

**BEFORE THE HEARINGS COMMISSIONERS  
APPOINTED BY THE CENTRAL OTAGO DISTRICT COUNCIL**

**UNDER** the Resource Management Act 1991

**IN THE MATTER** of a submission on a Plan Change under  
clause 6 of Schedule 1 of the Act

**BY** **ONE FIVE FIVE DEVELOPMENTS LP**  
Submitter

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**STATEMENT OF EVIDENCE OF CRAIG BARR**

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Dated: 16 May 2023

## Statement of evidence of Craig Barr

### Introduction

- [1] My name is Craig Alan Barr. I am a planning consultant and have been asked to prepare planning evidence on the Central Otago District Council's (**Council/CODC**) Plan Change 19 (**PC19**) to the operative Central Otago District Plan (**District Plan/ODP**).
- [2] My qualifications and experience are set out in my evidence on Stage 1 dated 11 April 2023 in which I discussed on behalf of Submitter #139, One Five Five Developments LP (**Submitter**) the National Policy Statement Urban Development (**NPSUD**) in the context of PC19.
- [3] Since my Stage 1 evidence, I have also read the 'Stage 2' Council evidence and supporting information.
- [4] In preparing my evidence I refer to and rely on the evidence of Mr Mike Moore, landscape, Andy Carr, traffic and Stuart Calder, survey and infrastructure, all dated 16 May 2021.

### Code of conduct for expert witnesses

- [5] I confirm I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### Scope of evidence

- [6] I have been asked by the Submitter to give expert planning advice in respect of its submission on PC19 to rezone land encompassing the properties of 131 Dunstan Road, 147 Dunstan Road, 149 Dunstan Road, 157 Dunstan Road, and 155 Dunstan Road (**subject land**) which are notified as Large Lot Residential Zone (**LLRZ**) by PC19 to instead be zoned Low Density Residential (**LRZ**), and to add a further 1ha portion of 129 Gilligans Road zoned Rural Resource Area Rural Residential (**RR**) to LLRZ.

- [7] The subject land is located on the north side of Dunstan Road, adjacent to and immediately to the north of the three “industrial” properties referred to herein as the Fulton Hogan and Otago Bees blocks, and is directly opposite (across Dunstan Road) to the large area of MRZ at the northern extent of Alexandra.
- [8] Combining both the LLRZ area sought to be rezoned to LRZ and the RR area sought to be rezoned to LLRZ, the subject land makes up 13.35ha, as identified in the plan in Ms White’s S42A report<sup>1</sup>, and as described in Mr Moore’s evidence. The residential development yield under the notified LLRZ zoning is in the order of 39 residential lots. The yield under LRZ is shown to be in the order of 117 residential lots, resulting in a greater yield of 78 residential lots than what was notified under PC19.
- [9] My evidence is set out as follows:
- (a) A summary of the decision-making framework and statutory policy context;
  - (b) Identification and evaluation of the key issues, being:
    - (i) Whether the LRZ is more appropriate than the LLRZ, in the context of the environment;
    - (ii) What is the most appropriate response to servicing constraints;
    - (iii) For the portion of land at 129 Gilligan Road, whether the LLRZ is more appropriate than the Rural Resource Area RR zoning.
  - (c) Evaluating the adverse effects on the environment of the rezoning; and
  - (d) Evaluation of the proposed rezoning in the context of the Vincent Spatial Plan (**Spatial Plan**).

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<sup>1</sup> Section 42A Report Stage 2 Report 1 at [56].

## Executive summary

- [10] I consider the Submitter's proposed LRZ and LLRZ areas are more appropriate than the notified PC 19 zoning for spatial planning, infrastructure, landscape, amenity and adverse effects reasons. I also consider the proposed zoning to be congruent with and will seamlessly become part of the agglomeration of urban development encouraged by the Spatial Plan and PC 19 for the northern part of Alexandra.
- [11] I agree with the Council that there is a need to integrate infrastructure with zoning. However, the issue of increasing residential yield on the subject land, and addressing constraints on the capacity of the current Alexandra wastewater network. are able to be identified and appropriately managed through both Council's ongoing and necessary infrastructure upgrades as well as provisions in the District Plan that ensure zoned development occurs in lock step with the provision of adequate infrastructure capacity.
- [12] The infrastructure constraints identified by the Council, and as described by Ms Muir, exist independent of the Submitter's proposal. They must be remedied by Council within the life of the PC 19 residential zoning framework.<sup>2</sup> It would be inefficient and a missed opportunity to reject this rezoning based on a short-medium term constraint, despite it being an important component of urban intensification.
- [13] In the event that infrastructure constraints are determined to be a factor in rezoning, I support a location-specific rule being added to the District Plan which requires that after 40 LRZ lots are created for residential activity on the subject land (being the equivalent amount already enabled by the PC19 LLRZ zoning), there be provisions in place which cap further development until such constraints are addressed.

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<sup>2</sup> I.e. at least fifteen years from notification of PC19 as discussed in my Stage 1 evidence.

