject to a restricted discretionary activity to manage built form and performance outcomes.
  - Adding a rule which limits the area of individual retail and office activities to ensure the activities are of a small nature and scale that is compatible with the environment and avoids high trip generating activities.
- Adding the proposed structure plan to the subdivision provisions and a policy to ensure subdivision and development is undertaken in accordance with the structure plan.



**Figure 3.** Proposed Structure Plan with LRZ (Yellow), MRZ (orange) and blue shading representing the proposed Commercial Precinct. The green hatching identifies an existing stormwater flowpath/no build area.

## 4 Assessment of Effects

---

### 4.1 Urban Design

The proposed rezoning identifies an area of 7.6ha for medium density rezoning, within which 1.7ha would be subject to an overlay/precinct which provides for retail, service and community activities would meet the needs of the local community.

The indicative roading and reserve/pedestrian layout is identified in the proposed Structure Plan in **Attachment B** (and **Figure 3** above) which shows both vehicle and pedestrian/cycling connections through the area subject to the Structure Plan.

The proposed MRZ area would be subject to the comprehensive residential development provisions notified as part of PC19, and the assessment of subdivision and development proposals and proposals for multiple development would also be subject to the Council's proposed Comprehensive Residential Development rule framework.

The northern location of the proposed MRZ area has been designed to be located centrally within the rezone (east/west) area to provide a buffer to established residential development within Pisa Moorings, and in a northern location to utilise opportunities to reuse the infrastructure provided as part of the pack house and related hard stand areas. The MRZ is focusing higher densities close to the proposed commercial precinct which is intended to include small retail and service amenities, convenience shopping, an early childhood education activity and open space.

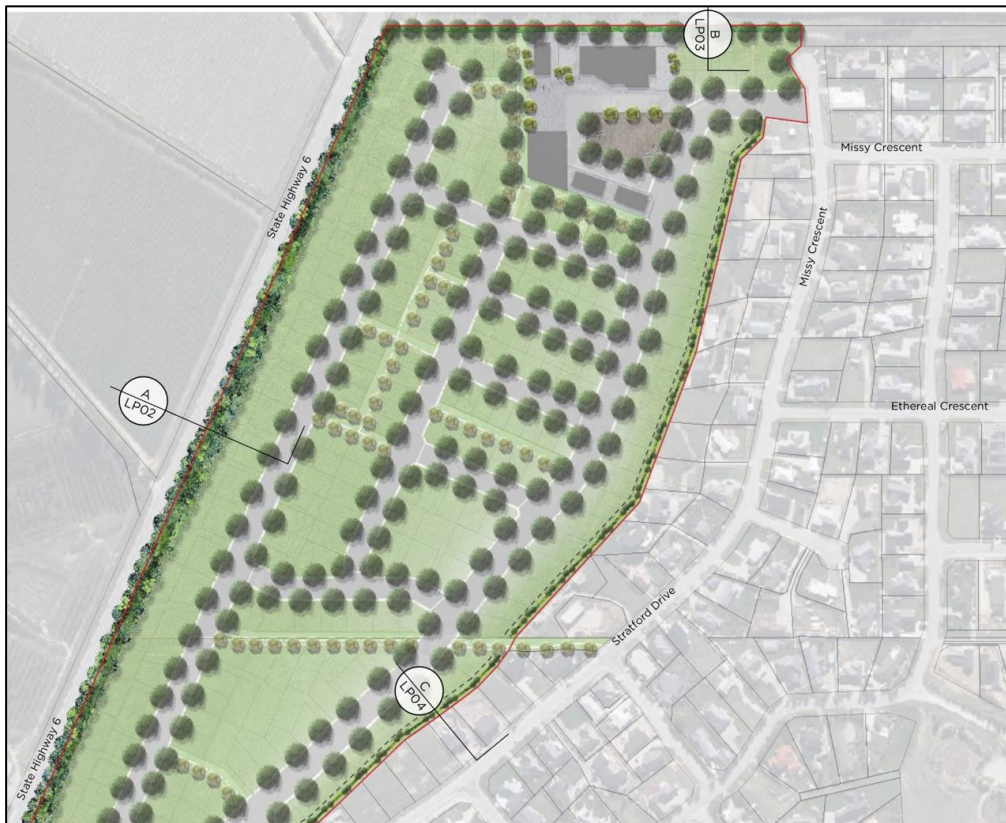
The use of the MRZ will encourage a diversity of housing options and choice which can also assist with alleviating housing affordability.

With higher density living comes a requirement for greater attention in the design of subdivision and dwellings themselves to ensure good amenity and built form outcomes and well connected settlement patterns

**Figure 4** below is an excerpt of the indicative landscape master plan from the Bridget Gilbert Landscape Architecture report, which identifies the application of the gridded street pattern within the proposed MRZ area, street trees, and a park/open space area located centrally within the commercial precinct area.

The application of both LRZ and MRZ zoning over the site is appropriate, future subdivision and development can be appropriately managed through the PC19 provisions, and the proposed commercial precinct can also be appropriately managed by way of the proposed provisions.





**Figure 4.** Excerpt of the Indicative landscape master plan illustrating the grided street layout and connectivity.

## 4.2 Landscape

Bridget Gilbert Landscape Architecture has undertaken a landscape assessment of the proposed rezoning, focusing on identifying the landscape characteristics and values of the local area, the suitability of the site for urban development, and identifying and recommending a range of measures which may be appropriate to manage landscape effects and provide good urban form outcomes; particularly at the interface between the site and the State Highway, the quarry located to the north, and the existing housing located to the east of the site within the Pisa Moorings urban area.

The landscape assessment identifies that rezoning the site from Rural Resource Area to urban is appropriate for the site, and will not detrimentally affect the landscape character and visual amenity values of the surrounding rural environment, including any highly valued or outstanding natural features or landscape within the vicinity of the site. The existing settlement patterning of Pisa Moorings lends itself well to the site being an extension of the existing urban settlement.

Several recommendations are made which are summarised and discussed in terms of planning methods as follows:

- a) *The integration of a **highway landscape buffer** along the highway frontage that serves to ground, filter and frame views of any new built development on*

*the site in the outlook from the highway, while maintaining long range views to the Dunstan Mountains. This buffer should comprise earth mounding with a mix of locally appropriate, eco sourced native tree and shrub planting to form a green edge. Any fencing required in the buffer should comprise visually permeable black fencing, so that it is effectively 'lost' in the planting in views from the road. The highway landscape buffer could also be integrated with/have a dual role of providing road noise attenuation from the state highway for future dwellings within the site.*

This recommendation has been incorporated into the proposed rezoning through a policy which ensures that the State Highway noise attenuation is integrated with the landscaping. The exception between the noise attenuation requirements and the landscape related recommendation is that fencing for noise attenuation would need to be solid, and a permeable fencing option is preferred for aesthetic reasons.

As noted below, the acoustic attenuation can be achieved by either an earth barrier on its own (with planting for landscape treatment purpose) or a combination of earth barrier and a solid fence. While a matter for the subdivision process, it is envisaged that the works would be installed at the time of the subdivision development, with future lot owners being responsible for maintenance of the vegetation and its ongoing protection and maintenance ensured by way of consent notice.

*b) The requirement for **building roofs to have a maximum LRV of 30%**. This will ensure that the new built development is not prominent in views from elevated roads, tracks and rural/rural living dwellings to the northwest.*

This recommendation has been included by way of a policy limb and it is anticipated that it can be imposed on future lots by way of a consent notice condition. The requirement is also consistent with the Council's MRZ residential design guidelines which encourages the use of sympathetic and complementary colours. Applying this control to the wider LRZ is not considered onerous nor a requirement that would be in high transaction/resource consent or build costs.

*c) The integration of a **boundary landscape buffer** along the northern edge of the site to form an appreciable evergreen screen to the adjacent quarry. This buffer should comprise a minimum 3.0m width band of locally appropriate, eco sourced native trees and shrubs.*

This matter is included as a policy limb and can be readily achieved.

*d) The incorporation of a **terrace interface strategy** along the eastern edge of the site that avoids the impression of new built development dominating or overlooking the existing development on the lower terrace (while enabling framed and filtered longer range eastern views from the dwelling to Lake Dunstan etc). This interface strategy should include: a requirement for buildings to be set back a minimum of 5m from the upper terrace edge; a 1.0m width band of locally appropriate native trees and shrubs; and a requirement for all*



*fencing along the upper edge of the terrace to comprise visually permeable black fencing to a maximum height of 1.2m set into the planting.*

This matter is included as a policy limb and can be readily achieved. It is noted that some of the existing properties located along Stratford Drive and Pony Court which adjoin the site have their rear (western) boundary which adjoins the site on the upper part of the terrace. The proposed PC 19 LRZ bulk and location rules require a setback of 1.8m (Rule LRZ-S6). The matter will need to be further investigated at the time of subdivision, and potentially a setback and landscaping requirement may be included by way of consent notice.

The recommendations in the landscape assessment are able to be implemented through the zoning and future subdivision and development in a manner that is both efficient and effective.

### 4.3 Contaminated land

Insight Engineering has prepared a detailed site investigation (**DSI**) which has identified the following activities or industries identified on the Hazardous Substances List (**HAIL**) as part of the review of the site history:

- Agrichemicals including use of spray contractors for filling, storing or washing out tanks for agrichemical application. Fertiliser manufacture or bulk storage. Persistent pesticide storage from the horticulture activities present on site.
- Pest control including the use of Pindone for rabbit control.
- Petrochemicals by way of the two above ground fuel storage tanks in the area south east of the dam in the northern portion of the site.
- Storage of fuel in drums and chemicals in drums in the pack house yard.
- Wood treatment or preservation by virtue of the presence of stacked treated timber posts.
- Electrical transformers by the presence of an existing electrical transformer on site.
- The use of timber posts in the vineyard and orchard.

The Insight Engineering DSI recommends remedial measures to properly manage the contaminated areas as well as to provide controls that will minimise or eliminate the risks to human health during the completion of the soil disturbance works.

Based on this, any future subdivision would require a resource consent under Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (**NES-CS**).



An application for resource consent as a restricted discretionary activity (pursuant to Regulation 10) can be under the NES-CS.

The DSI references a preliminary subdivision development layout that does not form part of the rezoning proposal, and this does not in any way alter the validity of the DSI itself.

Based on the DSI, there is considered sufficient information available to advance the rezoning, and contaminated land matters can be addressed through the NES-CS as part of the initial subdivision and development.

The rezoning is considered appropriate from a contaminated land perspective and the future subdivision development can be managed by way of resource consent under the NES-CS.

#### 4.4 Ecological Effects

The site is heavily modified and contains an established orchard and packhouse, with a vineyard on the southern boundary of the site. There are no to very low indigenous vegetation values on site, and the proposed rezoning is appropriate from an indigenous vegetation perspective.

#### 4.5 Three waters

C Hughes and Associates Limited have undertaken preliminary assessment of the surrounding infrastructure serving the existing Pisa moorings area and have offered the following findings.

##### 4.5.1 Stormwater

Stormwater run-off from future development of the site can be locally disposed of via soakage pits. Stormwater disposal via soakage pits avoids the need for intensive stormwater reticulation to concentrate the stormwater flow and direct it off site. Stormwater accumulated on the roading network can be directed to, and disposed of by, soakage pits within the road reserve or other reserve areas. Stormwater accumulated within residential allotments resulting from built development will be required to be disposed of within individual allotments via onsite soakage.

##### 4.5.2 Water

Potable water reticulation to service future residential development of the site can be connected to the existing CODC water reticulation within the Pisa Moorings residential area adjoining the site. There are existing CODC water mains located in Pisa Moorings Road, Stratford Drive, and Pony Court to which reticulation to service development of the site can be connected.

The site has the advantage of having access to existing CODC water reticulation at both the southern and northern ends of the site. Future water reticulation can therefore be looped through the site, connected at both the southern and northern ends to the existing network, including to the 300mm diameter trunk water main within Pisa Moorings Road (if considered appropriate by the CODC Engineering department). Looped water reticulation has the advantages of reducing the risk of water stagnation and improving the ability to isolate and repair faults in the network, minimising loss of service if faults do occur.

#### 4.5.3 Wastewater

Calculations have been completed which confirm that the entire site can be serviced by extension of the existing CODC gravity wastewater network.

There are existing 150mm uPVC wastewater drainage pipes with standard 1050mm concrete manholes located within Stratford Drive and Pony Court adjacent to the site. This existing wastewater network is at a suitable depth such that a gravity wastewater network extension from these existing manholes can be designed in accordance with CODC standards to service future development.

Calculations have also confirmed that all pipes within the extension to the network can be provided with suitable cover between the top of pipes and finished surface level under both potential future trafficable and non-trafficable surfaces.

## 4.6 Transport

The site has two existing crossing points onto State Highway 6. There is also frontage to the local road network via Stratford Drive and Pony Court and then onto State Highway 6 via the existing Pisa Moorings Road T intersection.

A transport assessment has been undertaken by Bartlett Consulting, which supports the consolidation of access points by way of the proposed rezoning accessing the local road network and obtaining access onto SH6 via the use of the existing intersection at Pisa Moorings Road.

To understand the effects of the rezoning on the road network, the Bartlett assessment has focused on the Pisa Moorings Road intersection at the pm peak operating time which is when traffic is likely to be at its greatest with existing and future residents returning home.

The transport assessment identifies that the level of service of the roundabout during the peak pm will be affected, and in relative terms the capacity of the intersection will change from 26% under 'existing' scenario, to 43% capacity as a result of the proposed rezoning.

The intersection will still operate within its capacity but there will be greater delays than what is currently experienced, most noticeably for motorists at both Pisa Moorings Road and Clark Road turning right during the pm peak period. It is noted that the

predominant traffic flows at that time of the day will be northbound motorists from Cromwell turning right from SH6 into Pisa Moorings Road, and southbound motorists with a left turn into Pisa Moorings Road. There are generally much fewer vehicle movements from Pisa Moorings Road turning right onto SH6 (northbound), and even fewer from Clark Road.

The transport assessment has identified that if necessary, upgrades/modifications to the Pisa Moorings Road intersection are possible within the existing legal road corridor. Upgrades could include the installation of physical islands to better distinguish and separate traffic streams and reducing the posted speed limit.

The option of installing an additional T intersection onto SH6 at the northern part of the site is not currently favoured because it is understood that Waka Kotahi encourages consolidation of accesses onto the State Highway network.

The proposed Structure Plan in **Attachment B** identifies an indicative roading layout illustrating the proposed internal roading connections and connections onto the existing local road network at Pony Court and Stratford Drive. The Structure Plan identifies an adequate roading layout, including connections through the proposed MRZ area and an absence of cul de sacs which constrain connectivity.

The effects of the proposed rezoning on the local and SH6 road network are able to be managed so that they are appropriate.

## 4.7 State Highway Road Noise

Acoustic Engineering Services Limited (**AES**) have prepared an assessment of the identified noise from the State Highway on potential future occupants of dwellings in proximity to the State Highway. The AES assessment is based on a preliminary subdivision development layout and while this layout does not form part of the rezoning proposal, it is considered relevant for the purposes of identifying the levels of road noise.

The AES report has applied the New Zealand Transport Agency's / Waka Kotahi *Guide to the management of effects on noise sensitive land use near to the state highway network* (Version 1.0 dated September 2015), which states that dwellings within 100m of a State Highway need to be designed and constructed to achieve an internal noise level of 40 dB  $L_{Aeq}$  (24h) for living and sleeping spaces. If windows must be closed to achieve the internal noise level of 40 dB  $L_{Aeq}$  (24h), the building must be designed, constructed and maintained with a ventilation and cooling system. Development should have an external design noise level of 57 dB  $L_{Aeq}$  (24h) applied to the main outdoor living space.

The AES assessment has assessed the road noise effects based on a 3m high barrier to attenuate noise. It is noted that the assessment is based on a 1.5m high earth barrier coupled with a 1.5m high acoustic fence, however various options are available,

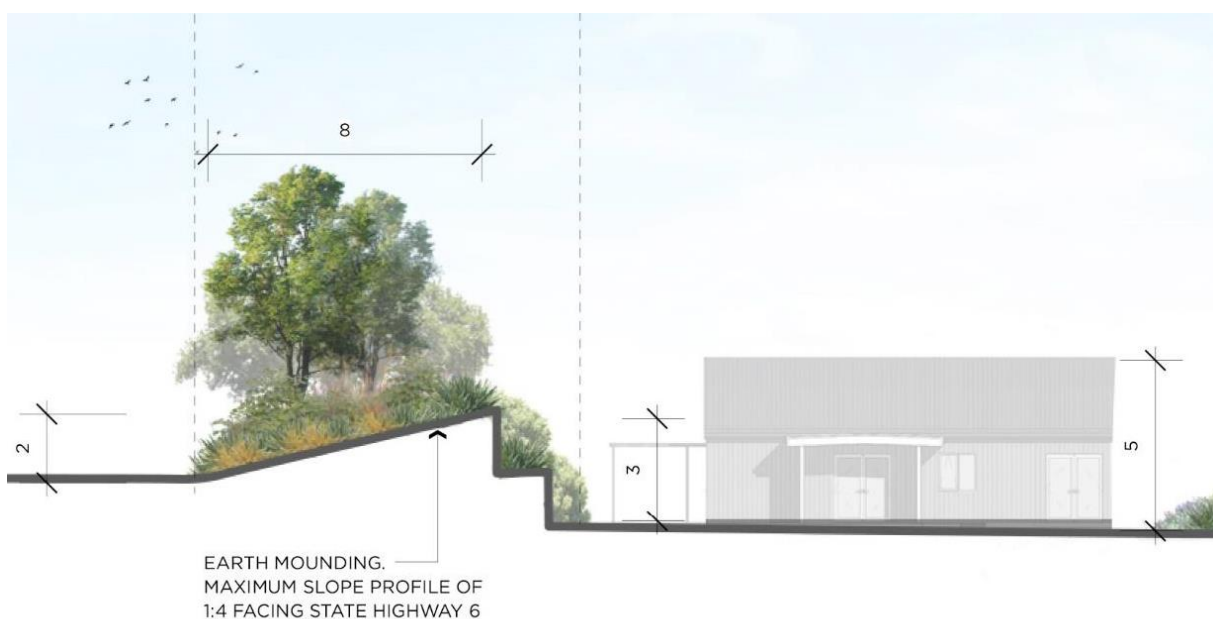
including the suggested full earth mound mitigation treatment identified in the Bridget Gilbert Landscape Architecture report.

With the inclusion of a 3m high noise attenuation barrier located along the western boundary of the site adjoining the State Highway, the AES report identifies that noise levels of up to 61 dBA LAeq (24hr) would be received at ground floor level, and it is realistic to be able to construct single storey dwellings which can readily achieve an internal noise level of 40 dBA LAeq (24hr). The AES report notes as a guide, that where noise levels are more than 57 dBA LAeq (24hr) but not greater than 61dBA LAeq (24hr) upgrades to the construction of the dwellings may not be required to achieve an internal noise level of 40 dB LAeq (24h) depending on the selected cladding products.

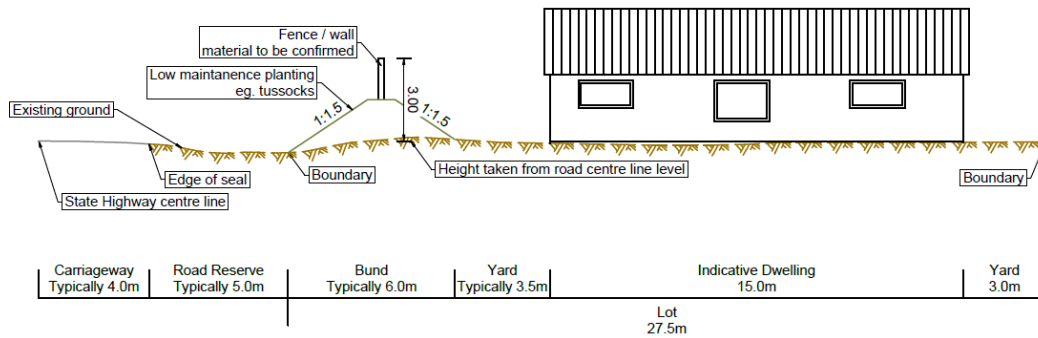
The AES report identifies that development adjacent to the State Highway is feasible and noise attenuation measures are achievable to ensure that effects of noise on future occupants are appropriate.

It is noted that the PC19 proposed rules within each of the Large Lot, Low and Medium Density Residential Zones require that noise will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms within 80m of the State Highway carriageway.

Mitigation options include a combination of earth barrier with an acoustic fence (with plantings), or an earth barrier with landscaping as shown below:



**Figure 5.** Excerpt of Bridget Gilbert Landscape Architecture assessment showing an indicative earth mound and planting option.



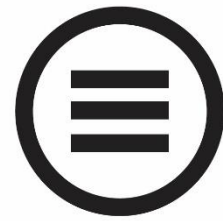
**Figure 6.** Indicative sketch illustrating earth mound and acoustic fence option.

It is considered that reliance can be placed on the proposed PC 19 rules to ensure that subdivision and development manages the potential adverse effects from State Highway road noise on building occupants, and the proposed rezoning is considered appropriate.

## 5 Summary

---

The rezoning of the site from Rural Resource Area and Proposed Large Lot Residential (P1) to LRZ, MRZ and a proposed Commercial Precinct is appropriate from a spatial settlement pattern perspective, being a congruent and natural extension to the existing Pisa Moorings area. This will be able to be undertaken in a way that appropriately manages the adverse effects on the surrounding environment, including the existing settlement of Pisa Moorings, the road environment, and the wider rural area. The location / rezoning specific amendments to the ODP and PC19 provisions are subtle and can be accommodated within the structure and overall parameters of the notified PC19 framework.



TOWNPLANNING  
GROUP

## Pisa Moorings Rezoning

Pisa Moorings Vineyard Limited and Pisa Village  
Development Limited

*SECTION 32AA EVALUATION*

1 September 2022

Document prepared by:

**Town Planning Group (NZ) Limited**

**Phone:** 0800 22 44 70

**Email:** [office@townplanning.co.nz](mailto:office@townplanning.co.nz)

**Web:** [www.townplanning.co.nz](http://www.townplanning.co.nz)

**Offices in Tāhuna, Wānaka, Ōtautahi & Tāmaki Makaurau**





# Contents

---

<b>1</b>	<b>Introduction .....</b>	<b>4</b>
1.1	Objectives of the proposal .....	4
1.2	Background .....	4
<b>2</b>	<b>Section 32 and Section 32AA .....</b>	<b>6</b>
2.1	Section 32 requirements for preparing and publishing evaluation reports .....	6
2.2	Section 32AA requirements for undertaking and publishing further evaluations .....	7
2.3	Section 32AA(1)(a)-(c).....	8
2.3.1	Scale and Significance of the changes.....	8
2.3.2	The extent the objectives of the rezoning are the most appropriate way to achieve the purpose of the RMA.....	9
2.3.3	Part 2 of the RMA – Purpose and Principles .....	9
2.3.4	National Policy Statement Urban Development 2020 (NPSUD) .....	10
2.3.5	Partially Operative Otago Regional Policy Statement 2019 .....	12
2.3.6	Proposed Regional Policy Statement 2021 (pRPS21).....	15
2.3.7	Operative Central Otago District Plan.....	16
2.3.8	Summary .....	19
2.3.9	Evaluation – s32(1)(b).....	20
2.3.10	Preferred Option .....	21
2.3.11	Efficiency and effectiveness of the proposed provisions.....	22
2.3.12	Key reasons for deciding on the provisions .....	22
2.4	Section 32 (2).....	22
2.4.1	Benefits and costs including opportunities for economic growth and employment to be provided or reduced .....	23
2.4.2	Risk of Acting or not acting.....	23
2.5	Section 32(3).....	23

# 1 Introduction

---

## 1.1 Objectives of the proposal

The objectives of the proposal are to rezone four sites with a collective area of 24.3ha located adjacent to the existing Pisa Moorings residential suburban township, to 16.8ha Low Density Residential zoning, 7.6ha Medium Density Residential zoning and within this 7.6ha area, a local retail/convenience commercial zoning of 1.7ha. The rezoning will provide for residential subdivision and development and small-scale commercial activities which meet the needs of the neighbourhood while:

- Ensuring subdivision and development is well connected for both vehicle and walking and cycling;
- Landscape buffers are installed along the state Highway 6 interface, eastern interface with the existing Pisa Moorings neighbourhood, and the quarry located to north of the site;
- State Highway road noise is attenuated and that attenuation measures such as earth barriers or fencing are encouraged to be well integrated with landscaping;
- Retail, community facilities and commercial activities within the Commercial Precinct are of a nature and scale that maintains amenity and serves the needs of the local Pisa Moorings neighbourhood.

This evaluation also examines the extent to which the objectives of this proposal achieve the objectives of PC19 as identified and evaluated in the Council's section 32 evaluation.

In addition to the objectives of PC19 as identified in the Council section 32 evaluation, a new proposed statutory objective is proposed in relation to a new commercial precinct overlay within the Medium Density Residential Zone:

*Commercial activities and community facilities are provided for within the Commercial Precincts, are limited in scale and maintain or enhance residential amenity, provide for local convenience and services, and support the local economy.*

## 1.2 Background

The submitters have been investigating a plan change on the site for several years and have commissioned various technical reports to identify environmental constraints and opportunities and test the most appropriate zoning response. During promulgation of the rezoning proposal the Council resolved to notify PC19, being a review of the existing residential zoning of the District Plan, and to implement the Cromwell and Vincent Spatial Plans.

The Council advised the submitters that a request for a private plan change was unlikely to be accepted for notification due to the review of, and imminent notification of, a revised planning framework for the District's residential zones. The Council accepted that a submission to rezone the site as part of the PC19 notification and submission process would be accepted in lieu of a request for a plan change.

The submission and rezoning request has adopted to the greatest extent practicable the Council's PC19 zoning framework. The submission on the PC19 chapter text is generally supportive of the fundamental concepts of PC19, with the majority of submission points related to drafting clarity and refinements, and ensuring that the Medium Density Residential Design Guidelines, and the Comprehensive Residential Development guidelines are required to be considered as part of the resource consent application process.

## 2 Section 32 and Section 32AA

---

### 2.1 Section 32 requirements for preparing and publishing evaluation reports

Changes to a district plan must be evaluated in accordance with section 32 of the RMA.

Section 32 states:

*32 Requirements for preparing and publishing evaluation reports*

- (1) An evaluation report required under this Act must—*
  - (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
  - (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
    - (i) identifying other reasonably practicable options for achieving the objectives; and*
    - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
    - (iii) summarising the reasons for deciding on the provisions; and*
  - (c) 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.*
- (2) An assessment under subsection (1)(b)(ii) must—*
  - (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - (i) economic growth that are anticipated to be provided or reduced; and*
    - (iii) employment that are anticipated to be provided or reduced; and*
  - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
  - (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
  - (a) the provisions and objectives of the amending proposal; and*
  - (b) the objectives of the existing proposal to the extent that those objectives—*
    - (i) are relevant to the objectives of the amending proposal; and*
    - (ii) would remain if the amending proposal were to take effect.*
- (4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*



- (4A) *If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*
- (a) *summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
  - (b) *summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*
- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection—*
- (a) *as soon as practicable after the proposal is made (in the case of a standard, regulation, national policy statement, or New Zealand coastal policy statement); or*
  - (b) *at the same time as the proposal is notified.*

The Council has prepared and published a section 32 evaluation report. That report outlines the proposed objectives of PC19, being the proposed statutory objectives which accompany the revised District Plan text. An evaluation of those objectives to the extent they are the most appropriate way to achieve the purpose of the RMA has been undertaken<sup>1</sup>.

## 2.2 Section 32AA requirements for undertaking and publishing further evaluations

In accordance with section 32AA(1)(a), a further evaluation is required in respect of the amendments made to the existing proposal since the s32 evaluation was completed.

Section 32AA of the RMA is:

- (1) *A further evaluation required under this Act—*
- (a) *is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
  - (b) *must be undertaken in accordance with section 32(1) to (4); and*
  - (c) *must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
  - (d) *must—*
    - (i) *be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*
    - (ii) *be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*
- (2) *To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*
- (3) *In this section, proposal means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.*

---

<sup>1</sup> Council Section 32 evaluation report at [78].

## 2.3 Section 32AA(1)(a)-(c)

Section 32AA(1)(a)-(c):

- a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
- (b) must be undertaken in accordance with section 32(1) to (4); and*
- (c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

This evaluation therefore, must still examine the proposal through the tests in S32(1) to (4) (i.e. an examination of reasonably practicable options and the costs and benefits), but is limited to the additional changes made by the rezoning proposal and at a level of detail which corresponds to the scale and significance of the changes.

### 2.3.1 Scale and Significance of the changes

PC 19 overtly addresses two key themes .The first is a review of the District Plan's objectives and provisions of the existing residential resource area zoning with a view to consolidating the various zones/resource areas and adopting the National Planning Framework standards for plan structure and drafting. The other key theme of PC19 is a review of the existing spatial pattern and extent of residential zoned land to implement the Cromwell Spatial Plan and the Vincent Spatial Plan.

PC19 is therefore a fulsome review of the District's residential zoning and the location and extent of land zoned for housing. PC 19 is itself identified in the Council section 32 evaluation as having moderate to high significance for these reasons. The submitters rezoning, relative to the overall breadth and scale of PC19 is considered to have low to moderate scale and significance due to the approximately 22ha addition of residential land sought and that it is spatially contiguous with an existing zoned and developed urban settlement.

In the context of the Pisa Moorings area itself, the scale and significance of the proposal is higher as a result of the changes to the environment from rural land uses to urban as perceived in the immediate environment and Pisa Moorings neighbourhood. This section 32 evaluation and accompanying supporting technical reports have been prepared at a sufficient detail in the context of the scale and significance of the changes.

This section 32AA evaluation is supported by the following information:

- **Document 1<sup>2</sup>** Planning Statement and Assessment of Effects on the Environment
- **Document 3** Preliminary Infrastructure and Services Report
- **Document 4** Transport Assessment
- **Document 5** Landscape assessment
- **Document 6** Acoustic assessment
- **Document 7** Detailed Site Investigation

---

<sup>2</sup> Document 2 is this Section 32AA evaluation report.

### 2.3.2 The extent the objectives of the rezoning are the most appropriate way to achieve the purpose of the RMA

The examination to the extent the objectives of the rezoning are the most appropriate way to achieve the purpose of the RMA has been undertaken in Document 1 which has summarised the technical reports and provided an assessment of effects on the environment, and evaluated in light of the key statutory planning documents<sup>3</sup> which achieve the purpose of the RMA in the context of the district, being the following:

- Part 2 of the RMA
- National Policy Statement Urban Development 2020 (**NPSUD**)
- Partially Operative Regional Policy Statement for Otago 2019 (**PRPS19**)
- Proposed Regional Policy Statement for Otago 2021 (**pRPS21**)
- Central Otago District plan - focusing on the Section 4 Rural Resource Area and Section 6 Urban Areas

The evaluation of these statutory policy statements and plans has been informed by the package of reports which accompany the rezoning request.

### 2.3.3 Part 2 of the RMA – Purpose and Principles

#### Section 5

Section 5(2)(a) provides for development of natural resources while sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations. Section 5(2)(b) seeks to safeguard the life supporting capacity of air, water, soil, and ecosystems. Section 5(2)(c) seeks to avoid, remedy or mitigate any adverse effects of activities on the environment.

#### Section 6

There are not any Section 6 (matters of national importance) matters engaged in this evaluation.

The land is not within an outstanding feature or natural landscape, and nor does the proposal impinge on the values of any Outstanding Natural Feature or Landscape, it has no significant indigenous vegetation and significant habitats of indigenous fauna, has no opportunities for public access to lakes or rivers, has no cultural significance to Maori; no historic heritage values, and no significant natural hazard risks.

#### Section 7

---

<sup>3</sup> The operative District Plan Residential Resource Area objectives are not included as a key relevant statutory planning document because it has been identified for replacement by the PC19 framework.

Section 7 requires particular regard to be had to various matters including, of relevance to this evaluation:

- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *the intrinsic values of ecosystems:*
- (f) *maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*

These Part 2 matters are generally addressed in the assessment of the options in the context of the higher order objectives and policies of the Partially Operative Regional Policy Statement 2019 (**PORPS19**), the Proposed Regional Policy Statement 2021 (**pRPS21**), and District Plan. The relevant provisions of these documents are set out below.