## **Decision making framework and key statutory policies**

- [14] Section 32AA(1)(a) of the RMA requires a further evaluation in respect of the amendments sought to the existing proposal since the s 32 evaluation was completed. In this context:
- (a) The 'existing proposal' is applying the PC 19 LLRZ and ODP Rural Resource Area RR zoning to the subject land; and
  - (b) The 'amending proposal' is applying the LLRZ to the 1ha RR land and LRZ to the remainder, plus any other bespoke methods or rules proposed.
- [15] Section 32AA(1)(b) states that the further evaluation must be undertaken in accordance with ss 32(1) to (4), while section 32AA(c) requires that the level of detail must correspond to the scale and significance of the changes.
- [16] Under s 32(1)(a), the evaluation must examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act.
- [17] Section 32(1)(b) requires an examination of whether the provisions of the proposal are the most appropriate way to achieve the objectives by identifying other reasonably practicable options for achieving the objectives, assessing the efficiency and effectiveness of the provisions in achieving the objectives, including the costs and benefits of the options, and the risks of acting or not acting, and summarising the reasons for deciding on the provisions. In this context, alternatives include a cap on the amount of lots created prior to wastewater servicing being more readily available if this is an issue, or a lower yield of residential activity such as LLRZ Precinct 1 which has a minimum lot size of 1000m<sup>2</sup>.
- [18] Section 32(1)(c) states that the evaluation is to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

[19] For 'amending proposals', s 32(3) requires that if the proposal (an amending proposal) will amend a change that is already proposed or that already exists, 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.*

[20] Additionally, the overarching principles of s 32 must also be considered, namely:

- (a) Are the objectives the most appropriate to achieve the purpose of the RMA?
- (b) Are any policies or rules the most appropriate way to achieve the objectives?
- (c) Will the policies or rules be an effective and efficient way to achieve the objectives (by assessing benefits and costs - in a quantifiable way if possible - including the opportunities for economic growth and employment)?
- (d) Will there be a risk of acting or not acting (ie. including policies or not including policies) if there is uncertain or insufficient information?

[21] Ultimately, the primary question in s 32 terms is whether the LLRZ and RR at 129 Gilligans Road, or the Submitter's LRZ and 1ha LLRZ (including any bespoke provisions) are the most appropriate zone framework to achieve the Objectives in PC 19 and the ODP as they relate to the subject land.

## Part 2 RMA

- [22] The purpose and principles in Part 2 of the RMA emphasise the requirement to sustainably manage the use, development and protection of the natural and physical resources for current and future generations.
- [23] Section 7 of the RMA is relevant to this proposal in terms of the efficient use of the land, opportunities for the maintenance and enhancement of amenity values, and the quality of the environment. I consider that these matters are expressed through the Partially Operative Otago Regional Policy Statement 2019 (**PORPS**) and subsequently in the ODP.

## National Policy Statements

- [24] When preparing district plans, territorial authorities must give effect to any National Policy Statement (**NPS**).
- [25] The National Policy Statement Urban Development 2020 (**NPS-UD**) and National Policy Statement Electricity Transmission (**NPS-ET**) are relevant to the proposal. However, I consider that provision for the latter is already provided through the ODP and rules in relation to locating buildings and the National Grid Yard.
- [26] In my evidence for the Stage 1 hearing<sup>3</sup> I discussed whether the District is a Tier 3 local authority in terms of the NPS-UD. I consider the District is a Tier 3 authority for the reasons set out in that evidence. I identified some of the key provisions of the NPS-UD which I consider apply. **Appendix 1** contains the full suite of NPS-UD Objectives and Policies which are relevant, and I have included reference to these where relevant throughout my evidence.
- [27] The NPS Highly Productive Land (**NPS-HPL**) does not apply to the rezoning at 29 Gilligans Road because the land is not identified as either Land Use Category 1, 2 or 3 and does not qualify as Highly Productive Land as required by the interim definition of the Highly Productive Land in the NPS-HPL.

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<sup>3</sup> Evidence of Craig Barr dated 11 April 2023.

[28] I have not identified any other national policy statements or standards that are relevant to the proposal.

### **Partially Operative Regional Policy Statement for Otago 2019 (PORPS)**

[29] Section 75(3)(c) of the RMA requires that a district plan must give effect to any operative regional policy statement. Section 74(2)(a) requires that a territorial authority shall have regard to any proposed regional policy statement when preparing or changing a district plan.

[30] All PORPS provisions of relevance to this proposal are operative.<sup>4</sup> I consider that there is one objective and two policies which are relevant to the relief sought and are summarised below with the full text provided in **Appendix 1**:

- (a) 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;
- (b) Policy 4.5.1 – that urban growth is provided for by the provision of sufficient capacity, and coordinating the extension of urban areas with infrastructure development programmes to provide infrastructure in an efficient and effective way; and
- (c) Policy 4.5.2 – which requires the strategic integration of infrastructure, including through coordinating the design and development of infrastructure with land use change in growth and redevelopment planning.

[31] In the evaluation below I identify and explain that the proposal better achieves Objective 4.5 than the notified PC 19 zoning, and can implement Policy 4.5.1 in terms of providing for growth in areas that can be efficiently served by infrastructure.

[32] I consider Policy 4.5.2 to be particularly relevant to PC19 and to the relief sought. It anticipates that infrastructure be planned to

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<sup>4</sup> Those provisions that remain the subject of court proceedings and that are not yet operative, are Policy 4.3.7, and Methods 3.1.6, 3.1.10, 3.1.18, 4.1.3, 4.1.22 and 5.1.2: [https://www.orc.govt.nz/media/9658/rps\\_partially-operative\\_2019\\_2021.pdf](https://www.orc.govt.nz/media/9658/rps_partially-operative_2019_2021.pdf)



accommodate changes in growth, including actual and foreseeable land use change.

### **Operative District Plan**

[33] The relevant ODP and PC19 objectives and policies are discussed where relevant, and those provisions are contained in **Appendix 1**. Of particular relevance are ODP Objective 6.3.4 and related Policies 6.4.1 and 6.4.2, which I list in full below:

#### *6.3.4 Objective - Urban Infrastructure*

*To promote the sustainable management of the District's urban infrastructure to meet the present and reasonably foreseeable needs of the District's communities.*

#### *6.4.1 Policy - Maintenance of Quality of Life within Urban Areas*

*To maintain and, where practicable, enhance the quality of life for people and communities within the District's urban areas through:*

- (a) Identifying and providing for a level of amenity which is acceptable to the community; and*
- (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*
- (c) Recognising that change is inevitable in the use of land to enable the community to provide for its wellbeing.*

#### *6.4.2 Policy - Expansion of Urban Areas*

*To enable the expansion of urban areas or urban infrastructure in a manner that avoids, remedies or mitigates adverse effects on:*

- (a) Adjoining rural areas.*
- (b) Outstanding landscape values.*
- (c) The natural character of water bodies and their margins.*
- (d) Heritage values.*
- (e) Sites of cultural importance to Kai Tahu ki Otago.*
- (f) The integrity of existing network utilities and infrastructure, including their safe and efficient operation.*
- (g) The life supporting capacity of land resources.*
- (h) The intrinsic values of areas of significant indigenous vegetation and habitats of significant indigenous fauna.*

### **PC 19 Objectives and Policies**

[34] The relevant PC19 objectives and policies are in the LLRZ, LRZ and Subdivision Chapters:

**LLRZ-O1 Purpose of the Large Lot Residential Zone**

*The Large Lot Residential Zone provides primarily for residential living opportunities.*

**LLRZ-O2 Character and amenity values of the Large Lot Residential Zone**

*The Large Lot Residential Zone is a pleasant, low-density living environment, which:*

- 1. contains predominantly low-rise and detached residential units on large lots;*
- 2. maintains a predominance of open space over built form;*
- 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and*
- 4. is well-designed and well-connected into the surrounding area.*

**LRZ-O1 Purpose of the Low Density Residential Zone**

*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.*

**LRZ-O2 Character and amenity values of the Low Density Residential Zone**

*The Low Density Residential Zone is a pleasant, low-density suburban living environment, which:*

- 1. contains predominantly low-rise and detached residential units;*
- 2. maintains a good level of openness around buildings;*
- 3. provides good quality on-site amenity and maintains the anticipated amenity values of adjacent sites; and*
- 4. is well-designed and well-connected into surrounding area.*

[35] The objective and policy direction is very similar between the two zones. The key determinant of the outcome is the residential density and subdivision. Subdivision Objective SUB-O1 states:

**Subdivision Design**

*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.*

## Key issues

[36] The following identifies and discusses the key issues relevant to the proposal. Cues have also been taken from the discussion and recommendations of the Council's S42A report<sup>5</sup>.

[37] The key issues are framed as follows:

- (a) Whether the LRZ is more appropriate than the LLRZ;
- (b) What is the most appropriate response to servicing constraints; and
- (c) Whether the LLRZ is more appropriate than the Rural Resource Area at the portion of land at 129 Gilligan Road.

## *Matters raised in s 42A report*

[38] The S42A report identified the following matters in relation to the Submission:

- (a) Wastewater constraints in that there is no capacity in the network for additional development over and above what has been notified;<sup>6</sup>
- (b) Spatial Planning in terms of:
  - (i) Creating a more intensive zone would not be consistent with the ODP zoning regime or underlying character<sup>7</sup>;
  - (ii) the proximity of the MRZ is not a sufficient reason to further 'upzone' the subject land to LRZ, and the PC19 LLRZ already allows for greater development than currently provided for under the rural residential zoning<sup>8</sup>.
  - (iii) The separation with the MRZ by a large area of road reserve as well as the Rail Trail, and the industrial activity to the

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<sup>5</sup> Stage 2 Section 42A Report 1 Liz White at [56-65].

<sup>6</sup> Ibid at [59].

<sup>7</sup> Ibid at [60].

<sup>8</sup> Ibid at [61].

south of these sites provides an appropriate 'break' between the transition from LLRZ to LRZ – but even in absence of this, and the transition already exists at this point arising from the ODP zoning<sup>9</sup>.

[39] I will address these themes in the body of my evidence below, but by way of summary, my response to these matters are:

(a) Wastewater:

- (i) The notified PC19 zoning already anticipates 40 residential lots over the subject land, with an additional 78 lots sought through the proposed rezoning. Viewed in the context of the network constraints affecting all of Alexandra, and the large undeveloped MRZ nearby to the subject land, as well as the evidence of Mr Calder who has identified there is greater capacity available than what has been stated in the S42A Report, additional demand on wastewater capacity should not be determinative of the proposed rezoning.

(b) Spatial Planning:

- (i) The proposed LRZ and small area of LLRZ is well placed in terms of access to community facilities and active transport such as the Otago Trail.
- (ii) There is a synergy between the large area of MRZ opposite the Subject Land the increasing density in a way that is commensurate with the PC19 LRZ framework.
- (iii) The existing Rural Residential zoning to the south of the site containing the Fulton Hogan and Otago Bees properties does not represent a defensible or legible break to the zoning pattern, to a less intensive zoning befitting the LLRZ. To the contrary, I consider these sites represent a light industrial activity and it is surprising that they were not zoned urban as part of PC19. The effect of not zoning these sites

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<sup>9</sup> Ibid at [94 and 95].

is a landlocked island of Rural Residential zoning containing quasi industrial activity.

- (iv) Amenity effects/change in character – The effects on amenity and the change in character are appropriate, as identified and discussed by Mr Moore.