## Section 8

Section 8 requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are taken into account. There are no known areas of cultural significance within the subject Site or immediate environs.

### 2.3.4 National Policy Statement Urban Development 2020 (NPSUD)

The Council's section 32 evaluation states that the NPSUD does not apply to the Central Otago District and the District Plan because the District does not qualify as an urban environment<sup>4</sup>:

*The definition of an "urban environment" any area of land (regardless of size, means and irrespective of local authority or statistical boundaries) that is, or is intended to be, part of a housing and labour market of at least 10,000 people. This currently does not apply within the District, while noting that over the horizon covered by the spatial plans, Cromwell is expected to reach this threshold.*

Additionally, the Section 32 report also acknowledges that the PC19 is consistent with the direction in the NPSUD which future proofs the plan change if the District becomes an urban environment.

It is uncertain whether the Alexandra and Cromwell areas have been distinguished spatially in terms of whether they are individual areas which constitute separate urban environments. While the Council section 32 report acknowledges that Cromwell alone is likely to reach this threshold over the horizon covered by the spatial plans, it is considered that greater emphasis is able to be placed on the NPSUD than what is indicated in the Council's Section 32 report.

While the Section 32 report has not erred in its application of the NPSUD at the current time, it is considered that the District is a valid candidate to be treated as though it were a Tier 3 local authority under the NPSUD, particular where the NPSUD definition of

---

<sup>4</sup> Council Section 32 report at [78].



urban environment is relatively open in terms of an area qualifying as an urban environment:

*urban environment means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:*

*(a) is, or is intended to be, predominantly urban in character; and*

*(b) is, or is intended to be, part of a housing and labour market of at least 10,000 people*

Collectively, the urban settlements within the Cromwell Ward encompassing the PC19 residential zoned areas of Cromwell, Bannockburn, Lowburn and Pisa Moorings are more likely than not to fall as an urban environment within the planning period of the PC19 and prior to the next review.

The Council's own published population information identifies that in 2018 Census there were 21,558 residents in Central Otago with population increasing by 20.5% between the 2013 and 2018 census. The Cromwell Spatial Plan has been promulgated to address a 30-year timeframe in which the population of Cromwell is intended to double. The Cromwell Spatial Plan<sup>5</sup> identified that the population of the Cromwell Ward under a high growth projection scenario would be 9,450 by 2028.

It is also noted that a recent Covid-19 Fast Track consent decision where the Expert Consenting Panel stated the following with regards to whether Cromwell qualified as an urban environment<sup>6</sup>:

*[309] We agree with Brookfields that Cromwell is part of a housing and labour market of at least 10,000 people. As we understand it, that housing and labour market is not required to be predominantly urban in character.*

*[310] Thus, the Panel accepts the position advanced by the Applicant and Brookfields that Cromwell (and adjacent areas identified for future urban zoning) would fall within the meaning of an "urban environment" under the NPS-UD.*

Because of the population growth in the Cromwell area, the length of time between plan reviews initiated by the Council and that the Cromwell and Vincent Spatial Plans are informative (albeit non-statutory) documents, this Section 32AA evaluation considers that the NPSUD is relevant in terms of the positive obligations placed on local authorities to provide for housing and a diversity of housing options.

Provision 1.5(1) of the NPSUD strongly encourages Tier 3 local authorities to do the things that tier 1 and tier 2 local authorities are obliged to do under Parts 2 and 3 of this National Policy Statement, adopting whatever modifications to the National Policy Statement are necessary or helpful to enable them to do so.

<sup>5</sup> Cromwell Spatial Framework Plan May 29 2019 at [28].

<sup>6</sup> Record Of Decision Of The Expert Consenting Panel Under Clause 37 of Schedule 6 To The FTA: Wooing Tree Estate Project. 29 September 2021.



On this basis, the following objectives and policies of the NPSUD are relevant to PC19 and the rezoning proposal, although they are not a mandatory requirement to be given effect to through the District Plan (which is the case for Tier 1 and 2 local authorities):

**Objective 1:** *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

**Objective 2:** *Planning decisions improve housing affordability by supporting competitive land and development markets.*

**Policy 1:** *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- (a) *have or enable a variety of homes that:
 
  - (i) *meet the needs, in terms of type, price, and location, of different households; and*
  - (ii) *enable Māori to express their cultural traditions and norms; and**
- (b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- (d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- (e) *support reductions in greenhouse gas emissions; and*
- (f) *are resilient to the likely current and future effects of climate change.*

This rezoning proposal will help the local authority and the District Plan achieve Objectives 1 and 2 by contributing to a well functioning urban environment, the provision of local retail needs for the Pisa Moorings community, and by supporting competitive land development and markets through increasing housing choice in an established urban settlement within the Cromwell Ward.

The proposed rezoning will assist PC19 with achieving the NPSUD, with comparatively few environmental costs, as summarised in Document 1 (planning assessment and summary of technical reports).

### 2.3.5 Partially Operative Otago Regional Policy Statement 2019

Section 75(3)(c) of the Act requires that a district plan must give effect to any Operative Regional Policy Statement. Section 74(2)(a) of the RMA requires that a territorial authority have regard to any Proposed Regional Policy Statement when preparing or changing a District Plan.

Under the Partially Operative Regional Policy Statement 2019 (PORPS19), all provisions of relevance to PC19 and the proposal are operative.

The key provisions of the PORPS19 relevant to this evaluation are:

- Objective 1.1 - Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities;

- Policy 1.1.1 – Provide for the economic wellbeing of Otago’s people and communities by enabling the resilient and sustainable use and development of natural and physical resources.
- Objective 1.2 – Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago, and allied policies relating to integrated management;
- Objective 3.1 – The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded, and allied policies;
- Objective 3.2 – Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded; and allied policies;
- Policy 3.2.6 – Maintain or enhance highly valued natural features, landscapes and seascapes by ...avoiding significant adverse effects on those values which that contribute to the high value of the natural feature, landscape or seascape; avoiding, remedying or mitigating other adverse effects; encouraging enhancement of those values that contribute to the high value of the natural feature, landscape or seascape.

In this case the site is not identified in the District Plan as a high valued natural feature or landscape and the proposal does not engage with Section 7(c) and Policy 3.2.6.

- 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, and related Policy 4.5.1 (repeated in full):

*Providing for urban growth and development*

*Provide for urban growth and development in a strategic and co-ordinated way, including by:*

- a) Ensuring future urban growth areas are in accordance with any future development strategy for that district.*
- b) Monitoring supply and demand of residential, commercial and industrial zoned land;*
- c) Ensuring that there is sufficient housing and business land development capacity available in Otago;*
- d) Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6*
- e) Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way.*

- f) *Having particular regard to:*
- i. *Providing for rural production activities by minimising adverse effects on significant soils and activities which sustain food production;*
  - ii. *Minimising competing demands for natural resources;*
  - iii. *Maintaining high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
  - iv. *Maintaining important cultural or historic heritage values;*
  - v. *Avoiding land with significant risk from natural hazards;*
- g) *Ensuring efficient use of land;*
- h) *Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed;*

Policy 4.5.1 is an important policy in terms of directing urban development within the Otago Region. It is noted that the Cromwell Spatial Plan is not a future development strategy, but is a non-statutory document, albeit an important document to the Council which has been mandated by the Council. Rezoning proposals therefore do not need to accord with the Cromwell Spatial Plan in order to be consistent with and implement Policy 4.5.1.

Limb (e) requires that the extension of urban areas with infrastructure development is coordinated with programmes, to provide infrastructure in an efficient and effective way. The site is located adjacent to an existing urban settlement and offers efficiencies in terms of servicing, including any necessary infrastructure upgrades.

The rezoning will result in the loss of some productive land, but this land is already located directly adjacent to existing urban settlements and compatibility issues may be present such as the use of spray (and spray drift) and frost deterrent devices.

- Objective 5.3 – Sufficient land is managed and protected for economic production; and
- Policy 5.3.1 – Rural Activities – Manage activities in rural areas, to support the region’s economy and communities, by ... restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects; providing for other activities that have a functional need to locate in rural areas.

The proposal will involve the retirement of productive land, however the existing urban settlement located adjacent to the site has the potential for compatibility effects. The proposed rezoning is not considered an incompatible activity. Rather, it alleviates potential incompatibilities.

The road noise from State Highway 6 is able to be managed so that reverse

sensitivity effects do not arise. The PC19 framework anticipates development within the State Highway buffer on the basis that noise attenuation measures are deployed.

The proposal is consistent with the PORPS19.

### 2.3.6 Proposed Regional Policy Statement 2021 (pRPS21)

The pRPS21 was notified on 26 June 2021 and is intended to give effect to the NPSFM and the concept of Te mana o Te Wai, which are expressed through Objectives LF-WAI-O1 and related policies. The site has been identified within the pRPS21 as within the Clutha Mata-au Freshwater Management Unit, and Dunstan Rohe.

Significant resource management issue 4 (SRMR-I4) is *Poorly managed urban and residential growth affects productive land, treasured natural assets, infrastructure and community well-being*. Significant resource management issue 9 (SRMR-19) is *Otago lakes are subject to pressures from tourism and population growth*, and significant resource management issue 11 (SRMR-I11) *Cumulative impacts and resilience – the environmental costs of our activities in Otago are adding up with tipping points potentially being reached*.

The most relevant objectives and policies are:

- (a) NFL-01-Outstanding and highly valued natural features and landscapes:  
*The areas and values of Otago's outstanding and highly valued natural features and landscapes are identified, and the use and development of Otago's natural and physical resources results in:*
  - a. *the protection of outstanding natural features and landscapes, and*
  - b. *the maintenance or enhancement of highly valued natural features and landscapes.*
- (b) NFL-P3-Maintenance of highly valued natural features and landscapes  
*Maintain or enhance highly valued natural features and landscapes by:*
  - a. *avoiding significant adverse effects on the values of the natural feature or landscape, and*
  - b. *avoiding, remedying or mitigating other adverse effects.*
- (c) UFD-O4 – Development in rural areas  
*Development in Otago's rural areas occurs in a way that:*
  - 1. *avoids impacts on significant values and features identified in this RPS, ...*
- (d) UFD-P7 – Rural Areas  
*The management of rural areas:*
  - 1. *provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS, ...*

The pRPS21 is currently on hold while parts are re-notified on the basis the entire document was not a fresh water planning instrument. No decisions have been made on submissions and the RPS 2021 therefore can be afforded limited weight at this time.

### 2.3.7 Operative Central Otago District Plan

The following table provides an evaluation of the following relevant operative district wide provisions. While PC19 proposes to replace the existing residential resource area provisions, the Operative District Plan District Wide provisions have not been replaced and are relevant to PC19 and the proposal.

**Table 1.** Evaluation of the relevant District Plan objectives and policies.

District Plan Objective or Policy	Evaluation
<b>Section 4: Rural Resource Area</b>	
<p>4.3.1 <i>Objective - Needs of the District's People and Communities</i></p> <p><i>To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.</i></p>	<p>The proposal will achieve this objective by way of provision of additional housing opportunities and consolidation of an existing urban settlement. This will encourage opportunities for greater local retail and services at Pisa Moorings.</p>
<p>4.3.7 <i>Objective - Soil Resource</i></p> <p><i>To maintain the life-supporting capacity of the District's soil resource to ensure that the needs of present and future generations are met.</i></p>	<p>The rezoning will result in the loss of existing productive orchard and viticulture activities.</p> <p>The loss is not considered extensive and the conversion of the soil resource from rural productive activities to housing and a small commercial area will meet the needs of present and future generations.</p>
<p>4.3.3 <i>Objective - Landscape and Amenity Values</i></p> <p><i>To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to</i></p>	<p>The proposal will not result in the loss of valued rural amenity, nor will it affect the character of any open natural character of the hills and ranges.</p>

<p><i>maintain the open natural character of the hills and ranges.</i></p>	<p>Related Policy 4.4.2 is also relevant and discussed below.</p>
<p><b>4.4.2 Policy – Landscape and Amenity Values</b></p> <p><i>To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:</i></p> <ul style="list-style-type: none"> <li><i>(a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,</i></li> <li><i>(b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,</i></li> <li><i>(c) The ability to adequately dispose of effluent on site,</i></li> <li><i>(d) Controlling the generation of noise in back country areas,</i></li> <li><i>(e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,</i></li> <li><i>(f) Controlling the spread of wilding trees.</i></li> <li><i>(g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.</i></li> </ul>	<p>The proposal will avoid development on hills and ranges, and will not result in inappropriate urban development in an area with valued rural landscape, character and amenity values, as identified in the Bridget Gilbert Landscape Architecture Report.</p> <p>The rezoning and future development is considered to be compatible with the surrounding environment. The amenity values of the surrounding rural area will not be diminished.</p>
<p><b>Section 6: Urban Areas</b></p>	
<p><b>6.3.1 Objective - Needs of People and Communities</b> <i>To promote the sustainable management of the urban areas in order to:</i></p> <ul style="list-style-type: none"> <li><i>(a) Enable the people and communities of the district to provide for their social, economic and cultural wellbeing and their health and safety; and</i></li> <li><i>(b) Meet the present and reasonably foreseeable needs of these people and communities</i></li> </ul>	<p>The proposal can assist PC19 and the District Plan further achieve this objective by providing for additional urban land in a sustainable manner and in a way that enables the existing residents of Pisa Moorings to provide for their wellbeing.</p>
<p><b>6.3.2 Objective - Amenity Values</b></p> <p><i>To manage urban growth and development so as to promote the maintenance and enhancement of the environmental quality and amenity values of</i></p>	<p>The extension of the urban environment will maintain the existing amenity of Pisa Moorings. The Commercial Precinct will</p>



<p><i>the particular environments found within the District's urban areas.</i></p>	<p>provide an opportunity for enhancement of urban amenity values through providing local convenience and commercial activities.</p> <p>The adverse effects and costs of the rezoning on the environment can be appropriately managed.</p>
<p><b>6.3.3 Objective - Adverse Effects on Natural and Physical Resources</b></p> <p><i>To avoid, remedy or mitigate the adverse effects of urban areas on the natural and physical resources of the District.</i></p>	<p>The urban extension will result in the relatively small loss of existing horticultural land and a vineyard. The effects on rural character will be avoided and mitigated so that the benefits of the proposal outweigh the costs.</p>
<p><b>6.3.4 Objective - Urban Infrastructure</b></p> <p><i>To promote the sustainable management of the District's urban infrastructure to meet the present and reasonably foreseeable needs of the District's communities.</i></p>	<p>The rezoning area can be serviced and does not require any significant extension of infrastructure due to the site's location adjacent to an existing urban settlement with reticulated water and wastewater.</p>
<p><b>6.4.1 Policy - Maintenance of Quality of Life within Urban Areas</b></p> <p><i>To maintain and, where practicable, enhance the quality of life for people and communities within the District's urban areas through:</i></p> <ul style="list-style-type: none"> <li><i>(a) Identifying and providing for a level of amenity which is acceptable to the community; and</i></li> <li><i>(b) Avoiding, remedying or mitigating the adverse effects on the community's social, economic and cultural wellbeing and health and safety which may result from the use, development and protection of natural and physical resources, and</i></li> <li><i>(c) Recognising that change is inevitable in the use of land to enable the community to provide for its wellbeing.</i></li> </ul>	<p>The proposed rezoning can be undertaken to provide good amenity for future inhabitants and will maintain amenity values for the existing Pisa Moorings settlement.</p>
<p><b>6.4.2 Policy - Expansion of Urban Areas</b></p> <p><i>To enable the expansion of urban areas or urban infrastructure in a manner that avoids, remedies or mitigates adverse effects on:</i></p> <ul style="list-style-type: none"> <li><i>(a) Adjoining rural areas.</i></li> <li><i>(b) Outstanding landscape values.</i></li> <li><i>(c) The natural character of water bodies and their margins.</i></li> <li><i>(d) Heritage values.</i></li> <li><i>(e) Sites of cultural importance to Kai Tahu ki Otago.</i></li> <li><i>(f) The integrity of existing network utilities and infrastructure, including their safe and efficient operation.</i></li> </ul>	<p>The explanation for this policy states:</p> <p><i>The expansion of existing urban areas or the development of new urban areas has the potential to create significant adverse effects. The cost to the general public of extending infrastructure to service new urban areas must not outweigh the public benefits to be gained. Furthermore, the safe and efficient operation of existing infrastructure must not be compromised. The values associated with the area to be developed must also be assessed to ensure</i></p>





<p>(g) <i>The life supporting capacity of land resources.</i>          (h) <i>The intrinsic values of areas of significant indigenous vegetation and habitats of significant indigenous fauna.</i></p>	<p><i>landscape, soil, water, and heritage resources are not adversely affected by the expansion.</i></p> <p>The urban expansion will avoid adverse effects on adjoining rural areas and outstanding landscape values and indigenous biodiversity, and other elements.</p>
--	--

### 2.3.8 Summary

The proposed rezoning provides an opportunity to more appropriately give effect to the PORPS and District Plan objectives and policies through providing for housing in an appropriate location that will result in a small loss of rural productive land.

### 2.3.9 Sections 74 and 75 of the RMA and the Cromwell Spatial Plan

Section 75(3) of the RMA requires a district plan to give effect to:

- (a) any national policy statement; and*
- (b) any New Zealand coastal policy statement; and*
- (ba) a national planning standard; and*
- (c) any regional policy statement*

Section 74(2)(b)(i) of the RMA requires that when preparing or changing a district plan, a territorial authority shall have regard to management plans and strategies prepared under other Acts.

Regard is able to (and should) be had to the Cromwell Spatial Plan, however PC19 and the District Plan is not required to 'give effect to' the Cromwell Spatial Plan or any other plan endorsed by the Council in terms of the Local Government Act derived consultation documents. The objectives and policies of the NPSUD (to the extent relevant to the District), the PORPS19 and the District Plan are required to be given effect to by PC19 and this proposal. The Cromwell Spatial Plan is relevant, but only that regard shall be given to it.

The Cromwell Spatial Plan was completed in 2019, and the growth projections and population information appeared to be for the period 2013-2017 and the 2018 Census data. The Cromwell Spatial Plan does not identify any growth for Pisa Moorings, despite it being an established urban settlement. The Spatial Plan identifies consolidation within Cromwell itself, and PC19 has identified several sites on the edge of Cromwell as appropriate for urban zoning, including a relatively large area of existing Rural Resource Area zoned land adjacent to SH8 as rezoning from Rural Resource Area with established horticulture activities to Medium Density Residential (Freeway Orchard Site) and land at Bannockburn (Domain Road Vineyard) from Rural Resource Area to Large Lot Residential.

Notwithstanding that the Spatial Plan does not identify any urban extension at Pisa Moorings, the rezoning proposal at Pisa Moorings is considered an appropriate candidate for rezoning for the following reasons:

- It is adjacent to an established urban settlement.
- It is adjacent to existing reticulated water and wastewater and can be serviced.
- There are sufficient roading connections to the local road network and the ability to use an existing access onto SH6.
- The land has capacity for urban development and will not affect any significant amenity landscapes or ONL/F.
- The urban extension is a logical and contiguous extension of an established urban area, the proposed zoning is not a spot zone and is not isolated from existing urban areas.
- The proposed urban extension at Pisa Moorings is consistent with the Cromwell Spatial Plan, despite that Plan's omission of the opportunities for growth at Pisa Moorings because the proposal consolidates an existing urban settlement. Objective 1 of the Spatial Plan states: *Enable consolidated urban development, predominantly accommodating future growth within existing Cromwell (including the town centre and nearby localities) at a higher density of development than is currently occurring.*

The extension of Pisa Moorings accommodates growth within a nearby locality to Cromwell, being land framed by the existing settlement and the State Highway.

### 2.3.10 Evaluation – s32(1)(b)

Section 32(1)(b)(i) requires an examination as to whether the provisions in the proposal are the most appropriate way to achieve the objectives by identifying other reasonably practicable options for achieving the objectives. The following options have been considered.

#### (a) Option 1: Status Quo

The status quo would see the majority of the site retained as Rural Resource Area. This would not achieve the objectives of PC19, and would not acknowledge the opportunity for an extension to the existing urban settlement at Pisa Moorings in an integrated and coordinated way.

Applying for resource consents is inefficient and results in high transaction costs, and negates the opportunity for a certainty of outcomes through the use of a development area plan/structure plan added to the District Plan.

The resource consent process under the Rural Resource zoning does not provide for a strategic and master planned type approach to the development of the site, nor does

the resource consent process sufficiently enable the social and economic benefits of providing for land uses in a tailored way that is otherwise able to be evaluated through section 32, and the identification of the most appropriate way to achieve the objectives and policies of the District Plan.

For these reasons, relying on the existing zoning and applying for multiple non-complying resource consents is not efficient, nor as effective at providing for development while managing adverse effects on the environment, provided there is an appropriate alternative option.

### **(b) Option 2: Applying a Special Purpose Zone**

This option is available under the National Planning Standards framework, and could be simpler from the Submitters perspective to 'bed-in' the Pisa Moorings structure plan, but would have disregard to the utility and efficiency of the notified PC19 framework. This option would also require numerous consequential amendments to the District Plan and PC 19 provisions, and the district wide framework to include zone specific rules (i.e signs, earthworks chapters). This option is not considered efficient in a plan drafting and plan design context, particularly where PC19 is striving to consolidate legacy zoning under the District Plan.

This option is not favoured and it is recommended that the rezoning adopt to the greatest extent practicable the zone framework as notified in PC19.

### **(c) Option 3: Adopting the notified PC19 zones with a development area plan**

This option involves adopting the most relevant and 'best fit' notified PC19 zones, with relatively minor modifications to the MRZ provisions to introduce the Commercial Zoning precinct overlay. The Commercial Zoning precinct is also able to be adopted for other parts of the district and need to not be entirely bespoke to the Pisa Moorings rezoning proposal. The Commercial Precinct overlay and provisions provide certainty to the local community of the nature and scale of non-residential activity and avoid the need for multiple resource consents under the LRZ and MRZ local convenience retail rule framework.

The MRZ areas within the proposed zoning can also be effectively developed by applying the Council's residential design guidelines and, the development area plan and master plan can be used collectively with the comprehensive residential development guidelines.

#### **2.3.11 Preferred Option**

The preferred option is Option 3: Adopting the notified PC 19 zones with a development area plan, and a bespoke rule for commercial activities within a defined precinct/overlay. For the reasons set out above, in this evaluation for Section 32AA purposes:

- The **existing proposal** is the notified PC19 Zoning and provisions, i.e. the Rural Resource Area, and small areas of LRZ and LLR zoning on the site;

- The **amending proposal**: Rezoning the site as shown in the rezoning plan attached in Appendix A, with the addition of a development area plan.

This option has the ability to better achieve the purpose of the RMA by providing for greater housing options and economic and social wellbeing while minimising adverse effects and the relatively small loss of the rural productive resource.

### 2.3.12 Efficiency and effectiveness of the proposed provisions

Section 32(1)(b)(ii) requires an examination of the efficiency and effectiveness of the provisions.

The proposed provisions associated with the rezoning are set out in the submission document (in red text). In general terms, the provisions set out generally the same regulatory intervention as the notified PC19 framework, ie. a restricted discretionary activity subdivision with the inclusion of the development area plan as a matter of discretion, where relevant.

Adherence to the development area plan and the matters for consideration as identified in the proposed subdivision policy will create an additional transaction cost for the developer, but is a small cost given the certainty that the development area plan provides for the community overall in terms of expectations for future development.

Transaction costs for future occupants are commensurate with the PC19 framework.

### 2.3.13 Key reasons for deciding on the provisions

Section 32(1)(b)(iii) requires a summary of the reasons for deciding on the provisions, those reasons are:

- The provisions integrate well with the notified PC19 framework.
- The zoning is a contiguous and coherent extension of the existing Pisa moorings development.
- The provisions identify and appropriately manage the identified sensitivities such as road noise and landscape buffer plantings.
- The bespoke commercial precinct is more effective than relying on resource consents through the notified PC19 local convenience retail rule framework.
- The provisions will ensure that subdivision and development is sustainable and will appropriately manage adverse effects.

## 2.4 Section 32 (2)

Section 32(2) requires that an assessment under section 32(1)(b)(ii), as part of assessing the efficiency and effectiveness of the provisions in achieving the objectives, identifies and assesses the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions. This

includes the opportunities for economic growth that are anticipated to be provided or reduced, and employment that is anticipated to be provided or reduced.

#### **2.4.1 Benefits and costs including opportunities for economic growth and employment to be provided or reduced**

The landscape, reverse sensitivity/road nose, contaminated land, roading and servicing aspects of the proposal have been assessed in the respective technical reports and summarised, and their effects on the environment assessed in the planning assessment. The costs to the environment, including social and cultural costs are able to be appropriately managed so that the benefits outweigh those costs. The benefits are broadly summarised as being:

- Additional housing options at Pisa Moorings, and at a variety of densities to provide flexibility of housing choice which responds to NPSUD and District Plan Section 6 directives for a diversity of housing and the social and economic well being of the community;
- Opportunities to enhance the built and social environment by way of a small scale commercial area at Pisa Moorings;
- Opportunities for a neighbourhood to be connected through a network of pedestrian walkways;
- Employment through the subdivision development activities and construction of housing. Ongoing employment through commercial activities within the Precinct through businesses which serve the local community, such as cafes, early childhood education, a small supermarket (<400m<sup>2</sup>), and service retail activity.

The costs are increased traffic congestion at the Pisa Moorings Road and SH6 intersection, a small loss of rural productive use and a small loss of rural character.

For the above reasons the benefits of the proposal outweigh the costs.

#### **2.4.2 Risk of Acting or not acting**

While the costs and benefits have not been quantified, they have been evaluated by technical reports, and the risk of acting (i.e. the rezoning as proposed taking effect) is considered to be low. There is a high level of information available about the site and the subject matter of the provisions, in particular the likely ecological and landscape effects and traffic effects. By not acting, significant consenting costs will be incurred, and development will be piecemeal, if not limited.

### **2.5 Section 32(3)**

The requirements of section 32(3) have been incorporated into the above evaluation by considering the objectives of PC19 (the existing proposal) and the implications of the rezoning and additional objectives and provisions in the District Plan.



# Preliminary Infrastructure and Services Report

## Pisa Village Development Ltd & Pisa Moorings Vineyard Ltd

Proposed Rezoning of Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 & Lot 112 DP 546309

Prepared by:

**C Hughes and Associates Ltd**  
Surveying and Resource Management  
Central Otago



### Table of Contents

1.0	Introduction .....	2
2.0	Site and Soils .....	2
3.0	Traffic & Road Design.....	2
4.0	Stormwater .....	3
5.0	Wastewater.....	3
6.0	Water Supply.....	4
7.0	Electricity & Telecommunications .....	4
8.0	Summary .....	5



## 1.0 Introduction

Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd have engaged C Hughes and Associates Ltd to prepare an infrastructure and services report in support of their submission on proposed Plan Change 19 to the Central Otago District Plan. Their submission is a request for the site being Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912, and Lot 112 DP 546309 to be rezoned from Rural Resource Area and Residential Resource Area (3) and (13) to a mix of Low Density Residential, Medium Density Residential, and a local convenience retail zone or precinct. The 24.3 Ha site is located between Luggate-Cromwell Road (SH 6) and the existing Pisa Moorings residential settlement. This report details the nature of the existing infrastructure in the area, and the potential new infrastructure required for development of the site at a density allowed for by the proposed zoning. In doing so, it provides confirmation that servicing of future development of the site at the density achievable under the proposed rezoning can be provided in accordance with Central Otago District Council (CODC) standards.

## 2.0 Site and Soils

The existing site land use is agricultural and horticultural, in the form of an orchard and packhouse in the northern portion of the site and a vineyard in the southern portion. Given this existing land use, Claude Midgley of Insight Engineering was engaged to undertake a detailed environmental site investigation (DSI) to assess the suitability of the site for residential development. Findings of the DSI were that the majority of soil encountered across the site was light brown sandy silt, which is consistent with the geological context of the site as indicated by the GNS New Zealand Geology Webmap as Holocene and Late Pleistocene river deposits. The DSI also identified several potential sources of soil contamination, as to be expected given the existing site use, such as treated timber posts which are known to leach contaminants. Recommendations of the DSI were that residential development of the site would be appropriate with implementation of a suitable Remediation Action Plan (RAP) to formalise the strategy to manage or remediate the contaminated areas during the completion of soil disturbance works.

## 3.0 Traffic & Road Design

As per the provided structure plan (C1710) indicative roading networks for future development of the site would be accessed via the existing Pisa Moorings local road network, with potential entrances off Stratford Drive and Pony Court. This approach means that future vehicle movements, due to residential development of the site, would gain access to their properties via the existing Pisa Moorings Road intersection with Luggate-Cromwell Road (SH 6). Jason Bartlett of Bartlett Consulting has provided an assessment of the operation and capacity of this intersection with the additional vehicle movements that would occur if the site was developed to the density allowed for by the proposed rezoning. The findings of his assessment were that, following complete development of the site, traffic flow during pm peak times would be at 43% of the intersection's capacity and that the proposed rezoning can be accommodated within the existing state highway infrastructure without the need for improvements.



In relation to the Pisa Moorings local road network, because the site has significant lengths of frontage to both Stratford Drive and Pony Court, and because these roads are formed to the same standard and width as Pisa Moorings Road itself, new intersections can be designed and constructed with ample carriageway widths, kerb return radii, and sight distances etc, so as to provide safe and efficient roading network extension. Given the relatively flat natural topography of the site, the roading network within the site can easily be designed and constructed with longitudinal gradients, carriageway widths, and crossfall in accordance with CODC standards.

## 4.0 Stormwater

Given the free draining ground conditions of the site, as in the wider Pisa Moorings area, any stormwater run-off from future development of the site can be locally disposed of via soakage pits. Stormwater disposal via soakage pits avoids the need for intensive stormwater reticulation to concentrate the stormwater flow and direct it off site. Stormwater accumulated on the roading network can be directed to and disposed of by soakage pits within the road reserve or other reserve areas. Stormwater accumulated within residential allotments resulting from built development will be required to be disposed of within individual allotments via onsite soakage.

## 5.0 Wastewater

After completion of a UAV survey to determine ground levels across the site, and investigation of the location and depths of the existing CODC wastewater network within the Pisa Moorings residential area adjoining the site, we have completed calculations to confirm that the entire site can be serviced by extension of the existing CODC gravity wastewater network.

There are existing 150mm uPVC wastewater drainage pipes with standard 1050mm concrete manholes located within Stratford Drive and Pony Court adjacent to the site. This existing wastewater network is at a suitable depth such that a gravity wastewater network extension from these existing manholes can be designed in accordance with CODC standards to service future development.

Ensuring compliance with CODC standards, particularly in terms of minimum grades of pipes and the maximum distances between manholes, we have determined that the gravity network can be extended such that it will service all lots across the site if it is developed in accordance with the proposed rezoning. Our calculations have also confirmed that all pipes within the extension to the network can be provided with suitable cover between the top of pipes and finished surface level under both potential future trafficable and non-trafficable surfaces.

We understand that CODC have engaged Mott MacDonald to complete modelling of the existing wastewater and water networks across Pisa Moorings and the wider Cromwell basin area. Whilst we have not yet received information regarding the outcomes of this modelling, the CODC Engineering department have previously advised that they agree in principle with the serviceability of a future development of the site at a residential density. Development

concept plans, including indicative servicing plans for the entire site, were previously tabled at meetings with CODC Engineering and Planning department staff, and the serviceability of the site was never raised as a concern. The finer design details, and wider network connection options, will obviously be worked through during future resource consenting processes.

## 6.0 Water Supply

Potable water reticulation to service future residential development of the site can be connected to the existing CODC water reticulation within the Pisa Moorings residential area adjoining the site. There are existing CODC water mains located in Pisa Moorings Road, Stratford Drive, and Pony Court to which reticulation to service development of the site can be connected.

The site has the advantage of having access to existing CODC water reticulation at both the southern and northern ends of the site. Future water reticulation can therefore be looped through the site, connected at both the southern and northern ends to the existing network, including to the 300mm diameter trunk water main within Pisa Moorings Road (if considered appropriate by the CODC Engineering department). Looped water reticulation has the advantages of reducing the risk of water stagnation and improving the ability to isolate and repair faults in the network, minimising loss of service if faults do occur.

As noted above, we understand that CODC have engaged Mott MacDonald to complete modelling of the existing wastewater and water networks across Pisa Moorings and the wider Cromwell basin area. Whilst we have not yet received information regarding the outcomes of this modelling, the CODC Engineering department have previously advised that they agree in principle with the serviceability of a future development of the site at a residential density. Development concept plans, including indicative servicing plans for the entire site, were previously tabled at meetings with CODC Engineering and Planning department staff, and the serviceability of the site was never raised as a concern. The finer design details, and wider network connection options, will obviously be worked through during future resource consenting processes.