### **Whether the LRZ is more appropriate than the LLRZ**

#### *Proximity of subject land to central Alexandra*

[40] The submission identified the close proximity of the subject land to central Alexandra and community facilities such as Central Otago's largest recreational complex at Molyneux Park, Dunstan High School and the Terrace Primary School, as well as the Cycle Trail passing the site on the opposite side of Dunstan Road. I have attached the diagram from the Submission as **Appendix 2**, which shows the location of the subject land and proximity to the centre of Alexandra, and the location of the community facilities I have identified above. I agree with the submission that providing higher densities of residential activity on the subject land, is appropriate from a spatial planning perspective.

[41] The LLR Zone is described in the Plan Change 19 Residential Chapter provisions as being on the 'outer residential areas within the townships of Alexandra, Clyde and Cromwell.'<sup>10</sup> I do not consider the subject land is on the 'outer residential area' of the Alexandra township.

[42] When comparing the location of the subject land to other LRZ and MRZ areas, the subject land is no further from central Alexandra than the LRZ zoning at Lanes Road and Jolendale Road across the Bridge, and is closer to the town centre than the MRZ located at the northern extent. The subject land is also closer than the Future Growth MRZ located at the northern extent of Alexandra. While this land is a future growth area, I understand that the reason for this annotation (and deferred zoning) is primarily to do with infrastructure constraints, rather than the appropriate location of the zoning itself.

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<sup>10</sup> LLR Zone Introduction.

[43] For these reasons, the subject land is suitable for LRZ based on its location, proximity to community facilities and the overall spatial location and zoning configuration of Alexandra.

*Existing activities on sites adjoining the subject land*

[44] The three properties to the southeast adjoining the subject land have had their RR zoning retained and are not identified for urban zoning as part of PC 19. Two of these properties are referred to as the Otago Bees Property<sup>11</sup> and the Fulton Hogan Depot and administrative offices<sup>12</sup>

[45] These properties are somewhat unique in that the Otago Bees Site and the Fulton Hogan Site are both identified in the District Plan as Scheduled Activities<sup>13</sup>. As a result likely of the Scheduled Activity annotation and land uses, the Otago Bees site contains a large cool store building, and the Fulton Hogan site in particular has been developed to a nature and scale which is more akin to urban development than rural residential<sup>14</sup>.

[46] For these reasons, these adjoining properties to the east do not, in my view, constitute any logical or defensible break in the zoning pattern which would otherwise prevent the subject land from being suitable for LRZ.

*Effects on amenity of surrounding environment*

[47] Mr Moore has also assessed the effects from a built form and overall amenity effect on the wider environment by amending the rezoning of the notified LLRZ to LRZ. The adverse effects in terms of amenity are not considered to be adverse in the context of the environment, which includes the large block of MRZ land opposite the site, the presence of the National Grid yard and the light industrial and yard based activities present towards Alexandra such as the Fulton Hogan offices and yard.

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<sup>11</sup> 129 Dunstan Road and the property in front at 119 Dunstan Road.

<sup>12</sup> 113 Dunstan Road.

<sup>13</sup> Scheduled Activity 118 'Fulton Hogan Yard', Scheduled Activity 119 'ORC Pest Control Service Depot, Alexandra'.

<sup>14</sup> The Vincent Spatial Plan also recognises these sites as 'existing industrial' at [26].

- [48] Ms White's S42A report identifies that the presence of the MRZ zone on the southern side of Dunstan Road does not provide justification to amend the zoning on the Subject site. I disagree. The area of MRZ notified as part of PC19 is large, and over time, will have the effect of concentrating urban residential development in this area, inevitably with supporting community and small scale retail and commercial activities.
- [49] Even if not all such land is 'taken up' for residential subdivision and development, for instance, if areas are used as reserves as indicated by existing Designations<sup>15</sup>, the anticipated built form on this land if developed as part of the Designation process would still fall back to the anticipated building bulk and location standards of the underlying MRZ., There is accordingly the potential for non-residential activities within the MRZ area to have an urban and relatively intensive bulk and location character.
- [50] The combined outcome of the MRZ, with existing or future parks and reserves, will likely result in an agglomeration of local convenience retail and community activities being drawn to this area to support the focus of residential development provided for in the northern part of Alexandra. For these reasons, the proximity of the subject land to the MRZ and other community activities is relevant as part of the overall consideration of the PC 19 zoning not only on the subject land but for the wider Alexandra township.

*NPS-UD 2020*

- [51] I consider the zoning and land uses in the immediate and wider area is an important consideration of what is the most appropriate zone for the Subject Site. In this context I consider the rezoning would be consistent with, and better implement (than the LLRZ) NPS-UD Objective 1 and Policy 1 which requires well-functioning urban environments, through a variety of housing types, good accessibility and fostering competitive land markets. I note that Objective 1 and Policy 1 re required to be given effect to by all local authorities, not only those in Tier 1-3. The LRZ will

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<sup>15</sup> For instance, Designation 8 Molyneux Park Extension and Designation 1 Recreation Reserve are part zoned MRZ.

encourage a variety of lot sizes which is well connected to existing transport and trails.

[52] NPS-UD Objective 2 seeks to improve housing affordability by supporting land and development markets. In this regard, whether a Tier 3 local authority providing sufficient housing capacity or as a more general concept to give effect to the NPSUD for all Councils, Objective 2 approaches the concept of a local authority achieving sufficient housing capacity not as a ceiling, but as a minimum and for Councils to be responsive to opportunities for proposals that would add further to housing supply.