## 7.0 Electricity & Telecommunications

It is anticipated that, given the location of the site directly adjoining existing residential activity and Aurora Energy and Chorus New Zealand (network utility operator) networks, residential development of the site, at a density allowed for by the proposed zoning, will be serviceable in terms of electricity and telecommunications. Aurora Energy have an extensive network of high and low voltage electrical infrastructure in the immediate area, and we understand that Chorus New Zealand also have an extensive high bandwidth fibre optic telecommunications network immediately adjacent to the site. Extension of both the electricity and telecommunications networks are being considered through consultation with the network utility operators and their approved contractors, and these extensions will be subject to final designs and approvals at resource consenting stage.

## 8.0 Summary

Following our investigations into the nature of the existing infrastructure in the area, and the potential infrastructure required to service development of the site at a density allowed for by the proposed rezoning we have found that servicing of future development of the site can be achieved in accordance with CODC standards.

30 August 2022

Pisa Village Development Ltd & Pisa Moorings Vineyards Ltd

C/- Town Planning Group  
PO Box 2559  
Wakatipu  
Queenstown, 9349

Attention: Craig Barr

Dear Craig,

## **Pisa Moorings, Luggate-Cromwell Road (SH6) Proposed Zone Change, Access Assessment**

The purpose of this letter is to assess the operation and capacity of the existing Pisa Moorings Road intersection with Luggate-Cromwell Road (SH6) and this intersection's ability to support a proposed rezoning submission.

### **1 Background**

The Submitters, Pisa Village Development Ltd & Pisa Moorings Vineyards Ltd, propose to extend the residential zoning at Pisa Moorings to include Lot 2 DP397990 and Lot 112 DP546309, the site. These lots are located between Luggate-Cromwell Road (SH6) and the existing Pisa Moorings residential area. A small commercial precinct is sought in the northern extent of the site to provide for local convenience retail and service activities. The site is generally within the Rural Resource Area within the CODC Operative District Plan (ODP).

The site is currently used for horticulture, the northern part of the site (828 Luggate-Cromwell Road) includes a fruit packing facility. The onsite activities are accessed from Luggate-Cromwell Road (SH6) at two locations. It is also possible to access the site via the Pisa Moorings local road network via Stratford Drive and Pony Court.

The proposed rezoning will utilise the existing local road network and will obtain access onto SH6 via the Pisa Road intersection. The two existing accesses onto SH6 would be closed.

### **2 Transport Network**

#### **2.1 Luggate-Cromwell Road (SH6)**

The site is currently accessed via 2 accesses from Luggate-Cromwell Road, SH6. SH6 is a state highway managed by Waka Kotahi (NZTA) and provides a transport link between the east and west coast of the South Island via Haast Pass. At the site SH6 has an estimated traffic flow of 3480vpd with 8.5% heavy vehicles<sup>1</sup>. The traffic flow estimate increases to the south of the site, between Cromwell and the intersection with Pisa Moorings Road to 4704vpd<sup>2</sup>. SH6 has a posted speed limit of 100km/hr, no speed survey has been undertaken

---

<sup>1</sup> From Mobile Road (mobileroad.org) – 3480vpd with 8.459% heavy vehicles dated 24/12/2020.

<sup>2</sup> From Mobile Road (mobileroad.org) – 4704vpd with 8.459% heavy vehicles dated 24/12/2020

at the site, based on the generally straight and flat alignment of SH6 it is likely that the upper operating speed could be slightly higher than the posted speed limit, say 110km/hr.

SH6 is has a general carriageway width of approximately 8.5m and is marked with 2 (opposing) traffic lanes.

Traffic count data for SH6 is collated by Waka Kotahi. There are two traffic counts near to the site that can be used to gain an understanding of the current state highway traffic and historic growth rates. The following, Table 1, below provides a summary of the latest traffic count data nearest to the site. This traffic count data is provided as Average Annual Daily Traffic (AADT).

**Table 1 – SH6 Traffic Count Data, source NZTA State Highway Traffic Volumes 2013 – 2017**

Site	2016	2017	2018	2019	2020
SH6 – Albertburn (before Albertburn Bridge), ID:00600917	2298	2508	2617	2806	2719
SH6 – Lowburn, ID:00600939	4398	4628	5541	6006	5622

The Albertburn traffic count site is located north of Pisa Moorings, and the Lowburn traffic count is located to the south, between Pisa Moorings and Cromwell

The Lowburn traffic data shows an average pre-Covid19 averaged annual growth rate over 5 years (2014-2019) of 10.2%, this traffic growth will have been heavily influenced by residential development and growth at Pisa Moorings, and traffic between Cromwell and Pisa Moorings.

The Albertburn traffic count is less influenced by the growth of Pisa Moorings and is more representative of the background traffic and growth. For the same 5 year period (pre-Covid19, 2014-2019) this data shows an averaged annual growth rate of 8.5%.

The above traffic flow data is affected by the traffic reduction in 2020 from the Covid19 pandemic which included border restrictions and reduced foreign tourism. Typically, 2022 traffic counts are similar or slightly less than the peak 2018/19 traffic flows as the country recovers from the Covid19 pandemic and international tourism returns.

It is noted that future traffic growth will be reliant on elements including tourism (domestic and foreign) and other commercial and residential subdivisions enabled under the ODP. For this traffic assessment a future traffic generation rate of 4% has been adopted which is generally applicable where the extent of future development is unknown.

## 2.2 Pisa Moorings Road

Pisa Moorings Road provides the only access to the residential area of Pisa Moorings. The existing zoned area currently (July 2021) includes approximately 384 constructed homes including 24 apartments. The residential zoning (Residential Resource Area) allows for a potential (permitted) 495 homes<sup>3</sup>. Pisa Moorings Road is classified as an urban local road within the CODC transport network (refer ODP). The estimated traffic flow on Pisa Moorings Road is 1000vpd with 6% heavy vehicles<sup>4</sup>. Given the number of residential dwellings served (384 in July 2021) it is likely that the current, 2022, daily traffic flow will be higher than the current estimates.

Pisa Moorings Road has a general carriageway width of 7.5m which provides the trafficked carriageway width of a residential collector road with no allowance for roadside parking on the sealed carriageway. The posted speed limit of Pisa Moorings Road is 50km/hr, the general

<sup>3</sup> Based on information provided by C. Hughes & Associates.

<sup>4</sup> From Mobile Road (mobileroad.org) – 1000vpd with 6% heavy vehicles dated 28/05/2018.

alignment of Pisa Moorings Road and the level of roadside development suggests an operating speed of approximately 50km/hr to match the speed limit.

## **2.3 Pisa Mooring Access Intersection**

Access to Pisa Moorings is provided via the Pisa Moorings Road intersection with Luggate-Cromwell Road, SH6. This intersection is formed as a cross intersection with Clark Road opposite, the alignment of Pisa Moorings Road with Clark Road opposite introduces a slight left-right stagger which is not ideal. A review of the NZTA crash data suggests only a single crash has occurred at this intersection in the last 5 years, this was a 2 car crash at the intersection resulting in a minor injury in 2018<sup>5</sup>.

### **2.3.1 Existing Traffic (2021)**

To assess the capacity and operational efficiency of this intersection a traffic survey was undertaken on 27 July 2021. This survey showed a peak during the pm peak period which is also a worst case due to the dominance of the right turn traffic from SH6 to Pisa Moorings Road with the conflicting southbound SH6 traffic flow.

During this pm peak period the surveyed traffic using Pisa Moorings Road (311 vehicles per hour, vph) equated to 0.81vph/dwelling based on the current 384 built homes. It is noted that this peak traffic generate rate compares with the 85<sup>th</sup> percentile (design) traffic generation rate for an outer suburban dwelling of 0.9vph/dwelling<sup>6</sup>. The am peak period traffic for Pisa Moorings Road was 233vph or a rate of 0.58vph/dwelling, significantly less than the pm peak period traffic generation.

The existing traffic (2021) flows and distribution from the traffic survey undertaken are provided in Appendix A. It is noted that this includes the surveyed (2021) peak hour traffic flow on the adjacent SH6.

### **2.3.2 Permitted Traffic (2022)**

It is possible that the current residential zoning could enable the development of up to 495 residential dwellings at Pisa Moorings as permitted development. Using the existing traffic generation rate (0.81vph/dwelling) this could result in a permitted traffic flow of 401vph on Pisa Moorings Road during the pm peak period, a 29% traffic flow increase. This will be distributed as per the existing traffic flows. The permitted traffic (2022) flows are provided in Appendix A which include 4% growth for SH6 traffic.

### **2.3.3 Traffic Modelling**

SIDRA modelling software has been used to investigate the performance of the access intersection. Because of the very low volume of traffic using Clark Road and the dominance of SH6 and right turning traffic to Pisa Moorings this has been modelled as a cross intersection. For this assessment only the pm peak has been modelled as the traffic flows are significantly higher and have a greater influence on the efficiency of the intersection. The following, Table 2, outlines the level of service of the existing intersection in three different pm peak period scenario, including:

- The existing traffic (2021) to compare with observations at the time of the survey to validate the model,

---

<sup>5</sup> From Waka Kotahi (NZTA) open data portal.

<sup>6</sup> Refer Waka Kotahi (NZTA) Research Report 453 (RR453) Trips and parking related to land use, Table 7.4.



- The permitted traffic (2022) to consider the likely intersection performance given the current residential zoning at Pisa Moorings. This model considers full development under the current planning environment, and
- A future permitted (2032) to consider a future base, design year, performance for the considering effects of an increased residential activities at Pisa Moorings.

The results are based on the right turning manoeuvres as these turning movements will have the lowest level of service (LOS)/greatest delay, which are indicators of the operational efficiency of the intersection.

**Table 2 – Intersection Performance for right turners, Permitted pm peak period**

Approach	SH6 – Cromwell	Pisa Moorings Rd	SH6 – Luggate	Clark Rd
Existing 2021	LOS A 95% Que – 0.8veh Delay – 8.8 sec	LOS C 95% Que – 0.4veh Delay – 16.2 sec Overall LOS A	LOS A	LOS C 95% Que – 0.1veh Delay – 16.2 sec Overall LOS B
	Overall intersection efficiency 17%			
Permitted 2022 4% SH6 Growth	LOS A 95% Que – 1.1veh Delay – 8.9 sec	LOS C 95% Que – 0.5veh Delay – 19.3 sec Overall LOS A	LOS A	LOS C 95% Que – 0.1veh Delay – 19.4 sec Overall LOS C
	Overall intersection efficiency 22%			
Permitted 2032 4% SH6 Growth	LOS A 95% Que – 1.2veh Delay – 9.7 sec	LOS D 95% Que – 0.7veh Delay – 31.0 sec Overall LOS B	LOS A	LOS D 95% Que – 0.1veh Delay – 31.2 sec Overall LOS C
	Overall intersection efficiency 26%			

The existing (2021) model shows a queue length (95% queue length) for the right turn, from SH6 to Pisa Moorings Road, of 0.8 vehicles. In practical terms this suggests that the queuing would typically be only 1 vehicle. During the surveys it was noted that traffic on the state highway was bunching when approaching the intersection which resulted in the queue lengths of up to 3 vehicles for very short times. It is therefore noted that the 100km/hr speed limit and vehicle bunching result in observed queue lengths which may slightly exceed the modelled queue length for very short time periods. This is for periods of less than 5% of the peak period and therefore not visible in the model. During the surveys it was noted that, overall, there was minimal queuing identified at the intersection. Based on the observed and modelled results the intersection is currently operating with minimal operational delay.

The permitted (2022) model shows that should the existing residential resource area be fully developed there will be a slight change in the operation of the existing intersection. This change results in an additional delay approximately 3 seconds when right turning from either Pisa Moorings Road or Clark Road, although these movements remain at level of service C. For the Clark Road approach the overall level of service B will reduce to level of service C. In reality this is unlikely to have any noticeable traffic effects noting that Clark Road has a very low traffic flow with only 5 vehicle movement on this approach in the pm peak period.

Traffic growth on SH6 over the next 10 years (at 4% per annum) will result in a change in the operational efficiency of the intersection. This is shown by the change in the level of service for the right turns from Pisa Moorings Road and Clark Road approaches. The anticipated traffic growth on SH6 will result in a noticeable change decrease in the Level of Service (C to

D) for these right turn manoeuvres with increased delays to just over 30 seconds. In reality these right turn manoeuvres are very lightly trafficked with a total 12 vehicles turning right from Pisa Moorings Road and 3 vehicles turning right from Clark Road. Overall, the Pisa Moorings Road intersection have a good operational efficiency, operating at 26% of its capacity in 2032.

### 2.3.4 Sensitivity Testing

As a sensitivity assessment a further traffic model has been considered, this allows for higher SH6 traffic growth rate. As an example a medium growth rate of 5.5% per annum may be considered or a higher traffic growth rate of 8.5% per annum. The higher growth rate is the same as the observed averaged annual traffic growth rate to the north of Pisa Moorings (2014-2019 at Albertburn). The following Table 3 provides a summary of the sensitivity modelling undertaken. This table also provides the permitted 2032 traffic with 4% state highway growth for comparison.

**Table 3 – Intersection Performance for right turners, Sensitivity of pm peak period**

Approach	SH6 – Cromwell	Pisa Moorings Rd	SH6 – Luggate	Clark Rd
Permitted 2032 4% SH6 Growth	LOS A 95% Que – 1.2veh Delay – 9.7 sec	LOS D 95% Que – 0.7veh Delay – 31.0 sec Overall LOS B	LOS A	LOS D 95% Que – 0.1veh Delay – 31.2 sec Overall LOS C
Overall intersection efficiency 26%				
Permitted 2032 5.5% SH6 Growth	LOS B 95% Que – 1.4veh Delay – 10.3 sec	LOS E 95% Que – 0.8veh Delay – 40.0 sec Overall LOS B	LOS B 95% Que – 0.0veh Delay – 10.5 sec	LOS E 95% Que – 0.1veh Delay – 40.2 sec Overall LOS D
Overall intersection efficiency 29%				
Permitted 2032 8.5% SH6 Growth	LOS B 95% Que – 1.9veh Delay – 12.4 sec	LOS F 95% Que – 1.5veh Delay – 81.8 sec Overall LOS C	LOS B 95% Que – 0.0veh Delay – 12.3 sec	LOS F 95% Que – 0.2veh Delay – 80.0 sec Overall LOS F
Overall intersection efficiency 39%				

The slight increase in the growth on SH6 (5.5% per annum) will have a noticeable effect on the operational efficiency of the Pisa Mooring access intersection suggesting that the right turn from Pisa Moorings Road would reduce to a level of service E (40 second delay). The higher (8.5% per annum) will have a further reduction in right turning level of service reducing to F (81.8 seconds delay).

However, each of these assessments maintain the 95% right turn queue, from SH6 to Pisa Moorings, to less than 2 queued vehicles with a delay of less than 12.4 seconds.

Overall, this sensitivity testing suggests that the overall operational capacity of the intersection of SH6 with Pisa Moorings Road is highly sensitive to traffic growth on SH6. However, even at the higher growth rates overall queuing is low with less than 2 vehicles queuing either to or from Pisa Moorings Road and therefore the intersection form is appropriate for the anticipated turning movements and traffic flows.



### 3 Proposed Development

It is proposed to extend the residential zoning over the site to facilitate further residential development at Pisa Moorings. The proposed extension will allow for low density residential development with a central portion allowing for medium density residential development. The rezoning includes a small section of local convenience retail/commercial and mixed use activities in the portion of the site which includes the existing packing facilities.

The rezoning comprises 18.6ha low density residential zoning, 5.7ha medium density residential zoning and within this 5.7ha area, a local retail/convenience commercial zoning of 1.7ha. It is understood that the proposed rezoning (from Rural Resource Area) would yield approximately 292 residential dwellings and 2 retail/commercial lots (with several small scale commercial activities). The proposed rezoning is provided in Appendix B.

#### 3.1 Proposed Traffic

The proposed development has been modelled as 292 residential dwellings. This assessment is to address potential traffic effects at the intersection of Pisa Moorings Road and SH6 and therefore the peak (hourly) traffic generation is appropriate at this stage of the development. From the traffic surveys the peak traffic generation will be during the pm peak period. To consider a robust assessment the peak pm traffic generation has been based on the design rate from Waka Kotahi (NZTA) Research Report 453 (RR453) Trips and parking related to land use. This document provides a design traffic generation rate for an outer suburban dwelling of 0.9vph/dwelling<sup>7</sup>. The proposed traffic distribution at the intersection of Pisa Moorings Road with SH6 is based on the traffic survey undertaken (refer Appendix A). The proposed traffic generation and distribution is provided in Appendix C.

It is noted that the proposed rezoning also includes a small precinct for retail, community and service activities that will serve the needs of the local community. These activities will not be high traffic generating activities. It is unlikely any noticeable traffic effects at intersection of Pisa Moorings Road with SH6. Specific trips for these activities have been excluded from the overall peak period traffic generation and modelling.

#### 3.2 Proposed Traffic Modelling

The proposed traffic flows have been modelled, with the 4% state highway traffic growth to a design year. The design year is 10 years from now and is to represent a future year when full development traffic may have been completed and traffic is part is within the state highway road network.

The following, Table 4, provides the anticipated intersection performance from modelling. This table also provides the future year permitted traffic modelling at the SH6 intersection for comparison with various SH6 traffic growth for comparison.

**Table 4 – Intersection Performance, pm peak period**

Approach	SH6 – Cromwell	Pisa Moorings Rd	SH6 – Luggate	Clark Rd
Permitted 2032 4% SH6 Growth	LOS A 95% Que – 1.2veh Delay – 9.7 sec	LOS D 95% Que – 0.7veh Delay – 31.0 sec Overall LOS B	LOS A	LOS D 95% Que – 0.1veh Delay – 31.2 sec Overall LOS C

<sup>7</sup> Refer Waka Kotahi (NZTA) Research Report 453 (RR453) Trips and parking related to land use, Table 7.4.

Approach	SH6 – Cromwell	Pisa Rd	Moorings	SH6 – Luggate	Clark Rd
	Overall intersection efficiency 26%				
Permitted 2032 8.5% SH6 Growth	LOS B 95% Que – 1.9veh Delay – 12.4 sec	LOS F 95% Que – 1.5veh Delay – 81.8 sec Overall LOS C		LOS B 95% Que – 0.0veh Delay – 12.3 sec	LOS F 95% Que – 0.2veh Delay – 80.0 sec Overall LOS F
	Overall intersection efficiency 39%				
Proposed 2032 4% SH6 Growth	LOS B 95% Que – 3.0veh Delay – 10.7 sec	LOS F 95% Que – 1.8veh Delay – 52.4 sec Overall LOS C		LOS A	LOS F 95% Que – 0.2veh Delay – 51.7 sec Overall LOS E
	Overall intersection efficiency 43%				

The proposed traffic will increase the right turning traffic which has an effect on the operation efficiency of the Pisa Moorings access intersection. Based on the permitted traffic (4% SH6 growth) the proposed development will represent an overall reduction in the level of service for the right turn manoeuvres. Overall, the intersection will operate at approximately 43% of capacity suggesting that there will be a noticeable change but that the proposed development can be accommodated within the existing intersection design.

The sensitivity test undertaken shows that the proposed development will have a similar effect on the operation of the SH6 intersection as the higher traffic growth rate (8.5% per annum) scenario. In comparison with this scenario the queue length will be similar (less than 2 vehicles) although the proposed development will have less overall delay even though the level of service will be similar.

## 4 Waka Kotahi Consultation

At an early stage of this scheme development Waka Kotahi were contacted regarding the change in performance and efficiency of their state highway network. In response to the intersection modelling Waka Kotahi have requested a safe systems assessment of effects on the intersection with SH6 with Pisa Moorings Road<sup>8</sup>. No substantive feedback on the rezoning proposal was provided.

A safe systems assessment<sup>9</sup> concentrates on road safety and the reduction of serious and fatal road crashes. The greatest road safety concern at any intersection is speed. Drivers are looking for gaps in the through traffic flow (SH6 traffic flow) to make their turning movements and speed has a direct correlation to the severity of any crash. Therefore, the easiest way to reduce the occurrence of a serious or fatal at this intersection will require that the speed of through traffic on SH6 is reduced from 100km/hr to, ideally, less than 50km/hr. This will reduce the risk of death or serious injury from side impact crashes which are typical at intersections. To achieve this level of speed reduction it is likely by upgrading the existing access intersection to a roundabout intersection where the circulating carriageway and intersection controls (give way) results in an operating speed of approximately 40km/hr.

<sup>8</sup> From Correspondence from Waka Kotahi (NZTA), Julie McMinn dated 7 March 2022.

<sup>9</sup> Refer Austroads Guidance, Safe System Assessment Framework, February 2016.

Although a roundabout intersection is likely to provide a safer access intersection there are a number of alternatives to a roundabout, and considerations associated with installing a roundabout:

- Upgrades to the right turn bay and current intersection are possible within the existing road corridor such as the development of physical islands to further separate the different traffic streams,
- Reducing the posted speed limit at the intersection to reduce any crash severity,
- The potential for other connections the site to the north, ie upgrading the existing packing facility access directly onto SH6,
- Consideration of other transport networks such as walking, cycling and public transport to reduce the overall vehicle traffic between Pisa Moorings and Cromwell.
- The Pisa Moorings access intersection has a high right turn traffic flow from SH6 to Pisa Moorings Road (southern approach). In a roundabout scenario this vehicle movement is unopposed and will therefore dominate the roundabout transferring delay to southbound (to Cromwell) SH6 traffic.
- It is possible that a roundabout will increase the overall number of conflicts at the intersection through the introduction of the circulating carriageway, this may increase the number of minor and non injury crashes at the intersection.

Theoretically, roundabouts reduce the occurrence of serious and fatal crashes at an intersection. However, on a practical level given the current crash history at the intersection, 1 minor injury crash in the last 5 years, it is unlikely that a roundabout intersection will noticeably improve road safety at the site.

The site currently has access directly onto SH6 at the northern boundary. It is possible for an additional intersection to be formed at this location. It is understood that Waka Kotahi prefer that development onto SH6 is consolidated utilising the existing Pisa Mooring access, this is preferred and supported from a traffic safety and road network efficiency perspective.

## 5 Summary

Pisa Village Development Ltd & Pisa Moorings Vineyards Ltd proposed to rezone the site to low density and medium density residential with allowance for local convenience commercial/retail activities.

The site is currently directly accessed from SH6 at two locations, it is feasible to form a new intersection from the northernmost crossing point which currently services the pack house. It is preferred that the proposed rezoned residential area is accessed from the local road network within the Pisa Moorings. This assessment therefore considers the proposed rezoned residential area being accessed via the Pisa Moorings Road network and utilising the existing Pisa Moorings access intersection of Pisa Moorings Road with Luggate-Cromwell Road (SH6).

The existing intersection is formed with a right turn bay and left turn lane on the state highway. To assess the operation and efficiency of this intersection a traffic survey has been undertaken in July 2021. This showed that the existing intersection is appropriate and operates well below its capacity. The intersection can also accommodate the full, permitted, development of the current zoning both in the current year (2022) and a future design year (2032) allowing for a number of potential state highway growth rates; reasonable 4%, medium growth 5.5% or high growth 8.5% per annum. This assessment shows that the current intersection can accommodate the full development of the current zone, at reasonable state highway traffic growth rate of 4% the intersection will operate at 26% of its capacity.

The proposed rezoning will result in a noticeable change in the performance of the right turn manoeuvres at the intersection and an increase in traffic delay and level of service during the worst case pm peak period. During this peak time the proposed rezoning will result in the intersection operating at 43% of its capacity, the existing intersection will accommodate the proposed traffic flow for the requested rezoning.

A sensitivity test undertaken shows that the proposed development will have similar effects on the intersection, as a state highway growth rate of 8.5% per annum. This is the observed averaged annual state highway traffic growth rate between 2014 and 2019.

Waka Kotahi provided some high level preliminary feedback on the proposal and suggested that a safe systems assessment be undertaken for the intersection of Pisa Moorings Road and SH6. A safe systems assessment is based purely on road safety would suggest that the existing intersection is upgraded to a roundabout. However, when considering the existing crash history, overall intersection efficiency and options available for improvements within the existing road corridor it is considered that a roundabout is not the only viable solution.

Overall, I consider that the proposed development will have a noticeable effect on the current Pisa Moorings access intersection. There will be a noticeable increase in traffic flow and during the pm peak period the intersection operate at 43% of its capacity. I consider that the proposed rezoning can be accommodated within the existing state highway infrastructure without the need for improvements.

Should you require any further information please contact me.

Yours sincerely,

**Jason Bartlett**

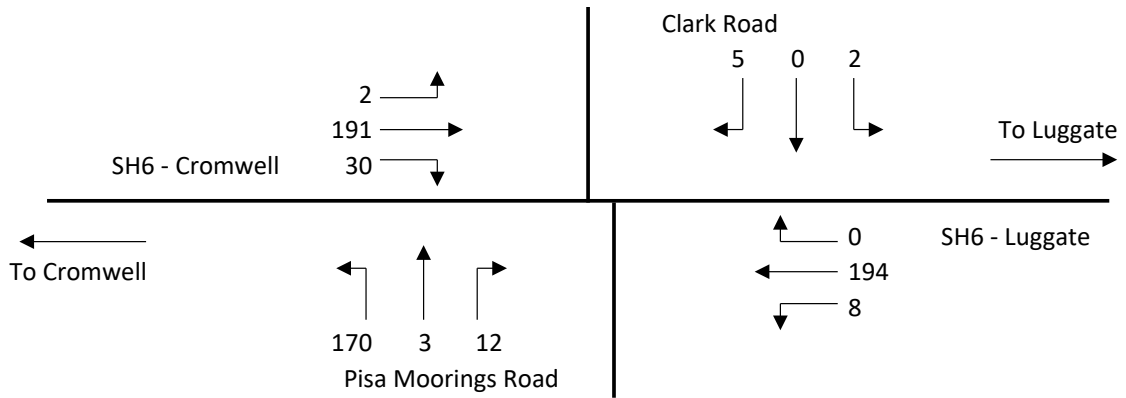
CEng MICE, MEngNZ  
Traffic Engineer

## **Appendix A SH6 intersection with Pisa Moorings Road, Existing**

The following are provided:

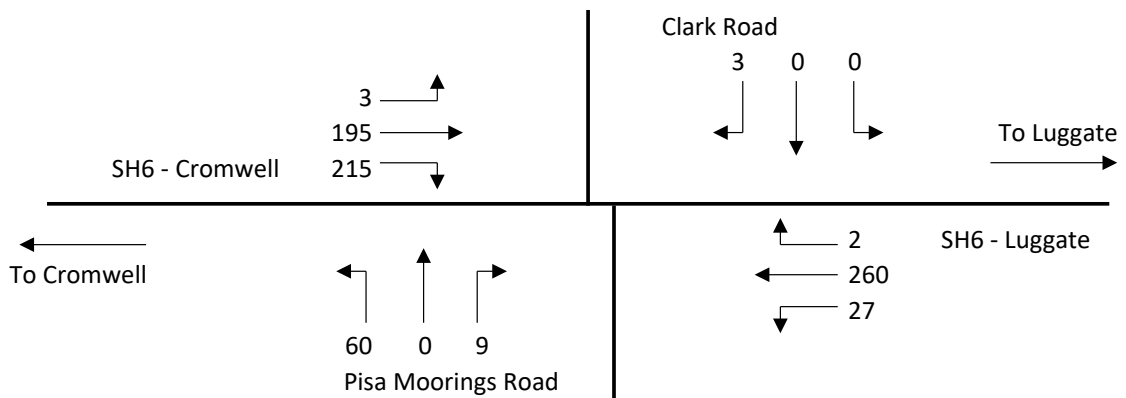
- Existing traffic (2021) from traffic surveys,
- Existing traffic distribution from surveys,
- Permitted traffic (2022),
- Permitted traffic (2032) with 4% per annum SH6 traffic growth.
- Traffic Modelling, site layout
- Traffic Modelling, movement summary, existing 2021 pm
- Traffic Modelling, movement summary, permitted 2022 pm
- Traffic Modelling, movement summary, permitted 2032 pm (4% SH6 growth),
- Traffic Modelling, movement summary, permitted 2032 pm (5.5% SH6 growth), and
- Traffic Modelling, movement summary, permitted 2032 pm (8.5% SH6 growth).

**Existing traffic (2021), am peak**



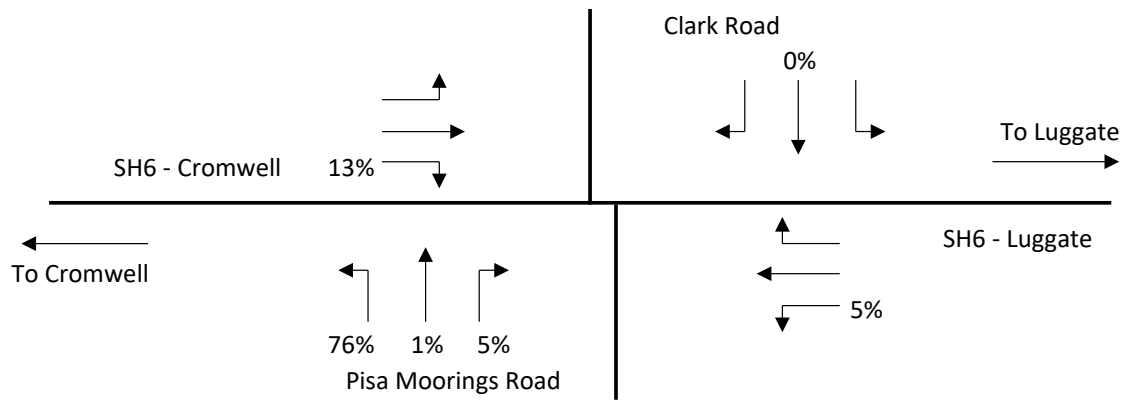
Based on am traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection. Pisa Moorings has 384 developed lots (dwellings) including 24 apartments at Perriam Cove. Existing traffic generation during the am peak hour is 0.58vph/dwelling.

**Existing traffic (2021), pm peak**



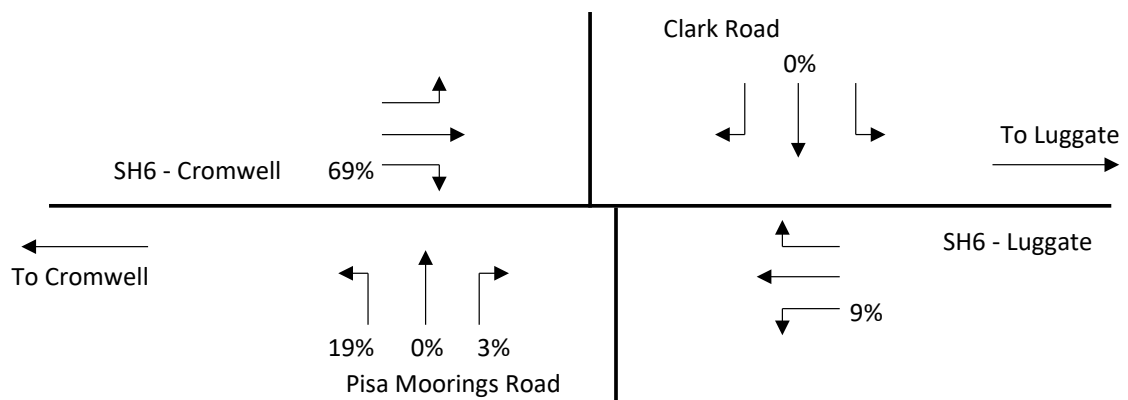
Based on pm traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection. Pisa Moorings has 384 developed lots (dwellings) including 24 apartments at Perriam Cove. Existing traffic generation during the pm peak hour is 0.81vph/dwelling.

**Existing traffic distribution, am peak**



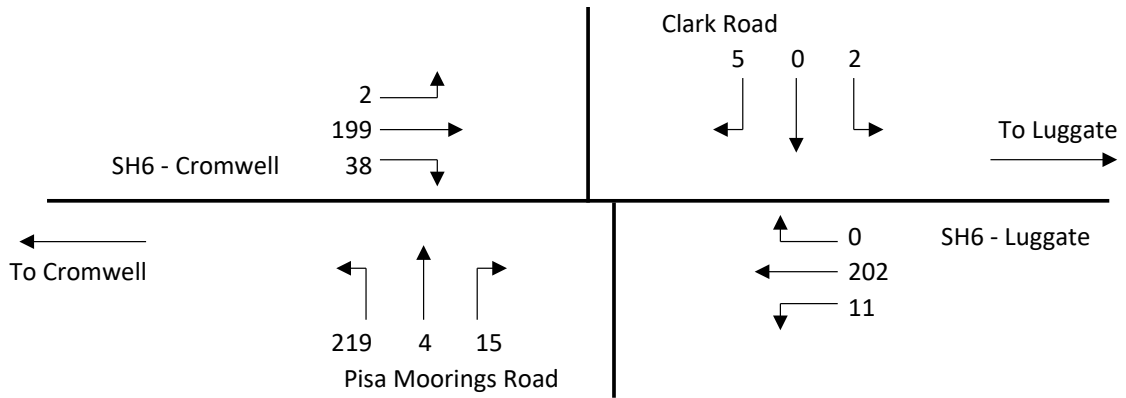
Based on am traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection.

**Existing traffic distribution, pm peak**



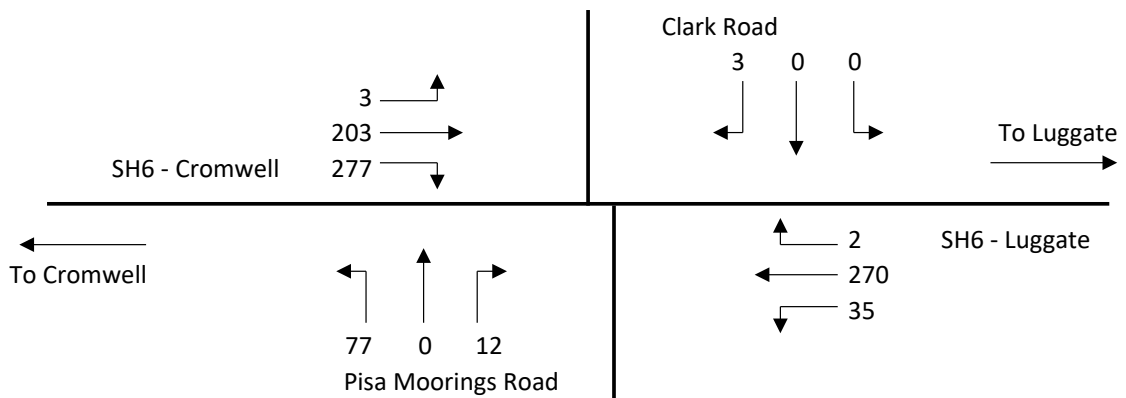
Based on pm traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection.

**Permitted traffic (2022), am peak**



Based on am traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection. Pisa Moorings has 495 permitted lots (dwellings) including 24 apartments at Perriam Cove.

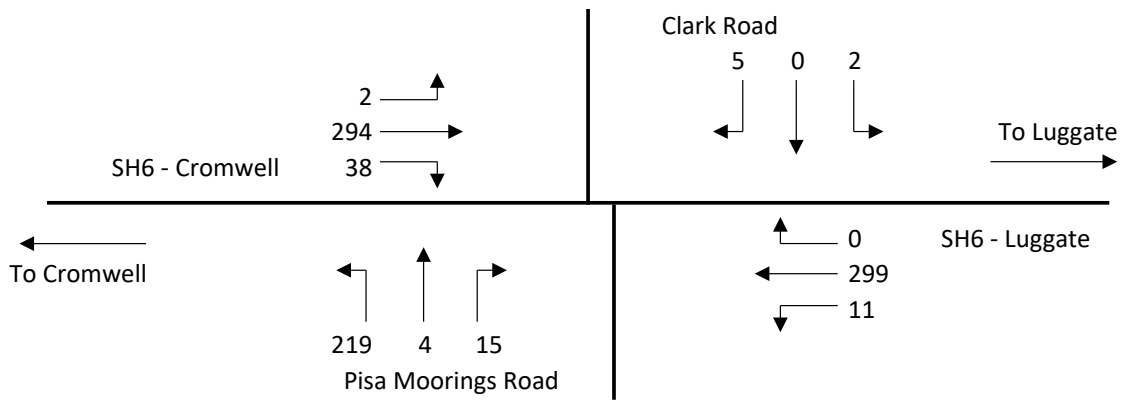
**Permitted traffic (2022), pm peak**



Based on pm traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection. Pisa Moorings has 495 permitted lots (dwellings) including 24 apartments at Perriam Cove.

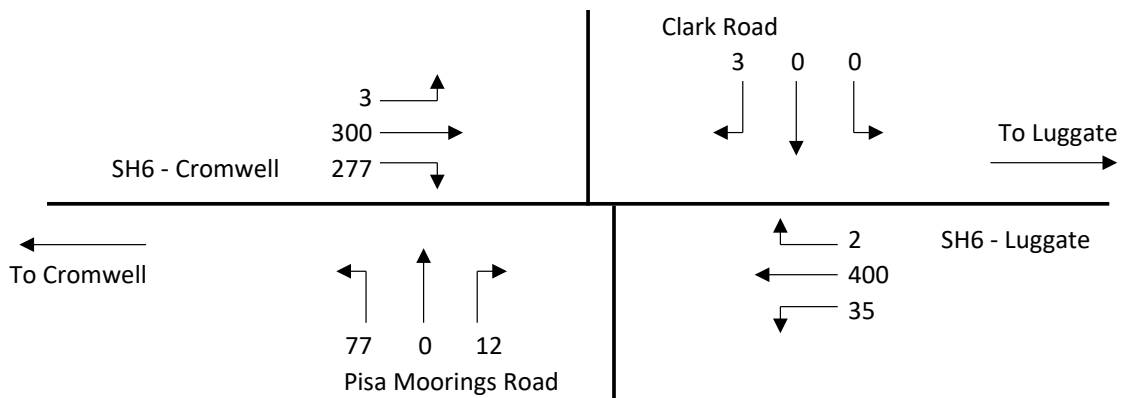


**Permitted traffic (2032), am peak**



Based on am traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection. Pisa Moorings has 495 permitted lots (dwellings) including 24 apartments at Perriam Cove. SH6 traffic flows have been increased at an annual traffic growth rate of 4% per annum.

**Permitted traffic (2032), pm peak**



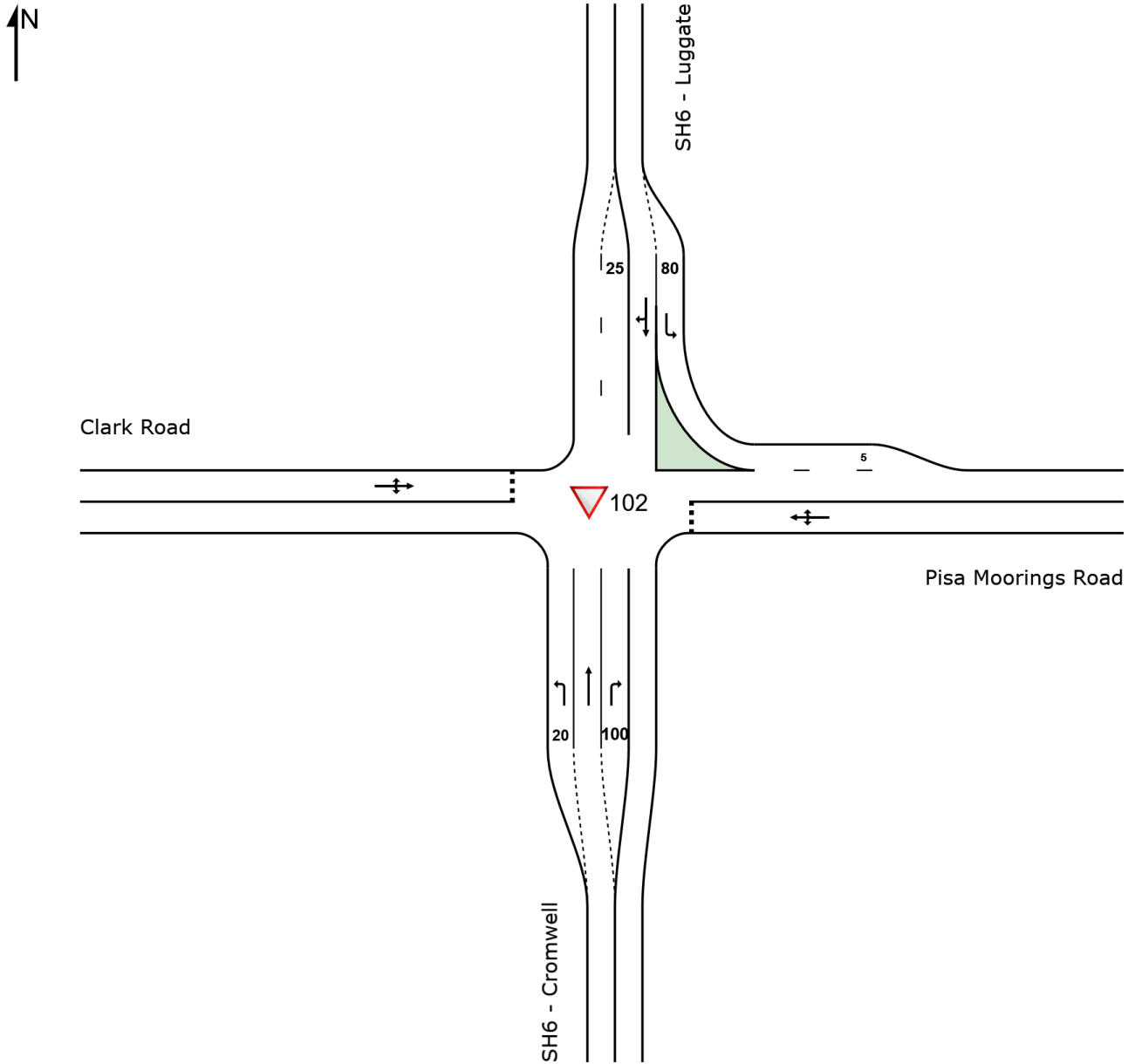
Based on pm traffic survey undertaken 28/7/2021 at Pisa Moorings access intersection. Pisa Moorings has 495 permitted lots (dwellings) including 24 apartments at Perriam Cove. SH6 traffic flows have been increased at an annual traffic growth rate of 4% per annum.

# SITE LAYOUT

▽ Site: 102 [Pisa Moorings Existing 21 pm (Site Folder: General)]

Existing 2021 pm traffic flows  
Site Category: (None)  
Give-Way (Two-Way)

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



# MOVEMENT SUMMARY

Site: 102 [Pisa Moorings Existing 21 pm (Site Folder: General)]

Existing 2021 pm traffic flows  
 Site Category: (None)  
 Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: SH6 - Cromwell														
1	L2	3	6.0	3	6.0	0.002	8.0	LOS A	0.0	0.0	0.00	0.66	0.00	72.3
2	T1	195	8.5	205	8.5	0.111	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	99.9
3	R2	215	6.0	226	6.0	0.170	8.8	LOS A	0.8	6.0	0.41	0.67	0.41	56.1
Approach		413	7.2	435	7.2	0.170	4.6	NA	0.8	6.0	0.21	0.36	0.21	70.9
East: Pisa Moorings Road														
4	L2	60	6.0	63	6.0	0.101	5.9	LOS A	0.4	2.7	0.43	0.63	0.43	53.3
5	T1	1	6.0	1	6.0	0.101	13.1	LOS B	0.4	2.7	0.43	0.63	0.43	45.3
6	R2	9	6.0	9	6.0	0.101	16.2	LOS C	0.4	2.7	0.43	0.63	0.43	53.3
Approach		70	6.0	74	6.0	0.101	7.4	LOS A	0.4	2.7	0.43	0.63	0.43	53.2
North: SH6 - Luggate														
7	L2	27	6.0	28	6.0	0.016	8.9	LOS A	0.0	0.0	0.00	0.63	0.00	72.5
8	T1	260	8.5	274	8.5	0.148	0.0	LOS A	0.0	0.2	0.01	0.01	0.01	99.7
9	R2	2	6.0	2	6.0	0.148	9.0	LOS A	0.0	0.2	0.01	0.01	0.01	65.7
Approach		289	8.2	304	8.2	0.148	0.9	NA	0.0	0.2	0.01	0.06	0.01	96.0
West: Clark Road														
10	L2	1	6.0	1	6.0	0.016	5.5	LOS A	0.1	0.4	0.61	0.70	0.61	49.1
11	T1	1	6.0	1	6.0	0.016	12.4	LOS B	0.1	0.4	0.61	0.70	0.61	42.2
12	R2	3	6.0	3	6.0	0.016	16.2	LOS C	0.1	0.4	0.61	0.70	0.61	49.1
Approach		5	6.0	5	6.0	0.016	13.3	LOS B	0.1	0.4	0.61	0.70	0.61	47.6
All Vehicles		777	7.5	818	7.5	0.170	3.5	NA	0.8	6.0	0.16	0.27	0.16	75.8

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

# MOVEMENT SUMMARY

Site: 102 [Pisa Moorings Permitted 22 pm (Site Folder: General)]

Permitted 2022 pm traffic flows

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV %	[ Total veh/h	HV %				[ Veh. veh	Dist ] m				
South: SH6 - Cromwell														
1	L2	3	6.0	3	6.0	0.002	8.0	LOS A	0.0	0.0	0.00	0.66	0.00	72.3
2	T1	203	8.5	214	8.5	0.115	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	99.9
3	R2	277	6.0	292	6.0	0.222	8.9	LOS A	1.1	8.0	0.43	0.69	0.43	56.0
Approach		483	7.1	508	7.1	0.222	5.2	NA	1.1	8.0	0.25	0.40	0.25	68.9
East: Pisa Moorings Road														
4	L2	77	6.0	81	6.0	0.140	6.0	LOS A	0.5	3.7	0.46	0.65	0.46	52.9
5	T1	1	6.0	1	6.0	0.140	15.5	LOS C	0.5	3.7	0.46	0.65	0.46	45.0
6	R2	12	6.0	13	6.0	0.140	19.3	LOS C	0.5	3.7	0.46	0.65	0.46	52.9
Approach		90	6.0	95	6.0	0.140	7.9	LOS A	0.5	3.7	0.46	0.65	0.46	52.8
North: SH6 - Luggate														
7	L2	35	6.0	37	6.0	0.020	8.9	LOS A	0.0	0.0	0.00	0.63	0.00	72.5
8	T1	270	8.5	284	8.5	0.154	0.0	LOS A	0.0	0.2	0.01	0.01	0.01	99.7
9	R2	2	6.0	2	6.0	0.154	9.1	LOS A	0.0	0.2	0.01	0.01	0.01	65.7
Approach		307	8.2	323	8.2	0.154	1.1	NA	0.0	0.2	0.01	0.08	0.01	95.3
West: Clark Road														
10	L2	1	6.0	1	6.0	0.019	5.5	LOS A	0.1	0.5	0.66	0.75	0.66	47.6
11	T1	1	6.0	1	6.0	0.019	14.4	LOS B	0.1	0.5	0.66	0.75	0.66	41.1
12	R2	3	6.0	3	6.0	0.019	19.4	LOS C	0.1	0.5	0.66	0.75	0.66	47.6
Approach		5	6.0	5	6.0	0.019	15.6	LOS C	0.1	0.5	0.66	0.75	0.66	46.2
All Vehicles		885	7.3	932	7.3	0.222	4.1	NA	1.1	8.0	0.19	0.31	0.19	73.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

SIDRA INTERSECTION 9.0 | Copyright © 2000-2020 Akcelik and Associates Pty Ltd | sidrasolutions.com

Organisation: BARTLETT CONSULTING | Licence: PLUS / 1PC | Processed: Tuesday, 30 August 2022 5:20:39 pm

Project: Z:\Projects\Pisa Moorings\Traffic Modelling\20220819 Pisa Moorings.sip9

# MOVEMENT SUMMARY

Site: 102 [Pisa Moorings Permitted 32 pm 5.5% (Site Folder: General)]

Permitted 2032 pm traffic flows  
 Site Category: (None)  
 Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: SH6 - Cromwell														
1	L2	3	6.0	3	6.0	0.002	8.0	LOS A	0.0	0.0	0.00	0.66	0.00	72.3
2	T1	346	8.5	364	8.5	0.197	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	99.9
3	R2	277	6.0	292	6.0	0.285	10.3	LOS B	1.4	10.2	0.58	0.81	0.60	55.1
Approach		626	7.4	659	7.4	0.285	4.6	NA	1.4	10.2	0.26	0.36	0.26	73.4
East: Pisa Moorings Road														
4	L2	77	6.0	81	6.0	0.230	7.8	LOS A	0.8	5.9	0.64	0.83	0.66	49.7
5	T1	1	6.0	1	6.0	0.230	31.0	LOS D	0.8	5.9	0.64	0.83	0.66	42.7
6	R2	12	6.0	13	6.0	0.230	40.0	LOS E	0.8	5.9	0.64	0.83	0.66	49.7
Approach		90	6.0	95	6.0	0.230	12.4	LOS B	0.8	5.9	0.64	0.83	0.66	49.6
North: SH6 - Luggate														
7	L2	35	6.0	37	6.0	0.020	8.9	LOS A	0.0	0.0	0.00	0.63	0.00	72.5
8	T1	462	8.5	486	8.5	0.263	0.0	LOS A	0.0	0.2	0.01	0.00	0.01	99.8
9	R2	2	6.0	2	6.0	0.263	10.5	LOS B	0.0	0.2	0.01	0.00	0.01	65.7
Approach		499	8.3	525	8.3	0.263	0.7	NA	0.0	0.2	0.01	0.05	0.01	97.0
West: Clark Road														
10	L2	1	6.0	1	6.0	0.041	6.3	LOS A	0.1	0.9	0.85	0.88	0.85	39.6
11	T1	1	6.0	1	6.0	0.041	28.2	LOS D	0.1	0.9	0.85	0.88	0.85	35.1
12	R2	3	6.0	3	6.0	0.041	40.2	LOS E	0.1	0.9	0.85	0.88	0.85	39.7
Approach		5	6.0	5	6.0	0.041	31.0	LOS D	0.1	0.9	0.85	0.88	0.85	38.7
All Vehicles		1220	7.7	1284	7.7	0.285	3.7	NA	1.4	10.2	0.18	0.27	0.19	78.1

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

# MOVEMENT SUMMARY

Site: 102 [Pisa Moorings Permitted 32 pm 8.5% (Site Folder: General)]

Permitted 2032 pm traffic flows  
 Site Category: (None)  
 Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: SH6 - Cromwell														
1	L2	3	6.0	3	6.0	0.002	8.0	LOS A	0.0	0.0	0.00	0.66	0.00	72.3
2	T1	459	8.5	483	8.5	0.261	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	99.9
3	R2	277	6.0	292	6.0	0.359	12.4	LOS B	1.9	14.1	0.66	0.93	0.83	53.5
Approach		739	7.6	778	7.6	0.359	4.7	NA	1.9	14.1	0.25	0.35	0.31	75.3
East: Pisa Moorings Road														
4	L2	77	6.0	81	6.0	0.391	13.1	LOS B	1.5	10.9	0.80	1.00	1.07	43.5
5	T1	1	6.0	1	6.0	0.391	61.3	LOS F	1.5	10.9	0.80	1.00	1.07	38.1
6	R2	12	6.0	13	6.0	0.391	81.8	LOS F	1.5	10.9	0.80	1.00	1.07	43.5
Approach		90	6.0	95	6.0	0.391	22.8	LOS C	1.5	10.9	0.80	1.00	1.07	43.4
North: SH6 - Luggate														
7	L2	35	6.0	37	6.0	0.020	8.9	LOS A	0.0	0.0	0.00	0.63	0.00	72.5
8	T1	611	8.5	643	8.5	0.347	0.0	LOS A	0.0	0.4	0.01	0.00	0.01	99.8
9	R2	2	6.0	2	6.0	0.347	12.3	LOS B	0.0	0.4	0.01	0.00	0.01	65.7
Approach		648	8.4	682	8.4	0.347	0.5	NA	0.0	0.4	0.01	0.04	0.01	97.6
West: Clark Road														
10	L2	1	6.0	1	6.0	0.085	7.2	LOS A	0.2	1.8	0.93	0.94	0.93	30.2
11	T1	1	6.0	1	6.0	0.085	52.5	LOS F	0.2	1.8	0.93	0.94	0.93	27.5
12	R2	3	6.0	3	6.0	0.085	80.0	LOS F	0.2	1.8	0.93	0.94	0.93	30.2
Approach		5	6.0	5	6.0	0.085	59.9	LOS F	0.2	1.8	0.93	0.94	0.93	29.6
All Vehicles		1482	7.8	1560	7.8	0.391	4.2	NA	1.9	14.1	0.18	0.25	0.23	79.3

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

## **Appendix B Development Drawings**

The following drawings by C. Hughes & Associates have been reviewed when undertaking this assessment:

- Proposed Rezoning, Rezoning Plan, C1715, Revision A Dated 25/08/2022, and
- Proposed Structure, Structure Plan, C1710, Revision A Dated 01/08/2022.

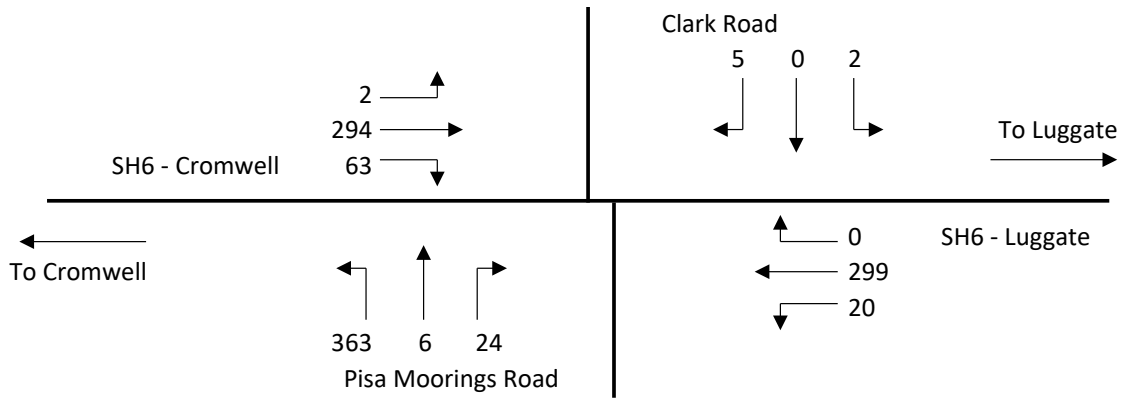
## **Appendix C Proposed Traffic**

The following are provided:

- Proposed traffic (2032) with 4% per annum SH6 traffic growth, and
- Traffic Modelling, movement summary, permitted 2032 pm (4% SH6 growth).

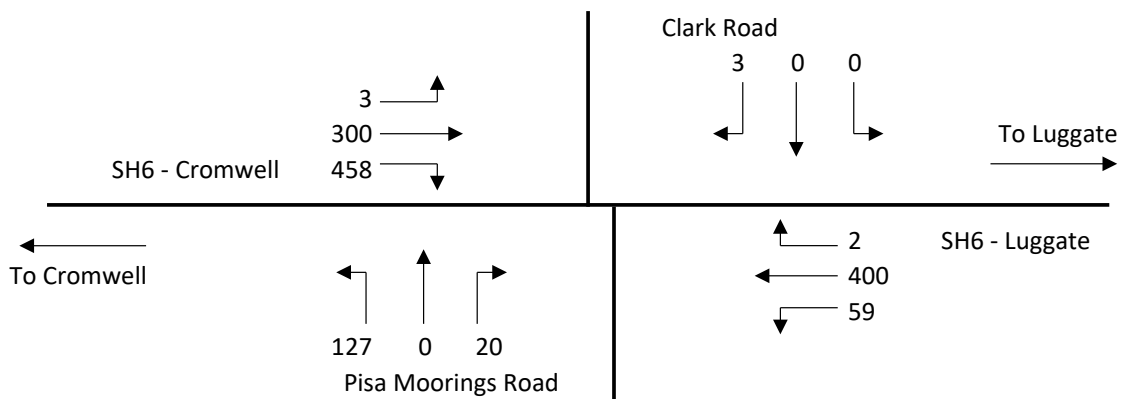


**Proposed traffic (2032), am peak**



Traffic Flows for Design			
Right turn in		Left turn in	
$Q_R$	63	$Q_L$	20
$Q_M$	613	$Q_M$	299

**Proposed traffic (2032), pm peak**



Traffic Flows for Design			
Right turn in		Left turn in	
$Q_R$	458	$Q_L$	59
$Q_M$	761	$Q_M$	400

# MOVEMENT SUMMARY

Site: 102 [Pisa Moorings Proposed 32 pm (Site Folder: General)]

Proposed 2032 pm traffic flows  
 Site Category: (None)  
 Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV %	[ Total veh/h	HV %				[ Veh. veh	Dist ] m				
South: SH6 - Cromwell														
1	L2	3	6.0	3	6.0	0.002	8.0	LOS A	0.0	0.0	0.00	0.66	0.00	72.3
2	T1	300	8.5	316	8.5	0.171	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	99.9
3	R2	458	6.0	482	6.0	0.432	10.7	LOS B	3.0	22.0	0.60	0.84	0.76	54.8
Approach		761	7.0	801	7.0	0.432	6.5	NA	3.0	22.0	0.36	0.51	0.46	66.8
East: Pisa Moorings Road														
4	L2	127	6.0	134	6.0	0.399	9.5	LOS A	1.8	13.4	0.67	0.94	0.93	47.6
5	T1	1	6.0	1	6.0	0.399	40.7	LOS E	1.8	13.4	0.67	0.94	0.93	41.2
6	R2	20	6.0	21	6.0	0.399	52.4	LOS F	1.8	13.4	0.67	0.94	0.93	47.7
Approach		148	6.0	156	6.0	0.399	15.5	LOS C	1.8	13.4	0.67	0.94	0.93	47.6
North: SH6 - Luggate														
7	L2	59	6.0	62	6.0	0.035	9.0	LOS A	0.0	0.0	0.00	0.63	0.00	72.5
8	T1	400	8.5	421	8.5	0.228	0.0	LOS A	0.0	0.2	0.01	0.00	0.01	99.8
9	R2	2	6.0	2	6.0	0.228	10.0	LOS A	0.0	0.2	0.01	0.00	0.01	65.7
Approach		461	8.2	485	8.2	0.228	1.2	NA	0.0	0.2	0.01	0.08	0.01	94.9
West: Clark Road														
10	L2	1	6.0	1	6.0	0.053	6.0	LOS A	0.2	1.1	0.87	0.89	0.87	36.5
11	T1	1	6.0	1	6.0	0.053	33.7	LOS D	0.2	1.1	0.87	0.89	0.87	32.6
12	R2	3	6.0	3	6.0	0.053	51.7	LOS F	0.2	1.1	0.87	0.89	0.87	36.5
Approach		5	6.0	5	6.0	0.053	39.0	LOS E	0.2	1.1	0.87	0.89	0.87	35.7
All Vehicles		1375	7.3	1447	7.3	0.432	5.8	NA	3.0	22.0	0.28	0.41	0.36	70.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Central Otago District Council Plan Change 19  
PISA MOORINGS REZONING

---

Landscape Comments

September 2022

Prepared for Pisa Moorings  
Vineyard Limited and Pisa  
Village Development Limited by

**bridgetgilbert**  
landscape architecture



## Contents

1.0	Introduction	1
2.0	Executive Summary	<b>Error! Bookmark not defined.</b>
3.0	Landscape Character and Visual Amenity of the Site and Local Area	4
4.0	Landscape Planning Tools	14
5.0	Landscape Effects of the Proposed Rezoning	14
	Appendix A: Bridget Gilbert: Qualifications and Experience	15
	Appendix B: Indicative Landscape Concept Plan and Sketch Sections	16

## Figures

<b>Figure 1:</b>	Site Location and Context	2
<b>Figure 2:</b>	Site Context (LINZ Topographic Map base)	3
<b>Figure 3:</b>	Site Context (Broad scale) (LINZ Topographic Map)	4
<b>Figure 4:</b>	Central Otago District Plan 'Landscape' Overlays	11
<b>Figure 5:</b>	The site and the Parkburn Quarry	12



## 1.0 Introduction

- 1.1 Bridget Gilbert Landscape Architecture Limited (**BGLA**) has been engaged by Pisa Moorings Vineyard Limited and Pisa Village Development Limited to provide landscape comment with respect to the potential rezoning of land at 828 Luggate Cromwell Road (State Highway 6, SH6) and the site to the north (located between SH6 and the existing Pisa Moorings residential settlement, collectively referred to as “the site”), from Rural Resource Area and Large Lot Residential Zone to a mix of Low Density Residential, Medium Density and a local convenience Retail Zone or Precinct.
- 1.2 Pisa Moorings is an urban settlement amidst a rural area on the west side of Lake Dunstan, approximately 9km northeast of Cromwell and approximately 45km south of Wanaka.
- 1.3 From a landscape perspective and at a macro level, the site is reasonably well suited to urban development as a consequence of the following characteristics:
- its location on a relatively narrow low-lying terrace between the highway and established settlement of Pisa Moorings;
  - its enclosure to the north by a working quarry;
  - its enclosure to the south by the established Pisa Moorings settlement;
  - the absence of notable landscape features and values within the site and local area that could be adversely affected by such development (described shortly); and
  - the absence of landscape related overlays under the Central Otago District Plan (CODP).

- 1.4 As such, the site forms somewhat of a ‘left-over’ piece of land between the established urban development and the state highway and is well contained by defensible edges (thus avoiding the risk of development creep).

### Scope of Landscape Report

- 1.5 With this context in mind, BGLA has been asked to comment on the following matters:
- The key landscape character and visual amenity characteristics and values associated with the site and local area.
  - Drawing from the preceding analysis, what landscape planning tools may be appropriate to manage landscape related effects at a more fine-grained level.
  - Conclusions with respect to the landscape related effects of urban development.
- 1.6 The location and context of the site is depicted in Figures 1, 2 and 3 below.
- 1.7 I confirm that I have visited the site and study area. Due to the very poor weather conditions during my site visit, the photographs used in this report are sourced from Google Streetview.
- 1.8 I have read the following documents in preparing this report:
- Letter from Acoustic Engineering Services, Initial Traffic Noise Review, dated 9 November 2021.
  - The Central Otago District Council’s PC 19 documentation including the section 32 evaluation report and the proposed chapter text.
  - Pisa District Community Plan, August 2009.
- 1.9 A summary of my expert qualifications and experience is attached in **Appendix A**.





Figure 1: Site Location and Context. (SH6 along western boundary; existing Pisa Moorings urban area to the east and south; Parkburn Quarry to the north.)





Figure 2: Site Context (LINZ Topographic Map base)





Figure 3: Site Context (Broad scale) (LINZ Topographic Map)

## 2.0 Landscape Character and Visual Amenity of the Site and Local Area

2.1 The key landscape and visual amenity characteristics and values of the site and local area are summarised as follows:

- a) With respect to **landform patterning**, the site is located within the distinctive patterning of a relatively flat glacial and fluvial terrace landforms, along the western side of Lake Dunstan. Localised hollows across the site are testament to previous flooding and farming/horticultural activities, however the broadly planar arrangement of the terrace landform pattern is strongly legible.

Along the eastern side of the site, is a steep embankment that drops some 5 to 10m to a 'lower' terrace where the established settlement of Pisa Moorings is located.

The schist mountain slopes of the Pisa Range enclose the valley to the west. The Pisa/Criffel Range comprises the westernmost and highest element of the characteristic 'basin and range' fault block landscape that stretches across Central Otago. The parallel schist ranges of this sequence are characterised by broad planar crests and frequent tors.

To the southwest, framing the southside of the Five Mile Creek valley (and Clark Road, refer Figure 2), is the distinctive elevated and flat topped glacial terrace known as the Sugar Loaf.

- b) **Hydrological features** include Lake Dunstan, a manmade lake and reservoir formed on the Clutha River as a result of construction of the Clyde Dam. Lake Dunstan also provides irrigation



for nearby horticultural and viticultural developments and is a major recreational asset with facilities for boating, waterskiing, fishing, parapenting and rowing.