[53] In this context, Policy 8 of the NPS-UD is relevant as part of the responsive planning obligation of local authorities which requires local authorities to be responsive to plan changes that would add significantly to development capacity and contribute to well- functioning urban environments. In the context of Alexandra, the proposed rezoning would increase yield over the Subject Land by up to 78 lots, which is considered a significant increase. NPS-UD Clause 3.8 elaborates upon this where it states:

***Clause 3.8 Unanticipated or out-of-sequence developments***

*(1) This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.*

*Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:*

*would contribute to a well-functioning urban environment; and*

*(a) is well-connected along transport corridors; and*

*(b) meets the criteria set under subclause (3).*

*Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.*

[54] In terms of whether the proposal would contribute to a well-functioning urban environment (limb (2)(a)), the NPS-UD defines what 'well-functioning' is by way of Policy 1, which states:

*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.*

- [55] With regard to (a)(i), the housing product able to be offered, if the rezoning is approved, can contribute to affordability through additional housing options and fostering competition in land markets, more so than the status quo LLRZ which would require a residential density of 2000m<sup>2</sup>. For these reasons, the proposed rezoning is considered to contribute to meeting the needs of different households.
- [56] In terms of matter (a)(ii) it is not known whether the rezoning contributes to enabling Māori to express their cultural traditions and norms.
- [57] With regard to matter (b) and whether the rezoning would have, or enable a variety of sites that are suitable for different business sectors. The zoning proposed is anticipated for residential development only, but can still contribute to a well-functioning urban environment due to its convenient location to the MRZ area and community facilities on the opposite side of Dunstan Road and access to Alexandra town centre.
- [58] Matter (c) is that a well-functioning urban environment would have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.
- [59] The proposed rezoning location will offer good accessibility for future residents due to the existing roading network, proximity to community facilities outlined above and the Cycle Trail.
- [60] The rezoning aligns with limb (d) which is to 'support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets'. The subject land is held by five landowners who

could elect to develop at any time rather than just one developer owning the land and drip feeding sections onto the market.

- [61] Limb (c) states 'support reductions in greenhouse gas emissions'. The re-zoning and provision for growth within the existing urban boundary of Alexandra and its close access to community facilities and easy cycling access to the town can contribute in a small way towards reducing dependency on vehicle trips.
- [62] Finally, matter (f) is that well-functioning urban environments are resilient to the likely current and future effects of climate change. The proposal is not known to be located in an area subject to hazards induced by climate change, such as flooding or other sources of inundation.
- [63] The rezoning is consistent with the criteria for the NPS-UD's definition of a well-functioning urban environment. The land is contiguous with an existing urban area being the MRZ and residential zoned land south on Dunstan Road.
- [64] Having addressed part (2)(a) of 'Subpart 2 – Responsive Planning' regard is to be had to (b) if the development is well-connected along transport corridors; and (c) meets the criteria set under subclause (3).
- [65] The proposal is located adjacent to Dunstan Road and is close to the Cycle Trail which provides safe and convenient vehicle and cycling access to town and is considered well connected.
- [66] Lastly, NPS-UD Subpart 2 3.8(2)(c) requires that the criteria under subclause (3) are met which are that 'every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity'. The PROPS does not include any such criteria. The Proposed Otago Regional Policy Statement is in its formative stages and hearings are not yet complete.
- [67] Overall, the proposal is consistent with the NPS-UD, and the rezoning would contribute positively toward the District Plan giving effect to the NPS-UD.

### **What is the most appropriate response to servicing constraints?**

[68] Having considered Ms Muir's evidence<sup>16</sup> that there is no capacity for additional demands on wastewater infrastructure, and while acknowledging there are existing constraints in regard to wastewater. I consider that there are options available to the Council to accept the zoning from LLRZ to LRZ while still appropriately addressing any wastewater capacity shortfalls to be rectified over a medium term.

[69] I understand from Ms Muir's evidence that the notified PC19 zoning has been promulgated despite known water and wastewater capacity constraints, and these constraints can only be resolved through investment through the Council's Long-Term Plan<sup>17</sup>. Therefore, the constraints identified in relation to wastewater capacity already exist irrespective of the change in zoning sought by the Submitter.

[70] Mr Calder has identified that there is sufficient capacity available in the local network with only minor upgrades required to service subdivision and development from the proposed rezoning. Mr Calder has undertaken a yield study of the 13.35ha subject land. As identified in Mr Calder's evidence, this study provides a spatial evaluation of the lots that may result from rezoning to a LLRZ 2000m<sup>2</sup> minimum size compared with a LRZ 500m<sup>2</sup> minimum size. The residential development yield under the notified LLRZ zoning is in the order of 40 residential lots. The yield under LRZ is shown to be in the order of 117 residential lots. In both of these scenarios, I understand that this is the maximum likely 'net yield' meaning that factors including land for roads, reserves, the National Grid Yard and existing recent residential development are taken into consideration.

[71] I understand that the difference in yield between the notified LLRZ and the proposed LRZ and LLRZ is estimated to be 78 residential lots.

[72] As noted above, the land is currently anticipated to be able to be developed for up to 40 lots<sup>18</sup> under the LLRZ framework and, on the

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<sup>16</sup> Evidence of Julie Muir. Plan Change 19 – Residential Chapter Provisions Section 42A Report – PART 2 (Zoning Requests): Water and wastewater servicing matters.

<sup>17</sup> Ibid at [71].

<sup>18</sup> Excluding the 1ha at 29 Gilligans on the basis it is accepted to be zoned to LLRZ.

basis that the land has been zoned LLR as part of PC19, I do not understand there to be any fundamental constraints in terms of wastewater capacity to service at least 40 residential lots on the subject land.