A series of steeply incised stream valleys drain the east faces of the Pisa Range, to cross the terrace (often as a far more shallow and meandering feature), eventually discharging to the lake. One such stream, Five Mile Creek, passes across the southern limit of the site, taking the form of an overland flow path/flood prone area, rather than a permanent channel where it coincides with the site (refer **Appendix B Indicative Landscape Concept Plan** for the location of the flood-prone area).

Towards the northern end of the site is a small stormwater pond associated the Central Pac facility (described shortly).

- c) The **soils** of the site are characterised by till and outwash gravels.
- d) **Vegetation features** include a cherry orchard throughout the northern portion of the site (with an artificial shelterbelt), grapevines throughout the central area, shelterbelts and scattered exotic trees and shrubs in places and exotic pasture grasses. Overall the site has little to no native vegetation evident.



**Photograph 1:** View from SH6 to southern end of site (overland flow path/flood prone area).





**Photograph 2:** View northwards along SH6 with the central portion of the site to the right of view. The Dunstan Mountains and the Pisa Range frame the right and left sides of the valley respectively (noting that Lake Dunstan is not visible from this stretch of the highway).



**Photograph 3:** View southwards along SH6, with the northern portion of the site to the left of view. The distinctive flat topped glacial river terrace of the Sugar Loaf is seen to the right of view backdropped by the snow-capped Pisa Range.





**Photograph 4:** View from SH6 north-westwards to the mulberry orchard roughly opposite the central portion of the site. The snow-capped Pisa Range forms the backdrop.



**Photograph 5:** Looking south eastwards from SH6 towards the distinctive flat topped Sugar Loaf landform. The site is to the left of view.

A similar vegetative character prevails around the site, with a vineyard on the opposite side of the highway adjacent the northern portion of the site, a mulberry orchard opposite (roughly) the central part of the property and low intensity pastoral farming opposite the southern portion of the site.

This mosaic of horticultural, viticultural and pastoral land uses with roadside shelterbelt plantings in places, characterises the majority of the rural land to the north of the site.

Further, to the south, the very close proximity of the established Pisa Mooring settlement to the eastern side of highway means that where evident, roadside plantings comprise a scattered and highly variable mix of amenity trees, hedging and shrub species.





**Photograph 6:** Typical character of the highway interface with the existing Pisa Moorings development to the south of the site (looking northwards along SH6).



**Photograph 7:** Typical character of the highway interface with the existing Pisa Moorings development to the south of the site (looking southwards along SH6).

Within the existing Pisa Moorings settlement, there is a wide-ranging approach to street tree planting and garden planting with no particular style or character dominating.





**Photograph 8:** Typical character of Pisa Moorings streetscape, with street tree plantings, no footpaths, swale drainage, no street lighting and low fencing.



**Photograph 9:** Typical character of Pisa Moorings streetscape, with no street tree plantings, no footpaths, swale drainage, suburban street lighting and a variable approach to fencing.





**Photograph 10:** Typical character of Pisa Moorings streetscape, with some street tree plantings, a footpath on one side of the street, mountable kerb and channel stormwater management, column street lighting and no fencing.



**Photograph 11:** Typical character of Pisa Moorings streetscape, with limited street tree plantings, footpaths on either side of the street, mountable kerb and channel stormwater management, suburban street lighting and limited fencing.

- e) There are no known **Cultural features and values** associated with the area.
- f) There are no **historic features** identified in the CODP on the site or within the immediate area.
- g) The are no **Outstanding Natural Landscape, Outstanding Natural Feature, Significant Natural Value** or **Significant Amenity Landscape** overlays applying to the site under the CODP. All of the identified landscape overlay areas shown in **Figure 4** apply to elevated land that is, for the most part located at a considerable distance from the site (i.e. Pisa Range, Dunstan Mountains and terraces on the eastern side of Lake Dunstan: ONL; Sugar Loaf southeast and north escarpments: ONF; Sugar Loaf 'top': Significant Amenity Landscape). This is important as

it means that development change on the site will not influence the characteristics and values of these high value areas of the District. It is acknowledged that the site is proximate to the steep ONF slopes of Sugar Loaf. However, the established Pisa Moorings settlement to the south of the site, is closer still and has not detracted from the values associated with the ONF.

The **Esplanade Provision** overlay signals the importance of public access to the lake edge. The existing continuous lake margin reserve network at Pisa Moorings aligns well with this broader landscape strategy.



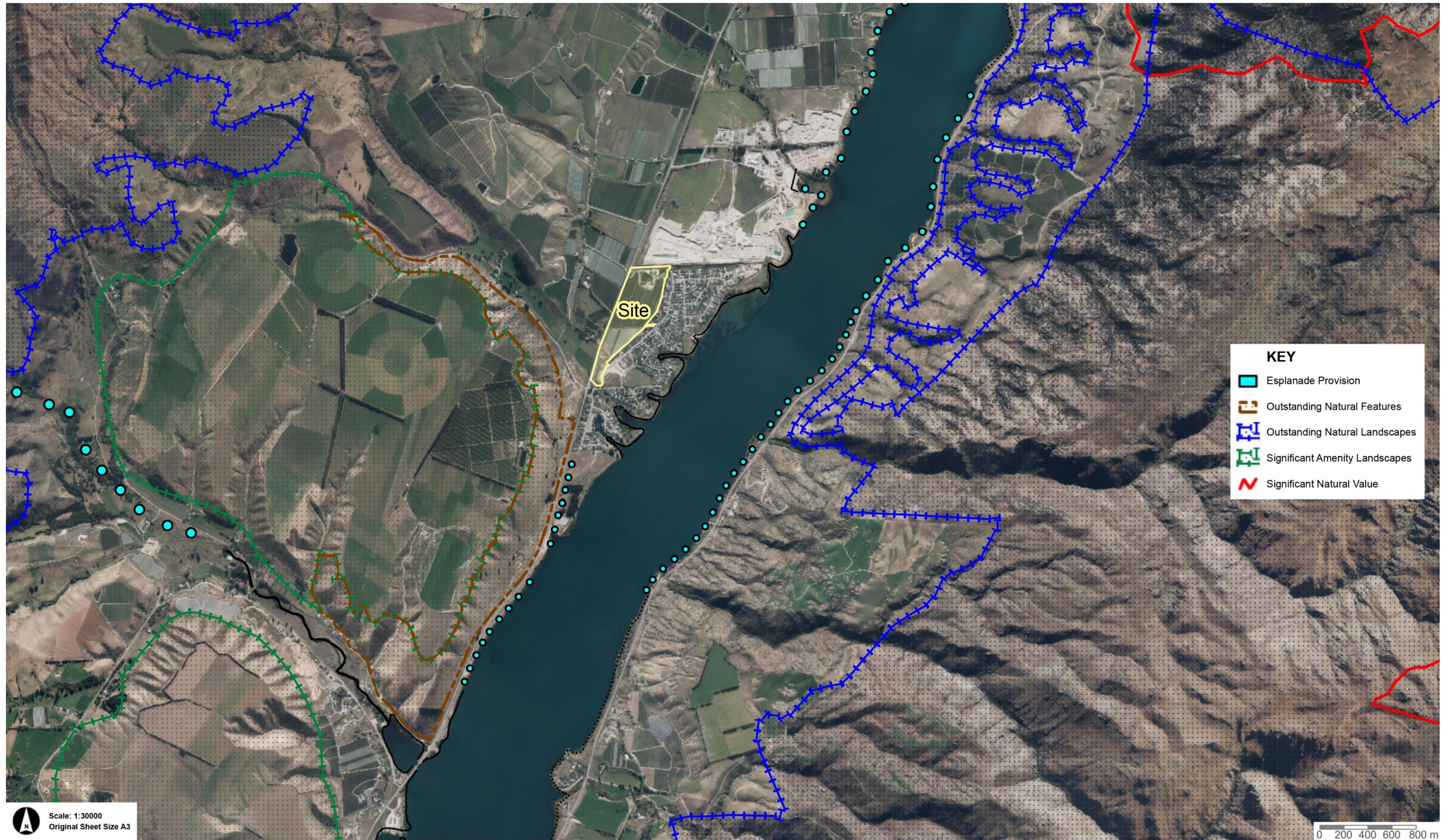


Figure 4: Central Otago District Plan 'Landscape' Overlays



- h) With respect to **settlement patterning**, Pisa Moorings comprises a mix of permanent and holiday homes on lots ranging in size from around 600m<sup>2</sup> to 1,000m<sup>2</sup>. The western edge of the settlement is generally aligned along an embankment (approximately 5 to 10m high) with a mix of single and two storey dwellings generally located at the toe or lower level of the slope. While many of the dwellings would appear to be sited and designed to optimise the highly attractive eastern views (away from the site), it would also appear that outdoor living areas are oriented north westwards towards the site (presumably to optimise the northern aspect). The eastern site boundary roughly follows the upper edge of this embankment.

To date, urban residential development at Pisa Moorings is generally dominated by single storey dwellings. An area of high density, two storey development is configured around the marina, along with a small commercial node. A continuous open space network has been established along the lake edge and short 'inlets', with a more fragmented open space network throughout the balance of the urban area. A quite varied approach to urban development elements such as footpaths, stormwater management, lighting, fencing and the like is evident throughout the settlement. Refer **Photographs 8 to 11** above.

As alluded to above, the established settlement abuts the highway south of the site. Here, some private landowners appear to have adopted a range of measures to screen views to the highway and/or mitigate road noise. A variety of planting and fencing styles are evident, with some properties incorporating (localised) earth mounding along their highway frontage. Overall, there is an impression of a reasonably chaotic and 'exposed' interface between the settlement and highway.

There are a mix of working rural, horticultural, viticultural and rural living properties on the terraces and lower slopes to the northwest of the site. Dwellings tend to be reasonably well integrated by amenity plantings and/or set well back from the highway. Rural sheds tend to be positioned closer to the highway and take on a more 'exposed' appearance. A network of low key rural (and largely dead end) roads provide access to these properties and the network of walking tracks winding across the Pisa Range.

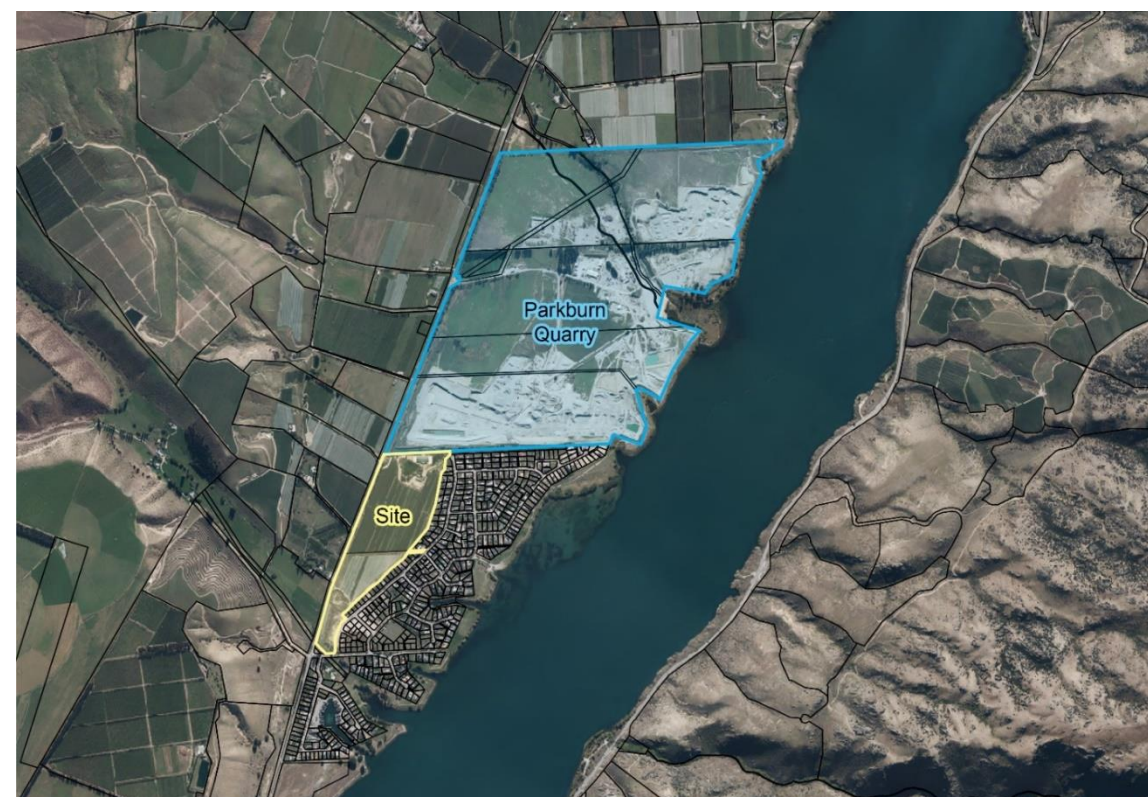
Parkburn Quarry (approximately 120ha property) is located immediately to the north of the site where sand and roading gravels are extracted (refer **Figure 5**). Earth bunding and evergreen tree plantings screen the quarry from the highway and site.

Within the site itself is a Central Pac cherry packhouse facility and orchard management business.

Looking further afield, the 'settlements' of both Lowburn and Cromwell 'front' the highway with a range of treatments evident. In general, the more successful settlement/highway interfaces (from a landscape perspective), are characterised by a comprehensive and cohesive landscape strategy that combines a mix of earth-mounding and native tree and shrub planting along with visual permeable fencing. An example of such a treatment is evident in the recently developed Summerset Retirement Village to the southwest of the entrance to Cromwell from the highway (refer **Photograph 12**).



**Photograph 12:** Glimpse of the Summerset Village SH6 bunding and planting at Cromwell.



**Figure 5:** The site and the Parkburn Quarry

- i) Important **views** within the study area relate to:
- i. **Views from SH6 adjacent the southern and central parts of the site**, eastwards over the grapevines and rough land (at the southern end of the site) to the Dunstan Mountains (noting that for the stretch of highway adjacent the site, there are no views of the lake itself). In these views, the majority of existing residential development at Pisa Moorings is screened by intervening landform or vegetation. However this is not the case slightly further to the south on the highway where the existing settlement is clearly visible. It should also be note that for the stretch of highway adjacent the cherry orchard/northern end, an artificial shelterbelt obstructs long range eastern views.
  - ii. **Views from the local road network in Pisa Moorings abutting the southern part of the site**. In these views, the site reads as a left-over piece of land sandwiched between the existing settlement and highway.
  - iii. **Views from the roads, tracks and rural / rural living dwellings to the northwest of the site**. From this orientation it is expected that where the site is visible, it reads as a wedge of rural between the highway and settlement set within a vast high value landscape setting. The diminishing influence of distance combined with the scale of the site within the broader panoramic outlook means that it is likely to play a reasonably limited role in shaping the visual amenity values for these audiences.
- j) **Landscape change** occurring in local area relates to the ongoing residential dwelling construction within Pisa Moorings (particularly around the Pisa Moorings Road, Wakefield Lane, Begg Lane, and southern Stratford Drive area).



### 3.0 Landscape Planning Tools

3.1 Drawing from the preceding analysis of the landscape character and visual amenity characteristics of the site and local area, for the rezoning of the site to be acceptable from a landscape perspective, it needs to:

- a) Manage the outlook from the highway and low lying rural and rural living dwellings to the northwest so that views of new built form are limited or screened by an attractive and cohesive native planting character, while retaining long range views to the Dunstan Mountains.
- b) Ensure new built development is not prominent in views from roads, tracks, and rural / rural living dwellings throughout elevated areas to the northwest.
- c) Screen the adjacent quarry from the site.
- d) Ensure new development does not overlook or encroach on the sense of privacy enjoyed by existing residential properties along the eastern edge of the site.

3.2 On this basis it is recommended that the following series of landscape planning tools are integrated into the proposed zone provisions for the site, to ensure that it sits comfortably into the landscape setting:

- a) The integration of a **highway landscape buffer** along the highway frontage that serves to ground, filter and frame views of any new built development on the site in the outlook from the highway, while maintaining long range views to the Dunstan Mountains. This buffer should comprise earth mounding with a mix of locally appropriate, eco sourced native tree and shrub planting to form a green edge. Any fencing required in the buffer should comprise visually permeable black fencing, so that it is effectively 'lost' in the planting in views from the road. The highway landscape buffer could also be integrated with/have a dual role of providing road noise attenuation from the state highway for future dwellings within the site.
- b) The requirement for **building roofs to have a maximum LRV of 30%**. This will ensure that the new built development is not prominent in views from elevated roads, tracks and rural/rural living dwellings to the northwest.
- c) The integration of a **boundary landscape buffer** along the northern edge of the site to form an appreciable evergreen screen to the adjacent quarry. This buffer should comprise a minimum 3.0m width band of locally appropriate, eco sourced native trees and shrubs.
- d) The incorporation of a **terrace interface strategy** along the eastern edge of the site that avoids the impression of new built development dominating or overlooking the existing development on the lower terrace (while enabling framed and filtered longer range eastern views from the dwelling to Lake Dunstan etc). This interface strategy should include: a requirement for buildings to be set back a minimum of 5m from the upper terrace edge; a 1.0m width band of locally appropriate native trees and shrubs; and a requirement for all fencing along the upper edge of the terrace to comprise visually permeable black fencing to a maximum height of 1.2m set into the planting.

3.3 I have 'tested' how these buffer and interface tools might work using an **Indicative Concept Plan** and **Indicative Sketch Sections** as shown **Appendix B** attached.

3.4 These various graphics illustrate how the site might be developed in a manner that integrates the recommended landscape planning tools (and other more 'traditional' urban development strategies such as a cohesive footpath network and street tree planting strategy).

3.5 This testing process provides confidence that the recommended landscape planning tools can be integrated into the proposed zoning layout, including the zoning typologies promoted by the Council in Plan Change 19, while accommodating the physical constraints of the site and its immediate surrounds (e.g. levels, nearby residential dwellings, flood prone area, reserve network links, views from the highway and surrounds etc).

### 4.0 Landscape Effects of the Proposed Rezoning

4.1 Assuming the landscape planning tools described above are integrated into the proposed provisions, I consider that the proposed rezoning will sit comfortably into the Pisa Moorings setting and is appropriate from a landscape perspective.

Bridget Gilbert  
 Landscape Architect  
 B. Hort. Dip. L.A. ALI ANZILA (Registered)  
 M 021 661650 E [bridget@bgla.nz](mailto:bridget@bgla.nz)

## Appendix A: Bridget Gilbert: Qualifications and Experience

Bridget holds the qualifications of Bachelor of Horticulture from Massey University and a postgraduate Diploma in Landscape Architecture from Lincoln College, is an associate of the Landscape Institute (UK) and a registered member of the New Zealand Institute of Landscape Architects.

Bridget has practised as a Landscape Architect for over twenty-five years in both New Zealand and England. Upon her return to New Zealand, Bridget worked with Boffa Miskell Ltd in their Auckland office for seven years. She has been operating her own practice for the last seventeen years, also in Auckland.

During the course of her career, Bridget has been involved in a wide range of work in expert landscape evaluation, assessment, and advice throughout New Zealand, including:

- landscape assessment in relation to Regional and District Plan policy;
- preparation of structure plans for rural, coastal, and urban developments;
- conceptual design and landscape assessment of infrastructure, rural, coastal, and urban development; and
- detailed design and implementation supervision of infrastructure, rural, coastal, and urban projects.

Bridget has provided landscape advice in relation to rural settlements throughout many parts of New Zealand, including: Northland; Whangarei District; Rodney; Waiheke and Great Barrier Islands; Clevedon; Franklin; Matamata-Piako District; Waipa District; Thames-Coromandel District; Waitomo District; Tasman District; Central Otago District; and Queenstown Lakes District.

Bridget is currently a panel member of the Auckland Urban Design Panel (with a Chair endorsement).

Bridget is also an Independent Hearing Commissioner for Auckland Council.

## Appendix B: Indicative Landscape Concept Plan and Sketch Sections





**LEGEND**

-  Highway Landscape Buffer. Refer Indicative Sketch Section A
-  Boundary Landscape Buffer. Refer Indicative Sketch Section B
-  Terrace Interface Strategy. Refer Indicative Sketch Section C
-  Large stature street tree planting
-  Small stature reserve tree planting
-  Flood prone land with native riparian planting
-  Commercial Zone. Existing and proposed buildings with amenity tree and shrub planting
-  Footpath network
-  Terrace Interface Strategy - 5m building setback
-  Site Boundary

  0 30 60 90 120 m

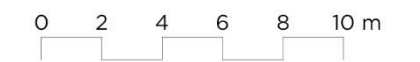
**Revisions Notes**

Revision	Date	Notes
B	30/08/2022	Preliminary Concept

**Drawing Number** LP01  
**Scale** 1:3,500 @ A3  
**Drawn** K.Holyoake  
**Approved** B.Gilbert  
**Client** -  
**Issue** Plan Change  
**Project Address** LOT 2 DP 397990, LOT DP 405431  
 LOT 19 DP 520912 & LOT 112 DP 546309

**Indicative Landscape Concept**  
 Pisa Moorings - Proposed Plan Change





#### Revisions Notes

Revision	Date	Notes
B	30/08/2022	Preliminary Concept

<b>Drawing Number</b>	LP02
Scale	1:250 @ A3
Drawn	K.Holyoake
Approved	B.Gilbert
Client	-
Issue	Plan Change Application
Project Address	LOT 2 DP 397990, LOT DP 405431 LOT 19 DP 520912 & LOT 112 DP 546309

#### Indicative Sketch Section A

Highway Landscape Buffer

Pisa Moorings - Proposed Plan Change

**bridgetgilbert**

landscape architecture

m 021 661 650 e bridget@bglan.z





0 1 2 m

Revisions Notes

Revision	Date	Notes
B	30/08/2022	Preliminary Concept

Drawing Number	LP03
Scale	1:50 @ A3
Drawn	K.Holyoake
Approved	B.Gilbert
Client	-
Issue	Plan Change Application
Project Address	LOT 2 DP 397990, LOT DP 405431 LOT 19 DP 520912 & LOT 112 DP 546309

**Indicative Sketch Section B**  
Boundary Landscape Buffer

Pisa Moorings - Proposed Plan Change



Revisions Notes

Revision	Date	Notes
B	30/08/2022	Preliminary Concept

**Drawing Number** LP04  
**Scale** 1:250 @ A3  
**Drawn** K.Holyoake  
**Approved** B.Gilbert  
**Client** -  
**Issue** Plan Change Application  
**Project Address** LOT 2 DP 397990, LOT DP 405431  
 LOT 19 DP 520912 & LOT 112 DP 546309

**Indicative Sketch Section C**  
 Terrace Interface Strategy

Pisa Moorings - Proposed Plan Change

File Ref: AC21327 – 02 – R1

9 November 2021

Jack Peszynski and Alan McKay  
c/- Campbell Hills  
C. Hughes and Associates Ltd  
PO Box 51  
Cromwell 9342

Email: campbell@chasurveyors.co.nz

Dear Campbell,

**Re: Pisa Moorings Private Plan Change, Pisa Moorings  
Initial traffic noise review**

Further to our correspondence, we have undertaken initial analysis on the traffic noise associated with the proposed plan change (future residential subdivision development) of an existing rural site at Pisa Moorings.

Our analysis is based on the following:

- Concept plan titled *Proposed Private Plan Change, Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 & Lot 112 DP 546309, Pisa Moorings*, Revision D, as prepared by C. Hughes & Associates Ltd and dated the 25<sup>th</sup> of August 2021.

Please find our analysis below.

## 1.0 BACKGROUND

The future residential subdivision located at Pisa Moorings, adjacent to the State Highway 6, as shown in figure 1.1 below.





Figure 1.1 – Location of the future subdivision

## 2.0 NEW ZEALAND TRANSPORT AGENCY'S (NZTA) REVERSE SENSITIVITY GUIDANCE

New Zealand Transport Agency's (NZTA) *Guide to the management of effects on noise sensitive land use near to the state highway network* (Version 1.0, and dated September 2015) states that the following noise designed noise levels associated with the dwellings within 100 metres of a State Highway:

- Internal noise levels: The dwellings need to be designed and constructed to achieve an internal noise level of 40 dB  $L_{Aeq(24h)}$  for living and sleeping spaces. We note that if windows must be closed to achieve the internal noise level of 40 dB  $L_{Aeq(24h)}$ , the building must be designed, constructed and maintained with a ventilation and cooling system.
- Noise levels in the outdoor living area: Where development occurs within the buffer area, a maximum external design noise level of 57 dB  $L_{Aeq(24h)}$  should be applied to the main outdoor living space.



### 3.0 PREDICTED NOISE LEVELS AND RECOMMENDATIONS

Based on the concept plan, we understand that the closest boundary of the subdivision is approximately 6 metres away from the nearest edge of the carriageway of SH6.

We have based our analysis on the following information associated with the traffic along SH6:

- An AADT of 5,622 (with 7.6% heavy vehicles) based on the NZTA volume count data from 2020 and an adjustment of 3% increase in traffic volume between 2020 and 2021.
- A speed limit of 100 km/h.
- Road surface of Grade 6 VFILL Chip Seal as indicated by the Mobile Road database.
- 3 dB has been added to the predicted noise levels to account for future permitted use, as required by NZTA.

Based on correspondence, we understand that a 3 m high acoustic barrier will be constructed between the SH6 and subdivision, as shown by the blue lines in figure 3.1 below.



Figure 3.1 – Location of acoustic fencing

The acoustic barrier should meet the following minimum standards:

- Surface mass – at least 10 kg/m<sup>2</sup>
- The barriers must be continuous and maintained with no gaps or cracks. For timber fences, this will require palings to be well overlapped (25 mm minimum) or a “board and batten” system, and a sleeper rail connecting the base of the palings to the ground. We also recommend a paling thickness of at least 25 mm to help resist warping.
- Suitable fencing materials which are commonly used include 25 mm timber, 9 mm fibre cement, 21 mm plywood, masonry, concrete and earth bund (or a combination – for example 1.8 metre timber fence atop a 1.2 metre earth bund).

Based on above, the predicted traffic noise contours are shown in figure 3.2 below.

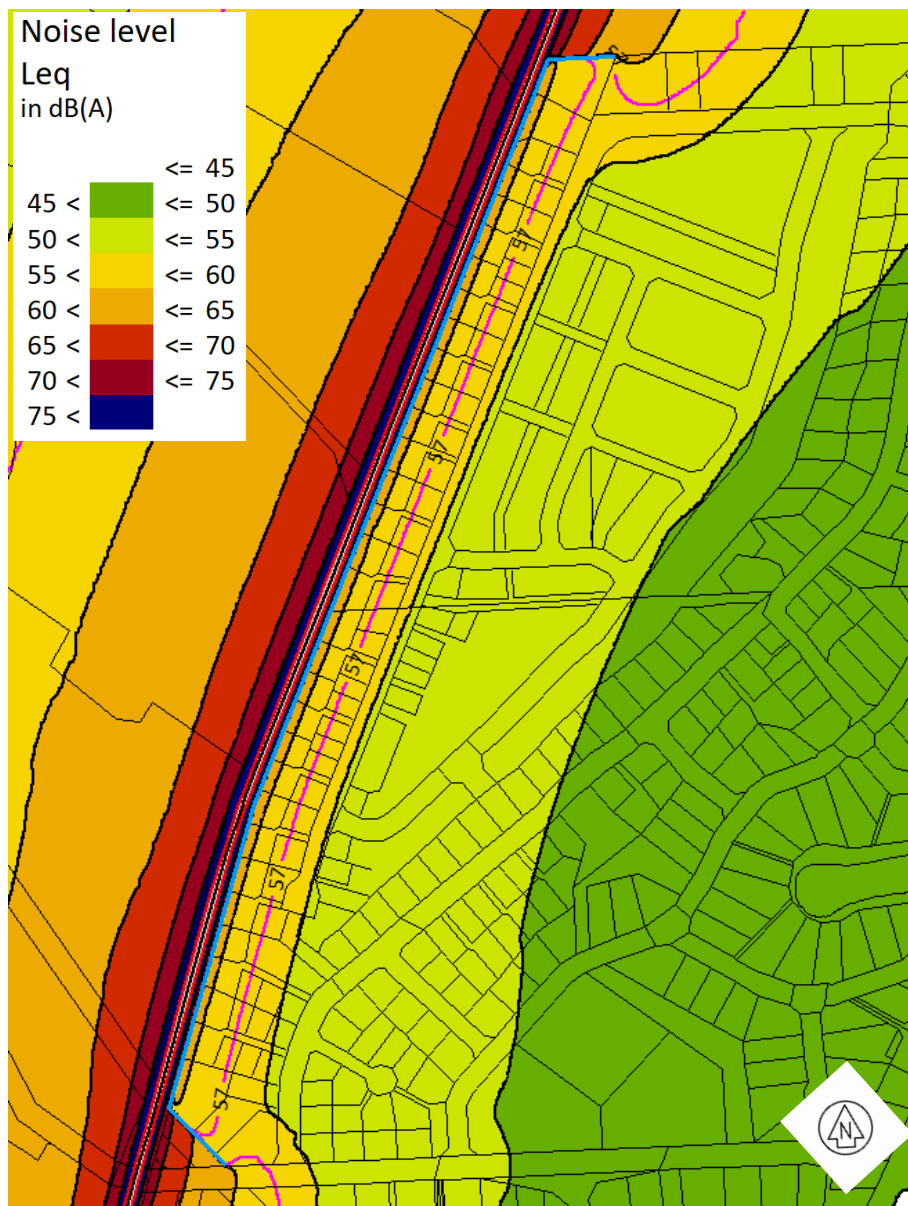


Figure 3.2 – Expected noise levels in the subdivision (shown at ground floor level)

Based on above, we have the following comments:

- Noise levels of up to 61 dB  $L_{Aeq(24h)}$  are expected to be received on the ground floor level of dwellings in the subdivision. It is realistic to construct single storey dwellings to achieve an internal noise level of 40 dB  $L_{Aeq(24h)}$  based on this external level.

Where external noise levels are more than 57 dB  $L_{Aeq(24h)}$  and no more than 61 dB  $L_{Aeq(24h)}$ , upgrades to the constructions of the dwellings may not be required to achieve an internal noise level of 40 dB  $L_{Aeq(24h)}$  depending on the selected cladding products. However, noise levels received in the habitable spaces of the dwellings may be higher than 40 dB  $L_{Aeq(24h)}$  with windows open for ventilation. Therefore, a ventilation and cooling system may be required for these dwellings.

Where external noise levels are no more than 57 dB  $L_{Aeq(24h)}$  no dwelling upgrades are likely to be required and therefore we have shown the 57 dB  $L_{Aeq(24h)}$  contour line in pink in figure 3.2 above, which is located at approximately 40 metres away from the nearest marked lane of SH 6.

- Higher noise levels (up to 74 dB  $L_{Aeq(24h)}$ ) will be experienced at the second storey of dwellings, and therefore only single level dwellings may be appropriate on the sites closest to the State Highway.
- It is realistic to achieve the traffic noise level requirement of 57 dB  $L_{Aeq(24h)}$  in an outdoor living area with the shielding of the dwellings.

#### 4.0 SUMMARY

Based on our initial review on the traffic noise levels received in the subdivision, it is realistic to comply with the internal noise levels of 40 dB  $L_{Aeq(24h)}$  and external noise levels of 57 dB  $L_{Aeq(24h)}$  in an outdoor living area, with a 3 metre high acoustic barrier as shown in figure 3.1 above. Only single level dwellings may be appropriate on the sites closest to the State Highway, and the construction of dwelling within 40 metres of the State Highway should be reviewed.

Please do not hesitate to contact us if you have any queries.

Kind Regards,



Aaron Zhao  
ME (Mech)  
Acoustic Engineer  
**Acoustic Engineering Services**



11 March 2022

Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd  
c/- C. Hughes and Associates  
PO Box 51  
Cromwell 9342

## **Re. Preliminary and Detailed Environmental Site Investigation for Proposed Subdivision at 828 Luggate Cromwell Road, Mount Pisa**

**Our Reference: 21055**

### **1 Introduction**

Campbell Hills at C. Hughes and Associates Ltd requested, on behalf of Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd, that JKCM Ltd, trading as Insight Engineering (IE), undertake a preliminary and detailed environmental site investigation (PSI and DSI) of the property at 828 Luggate Cromwell Road, Mount Pisa as well as the neighbouring property towards the south (herein collectively referred to as “the site”) as outlined in our Short Form Agreement (reference P21055, fully executed on 15 October 2021).

We understand that the site is proposed to be subdivided into 233 new residential Lots, 18 new commercial Lots as well as additional roads and reserve Lots and this report will be provided to Central Otago District Council (CODC) as part of the Resource Consent application.

The purpose of this combined PSI and DSI was to assess the suitability of the site for the proposed subdivision and development for residential or commercial purposes, as required by the Resource Management (*National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health*) Regulations<sup>1</sup> (herein referred to as the NES). This investigation was undertaken in general accordance with the Ministry for the Environment (MfE) *Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand*<sup>2</sup>.

Figure 1 (Appendix 1) indicates the location of the site. The proposed subdivision plan is provided in Appendix 2.

### **2 Objectives of the Investigation**

The objectives of this PSI/DSI were to investigate the site history, in terms of potentially contaminating activities, and assess whether a risk to human health is likely to result from the activity of disturbing soil at the piece of land, as well as changing the land use of that piece of land from agricultural to residential or commercial.



## 2.1 Approach

### 2.1.1 Review of Site Information

Several sources were contacted for information relating to the sites past and present uses and to identify any other environmental issues which may be on record. This consisted of:

- Undertaking a site walkover to describe current site conditions and assess whether any visual or olfactory evidence of contamination is present at the site;
- Interviewing the current site owners / operators, to obtain information relating to potentially contaminating activities that may have been undertaken at the site;
- Review of publicly available data describing the local geology and hydrogeology;
- Reviewing publicly available Resource Consent information held by the Otago Regional Council (ORC);
- Review of the ORC Hazardous Activities, Industries and Bore Search database in terms of any property specific records of hazardous activities or industries that are held in their database of potentially contaminated sites;
- Reviewing the CODC NES Records Search statement to determine whether any records of contamination at the site are held in their database; and
- Reviewing publicly available historical aerial photographs and maps of the site and surrounding area.

### 2.1.2 Intrusive Investigation

The following scope of work was undertaken upon completion of the review of site information:

- Obtain twenty (20) soil samples from 20 locations across the site where potential for contamination impacts had been identified;
- Visual and olfactory inspection of soil samples in the field;
- Submit 20 soil samples to Hill Laboratories for analysis of various contaminants associated with each location;
- Assess laboratory results for the soil samples against the adopted human health criteria for residential or commercial land use and excavation activities or maintenance of underground services; and
- Present a combined PSI / DSI report outlining our findings, the suitability of the site for residential or commercial development / use, as well as recommendations to manage impacted areas (if any).

## 3 Site Description

Site information is summarised in Table 1.

**Table 1: Site Information**

Location	828 Luggate Cromwell Road, Mount Pisa
Legal Description	LOT 2 DP 397990, LOT 2 DP 405431, LOT 19 DP 520912 & LOT 112 DP 546309
Property Owner	Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd
Site Area	Approximately 241,648 m <sup>2</sup> (24.1648 ha)
Current Site Use	Agricultural (orchard and vineyard) and industrial (packhouse)
Proposed Site Use	Residential and commercial
Territorial Authorities	Central Otago District Council Otago Regional Council
Zoning	Rural Resource Area with Scheduled Activity 127 covering proposed Lots 294 and 295

The site setting is summarised in Table 2.

**Table 2: Site Setting**

Topography	<p>The majority of the site is relatively flat, with only minor localised undulations. The southern area, directly south of the main vineyard, contains a localised hollow area which appears to function as a stormwater retention pond. Beyond that area, towards the south, three soil stockpiles and other minor localised undulations are located along an informal culvert that drains towards Pisa Moorings Road. A large earth bund, measuring approximately 150 m long by 10 m wide and 2 m tall, is located directly west of the main vineyard area.</p> <p>The northern area, north east of the orchard, contains a localised low zone land in the north eastern corner which is approximately 2 m below the remainder of the surrounding towards the south and west.</p>
Local Setting	<p>The site is located on the western edge of Pisa Moorings. The surrounding areas consist generally of agricultural / horticultural land towards the west, industrial land (Parkburn Quarry) towards the north and residential land towards the east and south.</p>
Nearest Surface Water & Use	<p>A pond covering approximately 4,000 m<sup>2</sup> is located within the site boundary, near to the northern site boundary.</p> <p>The site is located between Five Mile Creek at the southern end of the site and Park Burn towards the north. Both streams discharge into Lake Dunstan, which is used as a source of potable water as well as for recreational and irrigation purposes. The nearest portion of Lake Dunstan is located between approximately 175 m and 500 m east of the site.</p>
Geology	<p>The GNS New Zealand Geology Webmap<sup>3</sup> indicates that the site covers two geological units.</p> <p>The northern portion, including the north eastern portion of the vineyard area, is within the “Holocene river deposits” geological unit described as <i>unweathered to slightly weathered, loose, sandy to silty, well rounded gravel gravel usually on large outwash plains.</i><sup>1</sup></p>

**Table 2(cont.): Site Setting**

Geology (cont.)	The southern portion is within the “Late Pleistocene river deposits” geological unit described as ‘ <i>unconsolidated gravel, sand, silt, clay, and minor peat of modern to postglacial flood plains, may be terraced.</i> ’The surface material observed during the site visit is described as light brown gravelly silt in the northern and southern areas.
Hydrogeology	Groundwater depth at the site, which is expected to be marginally higher than the level of Lake Dunstan, is estimated to be between 7 m and 11 m below ground level. Predicted groundwater flow direction is based on an ORC <sup>4</sup> report. The aquifer is not named in the report, but is referred to as the Pisa Alluvium Aquifer elsewhere. Local groundwater is expected to behave in a similar way to the Cromwell Terrace Aquifer and groundwater is therefore considered likely to flow generally towards Lake Dunstan, east of the site.
Groundwater Abstractions <sup>5</sup>	Four groundwater abstraction consents were issued for properties located at, or within 250 m of, the site: <ul style="list-style-type: none"> <li>• Consent number RM18.378.01 was issued in 2019 for Centralpac Limited to take and use ground water for the purpose of irrigation and frost fighting, until 16 May 2034. The subject site of this investigation is located on the property that this consent relates to.</li> <li>• Consent number RM17.138.01 was issued in 2017 Central Otago District Council to take and use groundwater for the purpose of communal domestic supply, until 1 July 2052. The subject site of this investigation is located on the property that this consent relates to.</li> <li>• Consent number RM17.254.01 was issued in 2017 for Epicurious Limited to take and use groundwater from the Pisa Groundwater Management Zone for the purpose of irrigation and domestic supply, until 27 September 2047. The property associated with this consent is located west of the site.</li> <li>• Consent number RM15.093.01 was issued in 2015 for Cherry Futures Limited to take and use groundwater from the Pisa Alluvial Aquifer for the purpose of irrigation, frost fighting and domestic supply, until 20 April 2050. The property associated with this consent is located west of the site.</li> <li>• Consent number RM15.093.01 was issued in 2015 for Cherry Futures Limited to take and use groundwater from the Pisa Alluvial Aquifer for the purpose of irrigation, frost fighting and domestic supply, until 20 April 2050. The property associated with this consent is located west of the site.</li> <li>• Consent number 2002.326.V1 was issued in 2010 for David Hall-Jones to take and use up to 4.2 litres per second of groundwater for the purpose of vineyard irrigation and domestic supply, until 1 August 2022. The property associated with this consent is located west of the site.</li> <li>• Consent number RM17.155.01 was issued in 2017 for Pisa Moorings Vineyard Limited to take and use ground water for the purpose of irrigation, until 1 July 2052. The property associated with this consent is located east of the site.</li> </ul>
Discharge Consents <sup>5</sup>	No discharge consents are recorded within 250 m of the site

### 3.1 Current Site Conditions

Claude Midgley of IE completed a site walkover inspection on 19 October 2021. Observations made at that time are summarised in Table 3 and photographs are presented in Appendix 3.

**Table 3: Current Site Conditions**

Visible signs of contamination	<p>Several indicators of potential contamination were observed on site:</p> <ul style="list-style-type: none"> <li>• Stained soil in the driveway area south of the fruit packing shed in the north of the site;</li> <li>• Stained soil beneath and around two above ground fuel storage tanks south east of the dam in the north of the site;</li> <li>• Stacked treated timber in several parts of the yard area south east of the dam in the north of the site;</li> <li>• A fenced hole in the ground near to the entrance of the orchard, south of the dam in the north of the site, with signage reading “Poison” and “Keep Off”;</li> <li>• Blue / turquoise stained soil in two areas within the orchard in the north of the site;</li> <li>• Stacked treated timber posts near to a shipping container in the southern portion of the site, south of the vineyard area; and</li> <li>• A shipping container, painted with marine grade antifouling paint, in the area south of the vineyard in the southern portion of the site.</li> </ul>
Surface water appearance	Surface water in the dam was clear and showed no signs of contamination, such as a sheen or chemical odour.
Current surrounding land use	The site is surrounded by horticultural and agricultural land (vineyards and paddocks) towards the west, commercial / industrial land towards the north and residential land towards the east and south.
Local sensitive environments	Five Mile Creek, which crosses the southern corner of the site, Park Burn (~1.35 km towards the north east) and Lake Dunstan (located between approximately 175 m and 500 m east of the site) are considered sensitive environments.
Visible signs of plant stress	No visible signs of plant stress were noted.
Additional Observations (if any)	<p>A large hollow area, which appears to be a stormwater retention area with a water source originating from the neighbouring property on the opposite (western) side of Luggate Cromwell Road, was observed in the area directly south of the large vineyard in the southern portion of the site.</p> <p>Signage on the fence surrounding stacked treated timber posts in the southern portion of the site stated “Danger, Poison, Pindone pellet bait, do not touch or remove, keep all pets away.”</p>

### 3.2 Interview with Site Owner / Operator

Tim Hope (*pers. comm.*) provided the following information related to the management of the orchard in the northern portion of the site:

- Mr Hope has been involved with managing the orchard in the northern portion of the site for approximately 2 years.

- Agrichemicals used and stored in the greatest volumes are nutrient sprays (Phoztrac, Magflo, various seaweeds and calcium). Copper is the next most used product, for anti-fungal purposes. Various other fungicides and pesticides are stored and used in very small volumes.
- Mr Hope is not aware of any efforts to control rabbits within the northern portion of the site.
- The hole labelled “Poison” near to the entrance of the orchard is used to capture the runoff generated when cleaning and washing down mechanical equipment.
- Mr Hope is not aware of any other waste disposal to ground, or any other potentially contaminating activities within the northern portion of the site.

James Dicey (*pers. comm.*) provided the following information related to the management of the vineyard in the southern portion of the site:

- Mr Dicey has been involved with managing the vineyard in the southern portion of the site for approximately 10 years, but was not involved with establishing the vineyard;
- Mr Dicey provided the 2021 spray diary, which demonstrates that no persistent contaminants are used for the management of the vineyard;
- Agrichemicals are stored in a shipping container that is not known to have any leaks;
- Waste generated at the site is disposed of at Victoria Flat landfill and no waste is burned or buried at the site;
- Rabbits are controlled by exclusion netting, poisoning with Magtoxin then filling the burrows, dogs, ferrets and monitoring rabbit numbers with a thermal scope.
- No equipment maintenance has been undertaken on the site.

### 3.3 ORC Property Database

IE reviewed the ORC Hazardous Activities, Industries and Bore Search database<sup>6</sup> on 22 February 2022. The search confirmed that the site is not currently on the ORC database.

The nearest site recorded on the database (Site number HAIL.00359.01), an asphalt or bitumen manufacture or bulk storage facility, is located approximately 1.15 km north east of the site.

No other properties located within 2 km of the site are recorded on the database.

### 3.4 CODC NES Records Search

The NES Records Searches were completed by Planning Officers - Consents Adam Vincent and Ruth MacKay, are provided in Appendix 4. In summary, the record search provided the following relevant information:

#### Northern area:

- The document indicates that the area is known to have an orchard present within the boundaries, which suggests that persistent pesticides could have been used and/or stored in bulk. Additionally, bulk quantities of treated timber are known to have been stored on the site.
- A land use consent for the construction of a cherry packhouse contains a record that *“there has historically been outdoor storage of general farm materials and implements. Such materials and implements may include storage [of] fuel or chemical tanks or drums, treated timber or materials containing heavy metals.”*

- No environmental investigations are known to have been undertaken at the site and aerial photographs confirm that the presence of horticultural activities and storage of a range of unidentified materials to the south of the workers accommodation buildings.
- The document concludes with a disclaimer that Council does not hold records directly relating to activities on the Hazardous Activities and Industries List<sup>6</sup> (HAIL) and recommends that further investigation is undertaken to determine whether any HAIL activities exist on the site.

#### Southern Area:

- The document indicates that the majority of the site is located in the rural resource area with portions of the site located in the residential resource area. The site also contains a Scheduled Activity area, ref: SA 127, “Commercial facilities and Shop as defined in Section 18.”
- All Resource Consent records relate to properties that are no longer part of the site. However the records mention the presence of vineyards and associated pest control activities.
- A preliminary site investigation report was prepared in relation to Resource Consent 160069 in 2016. The report concluded that the site was suitable for the proposed subdivision and that no further detailed site investigations were deemed necessary. It was determined that the potential effects in terms of potential soil contamination were minor.
- The document concludes with a disclaimer that Council does not hold records directly relating to activities on the Hazardous Activities and Industries List<sup>7</sup> (HAIL) and recommends that further investigation is undertaken to determine whether any HAIL activities exist on the site.

### 3.5 Review of Historical Aerial Photographs and Maps

Photographs in the Crown Collection<sup>8</sup>, and Google Earth<sup>9</sup> as well as topomaps on the MapsPast<sup>10</sup> website, have been reviewed to obtain information on the past uses of the site. Aerial photographs taken between 1958 and 2021, as well as maps created between 1939 and 2019, have been reviewed.

Table 4 summarises the features visible in each image.

**Table 4: Historical Aerial Photographs**

1939 <sup>10</sup>	The site is located on the western side of two blocks of land. The northern block is labelled with ‘7’ and ‘200,0,23’. The southern block is labelled ‘6’ and ‘193,1,00’. An informal track, crossing the site along an east / west axis near to the southern corner, is marked with two parallel dashed black lines. Another set of solid parallel lines run along a north west / south east axis, just beyond the southern site boundary. A label towards the north west identifies the solid parallel lines as a ‘Sludge Channel’ and the lines lead to a block labelled ‘Tailings’ towards the south east. No other significant features are visible at the site or in the surrounding area.
1949 <sup>10</sup>	There are no significant changes compared with the 1939 map.
1958 <sup>8</sup>	The site is visible as part of a large undeveloped paddock with a dwelling and established trees located towards the east. An irregular shaped area near to the centre of the southern portion of the site is a lighter colour than the surrounding land. The area appears to be a stormwater retention pond, with water channelled from the neighbouring property on the western side of Luggate Cromwell Road. A small channel leads from the retention pond to the ‘Sludge Channel’ at the southern site boundary. A small stand of trees is also located approximately 100 m north of the stormwater collection pond. A track / driveway leads from Luggate Cromwell Road,

**Table 5 (cont.): Historical Aerial Photographs**

1958 <sup>8</sup> (cont.)	between the retention pond and the small stand of trees, to the dwelling east of the site. The northern portion of the site contains irregular shaped areas that are a darker colour than the surrounding land, with light coloured tracks around the perimeter of the darker areas. Apart from orchards on the property towards the west and a couple of small buildings surrounded by established trees towards the south, all other surrounding properties appear to be undeveloped paddocks.
1964 <sup>8</sup>	The image does not cover the southern corner of the site. No significant changes are apparent at the site or in the surrounding areas.
1968 <sup>8</sup>	Darker patches of land with light coloured parallel linear features indicate that a flood irrigation area has been established on a neighbouring property towards the south west. No other significant changes are apparent at the site or in the surrounding areas.
1969 <sup>10</sup>	Apart from a symbol indicating the presence of a terrace embankment on the eastern edge of the site, there are no significant features marked on the site. In the surrounding land, trees, a building and additional embankments are marked in the area east of the site. No other significant features are visible at the site or in the surrounding area.
1976 <sup>8</sup>	New flood irrigation areas have been established at the north western and south eastern ends of the site. Additional flood irrigation areas are visible towards the south east. No other significant changes are apparent at the site or in the surrounding areas.
1978 <sup>8</sup>	No significant changes are apparent at the site or in the surrounding areas.
1979 <sup>10</sup>	There are no significant changes compared with the 1969 map.
1982 <sup>8</sup>	No significant changes are apparent at the site or in the surrounding areas.
1983 <sup>8</sup>	No significant changes are apparent at the site or in the surrounding areas.
1984 <sup>8</sup>	No significant changes are apparent at the site or in the surrounding areas.
1989 <sup>10</sup>	There are no significant changes compared with the 1979 map.
1999 <sup>10</sup>	Apart from the outline of Lake Dunstan being added in the area east of the site, there are no significant changes compared with the 1989 map.
2001 <sup>8</sup>	The southern portion of the site appears unchanged. A dam, an access track, a parking area and several trees have been established in the northern portion of the site. Two small structures are visible between the dam and the parking area. Another small structure is located on the south eastern edge of the parking area. An unidentifiable crop can be seen growing in a long and narrow area directly south of the dam. In the surrounding land, new roads and a few scattered dwellings are visible in the area south east of the site. No other significant changes are visible at the site or in the surrounding area.
2003 <sup>8</sup>	Apart from a few additional new dwellings in the land towards the south east and new vineyards west of the northern portion of the site, no significant changes occur at the site or surrounding area compared with the 2001 photograph.
2007 <sup>9</sup>	The majority of the northern portion of the site has been developed with an orchard. A large building has been constructed near to the northern site boundary, north east of the dam. More new roads and dwellings have been constructed in the land east of the site. A quarry has been established on the neighbouring property north east of the site. No other significant changes are apparent at the site or in the surrounding area.
2009 <sup>10</sup>	Dams are marked near to the northern edge of the site and adjacent to the western boundary near to the southern corner of the site. Horticultural activities are marked in



**Table 5 (cont.): Historical Aerial Photographs**

	the southern corner of the site and in the land on the opposite (western) side of Luggate Cromwell Road. No other significant changes are apparent compared with the 1999 map
2010 <sup>9</sup>	The majority of the southern portion of the site has been developed with a vineyard. New buildings are constructed, and storage of unidentifiable objects occurs, in the area south east of the dam in the northern portion of the site. Vineyards have also been established in the neighbouring land east of the southern portion of the site. More new dwellings have been constructed in the land east of the site. The quarry on the neighbouring property towards the north east of the site has been expanded towards the west. No other significant changes are apparent at the site or in the surrounding area.
2011 to 2019 <sup>9</sup>	The vineyard area east of the southern corner of the site becomes progressively developed with new dwellings until the vineyard in that area is completely removed. No other significant changes occur in the surrounding area during this time. Earthworks in the surrounding land towards the east of the southern portion of the site appear to generate spoil that gets placed between the vineyard area and Luggate Cromwell Road at the north western edge of the southern portion of the site. No other significant changes are apparent at the site or in the surrounding area.
2019 <sup>10</sup>	The majority of the site is marked with symbols indicating horticultural activities. No other significant changes are apparent at the site or in the surrounding area.

### 3.6 Summary of Identified Hazardous Activities and Industries

The following activities noted on the HAIL<sup>7</sup> have been identified during review of the site history:

Category A1 – Agrichemicals including commercial premises used by spray contractors for filling, storing or washing out tanks for agrichemical application.

This category is represented by the storage and application of agrichemicals, including herbicides and fertilisers, within the horticultural portions of the site. The risk to health from these sources is considered to be very low.

Category A6 – Fertiliser manufacture or bulk storage.

This category is represented by the bulk storage of fertiliser in a shed in the northern portion of the site. The risk to health from this source is considered to be very low.

Category A10 – Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds.

This category is represented by the storage and application of herbicides and pesticides in isolated portions of the site. The risk to health from these sources is considered to be very low.

Category A11 - Pest control including the premises of commercial pest control operators or any authorities that carry out pest control where bulk storage or preparation of pesticide occurs, including preparation of poisoned baits or filling or washing of tanks for pesticide application.

This category is represented by the use of Pindone pellets in the area south of the main vineyard in the southern portion of the site. The risk to health from this source is considered to be very low.



Category A13 - Petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials, or bulk storage of petroleum or petrochemicals above or below ground.

This category is represented by two above ground fuel storage tanks in the area south east of the dam in the northern portion of the site.

Category A17 – Storage tanks or drums for fuel, chemicals or liquid waste.

This category is represented by the storage and dispensing of fuel in the area south east of the dam in the northern portion of the site, as well as the storage of chemicals in drums in the yard area south east of the dam. The risk to health from this source is considered to be very low.

Category A18 - Wood treatment or preservation including the commercial use of anti-sapstain chemicals during milling, or bulk storage of treated timber outside.

This category is represented by the storage of stacked treated timber posts in the yard area south east of the dam in the northern portion of the site, as well as adjacent to the shipping container in the southern portion of the site. The risk to health from these sources is considered to be moderate.

Category B2 - Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment.

This category is represented by the presence of an electrical transformer between the dam and the packing shed in the northern portion of the site. The risk to health from this source is considered to be very low.

Category G5 – Waste disposal to land (excluding where biosolids have been used as soil conditioners).

This category is represented by disposal of poison and other agrichemicals in the fenced off hole south of the dam in the northern portion of the site. The risk to health from this source is considered to be moderate.

Category I - Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment.

This category is represented by the use of treated timber posts in the vineyard and orchard areas, which result in contamination micro hotspots within 0.2 m of the post holes. The risk to health from these sources is considered to be moderate.

According to Regulation 5 of the NES<sup>1</sup>, the Regulations apply if a HAIL<sup>7</sup> activity has been undertaken, or currently is being undertaken on the property.

## 4 Intrusive Investigation

Under the NES, the proposed activity is considered to meet the definitions provided under Regulation 5(6) changing the use of a piece of land that has Regulation 5(7) a HAIL activity undertaken on it.

The application for a change of land use across the majority of the site, from agricultural to residential, could not be considered to qualify as a Permitted Activity under Regulation 8(4), because it is not highly unlikely that there will be a risk to human health if the activity is done to the piece of land.

Furthermore, based on visual and olfactory indicators of contamination impacts within the existing commercial / industrial use area of the site, it could not be concluded that it is highly unlikely that there will be a risk to human health if the area is subdivided.

Therefore, a detailed environmental investigation was undertaken to assess whether the identified hazardous activities have resulted in an unacceptable risk to human health.

Targeted discrete soil surface samples were collected from strategic locations. The samples were submitted to RJ Hill Laboratories (Hills) for analysis of the relevant contaminants at each location (refer to Table 5). Sample locations are displayed in Figures 2 and 3.

## 4.1 Methodology

The following was undertaken during the soil sampling works:

- Samples were given individual names that corresponded to specific locations recorded on a site plan (refer to Figures 2 and 3);
- Visual and olfactory inspection of each sample for indicators of contamination;
- Samples were compressed directly into laboratory supplied containers using a new pair of nitrile gloves for each sample. Prior to sampling, the equipment (hand trowel) was decontaminated using a triple wash procedure with potable water, Decon 90 solution and deionised water;
- Placement of samples into a chilly bin and transport, under standard IE chain of custody procedures, to Hills for analysis;
- IE requested that Hills analyse samples for contaminants detailed in Table 5.

**Table 5: Sample Names, Locations and Analytes**

<b>Sample Name</b>	<b>Location</b>	<b>Analytes</b>
TT1	Beneath stacked treated timber posts in the southern portion of the fenced area, south of the vineyard.	Arsenic, chromium and copper.
TT2	Beneath stacked treated timber posts in the northern portion of the fenced area, south of the vineyard.	Arsenic, chromium and copper.
SC1	Adjacent to the southern end of the shipping container, south of the vineyard.	Arsenic, cadmium, chromium, copper, lead, nickel and zinc.
SWP1	South eastern portion of the stormwater pond south of the vineyard.	Arsenic, cadmium, chromium, copper, lead, nickel, zinc and organochlorine pesticides.
SWP2	North western portion of the stormwater pond south of the vineyard.	Arsenic, cadmium, chromium, copper, lead, nickel, zinc and organochlorine pesticides.
SY1	South western portion of the storage yard, south east of the dam in the northern portion of the site.	Arsenic, chromium and copper.

**Table 5 (cont.): Sample Names, Locations and Analytes**

SY2	Southern portion of the storage yard, south east of the dam in the northern portion of the site.	Arsenic, chromium and copper.
SY3	South eastern portion of the storage yard, south east of the dam in the northern portion of the site.	Arsenic, chromium and copper.
SY4	Eastern portion of the storage yard, south east of the dam in the northern portion of the site.	Arsenic, chromium and copper.
SY5	North eastern portion of the storage yard, south east of the dam in the northern portion of the site.	Arsenic, chromium and copper.
H1	Hole used for the disposal of poison at the entrance to the orchard in the area south of the dam in the northern portion of the site.	Arsenic, cadmium, chromium, copper, lead, nickel, zinc and petroleum hydrocarbons.
PH1	Western side of the driveway on the southern side of the fruit packing shed.	Petroleum hydrocarbons.
PH2	Eastern side of the driveway on the southern side of the fruit packing shed.	Petroleum hydrocarbons.
FT1	Beneath the southern corner of the bunded above ground fuel storage tank located south east of the dam in the northern portion of the site.	Petroleum hydrocarbons.
FT2	Beneath the eastern corner of the bunded above ground fuel storage tank located south east of the dam in the northern portion of the site.	Petroleum hydrocarbons.
FT3	Beneath the drain outlet (west) of the bunded area of the above ground fuel storage tank located south east of the dam in the northern portion of the site.	Petroleum hydrocarbons.
FT4	At the southern edge of the non-bunded above ground fuel storage tank located south east of the dam in the northern portion of the site.	Petroleum hydrocarbons.
OR1	Within the area of stained soil at the entrance to the orchard in the area south of the dam in the northern portion of the site.	Petroleum hydrocarbons.
OR2	Within an area of blue-stained soil near to the north western corner of the orchard.	Cadmium
OR3	Within an area of blue-stained soil near to the north western corner of the orchard.	Cadmium

#### 4.1.1 Quality Assurance / Quality Control

The quality assurance / quality control (QA / QC) procedures employed during the works included:

- Standard sample registers and chain of custody records have been kept for all samples;
- The use of Hills, accredited by International Accreditation New Zealand (IANZ), to conduct laboratory analyses; and
- During the site investigation every attempt was made to ensure that cross contamination did not occur through the use of the procedures outlined within this document.

## 4.2 Investigation Criteria

### 4.2.1 Soil Criteria

The investigation criteria referenced in this report have been selected from the NES to assess risks to human health. Where a soil contaminant standard (SCS) was not available, the hierarchy detailed in the MfE *Contaminated Land Management Guidelines No. 2: Hierarchy and Application in New Zealand of Environmental Guideline Values*<sup>11</sup> was used to select applicable criteria.

SCSs, or other appropriate criteria for either residential land use with an anticipated ingestion of 10% produce grown on the site, or commercial / industrial land use in the applicable areas, have been selected considering the proposed end uses of the site.

Criteria for commercial / industrial use have also been presented to assess the risks to human health during the disturbance of soil associated with installation of underground services and other construction works, referred to as maintenance / excavation, required as part of the site development.

Landcare Research produced a report<sup>12</sup> on naturally occurring (referred to as 'background') concentrations of heavy metals in New Zealand. Naturally occurring concentrations were correlated with geological units to enable estimation of the mean and 95% upper confidence limits (UCL) of selected heavy metals. Laboratory results below the 95% UCL estimates for the geological unit described as 'gravel' in the north and 'mudstone Pakihi' in the south are considered to qualify as 'cleanfill' according to the MfE definition<sup>13</sup>.

## 4.3 Results

### 4.3.1 Soil Encountered

Near surface soil encountered across the majority of the site was described as light brown sandy gravelly silt. The soils at the base of the poison disposal hole were described as wet sandy silt with common organic inclusions.

### 4.3.2 Laboratory Test Results

Tables 6 and 7 compare soil contaminant concentrations in the samples with the adopted investigation criteria described in Section 4.2.1. The full analytical results are included in Appendix 5.

Table 6: Laboratory Results for the Proposed Commercial Use Area Compared with Investigation Criteria

Analyte	Investigation Criteria		Investigation Results														
	Predicted Background Concentrations <sup>A</sup>	Soil Contaminant Standards (SCSs) <sup>B</sup> / Human Health Criteria	SY1	SY2	SY3	SY4	SY5	H1	PH1	PH2	FT1	FT2	FT3	FT4	OR1	OR2	OR3
Commercial / Industrial and Maintenance / Excavation																	
Landuse																	
<b>Heavy Metals</b>																	
Arsenic	12.06	70	8	15	20	30	5	4	-	-	-	-	-	-	-	-	-
Cadmium <sup>C</sup>	0.34	1,300	-	-	-	-	-	0.57	-	-	-	-	-	-	-	0.22	0.18
Chromium <sup>D</sup>	80.15	6,300	13	27	22	24	15	11	-	-	-	-	-	-	-	-	-
Copper	42.85	>10,000	36	58	35	42	37	12,300	-	-	-	-	-	-	-	-	-
Lead	44.34	3,300	-	-	-	-	-	15.2	-	-	-	-	-	-	-	-	-
Nickel	44.96	6,000 <sup>E</sup>	-	-	-	-	-	14	-	-	-	-	-	-	-	-	-
Zinc	182.8	400,000 <sup>E</sup>	-	-	-	-	-	7,000	-	-	-	-	-	-	-	-	-
<b>Petroleum Hydrocarbons</b>																	
C7 – C9	<LOR	120 <sup>m</sup>	-	-	-	-	-	< 30	< 20	< 20	< 20	< 20	< 20	< 20	< 20	< 20	< 20
C10 – C14	<LOR	1,500 <sup>G,x</sup>	-	-	-	-	-	220	< 20	< 20	830	460	105	< 20	< 20	< 20	< 20
C15 – C36	<LOR	>20,000 <sup>H</sup>	-	-	-	-	-	5,400	91	< 40	23,000	11,300	14,600	620	40,000	-	-

Notes:

All values in mg/kg unless otherwise indicated.

**Bold** text indicates concentration exceeds Commercial / Industrial and Maintenance / Excavation Criteria.

Underlined text indicates concentration exceeds the estimated background concentration (gravel).

A Landcare Research predicted concentrations (upper 95% confidence limit) <sup>12</sup>.

B The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health <sup>1</sup>.

C Assumes soil pH of 5.

D Criteria for Cr6 presented as criteria for Cr3 are non limiting.

E Australian National Environmental Protection Council (NEPC) National Environmental Protection (Assessment of Site Contamination) Measure Schedule B(1): Guideline on the investigation levels for soil and groundwater <sup>14</sup>. Health Investigation Levels: HIL D (Commercial / Industrial and Maintenance / Excavation).

F MIE Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand: Module 4 – Tier 1 Soil Screening Criteria <sup>15</sup>. Guideline values adopted conservatively for sandy surface soils.

G Values exceed threshold likely to correspond to formation of residual separate phase hydrocarbons <sup>F</sup>.

H Estimated criteria exceeds 20,000 mg/kg. At 20,000 mg/kg residual separate phase is expected to have formed in soil matrix and some aesthetic impact may be noted <sup>F</sup>.

- Indicates that the analyte was not tested at that sample location.

< LOR indicates less than laboratory level of reporting.

NA indicates that the contaminant is not limiting as estimated health-based criterion is significantly higher than that likely to be encountered on site <sup>F</sup>.

NE indicates that a concentration has not been established.

Limiting pathway <sup>F</sup> for each Petroleum Hydrocarbon criterion:

x - PAH surrogate

m - Maintenance / Excavation

**Table 7: Laboratory Results for Samples from the Proposed Residential Use Area Compared with Human Health Criteria**

Analyte	Investigation Criteria			Investigation Results					
	Land Use	Predicted Background Concentrations	Human Health SCSs <sup>A</sup>		TT1	TT2	SC1	SWP1	SWP2
			Maintenance / Excavation	Residential (10% Produce Ingestion)					
Arsenic		9.97	70	20	<b>38</b>	<b>80</b>	4	4	< 2
Cadmium <sup>C</sup>		0.33	1,300	3	-	-	< 0.10	< 0.10	< 0.10
Chromium <sup>D</sup>		56.88	6,300	460	33	33	4	25	13
Copper		48.14	>10,000	>10,000	47	<b>56</b>	12	28	15
Lead		25.83	3,300	160	-	-	9.5	24	12.5
Nickel		35.15	6,000 <sup>B</sup>	400 <sup>B</sup>	-	-	4	26	14
Zinc		97.97	400,000 <sup>B</sup>	7,400 <sup>B</sup>	-	-	15	<b>102</b>	55

*Notes:*

All values in mg/kg. Full laboratory results are provided in Hill Laboratories Certificate.