*New policy or rule to tie recognised wastewater constraints*

[73] If there remains a concern with wastewater servicing capacity for development sought to be enabled by the rezoning, then I consider that to appropriately identify and manage wastewater capacity and upgrades in line with the reasonable expectations of future subdivision and development, a policy or rule (or both) could be added to the District Plan which requires that after 40 residential lots are created, wastewater infrastructure is a specific matter which requires particular attention, and may be an impediment to the grant of further subdivision consents until resolved.

[74] The use of such a policy or rule would also put the subdivider/ applicant at the time on notice that the matter needs to be addressed as part of future subdivision and development. The provisions would rebut any assumption that zoned land exceeding the 40 lot threshold could be readily serviced immediately or in the short term.

[75] This ‘elevates’ the network infrastructure matter above other general servicing elements which are expected to be identified, assessed and ultimately designed and installed as part of a subdivision.

[76] In this instance, because of the baseline level of anticipated development on the site, I consider the following amendments are appropriate (underline to show additions):

<b>SUB-S1</b>	<b>Density/Minimum Allotment Size</b>	<b>Activity Status where compliance not achieved:</b>
Low Density Residential Zone	3. Where a reticulated sewerage system is available or is installed as part of the subdivision the	<b>NC</b>

	<p>minimum size of any allotment shall be no less than 500m<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><u>4a. At Dunstan Road as identified on the Plan Maps, a maximum of 40 lots for residential activity.</u></p> <p><u>Rule 4a shall not apply in the event that there is sufficient wastewater infrastructure to service greater than 40 lots for residential activity.</u></p>	
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[77] I consider the below potential policy to be of assistance, however, because the grandfather clause/exemption to the rule makes it clear that the matter is to do with wastewater servicing, I support the rule on its own if the policy is not considered to be necessary.

<b>Policies</b>	
<b><u>SUB-P5</u></b>	<b>Infrastructure</b>
<p><u>Recognise limitations of the existing wastewater network by restricting subdivision and development to 40 residential allotments on Dunstan Road until the Alexandra Wastewater Treatment Plant is upgraded to provide sufficient capacity.</u></p>	

- [78] I consider the above provisions would enable LRZ over the land, but would not place the Council in the position of having land which is lacking infrastructure subject to subdivision and development which exceeds infrastructure capacity, and with future subdividers having unrealistic expectations as to the ability to connect to reticulated wastewater services.
- [79] The site is not isolated in terms of its location to Alexandra, and other areas nearby such as the large block of MRZ on the southern side of Dunstan Road. While there are constraints currently, to not rezone the land and therefore 'lock-in' a less efficient form of urban housing in a location which owing to the MRZ and proximity to Alexandra is essentially part of the suburban part of the township is in my view a significant cost and lost opportunity to realise housing which is likely to be more affordable (than LLRZ) owing to smaller sections and greater site coverage of buildings, and more housing which is well connected to active transport and community facilities.
- [80] I consider that to not rezone the subject land to LRZ due to existing infrastructure capacity constraints (which also affect the notified MRZ greenfield areas) would be inefficient and result in a missed opportunity to enable more efficient housing in an area of Alexandra which with the extent of MRZ on the opposite side of Dunstan Road is identified for substantial residential growth and development.
- [81] In relation to PORPS Policy 4.5.1(c) and ODP Objective 6.3.4, shortfalls in existing infrastructure capacity should not in my view be determinative of the merits of zoning. The ODP's objectives and policies require a forward looking perspective. In relation to this zoning, I consider that the built form outcomes associated with LRZ instead of LLRZ in the context of the environment, and the ability for the Council to programme infrastructure upgrades, are likely to be a more efficient outcome if the infrastructure upgrades are servicing a greater number of residential units for the length the infrastructure must cover.

[82] I consider it is more appropriate to integrate the proposed LRZ with the identified network wastewater constraints through plan specific provisions than the status quo. The status quo will result in a minimum level of development and make only minimal contribution toward supporting wastewater network upgrades. Providing for greater densities of residential development on the subject land, with acknowledgement of the current wastewater network constraints, provides for greater overall network infrastructure efficiencies through the ability for a mechanism such as a developers agreement at the time of subdivision in relation to local servicing upgrades, and/or increased revenue capture to recover the costs of network upgrades through more development contributions.

[83] The submission provides the option of rezoning the subject land, or only 155 Dunstan Road to LRZ and the 1ha portion of 29 Gilligans Road to LLRZ. While this would substantially reduce the potential demand in the short term on the wastewater network, I support the wider area being zoned because this addresses the land more appropriately from a spatial planning perspective, and assists PC19 to better give effect to the statutory planning documents I have discussed above.

[84] I consider that the proposed rezoning is a more comprehensive approach to zoning in relation to the MRZ and overall better meets the relevant NPS-UD and ODP objectives and policies discussed in my evidence.

**Whether the LLRZ is more appropriate than the Rural Resource Area at the portion of land at 129 Gilligan Road**

[85] The rezoning request for 1ha of land which adjoins 155 Dunstan Road is supported in Ms White's s42A report. I also refer to the evidence of Mr Moore who has assessed the effects in landscape terms of the rezoning.

[86] Supported by Mr Moore's assessment, I consider that the rezoning would not be contrary to Rural Resource Area Policy 4.4.2 which seeks to manage the adverse effects of land use and subdivision, with regard to the location of structures and works and particularly in respect to the open natural character of hills and ranges, skylines, prominent places

and natural features, and the compatibility with the surrounding environment.

[87] For these reasons I consider that rezoning the 1ha area of land would not be contrary to ODP RRA Objectives 4.3.1 (needs of the District's People and Communities), 4.3.7 (Soil Resource) and 4.3.3 (Landscape and Amenity Values), and achieve urban growth policy 6.4.2 (Expansion of Urban Areas).