*Italics* indicates concentration exceeds Maintenance / Excavation Criteria.

**Bold text** indicates concentration exceeds Residential Criteria

Underlined text indicates concentration exceeds the estimated background concentration (mudstone Pakihi).

- A The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health<sup>1</sup>. Australian National Environmental Protection Council (NEPC) National Environmental Protection (Assessment of Site Contamination) Measure Schedule
- B B(1): Guideline on the investigation levels for soil and groundwater<sup>14</sup>. Health Investigation Levels: HIL A (Residential with 10% produce ingestion) and HIL D (Maintenance / Excavation).
- C Assumes soil pH of 5.
- D Criteria for Cr<sub>6</sub> presented as criteria for Cr<sub>3</sub> are non limiting.

## 4.4 Discussion

### 4.4.1 Northern Area

The northern portion of the site includes the orchard, equipment storage and staff accommodation areas, the fruit packing shed, driveways and parking areas, agrichemical storage sheds, above ground fuel tanks and the dam.

Several contaminants were found at concentrations that exceed the relevant SCSs and therefore pose a risk to human health in the northern area. Furthermore, the concentrations of several contaminants exceeded the expected naturally occurring concentrations. Soil in those areas cannot be considered to qualify as cleanfill<sup>13</sup>.

### 4.4.2 Southern Area

The southern portion of the site includes the vineyard, stormwater retention pond, stacked treated timber, a shipping container and soil stockpiles of unknown origin. Significant concentrations of arsenic were encountered in the fenced-off area containing stacked treated timber posts.

Furthermore, according to recent studies focused on assessing the contaminant distribution pattern resulting from the use of treated timber posts in vineyards and kiwifruit orchards<sup>16, 17</sup>, the presence of contamination ‘micro-hotspots’ at the location of each timber post result in short term and long term exposures that pose significant risks to human health if they are not remediated or managed appropriately.

The soil from the southern paddock is therefore not considered to qualify as cleanfill<sup>13</sup>.

## 5 Conceptual Site Model

A contamination conceptual site model, presented in Table 5, consists of three primary components to allow the potential for risk to be determined. These are:

- Source of contamination;
- Pathway to allow the contamination to mobilise; and
- Sensitive receptors which may be impacted by the contamination.

**Table 5: Conceptual Site Model**

Source	Pathway	Receptor
Heavy metals	Inhalation of dust Dermal absorption (direct contact)	Maintenance / Excavation workers Site workers
Herbicides	Ingestion of soil and / or produce grown in the soil	Current and future residents / visitors
Acceptable risk to human health	<p style="text-align: center;"><b>Residential Use</b></p> <p>Yes: The proposed residential use is not considered likely to result in significant risks to human health.</p> <p style="text-align: center;"><b>Earthworks associated with land development</b></p> <p>Yes: A site management plan could be implemented to minimize the risks to human health if any potentially contaminated materials are unearthed during decommissioning of the wastewater disposal system.</p>	

## 6 Conclusions

Information obtained as part of this investigation (refer to Section 3) indicates that the northern area was developed with an orchard and associated ancillary buildings between 2004 and 2007. A large portion of the southern area was developed with a vineyard between 2008 and 2010.

### Northern Area

Several indicators of contamination hotspots, such as odorous or stained soil, were identified during the site walkover inspection. Laboratory analysis of targeted soil samples confirmed that contamination impacts pose risks to human health in various parts of the northern portion of the site (refer to Figure 4).

Resource Consent will be required to subdivide this part of the site, as well as to disturb soil within the identified contaminated areas.

### Southern Area

Treated timber vineyard posts are known<sup>16, 17</sup> to result in highly localised and isolated contamination impacts in the soil. Significant horizontal impacts from the leaching of arsenic, copper and chromium are reportedly limited to within 200 mm of the post footprints. Vertical impacts are expected to be limited to 200 mm below the base of the posts. Vineyard posts and the zone of contamination around them take up an area of 0.05% of the total vineyard area and the distribution of contaminants around the posts has been well documented<sup>16, 17</sup>. Therefore, it was not considered beneficial to undertake a detailed site investigation of the vineyard area to quantify the concentrations of the heavy metals used to treat the timber posts. Instead, it can be assumed that 0.05% of the soil volume within a given area contains arsenic at concentrations exceeding the Soil Contaminant Standard (SCS) for residential land use. Concentrations of copper and chromium are not expected to exceed their respective SCSs, and those contaminants are significantly less toxic than arsenic.

It is anticipated that the micro-hotspots<sup>16, 17</sup> associated with treated timber posts will pose a significant risk to human health if they are not remediated or managed appropriately within the proposed residential use areas.

Based on the current contamination status of the site, given the potential sources identified, it is considered highly unlikely that there will be a risk to human health if the following activities are done:

- Prepare a formal strategy to manage or remediate the areas impacted with contamination and confirm that CODC approves of the proposed approach;
- Prepare a Remediation Action Plan (RAP) to formalise the strategy to manage or remediate the contaminated areas, as well as to provide controls that will minimise or eliminate the risks to human health during the completion of the soil disturbance works;
- Changing the land use from agricultural to residential or commercial / industrial; and
- Future use of the proposed new lots for residential or commercial purposes.

## 7 Recommendations

It is recommended that the subdivision and change of land use be allowed as a Restricted Discretionary Activity under NES Regulation 10, because a detailed site investigation has concluded that the soil contamination exceeds the applicable standard in Regulation 7.

A Remediation Action Plan (RAP) is recommended to formalise the strategy to manage or remediate the contaminated areas, as well as to provide controls that will minimise or eliminate the risks to human health during the completion of the soil disturbance works.



If any material showing signs of potential contamination (visual or olfactory) is unearthed during any soil disturbance events at the site, work should stop immediately and a suitably qualified environmental practitioner should be engaged to assess the risk to human health prior to recommencing earthworks.

## 8 References

1. Ministry for the Environment 2012: Users' Guide National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
2. Ministry for the Environment 2021: Contaminated Land Management Guidelines No.1: Reporting on Contaminated Sites in New Zealand
3. GNS Webmap Institute of Geological and Nuclear Sciences 2013: 1:250,000 Geology. Viewed at: <http://data.gns.cri.nz/geology/>
4. Otago Regional Council 2012: Cromwell Terrace Aquifer Study.
5. Otago Regional Council 2017: Otago Regional Council Resource Consent Database. Viewed at: <http://data.orc.govt.nz/>
6. Otago Regional Council 2021: Mapping Resource Hazardous Activities, Industries and Bores Search. Viewed at: <https://maps.orc.govt.nz/portal/apps/MapSeries/index.html?appid=052ba04547d74dc4bf070e8d97fd6819>
7. Ministry for the Environment 2011: Ministry for the Environment Hazardous Activities and Industries List
8. Local Government Geospatial Alliance 2017: Retrolens - Historical Image Resource Project. Viewed at: <http://retrolens.nz>
9. Google Earth v7.3.4.8248. Mt Pisa, Central Otago, New Zealand. -44.973152° lon, 169.239834° lat, Eye alt 1.74 km. DigitalGlobe 2022. <http://www.earth.google.com>. [March 2022]
10. Mapspast 2017: Current and Historical Topographic Maps (Topomaps) of New Zealand. Viewed at: <http://www.mapspast.org.nz/>
11. Ministry for the Environment 2011: Contaminated Land Management Guidelines No.2 - Hierarchy and Application in New Zealand of Environmental Guideline Values.
12. Landcare Research New Zealand Limited and the Institute of Geological and Nuclear Sciences Limited 2015: Background Soil Concentrations of Selected Trace Elements and Organic Contaminants in New Zealand.
13. Ministry for the Environment 2002: A Guide to the Management of Cleanfills.
14. Australian National Environmental Protection Council 2013: National Environmental Protection (Assessment of Site Contamination) Measure Schedule B(1): Guideline on the investigation levels for soil and groundwater.
15. Ministry for the Environment 2011: Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand.
16. Waikato Regional Council 2018: Making Good Decisions: Risk Characterisation and Management of CCA Post Hotspots at Vineyards and Kiwifruit Orchards. Document Reference: 12606189. Viewed at: <https://www.waikatoregion.govt.nz/services/publications/tr201811/>
17. Otago Regional Council 2019: CCA Treated Timber Vineyard Posts: Ceres Vineyard Sampling. Document Reference: A1143902

## 9 Limitations

- i. We have prepared this report in accordance with the brief as provided. This report has been prepared for the use of our client, Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd, their professional advisers and the relevant Territorial Authorities in relation to the specified project brief described in this report. No liability is accepted for the use of any part of the report for any other purpose or by any other person or entity.
- ii. The recommendations in this report are based on the ground conditions indicated from published sources, site assessments and subsurface investigations described in this report based on accepted normal methods of site investigations. Only a limited amount of information has been collected to meet the specific financial and technical requirements of the client's brief and this report does not purport to completely describe all the site characteristics and properties. The nature and continuity of the ground between test locations has been inferred using experience and judgement and it should be appreciated that actual conditions could vary from the assumed model.
- iii. Subsurface conditions relevant to construction works should be assessed by contractors who can make their own interpretation of the factual data provided. They should perform any additional tests as necessary for their own purposes.
- iv. This Limitation should be read in conjunction with the IPENZ/ACENZ Standard Terms of Engagement.
- v. This report is not to be reproduced either wholly or in part without our prior written permission.

We trust that this information meets your current requirements. Please do not hesitate to contact the undersigned on 021 556 549 if you require any further information. The author is a Certified Environmental Practitioner (CEnvP) under the Environment Institute of Australia and New Zealand (EIANZ) accreditation system.

### Report prepared by

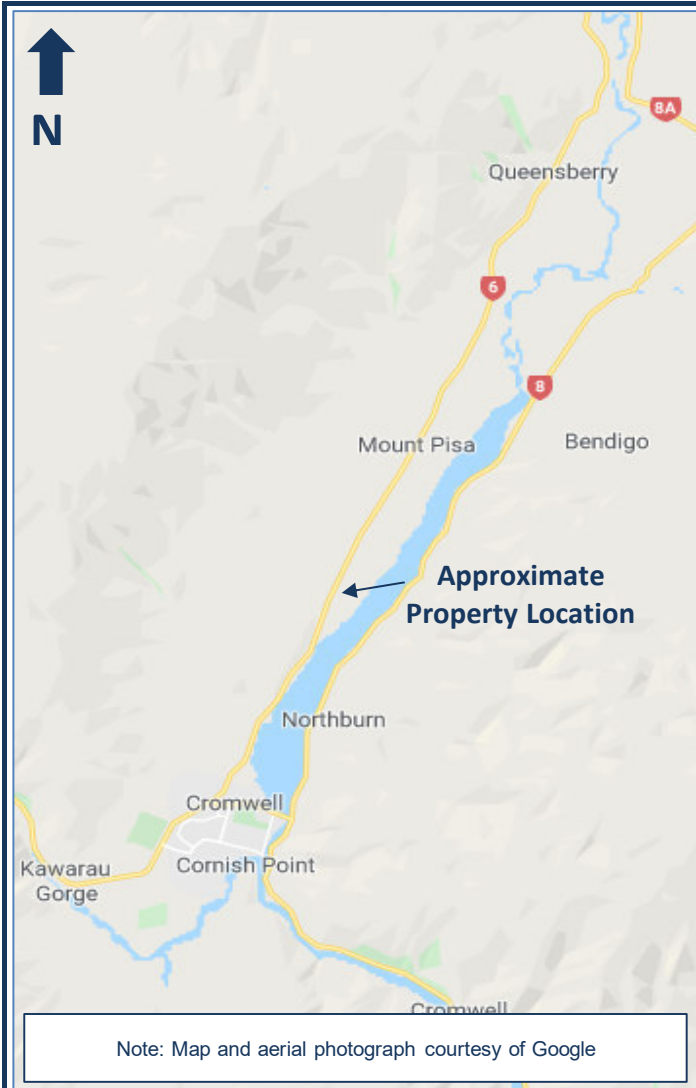


Claude Midgley, CEnvP

Associate Environmental Scientist

## APPENDIX 1

### Figures



<b>Description</b>	<b>Site Location Plan</b>	<b>Figure Number</b>	<b>1</b>
<b>Project</b>	<b>Preliminary and Detailed Environmental Site Investigation 828 Luggate Cromwell Road, Mount Pisa</b>	<b>Date</b>	<b>Mar-22</b>
<b>Client</b>	<b>Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd</b>	<b>Drawn by</b>	<b>CM</b>
<b>Project Number</b>	<b>21055</b>	<b>Approved by</b>	<b>JK</b>







<b>Description</b>	<b>Sample Location Plan: Southern Area</b>	<b>Figure Number</b>	<b>2</b>
<b>Project</b>	<b>Preliminary and Detailed Environmental Site Investigation 828 Luggate Cromwell Road, Mount Pisa</b>	<b>Date</b>	<b>Mar-22</b>
<b>Client</b>	<b>Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd</b>	<b>Drawn by</b>	<b>CM</b>
<b>Project Number</b>	<b>21055</b>	<b>Approved by</b>	<b>JK</b>







Description	Sample Location Plan: Northern Area	Figure Number	3
Project	Preliminary and Detailed Environmental Site Investigation 828 Luggate Cromwell Road, Mount Pisa	Date	Mar-22
Client	Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd	Drawn by	CM
Project Number	21055	Approved by	JK

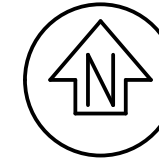


## **APPENDIX 2**

### **Proposed Subdivision Plan**



Parkburn Quarry  
Section 65  
Blk IV Wakefield SD



- NOTES:
1. LOT 2 DP 397990 OWNED BY J. B. & J. H. PESZYNSKI AND LOT 2 DP 405431 OWNED BY PISA VILLAGE DEVELOPMENT LTD.
    - 1.1. LOTS 1 - 137 ARE PROPOSED RESIDENTIAL LOTS.
    - 1.2. LOTS 138 - 155 ARE PROPOSED RETAIL / COMMERCIAL LOTS.
    - 1.3. LOTS 300 - 307, 311 & 312 TO VEST AS ROAD TO CODC.
    - 1.4. LOTS 400 - 409 TO VEST AS RESERVE TO CODC.
  2. LOTS 19 DP 520912 AND 112 DP 546309 OWNED BY PISA MOORINGS VINEYARD LIMITED.
    - 2.1. LOTS 200 - 295 ARE PROPOSED RESIDENTIAL LOTS.
    - 2.2. LOTS 308 - 311 AND LOT 19 DP 520912 TO VEST AS ROAD TO CODC.
    - 2.3. LOTS 410 - 413 TO VEST AS RESERVE TO CODC.
  3. AREAS ARE SUBJECT TO SURVEY.

Revision	Amendments	Date
B	Lots 73/74 boundary	19/05/2021
C	Layout change	12/07/2021
D	Additional lots and change layout	25/08/2021

**C. HUGHES & ASSOCIATES LTD**  
 Surveying and Resource Management • Central Otago

**CROMWELL WANAKA**  
 17A MURRAY TERRACE LEVEL 3, 80 ARDMORE ST  
 P.O. BOX 51 P.O. BOX 599  
 03 445 0376 03 443 5052

[www.chasurveyors.co.nz](http://www.chasurveyors.co.nz)

Project:  
**PROPOSED PRIVATE PLAN CHANGE**  
 LOT 2 DP 397990, LOT 2 DP 405431  
 LOT 19 DP 520912 & LOT 112 DP 546309  
 PISA MOORINGS

Title:  
**OVERALL CONCEPT PLAN**  
 LOTS 1 - 155, 200 - 295, 300 - 312 & 400 - 413

**INDICATIVE**

Copyright of this drawing is vested in C. Hughes & Associates Limited.  
 The Contractor shall verify all dimensions on site.

CAUTION - The information shown on this plan has been prepared under specific instruction from the client and is intended solely for the clients use. The information is valid as at the date of survey. C. Hughes & Associates Limited will accept no liability for any consequence arising out of this plan, or the information thereon whether in hard copy or electronic format by any other party for any purpose whatsoever.

Scale:  
**1:5000 (A3)**

Job No:	Drawn By:	Datum:	
6182	SR	-	
Drawing No:	Sheet No:	Revision:	Date Created:
C1584	CP_001	D	17/05/2021



## **APPENDIX 3**

### **Site Photographs**



Photo 1: Shipping container, stacked treated timber and soil stockpile in the southern portion of the site.



Photo 2: Stormwater retention pond, viewed from the south east facing north west.



Photo 3: Earth bund west of the vineyard, viewed from the north facing south.



Photo 4: Vineyard, viewed from the east facing south west.



Photo 5: Gully along the southern site boundary, viewed from the north west facing south east.



Photo 6: Soil stockpiles south of the shipping container, viewed from the south east facing north west.

<b>Description</b>	<b>Site Photographs</b>	<b>Photos</b>	<b>1 to 6</b>
<b>Project</b>	<b>Preliminary and Detailed Environmental Site Investigation 828 Luggate Cromwell Road, Mount Pisa</b>	<b>Date Taken</b>	<b>19/10/21</b>
<b>Client</b>	<b>Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd</b>	<b>Taken by</b>	<b>CM</b>
<b>Project Number</b>	<b>21055</b>	<b>Approved by</b>	<b>JK</b>







Photo 7: Driveway south of the fruit packing shed, viewed from the north west facing east.



Photo 8: Site surface adjacent to an above ground fuel storage tank.



Photo 9: Outlet of the bunded area beneath an above ground fuel storage tank.



Photo 10: Site surface adjacent to an above ground fuel storage tank.



Photo 11: Site surface at the entrance to the orchard.



Photo 12: Chemical tanks and poison hole (left) at the orchard entrance.

Description	Site Photographs	Photos	7 to 12
Project	Preliminary and Detailed Environmental Site Investigation 828 Luggate Cromwell Road, Mount Pisa	Date Taken	19/10/21
Client	Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd	Taken by	CM
Project Number	21055	Approved by	JK







Photo 13: Southern portion of the storage yard, viewed from the north west facing south east.



Photo 14: Southern portion of the storage yard, viewed from the north facing south.



Photo 15: Drums and treated timber in the storage yard.



Photo 16: Treated timber in the eastern portion of the storage yard.



Photo 17: Treated timber in the eastern portion of the storage yard.



Photo 18: Blue-stained soil in the northern portion of the orchard.

<b>Description</b>	<b>Site Photographs</b>	<b>Photos</b>	<b>13 to 18</b>
<b>Project</b>	<b>Preliminary and Detailed Environmental Site Investigation 828 Luggate Cromwell Road, Mount Pisa</b>	<b>Date Taken</b>	<b>19/10/21</b>
<b>Client</b>	<b>Pisa Village Development Ltd and Pisa Moorings Vineyard Ltd</b>	<b>Taken by</b>	<b>CM</b>
<b>Project Number</b>	<b>21055</b>	<b>Approved by</b>	<b>JK</b>



**APPENDIX 4**  
CODC NES Records Search

## Application

JKCM Limited PO Box 456, Cromwell 9342	Number Application date Phone Mobile Email	NES210045 19/10/2021  021 556 549 claude@insighteng.co.nz
--	--	---

## Property

Valuation No.	2842184865
Location	Luggate-Cromwell Road (SH 6), Cromwell
Legal Description	LOT 112 DP 546309
Area (hectares)	7.9919

## Resource consents

**Resource Area:** The majority of the site is located in the RURAL RESOURCE AREA  
With portions of the site located in the RESIDENTIAL RESOURCE AREA  
The site also contains a Scheduled Activity area, ref: SA 127, "*Commercial facilities and Shop as defined in Section 18*"

### Consents:

14/03/2016 **RESOURCE CONSENT 160069** : Subdivision consent to create 83 allotments in the Rural Resource Area and Residential Resource Area (13).

*(Found on related property: X2842184800).*

*This record indicates that parts of the land are used for productive purposes as a vineyard. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as item A10 on the HAIL and may trigger NES requirements.*

29/06/2011 **RESOURCE CONSENT P110001** : Plan Change 7 - To change resource area from Rural and Residential Resource Area (11) to a new Resource Area.

*(Found on related property: X2842184800).*

*This record indicates that parts of the land are used for productive purposes as a vineyard and that the vineyard area has been subject to persistent use of herbicides, pesticides and fungicides. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as item A10 on the HAIL and may trigger NES requirements.*

*Pest control including the premises of commercial pest control operators or any authorities that carry out pest control where bulk storage or preparation of pesticide occurs, including preparation of poisoned baits or filling or washing of tanks for pesticide application is listed as item A11 on the HAIL and may trigger NES requirements.*

*Pesticide manufacture (including animal poisons, insecticides, fungicides or herbicides) including the commercial manufacturing, blending, mixing or formulating of pesticides is listed as item A12 on the HAIL and may trigger NES requirements.*

07/11/2007 **RESOURCE CONSENT 070423** : Subdivision creating (41) residential allotments in Rural and RRA (11) resource areas varying from 629m<sup>2</sup> to 975m<sup>2</sup>.

*(Found on related property: X2842184800).*

*This record indicates that parts of the land are used for productive purposes as a vineyard. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as item A10 on the HAIL and may trigger NES requirements.*



12/10/2000 **RESOURCE CONSENT 001129** : Proposed subdivision creating 3 residential allotments.

*(Found on related property: X2842184800).*

*This record indicates that parts of the land are used for productive purposes as a vineyard. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as item A10 on the HAIL and may trigger NES requirements.*

11/07/1997 **RESOURCE CONSENT 970076** : 57 lot residential subdivision & land-use consent to erect dwellings.

*(Found on related property: X2842184800).*

*This record indicates that parts of the land are used for productive purposes as a vineyard. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as item A10 on the HAIL and may trigger NES requirements.*

*This record also confirms that the only chemicals used in Central Otago vineyards are those required for the control of powdery mildew. Glyphosate (Roundup) is to be used for weed control and Mr Dicey considered that this has a low toxicity rating and would not present any problems for neighbours.*

## **Building**

### **Consents/Permits/Compliance Schedules:**

No information in regards to the above could be found on the property file.

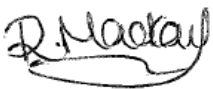
## **Preliminary Site Investigations and Detailed Site Investigations**

In relation to RC160069 - A Preliminary Site Investigation Report (PSI) from Opus International Consultants Limited dated January 2016, was submitted as part of the application. The Opus PSI concluded that the site is considered suitable for the proposed subdivision in accordance with the NES; and that no further detailed site investigations were deemed necessary. Having regard to the Opus PSI it was determined that any potential effects in terms of potential soil contamination were minor.

## **Aerial Photographs**

Council's aerial photographs date back to 2006. The aerial photographs indicate that a large portion of the land has been planted out as a vineyard. As mentioned previously, this activity may trigger NES requirements in relation to those areas listed as items A10, A11 and A12 on the HAIL.

***Disclaimer: The Council does not hold records directly relating to activities on the Hazardous Activities and Industries List (HAIL). In the event some information is available it cannot be guaranteed as correct or complete and therefore may not satisfy your request. We therefore recommend you undertake further investigation to determine whether any HAIL activities exist on the site.***



**Ruth Mackay**  
**Planning Officer - Consents**

Date: 29 October 2021

## Application

JKCM Limited PO Box 456, Cromwell 9342	Number Application date Phone Mobile Email claude@insighteng.co.nz	NES210046 19/10/21  021 556 549
---	---	--

## Property

Valuation No.	2842114500
Location	828 Luggate-Cromwell Road (State Highway 6), Cromwell
Legal Description	Lot 2 DP 397990
Area (hectares)	16.1729

## Resource consents

<b>Resource Area:</b>	Rural Resource Area, Residential Resource Area (3)
<b>Consents:</b>	
07/08/2007	RC 070274: Subdivision creating (26) allotments in RRA(3) with two balance allotments and one road to vest in council; Subdivision to be completed in four stages <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>
10/07/2007	RC 070226: Land use consent to construct workers accommodation facility for maximum (26) people <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>
16/08/2005	RC 050311: Land use consent to construct cherry packhouse <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i> <i>This record indicates that there has historically been outdoor storage of general farm materials and implements. Such materials and implements may include storage fuel or chemical tanks or drums, treated timber or materials containing heavy metals. These are items A17, A18 and G4 on the HAIL respectively and may trigger NES requirements.</i>
19/07/2004	RC 040282: Certificate of compliance to cover cherry orchard with crop protective canopy net, 16mm quad crossover, colour blue. <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>



19/03/2004	RC 040119: Variation to RC030115 - conditions 22 48 & 72 (water supply) & conditions 7 & 9 (roading). <i>No evidence regarding HAIL activities could be found on this record</i>
11/09/2003	RC 030265: Variation of RC030115-conditions 10 41 & 65(street lighting) & conditions 20 48 & 72 (water supply). <i>No evidence regarding HAIL activities could be found on this record</i>
17/7/2003	RC 030115: Subdivision creating 2 rural lots 60 residential lots (in 3 stages) & 4 lots to vest as road. <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Other land to the south of the site of interest is identified as having been used for viticultural purposes. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>

## **Building**

### **Consents/Permits/Compliance Schedules:**

05/09/2018	BC 180614: Three bay extension to existing cherry packhouse <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>
29/05/2017	BC 170649: Two bay extension to existing cherry packhouse <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>
30/05/2013	BC 130027: Additions to existing shed <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>
17/04/2012	CS0287: Central Cherries Ltd (Accommodation/Packing Shed) <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>
12/09/2007	BC 070655: Relocate accommodation buildings onto property & associated site works <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.</i>
26/10/2005	BC 050718: Erect a new pack-house <i>This record indicates that parts of the land have been used for horticultural development (Cherry orchard). Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds are listed as Item A10 on the HAIL and</i>

may trigger NES requirements. If bulk quantities of treated timber were stored on the site of interest, this is Item A18 on the HAIL and may trigger NES requirements.

14/05/1998 BC 980228: New hay implement shed

*Note: This building was confirmed to have been demolished 10/11/2011*

*No evidence regarding HAIL activities could be found on this record*

08/07/1996 BC 960431: New farm building

*Note: This building was confirmed to have been demolished 10/11/2011*

*No evidence regarding HAIL activities could be found on this record*

15/12/1992: BP K30322: Erect a new hay-shed.

*Note: This building is understood to have been blown down in the mid-1990's*

*No evidence regarding HAIL activities could be found on this record*

### **Preliminary Site Investigations and Detailed Site Investigations**

No information in regards to the above could be found on the property file.

### **Aerial Photographs**

Council's aerial photographs date to 2006. Aerial photographs confirm the site's use for horticultural activities. They also identify the outdoor storage of a range of unidentified materials to the south of the workers accommodation buildings.



Figure 1: Outdoor Storage Area (Source: CODC GIS Viewer. Image dated 2018)

***Disclaimer: The Council does not hold records directly relating to activities on the Hazardous Activities and Industries List (HAIL). In the event some information is available it cannot be guaranteed as correct or complete and therefore may not satisfy your request. We therefore recommend you undertake further investigation to determine whether any HAIL activities exist on the site.***



Adam Vincent  
Planning Officer - Consents

Date: 5 November 2021

## **APPENDIX 5**

### **Laboratory Results and Chain of Custody Documentation**



## Certificate of Analysis

<b>Client:</b>	Insight Engineering	<b>Lab No:</b>	2848224	SPV2
<b>Contact:</b>	Claude Midgley C/- Insight Engineering PO Box 456 Cromwell 9384	<b>Date Received:</b>	01-Feb-2022	
		<b>Date Reported:</b>	11-Feb-2022	
		<b>Quote No:</b>	100740	
		<b>Order No:</b>		
		<b>Client Reference:</b>	21055	
		<b>Submitted By:</b>	Claude Midgley	

### Sample Type: Soil

Sample Name:	PH1 28-Jan-2022	PH2 28-Jan-2022	FT1 28-Jan-2022	FT2 28-Jan-2022	FT3 28-Jan-2022
Lab Number:	2848224.1	2848224.2	2848224.3	2848224.4	2848224.5

#### Individual Tests

Dry Matter	g/100g as rcvd	96	97	92	98	83
Total Petroleum Hydrocarbons in Soil						
C7 - C9	mg/kg dry wt	< 20	< 20	< 20	< 20	< 20
C10 - C14	mg/kg dry wt	< 20	< 20	830	460	105
C15 - C36	mg/kg dry wt	91	< 40	23,000	11,300	14,500
Total hydrocarbons (C7 - C36)	mg/kg dry wt	94	< 80	23,000	11,800	14,600

Sample Name:	FT4 28-Jan-2022	SY1 28-Jan-2022	SY2 28-Jan-2022	SY3 28-Jan-2022	SY4 28-Jan-2022
Lab Number:	2848224.6	2848224.7	2848224.8	2848224.9	2848224.10

#### Individual Tests

Dry Matter	g/100g as rcvd	89	-	-	-	-
CCA by ICP-MS						
Total Recoverable Arsenic	mg/kg dry wt	-	8	15	20	30
Total Recoverable Chromium	mg/kg dry wt	-	13	27	22	24
Total Recoverable Copper	mg/kg dry wt	-	36	58	35	42
Total Petroleum Hydrocarbons in Soil						
C7 - C9	mg/kg dry wt	< 20	-	-	-	-
C10 - C14	mg/kg dry wt	< 20	-	-	-	-
C15 - C36	mg/kg dry wt	620	-	-	-	-
Total hydrocarbons (C7 - C36)	mg/kg dry wt	620	-	-	-	-

Sample Name:	SY5 28-Jan-2022	H1 28-Jan-2022	OR1 28-Jan-2022	OR2 28-Jan-2022	OR3 28-Jan-2022
Lab Number:	2848224.11	2848224.12	2848224.13	2848224.14	2848224.15

#### Individual Tests

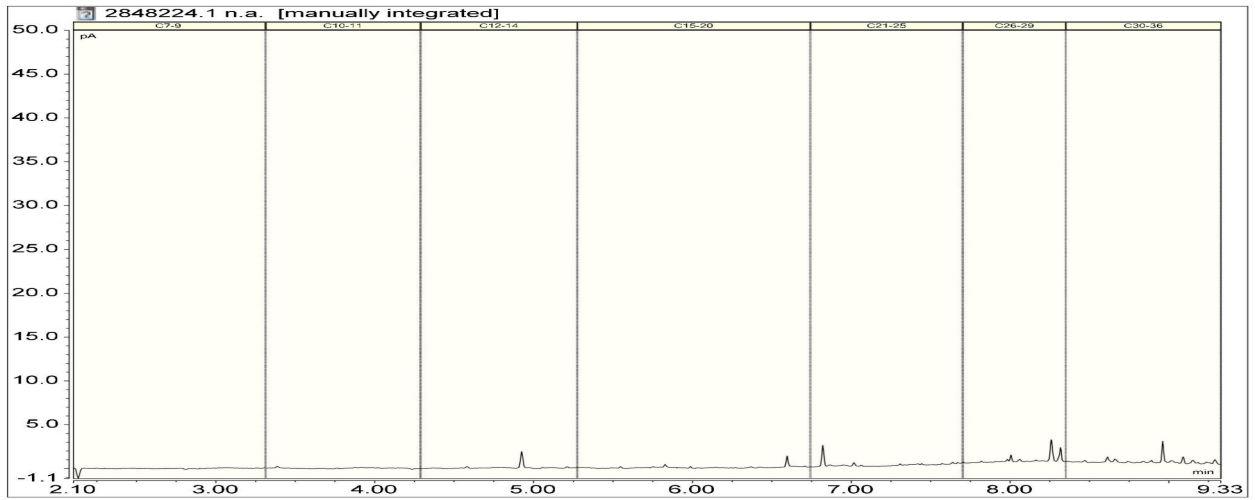
Dry Matter	g/100g as rcvd	-	62	98	-	-
Total Recoverable Cadmium	mg/kg dry wt	-	-	-	0.22	0.18
CCA by ICP-MS						
Total Recoverable Arsenic	mg/kg dry wt	5	-	-	-	-
Total Recoverable Chromium	mg/kg dry wt	15	-	-	-	-
Total Recoverable Copper	mg/kg dry wt	37	-	-	-	-
Heavy Metals, Screen Level						
Total Recoverable Arsenic	mg/kg dry wt	-	4	-	-	-
Total Recoverable Cadmium	mg/kg dry wt	-	0.57	-	-	-
Total Recoverable Chromium	mg/kg dry wt	-	11	-	-	-
Total Recoverable Copper	mg/kg dry wt	-	12,300	-	-	-
Total Recoverable Lead	mg/kg dry wt	-	15.2	-	-	-
Total Recoverable Nickel	mg/kg dry wt	-	14	-	-	-
Total Recoverable Zinc	mg/kg dry wt	-	7,000	-	-	-



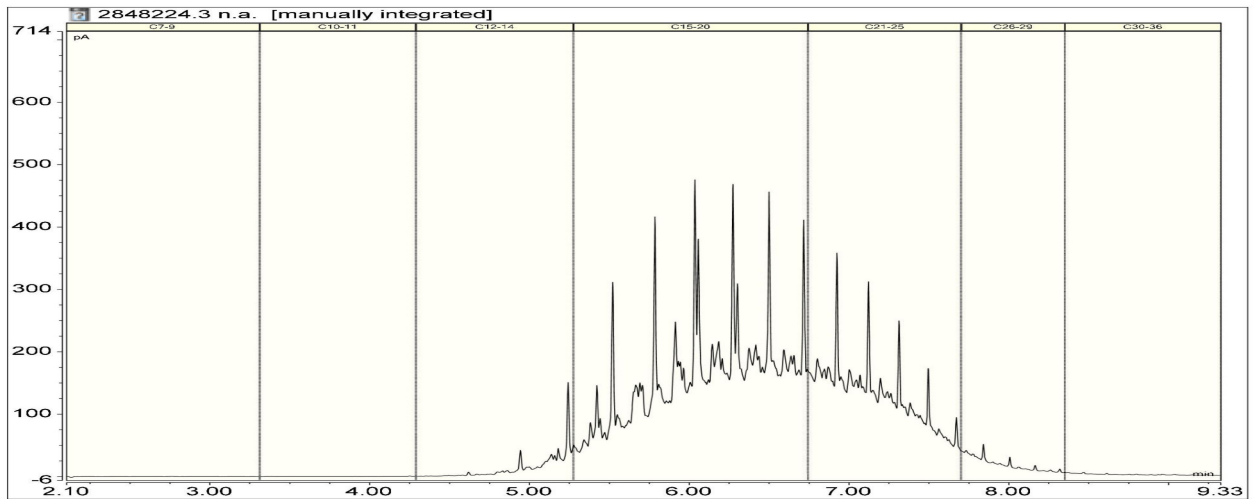
This Laboratory is accredited by International Accreditation New Zealand (IANZ), which represents New Zealand in the International Laboratory Accreditation Cooperation (ILAC). Through the ILAC Mutual Recognition Arrangement (ILAC-MRA) this accreditation is internationally recognised. The tests reported herein have been performed in accordance with the terms of accreditation, with the exception of tests marked \* or any comments and interpretations, which are not accredited.

Sample Type: Soil						
Sample Name:	SY5 28-Jan-2022	H1 28-Jan-2022	OR1 28-Jan-2022	OR2 28-Jan-2022	OR3 28-Jan-2022	
Lab Number:	2848224.11	2848224.12	2848224.13	2848224.14	2848224.15	
Total Petroleum Hydrocarbons in Soil						
C7 - C9	mg/kg dry wt	-	< 30	< 20	-	-
C10 - C14	mg/kg dry wt	-	220	< 20	-	-
C15 - C36	mg/kg dry wt	-	5,400	40,000	-	-
Total hydrocarbons (C7 - C36)	mg/kg dry wt	-	5,600	40,000	-	-
Sample Name:	TT1 28-Jan-2022	TT2 28-Jan-2022	SC1 28-Jan-2022	SWP1 28-Jan-2022	SWP2 28-Jan-2022	
Lab Number:	2848224.16	2848224.17	2848224.18	2848224.19	2848224.20	
Individual Tests						
Dry Matter	g/100g as rcvd	-	-	-	94	99
CCA by ICP-MS						
Total Recoverable Arsenic	mg/kg dry wt	38	80	-	-	-
Total Recoverable Chromium	mg/kg dry wt	33	33	-	-	-
Total Recoverable Copper	mg/kg dry wt	47	56	-	-	-
Heavy Metals, Screen Level						
Total Recoverable Arsenic	mg/kg dry wt	-	-	4	4	< 2
Total Recoverable Cadmium	mg/kg dry wt	-	-	< 0.10	< 0.10	< 0.10
Total Recoverable Chromium	mg/kg dry wt	-	-	4	25	13
Total Recoverable Copper	mg/kg dry wt	-	-	12	28	15
Total Recoverable Lead	mg/kg dry wt	-	-	9.5	24	12.5
Total Recoverable Nickel	mg/kg dry wt	-	-	4	26	14
Total Recoverable Zinc	mg/kg dry wt	-	-	15	102	55
Organochlorine Pesticides Screening in Soil						
Aldrin	mg/kg dry wt	-	-	-	< 0.011	< 0.010
alpha-BHC	mg/kg dry wt	-	-	-	< 0.011	< 0.010
beta-BHC	mg/kg dry wt	-	-	-	< 0.011	< 0.010
delta-BHC	mg/kg dry wt	-	-	-	< 0.011	< 0.010
gamma-BHC (Lindane)	mg/kg dry wt	-	-	-	< 0.011	< 0.010
cis-Chlordane	mg/kg dry wt	-	-	-	< 0.011	< 0.010
trans-Chlordane	mg/kg dry wt	-	-	-	< 0.011	< 0.010
2,4'-DDD	mg/kg dry wt	-	-	-	< 0.011	< 0.010
4,4'-DDD	mg/kg dry wt	-	-	-	< 0.011	< 0.010
2,4'-DDE	mg/kg dry wt	-	-	-	< 0.011	< 0.010
4,4'-DDE	mg/kg dry wt	-	-	-	< 0.011	< 0.010
2,4'-DDT	mg/kg dry wt	-	-	-	< 0.011	< 0.010
4,4'-DDT	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Total DDT Isomers	mg/kg dry wt	-	-	-	< 0.07	< 0.06
Dieldrin	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Endosulfan I	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Endosulfan II	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Endosulfan sulphate	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Endrin	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Endrin aldehyde	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Endrin ketone	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Heptachlor	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Heptachlor epoxide	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Hexachlorobenzene	mg/kg dry wt	-	-	-	< 0.011	< 0.010
Methoxychlor	mg/kg dry wt	-	-	-	< 0.011	< 0.010

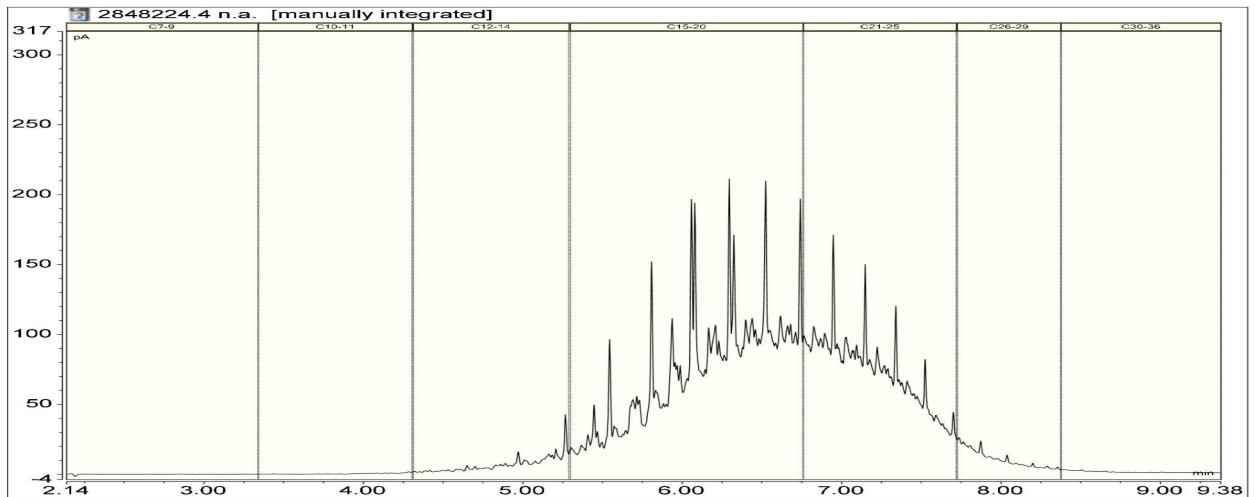
2848224.1  
PH1 28-Jan-2022  
Client Chromatogram for TPH by FID



2848224.3  
FT1 28-Jan-2022  
Client Chromatogram for TPH by FID



2848224.4  
FT2 28-Jan-2022  
Client Chromatogram for TPH by FID

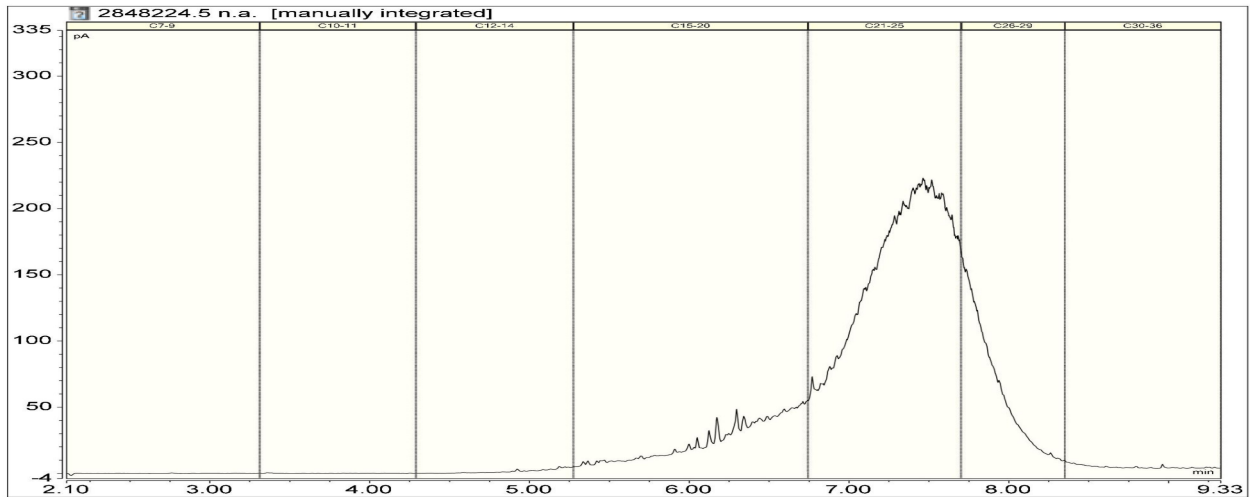




2848224.5

FT3 28-Jan-2022

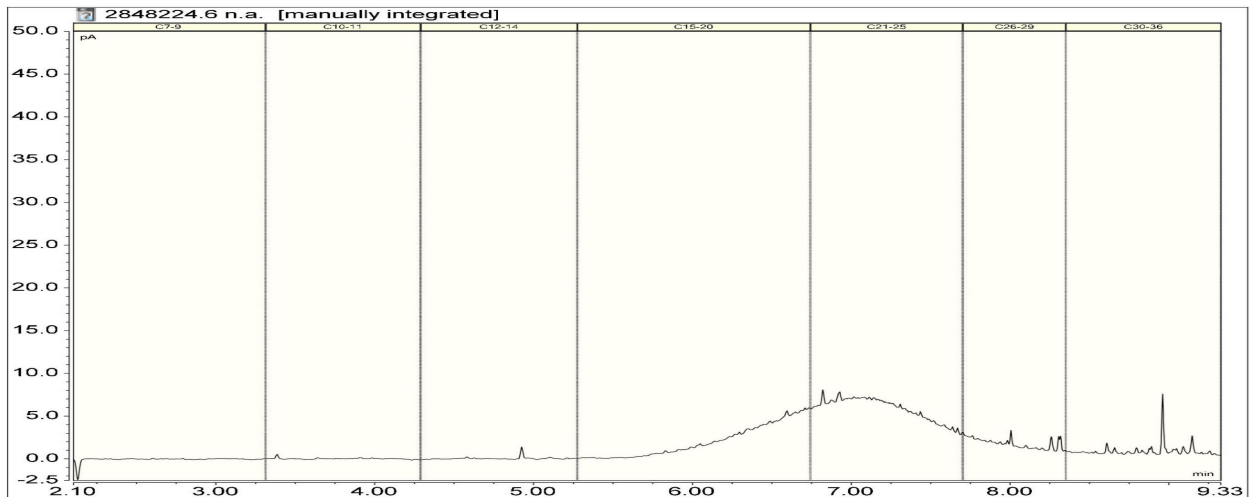
Client Chromatogram for TPH by FID



2848224.6

FT4 28-Jan-2022

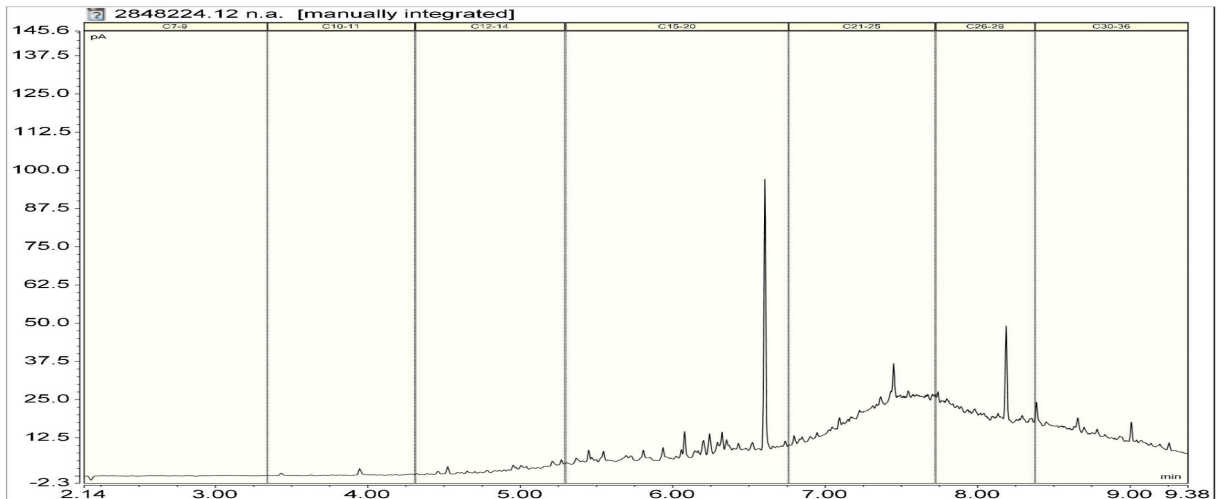
Client Chromatogram for TPH by FID



2848224.12

H1 28-Jan-2022

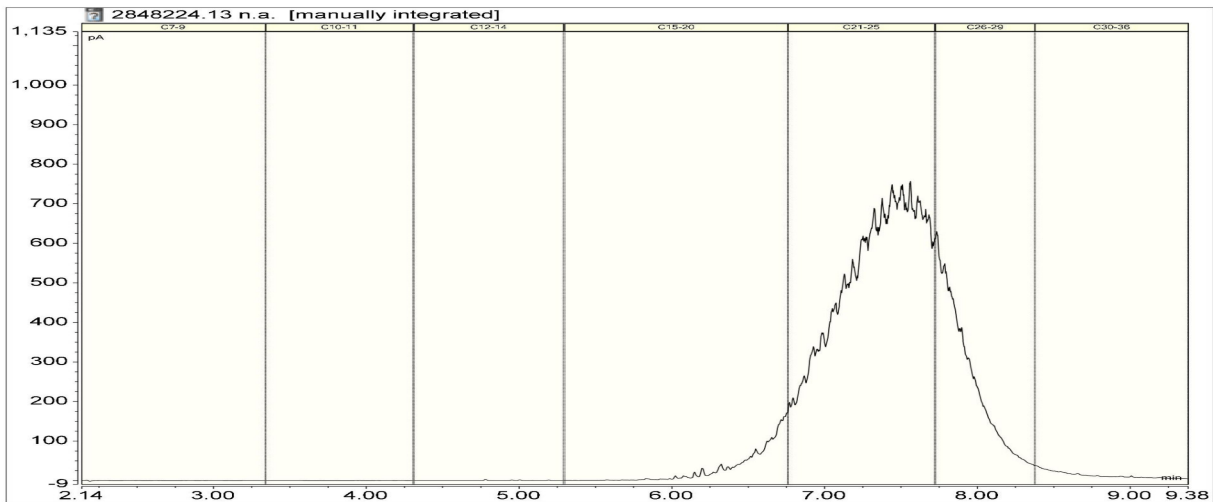
Client Chromatogram for TPH by FID



2848224.13

OR1 28-Jan-2022

Client Chromatogram for TPH by FID



## Summary of Methods

The following table(s) gives a brief description of the methods used to conduct the analyses for this job. The detection limits given below are those attainable in a relatively simple matrix. Detection limits may be higher for individual samples should insufficient sample be available, or if the matrix requires that dilutions be performed during analysis. A detection limit range indicates the lowest and highest detection limits in the associated suite of analytes. A full listing of compounds and detection limits are available from the laboratory upon request. Unless otherwise indicated, analyses were performed at Hill Laboratories, 28 Duke Street, Frankton, Hamilton 3204.

Sample Type: Soil			
Test	Method Description	Default Detection Limit	Sample No
Individual Tests			
Environmental Solids Sample Drying*	Air dried at 35°C Used for sample preparation. May contain a residual moisture content of 2-5%.	-	7-12, 14-20
Environmental Solids Sample Preparation	Air dried at 35°C and sieved, <2mm fraction. Used for sample preparation May contain a residual moisture content of 2-5%.	-	7-11, 14-17
Dry Matter (Env)	Dried at 103°C for 4-22hr (removes 3-5% more water than air dry) , gravimetry. (Free water removed before analysis, non-soil objects such as sticks, leaves, grass and stones also removed). US EPA 3550.	0.10 g/100g as rcvd	1-6, 12-13, 19-20
Total Recoverable digestion	Nitric / hydrochloric acid digestion. US EPA 200.2.	-	7-11, 14-17
Total Recoverable Cadmium	Dried sample, sieved as specified (if required). Nitric/Hydrochloric acid digestion, ICP-MS, screen level. US EPA 200.2.	0.10 mg/kg dry wt	14-15
CCA by ICP-MS	Total recoverable digestion, ICP-MS, screen level.	2 mg/kg dry wt	7-11, 16-17
Heavy Metals, Screen Level	Dried sample, < 2mm fraction. Nitric/Hydrochloric acid digestion US EPA 200.2. Complies with NES Regulations. ICP-MS screen level, interference removal by Kinetic Energy Discrimination if required.	0.10 - 4 mg/kg dry wt	12, 18-20
Organochlorine Pesticides Screening in Soil	Sonication extraction, GC-ECD analysis. Tested on as received sample. In-house based on US EPA 8081.	0.010 - 0.06 mg/kg dry wt	19-20
Total Petroleum Hydrocarbons in Soil			
Client Chromatogram for TPH by FID	Small peaks associated with QC compounds may be visible in chromatograms with low TPH concentrations. QC peaks are as follows: one peak in the C12 - 14 band, the C21 - 25 band and the C30 - 36 band. All QC peaks are corrected for in the reported TPH concentrations.	-	1, 3-6, 12-13
C7 - C9	Solvent extraction, GC-FID analysis. In-house based on US EPA 8015.	20 mg/kg dry wt	1-6, 12-13
C10 - C14	Solvent extraction, GC-FID analysis. Tested on as received sample. In-house based on US EPA 8015.	20 mg/kg dry wt	1-6, 12-13
C15 - C36	Solvent extraction, GC-FID analysis. Tested on as received sample. In-house based on US EPA 8015.	40 mg/kg dry wt	1-6, 12-13
Total hydrocarbons (C7 - C36)	Calculation: Sum of carbon bands from C7 to C36. In-house based on US EPA 8015.	70 mg/kg dry wt	1-6, 12-13

These samples were collected by yourselves (or your agent) and analysed as received at the laboratory.

Testing was completed between 02-Feb-2022 and 11-Feb-2022. For completion dates of individual analyses please contact the laboratory.

Samples are held at the laboratory after reporting for a length of time based on the stability of the samples and analytes being tested (considering any preservation used), and the storage space available. Once the storage period is completed, the samples are discarded unless otherwise agreed with the customer. Extended storage times may incur additional charges.

This certificate of analysis must not be reproduced, except in full, without the written consent of the signatory.

A handwritten signature in purple ink, consisting of a large capital 'K' followed by the name 'Harrison' in a cursive script.

Kim Harrison MSc  
Client Services Manager - Environmental

# ENVIRONMENTAL Analysis Request Form

Job No: Date Recv: 01-Feb-22 08:12

## Hill Laborat **284 8224**

R J Hill Laboratories Limited --- accredited  
Accreditation NZ

Received by: Nathaniel Sue

### CLIENT

Name **Insight Engineering** [229068]

PO Box 456

Cromwell 9342

Phone: 021 556 549

Fax:

Client Reference: 21055

(Project Code)

Quote Number: 100740

Order No:

(Cost Centre)

1 Clyde Street, Telephone  
Private Bag 3205, Facsimile



Hill Laboratories office use only.

Date In

Job #

No. of Samples

Submitted By **Claude Midgley** [228982]

Charge To: **Insight Engineering** [229068]

### RESULTS TO

Mail Client

Mail Submitter

Fax Results

Email Results

claude@insighteng.co.nz

C.O.C & coversheet to be scanned and emailed back

### Chain of Custody Record

Delivered to **Hill Laboratories** (Depatched by)  
Date & Time: 31/01/2022 15:30  
Name: Claude Midgley  
Signature: *[Signature]*

Received at **Hill Laboratories**  
Date & Time:  
Name:  
Signature:

Condition  Ambient Temp  Chilled 16-8°C

### Additional Information

*All samples collected 28/1/22*

### PRIORITY

Normal (up to 10 days)

High (approx 5 days)

Urgent (MUST be pre-arranged)

Results required by: .....

### Sample types

**GW** Bore/well

**TW** Trade waste

**S** Saline water

**ES** Soil/Solid

**PI** Plant

**SW** Surface water

**E** Effluent

**O** Oil

**Sed** Sediment

**BM** Fish/shellfish/Biota

**P** Potable/DI

**L** Leachate

**SI** Sludge

**BS** Biosolid

**M** Misc (Specify)

Site ID	Sample type	Tests required	Comments
PH1	ES	TPHOI	
PH2	ES	TPHOI	
FT1	ES	TPHOI	
FT2	ES	TPHOI	
FT3	ES	TPHOI	
FT4	ES	TPHOI	
SY1	ES	CCA	
SY2	ES	CCA	
SY3	ES	CCA	
SY4	ES	CCA	
SY5	ES	CCA	
H1	ES	TPHOI + MSHMs	
OR1	ES	TPHOI	
OR2	ES	Cd	



**Attachment 3: The Appellant's further submissions**

## Resource Management Act 1991

### FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE TO THE CENTRAL OTAGO DISTRICT PLAN

Clause 8 of Schedule 1, Resource Management Act 1991

#### (FORM 6)

To: The Chief Executive  
Central Otago District Council  
PO Box 122  
Alexandra 9340

RECEIVED  
20/12/2022  
CODC

19/223

#### Name of person making further submission

Name: Pisa Moorings Vineyard Limited and Pisa Village Development Limited (PMVL & PVDL)

Postal address: C/- 3 Frederick Street, Wanaka 9305

(Or alternative method of service under [section 352](#) of the Act)

Email: [craig@waveformplanning.co.nz](mailto:craig@waveformplanning.co.nz)

Contact person: Craig Barr

This is a further submission in support of a submission on Proposed Plan Change 19 to the Central Otago District Plan.

#### I am:

- A person representing a relevant aspect of the public interest, the grounds for saying this being:**  
N/A  
; or

- A person who has an interest in the proposal that is great than the interest the general public has, the grounds for saying this being:**

Pisa Moorings Vineyard Limited and Pisa Village Development Limited own land located at 828 Luggate-Cromwell Road SH6 and the adjoining site to the south at Pisa Moorings, located between State Highway 6 and the existing Pisa Moorings residential settlement.

The land is 24.3ha in area and legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309.



The land described above is a neighbouring property to the land the submission from Fulton Hogan Limited relates to, being located directly to the north of Lot 2 DP 397990 of direct interest to PVDL.

; or

### 3. The local authority for the relevant area.

N/A

- I support the submission of:

Submitter 164 Fulton Hogan Limited on Plan Change 19. Fulton Hogan Limited's submission relates to the land known as the Parkburn Quarry site, legally described as Section 64, and Section 65 Block IV Wakefield SD.

1. The reasons for my support are:

Amending the plan maps to include the Parkburn site as a 'future growth overlay area' has the potential to provide for planned and integrated development of the area to the north of Pisa Moorings, and provide for a well-functioning urban environment through the identification of key accesses, infrastructure and recreational areas and other amenities in the vicinity of Pisa Moorings.

Amending the District Plan maps to provide for urban zoning on the site may also be appropriate and provide for a well-functioning urban environment.

PMVL & PVDL supports the submission, subject to seeking the following matters are addressed or otherwise resolved:

- a) The adequate location and capacity of a roading connection between the Submitter's site and the PVDL land.
- b) The function and utility of identifying the Submitter's site as a future growth overlay area in the District Plan, including any related objectives, rules or methods.
- c) The implications associated with the Submitter's request to the Council for a private plan change on the Submitters land, and any integration matters arising between the Plan Change 19 process and the Submitter's private plan change request.

- I seek that the whole of the submission be allowed, subject to resolution of the matters identified in (a) to (c) above.
- I wish to be heard in support of my further submission.

Date: 20 December 2022

Email: Craig@waveformplanning.co.nz

Telephone No: 0274065593

Postal Address: 3 Frederick Street, Wanaka 9305

Contact Person: Craig Barr

## Resource Management Act 1991

### FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE TO THE CENTRAL OTAGO DISTRICT PLAN

Clause 8 of Schedule 1, Resource Management Act 1991

#### (FORM 6)

To: The Chief Executive  
Central Otago District Council  
PO Box 122  
Alexandra 9340

RECEIVED  
20/12/2022  
CODC

19/224

#### Name of person making further submission

Name: Pisa Moorings Vineyard Limited and Pisa Village Development Limited (PMVL & PVDL)

Postal address: C/- 3 Frederick Street, Wanaka 9305

---

(Or alternative method of service under [section 352](#) of the Act)

Email: [craig@waveformplanning.co.nz](mailto:craig@waveformplanning.co.nz)

Contact person: Craig Barr

This is a further submission in support of a submission on Proposed Plan Change 19 to the Central Otago District Plan.

#### I am:

- A person representing a relevant aspect of the public interest, the grounds for saying this being:**  
N/A  
; or

- A person who has an interest in the proposal that is great than the interest the general public has, the grounds for saying this being:**

PMVL & PMDL own land located at 828 Luggate-Cromwell Road SH6 and the adjoining site to the south at Pisa Moorings, located between State Highway 6 and the existing Pisa Moorings residential settlement.

The land is 24.3ha in area and legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309.

The land described above is a neighbouring property to the land identified in the submission, being located to the north on the northern side of Pisa Moorings Road.

; or

**3. The local authority for the relevant area.**

N/A

- I support the submission of:

Submitter 137 R.S (Bob) Perriam on Plan Change 19, who seeks to rezone the land on the southern side of Pisa Moorings Road from Rural Resource Area to Large Lot Residential. The land is at 1 Perriam Place, Pisa Moorings, and legally described as Lot 1 DP 373227. The land has frontage to Pisa Moorings Road and Perriam Place.

- The reasons for my support are:

Rezoning the land to urban represents a logical and contiguous extension of the surrounding urban zoning located on the eastern side of State Highway 6. The rezoning would represent an efficient use of land for urban development, which adjoins an existing urban environment.

- I seek that the whole of the submission be allowed as it relates to the rezoning.
- I wish to be heard in support of my further submission.

Date: 20 December 2022

Email: [Craig@waveformplanning.co.nz](mailto:Craig@waveformplanning.co.nz)

Telephone No: 0274065593

Postal Address: 3 Frederick Street, Wanaka 9305

Contact Person: Craig Barr

## Resource Management Act 1991

### FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO SUBMISSION ON NOTIFIED PROPOSED PLAN CHANGE TO THE CENTRAL OTAGO DISTRICT PLAN

*Clause 8 of Schedule 1, Resource Management Act 1991*

#### (FORM 6)

To: The Chief Executive  
Central Otago District Council  
PO Box 122  
Alexandra 9340

#### Name of person making further submission

Name: Pisa Moorings Vineyard Limited and Pisa Village Development Limited (PMVL & PVDL)

Postal address: C/- 3 Frederick Street, Wanaka 9305

---

*(Or alternative method of service under [section 352](#) of the Act)*

Email: [craig@waveformplanning.co.nz](mailto:craig@waveformplanning.co.nz)

Contact person: Craig Barr

This is a further submission opposing a submission on Proposed Plan Change 19 to the Central Otago District Plan.

#### I am:

- 1. A person representing a relevant aspect of the public interest, the grounds for saying this being:**  
N/A  
; or

- 2. A person who has an interest in the proposal that is great than the interest the general public has, the grounds for saying this being:**

PMVL & PVDL own land located at 828 Luggate-Cromwell Road SH6 and the adjoining site to the south at Pisa Moorings, located between State Highway 6 and the existing Pisa Moorings residential settlement.

The land is 24.3ha in area and legally described as Lot 2 DP 397990, Lot 2 DP 405431, Lot 19 DP 520912 and Lot 112 DP 546309.

The land described above is a neighbouring property to the submission, being located on the eastern side of SH6, and opposite to the land sought to be rezoned by the Submitter.

; or

### 3. The local authority for the relevant area.

N/A

- I oppose the submission of:

Submitter 138 Wakefield Estates Limited on Plan Change 19, who seeks to rezone the land at Clark Road from Rural Resource Area to Large Lot Residential. The Submitter's land is legally described as Lot 100 DP 433991.

- The reasons for my opposition are:

- **Adverse effects on heritage and archaeological values**

The site is identified in a geotechnical report (attached to the submission) as being used for alluvial gold mining. The geotechnical report has been relied upon in the submission to infer that heritage / archaeological items will not be affected by the development facilitated by the rezoning.

The urban development facilitated by the rezoning has the potential to irreversibly modify the heritage values present on site and result in adverse effects on heritage values or archaeological items. This matter has not been sufficiently addressed in the submission.

- **Traffic effects**

The submission does not identify how the rezoning from rural to urban will manage traffic from the Clark Road intersection onto the State Highway 6 intersection, nor manage potential adverse effects on the Pisa Moorings Road intersection. The proposed rezoning may have inappropriate adverse effects on the roading network, including the capacity of the Pisa Moorings Road and SH6 intersection.

- **Location of new urban development**

The proposed rezoning would result in urban development located on the western side of SH6 and represent the potential for sprawling and sporadic urban development as viewed from State Highway 6 and surrounding areas, and result in additional demand for services and the provision of water and wastewater infrastructure.

The existing resource consent (RC160354) is for rural worker accommodation, and this does not represent an appropriate precedent for urban development on the western side of SH6.

The submission has not adequately addressed the effects of urban development locating on the western side of SH6 and effects of urban development on rural character.

There is insufficient information describing the utility of any landscape mitigation.

- I seek that the whole of the submission be rejected.

- I wish to be heard in support of my further submission.

Date: 20 December 2022

Email: [Craig@waveformplanning.co.nz](mailto:Craig@waveformplanning.co.nz)

Telephone No: 0274065593

Postal Address: 3 Frederick Street, Wanaka 9305

Contact Person: Craig Barr

**Attachment 4: list of names and addresses of persons to be served with a copy of this notice**

Person	Address
Environment Court	
Central Otago District Council	1 Dunorling Street, Alexandra
Wakefield Estates Limited (FS 19/227)	1 Perriam Place, RD 3, Cromwell 9383 <a href="mailto:matt@chasurveyors.co.nz">matt@chasurveyors.co.nz</a>
Ian Luke Dustin and The Dustin Family Trust	Unit 9, Papamoa Beach Road, Papamoa, 3118 Carey Vivian <a href="mailto:carey@vivianespie.co.nz">carey@vivianespie.co.nz</a>
Waka Kotahi NZ Transport Agency	Helen Dempster Waka Kotahi NZ Transport Agency PO Box 5245 Dunedin 9058 <a href="mailto:helen.dempster@nzta.govt.nz">helen.dempster@nzta.govt.nz</a> <a href="mailto:EnvironmentalPlanning@nzta.govt.nz">EnvironmentalPlanning@nzta.govt.nz</a>