[88] I also note that the subject land is not identified as Highly Productive Land therefore does not engage the National Policy Statement- Highly Productive Land.

[89] The key ODP Policy is Policy 6.4.1 which enables urban expansion providing adverse effects on the following are avoided, remedied or mitigated:

- (a) Adjoining rural areas.*
- (b) Outstanding landscape values.*
- (c) The natural character of water bodies and their margins.*
- (d) Heritage values.*
- (e) Sites of cultural importance to Kai Tahu ki Otago.*
- (f) The integrity of existing network utilities and infrastructure, including their safe and efficient operation.*
- (g) The life supporting capacity of land resources.*
- (h) The intrinsic values of areas of significant indigenous vegetation and habitats of significant indigenous fauna.*

[90] In this case the urban expansion will have an appropriate level of effects on the adjoining rural area. The loss of the rural land resource is small, and will not affect existing rural production activities, owing to the sloping and non-productive nature of the land. In addition, the land is not located near to any sensitive features such as an ONL, water bodies, known sites of significant to Manawhenua or indigenous vegetation.

[91] In s 32AA terms, the rezoning will be more appropriate than the rural zoning because of the benefits in providing additional housing (whilst a modest yield) in an area that has capacity for residential development outweighs the costs.



## **Adverse effects on the environment of the rezoning**

### *Landscape/amenity*

[92] Mr Moore has assessed the landscape related effects in terms of the small 1ha extension of the LLR zone at 29 Gilligans Road, which have been discussed above. The landscape has capacity to absorb the changes and any effects will not be adverse.

### *Traffic*

[93] I refer to Mr Carr's evidence where he has identified and assessed the existing traffic environment and potential effects from the rezoning.

[94] The traffic generated by the residential development from the rezoning can be accommodated on the adjacent roading network without capacity or efficiency issues arising. The subject land is well-located when considering non-vehicle travel, with key destinations (including schools, recreation, employment and retail) located within an easy walking or cycling distance..

[95] Mr Carr also considers that future development within the subject land would also be able to comply with the Councils' standards for roading and access.

[96] I consider that the adverse effects on the environment are of a minor nature and the rezoning is able to be supported.

## **Vincent Spatial Plan**

[97] The Vincent Spatial Plan identifies the subject land and area to the north along Dunstan Road as Future Urban, and this has been followed through in PC 19 through to the extent that the land has been zoned LLRZ.

[98] The identified spatial planning principles in the Spatial Plan identify 6 elements being environment, character, managed growth, accessibility, housing choice and infrastructure<sup>19</sup>.

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<sup>19</sup> Vincent Spatial Plan at [17].

[99] The relevant parts of the spatial planning principles relating to the rezoning are discussed as follows:

(a) Managed Growth:

(i) Use an identifiable and enduring urban boundary for Alexandra-Clyde that recognises the valued productive and landscape setting and protects the wider Basin from encroaching development.

(ii) Locate the highest densities within a comfortable walking distance of the town centres, community facilities and public open spaces, which generally provide the highest convenience and amenity.

(b) Create convenient, legible and accessible movement networks:

(i) Provide a range of convenient and pleasant walking and cycling options that link residents to key destinations to reduce local car use, promote physical activity and minimise car parking requirements.

(c) Housing Choice

(i) Enable a wider mix of housing typologies to accommodate a range of different lifetime, lifestyle and affordability needs of the community

(d) Infrastructure

(i) Target urban forms and building typologies that have reduced environmental footprints and reduce the reliance on and cost of infrastructure.

[100] I consider that the proposed rezoning is consistent with the Vincent Spatial Plan's identified principles. This is because:

(a) The subject land is located within the existing PC19 urban boundary, consolidating higher densities of development will help

define the transition from urban to rural and help prevent a sense of sprawl and incremental development along Dunstan Road.

- (b) The subject land is located a comfortable walking distance to community facilities, including schools and Molyneux Park (i.e. within 500m-700m) and is relatively close to the town centre.
- (c) The subject land is adjacent to Trails and provides convenient access to other parts of suburban Alexandra and the town centre.
- (d) Enabling LRZ will encourage a mix of housing form and choice and encourage affordability through smaller property sizes (than LLRZ).
- (e) The LRZ will provide more efficient housing in terms of infrastructure extensions as it will service more properties than the LLRZ.

[101] Having considered the Vincent Spatial Plan, and when applying the relevant statutory documents which have more weight in a decision making context, the LRZ is appropriate and the bespoke rules I recommend will appropriately manage the wastewater infrastructure constraints.



**Craig Barr**

16 May 2023

## **Appendix 1 Relevant Objectives and Policies**

# Plan Change 19 – Relevant Policy Framework

## National Policy Statement Urban Development

### 1.1 Objectives

**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.

**Objective 3:** Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- (a) the area is in or near a centre zone or other area with many employment opportunities
- (b) the area is well-serviced by existing or planned public transport
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

**Objective 4:** New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

**Objective 5:** Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

**Objective 6:** Local authority decisions on urban development that affect urban environments are:

- (a) integrated with infrastructure planning and funding decisions; and
- (b) strategic over the medium term and long term; and
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.

**Objective 7:** Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.

**Objective 8:** New Zealand's urban environments:

- (a) support reductions in greenhouse gas emissions; and
- (b) are resilient to the current and future effects of climate change.

### 1.2 Policies

**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.

**Policy 2:** Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

**Policy 3:** In relation to tier 1 urban environments, regional policy statements and district plans enable:

- (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
- (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and
- (c) building heights of at least 6 storeys within at least a walkable catchment of the following:
  - (iii) existing and planned rapid transit stops
  - (iv) the edge of city centre zones
  - (v) the edge of metropolitan centre zones; and
- (d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

**Policy 4:** Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.

**Policy 5:** Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:

- (a) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
- (b) relative demand for housing and business use in that location.

**Policy 6:** When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
  - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
  - (ii) are not, of themselves, an adverse effect
- (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- (e) the likely current and future effects of climate change.

**Policy 7:** Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.

**Policy 8:** Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

- (a) unanticipated by RMA planning documents; or
- (b) out-of-sequence with planned land release.

**Policy 9:** Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:

- (a) involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and
- (b) when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and
- (c) provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and
- (d) operate in a way that is consistent with iwi participation legislation.

**Policy 10:** Tier 1, 2, and 3 local authorities:

- (a) that share jurisdiction over urban environments work together when implementing this National Policy Statement; and
- (b) engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and
- (c) engage with the development sector to identify significant opportunities for urban development.

**Policy 11:** In relation to car parking:

- (a) the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and
- (b) tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.

**Table 2. Partially Operative Otago Regional Policy Statement 2019**

<b>Provision</b>
<p><b>Objective 3.2</b> – Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded; and allied policies;</p> <p><b>Policy 3.2.6</b> – 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.</p>
<p><b>Objective 5.3</b> – Sufficient land is managed and protected for economic production; and</p> <p><b>Policy 5.3.1</b> – 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.</p>



**Objective 4.5**

Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments

**Policy 4.5.1**

Providing for urban growth and development

Provide for urban growth and development in a strategic and coordinated 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 4.5.2 Integrating infrastructure with land use**

Achieve the strategic integration of infrastructure with land use, by undertaking all of the following:

- a) Recognising and providing for the functional needs of infrastructure;
- b) Locating and designing infrastructure to take into account all of the following:
  - i. Actual and reasonably foreseeable land use change;
  - ii. The current population and projected demographic changes;

- iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services;
  - iv. Natural and physical resource constraints;
  - v. Effects on the values of natural and physical resources;
  - vi. Co-dependence with other infrastructure;
  - vii. The effects of climate change on the long-term viability of that infrastructure;
  - viii. Natural hazard risk.
- c) Coordinating the design and development of infrastructure with land use change in growth and redevelopment planning.

**Table 3. Relevant CODC Operative District Plan objectives and policies**

<b>Central Otago Operative District Plan Objective or Policy</b>
<p>6.3.1 Objective - Needs of People and Communities To promote the sustainable management of the urban areas in order to:</p> <ul style="list-style-type: none"> <li>(a) Enable the people and communities of the district to provide for their social, economic and cultural wellbeing and their health and safety; and</li> <li>(b) Meet the present and reasonably foreseeable needs of these people and communities</li> </ul>
<p>6.3.2 Objective - Amenity Values</p> <p>To manage urban growth and development so as to promote the maintenance and enhancement of the environmental quality and amenity values of the particular environments found within the District’s urban areas.</p>
<p>6.3.3 Objective - Adverse Effects on Natural and Physical Resources</p> <p>To avoid, remedy or mitigate the adverse effects of urban areas on the natural and physical resources of the District.</p>
<p>6.3.4 Objective - Urban Infrastructure</p> <p>To promote the sustainable management of the District’s urban infrastructure to meet the present and reasonably foreseeable needs of the District’s communities.</p>
<p>6.4.1 Policy - Maintenance of Quality of Life within Urban Areas</p> <p>To maintain and, where practicable, enhance the quality of life for people and communities within the District’s urban areas through:</p> <ul style="list-style-type: none"> <li>(a) Identifying and providing for a level of amenity which is acceptable to the community; and</li> <li>(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</li> <li>(c) Recognising that change is inevitable in the use of land to enable the community to provide for its wellbeing.</li> </ul>
<p>6.4.2 Policy - Expansion of Urban Areas</p> <p>To enable the expansion of urban areas or urban infrastructure in a manner that avoids, remedies or mitigates adverse effects on:</p> <ul style="list-style-type: none"> <li>(a) Adjoining rural areas.</li> </ul>

- (b) Outstanding landscape values.
- (c) The natural character of water bodies and their margins.
- (d) Heritage values.
- (e) Sites of cultural importance to Kai Tahu ki Otago.
- (f) The integrity of existing network utilities and infrastructure, including their safe and efficient operation.
- (g) The life supporting capacity of land resources.
- (h) The intrinsic values of areas of significant indigenous vegetation and habitats of significant indigenous fauna.

**Table 4. Relevant CODC Operative District Plan Rural Resource Area objectives and policies**

<b>Operative District Plan Objective or Policy</b>
<p>4.3.1 Objective - Needs of the District's People and Communities</p> <p>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.</p>
<p>4.3.7 Objective - Soil Resource</p> <p>To maintain the life-supporting capacity of the District's soil resource to ensure that the needs of present and future generations are met.</p>
<p>4.3.3 Objective - Landscape and Amenity Values</p> <p>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 maintain the open natural character of the hills and ranges.</p>
<p>4.4.2 Policy – Landscape and Amenity Values</p> <p>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:</p> <ul style="list-style-type: none"> <li>(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,</li> <li>(b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,</li> <li>(c) The ability to adequately dispose of effluent on site,</li> <li>(d) Controlling the generation of noise in back country areas,</li> <li>(e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,</li> <li>(f) Controlling the spread of wilding trees.</li> </ul>

(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.

**Appendix 2 Location of subject land and distance to the town centre and community facilities**



**Appendix 3 Properties to the southeast of the subject land**

