

(Plan Change 12 as Modified by the Council's Decision)

RESOURCE MANAGEMENT ACT 1991

CENTRAL OTAGO DISTRICT PLAN

PLAN CHANGE 12 : WOONG TREE, CROMWELL

1. Amend Section 4 : Rural Resource Area of the Operative Central Otago District Plan by inserting a new Policy 4.4.2(h), an amended Rule 4.7.4(iii) [by adding a new matter for consideration 20], a new Rule 4.7.5(vii) and a new Rule 4.7.6M to strongly discourage buildings in the Rural Resource Area in the Woong Tree Overlay Area; to provide in the context of subdivision for the use of covenants, consent notices or other legal instruments to ensure long-term management of the buffer strip and for the provision of pedestrian and cyclist movement; to make buildings a non-complying activity; and to stipulate that such land be maintained in either predominantly vineyard plantings or a treed park-like character, a breach being a non-complying activity.
2. Amend Section 7 : Residential Resource Area of the Operative District Plan by:
 - i) Amending the Explanation to Policy 7.2.7 to confirm that the Residential Resource Area (3) and the Residential Resource Area (11) have also been applied to land within the Woong Tree Overlay Area to manage interface effects between existing residential activities, the State Highways and new development.
 - ii) Amending 7.3 Rules to include a note which confirms that any reference to the “Residential Resource Area in the Woong Tree Overlay Area” in those rules refers to the Residential Resource Area only, and not to the Residential Resource Area (3) and the Residential Resource Area (11) in the Woong Tree Overlay Area.
 - iii) Inserting a new Rule 7.3.2(vi) to provide for one care centre or community facility (limited to a childrens educational facility) in the Residential Resource Area (11) of the Woong Tree Overlay Area as a controlled activity.
 - iv) Amending Rule 7.3.3(i)(c) to provide for:
 - Any subdivision in the Residential Resource Area in the Woong Tree Overlay Area to not exceed a maximum lot size of 350m² and a total of 50 residential allotments.
 - Any subdivision in the Residential Resource Area (3) in the Woong Tree Overlay Area to not exceed 60 residential allotments.
 - Any subdivision in the Residential Resource Area (11) in the Woong Tree Overlay Area to not exceed 100 residential allotments.
 - Inserting a matter for discretion, specific to the Woong Tree Overlay Area, relating to the provision for pedestrian and cyclist movement and linkages within and through the Woong Tree Overlay Area.

- Amendments to be made to the Reason, accordingly.
- v) Inserting a new Rule 7.3.3(vi)(c) to stipulate that multi-unit development in the Residential Resource Area in the Wooing Tree Overlay Area shall be for no more than four residential activities on the site as a discretionary (restricted) activity.
 - vi) Inserting a new Rule 7.3.3(viii) to provide for Comprehensive Residential Development (as defined) in the Residential Resource Area in the Wooing Tree Overlay Area as a discretionary (restricted) activity.
 - vii) Inserting a new Rule 7.3.5(vi) to confirm that a breach of Rule 7.3.6(vi)(d) to (g) (which relate to access in the Wooing Tree Overlay Area) is a non-complying activity.
 - viii) Inserting a new Rule 7.3.6(iii)(b)(iii) to stipulate a minimum front yard of 3 metres in the Residential Resource Area in the Wooing Tree Overlay Area.
 - ix) Inserting a new Rule 7.3.6(iii)(c)(iii) to stipulate minimum side and rear yards of 1.8 metres in the Residential Resource Area in the Wooing Tree Overlay Area provided that no side yards are required for buildings adjoined by a common wall for a comprehensive residential development under new Rule 7.3.3(viii).
 - x) Inserting a new Rule 7.3.6(iii)(c)(iv) to require a 15 metre yard in the Residential Resource Area (3) adjoining the north-eastern boundary in the Wooing Tree Overlay Area.
 - xi) Inserting a new Rule 7.3.6(iii)(c)(v) to require a 5 metre yard in the Residential Resource Area (3) adjoining Shortcut Road in the Wooing Tree Overlay Area.
 - xii) Amending Rule 7.3.6(iii)(f)(1) and inserting a new Rule 7.3.6(iii)(f)(5) to stipulate that no recession plane applies in the Residential Resource Area of the Wooing Tree Overlay Area for buildings which are adjoined by a common wall for comprehensive residential development under new Rule 7.3.3(viii).
 - xiii) Amending Rule 7.3.6(iv) to stipulate that a maximum site coverage of 80% is to apply within the Residential Resource Area in the Wooing Tree Overlay Area; and to amend the Reason, accordingly.
 - xiv) Amending Rule 7.3.6(vi) to insert new Rules 7.3.6(vi)(d), (e), (f) and (g) which relate to access at the Wooing Tree Overlay Area as follows:
 - (d) *No vehicle access is permitted from the Residential Resource Area, the Residential Resource Area (3) and the Residential Resource Area (11) in the Wooing Tree Overlay Area to a State Highway except:*
 - (i) *Within 10 years of Plan Change 12 becoming operative via a single lane roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue.*
 - (ii) *After 10 years of Plan Change 12 becoming operative via a roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue (which may or may not require the roundabout to be double-lane).*
 - (e) *No new development (other than a new temporary access from the existing Wooing Tree Tasting Room to Shortcut Road or internally within the property to a new road to access Shortcut Road) west of and including the Business Resource Area (2) in the Wooing Tree Overlay Area shall be*

permitted until the roundabout referred to in Rule 7.3.6 (vi)(d) and a pedestrian/cyclist underpass incorporated into the western side of the roundabout across State Highway 8B (unless such location on the west side is found to be impracticable in which case the underpass is to be provided on the eastern side of the roundabout) are completed and operational. Development that is permitted to occur shall be designed to connect to the roundabout referred to in Rule 7.3.6(vi)(d) as the primary access to State Highway 8B once the roundabout is completed and operational.

- (f) *Legal road access shall be included in the design of subdivision in the Wooing Tree Overlay Area so that Shortcut Road connects to the roundabout referred to in Rule 7.3.6 (vi)(d).*
- (g) *No residential lots in the Wooing Tree Overlay Area shall have direct access onto Shortcut Road.*

- xv) Inserting a cross reference which confirms that a breach of the new Rules 7.3.6(vi)(d)-(g) is a non-complying activity.
- xvi) Amending Rule 7.3.6(xii) by renumbering the existing rule as Rule 7.3.6(xii)(a), and by inserting a new Rule 7.3.6(xii)(b) to stipulate that new residential buildings in the Residential Resource Area, the Residential Resource Area (3) and the Residential Resource Area (11) in the Wooing Tree Overlay Area within 80m of the seal edge of State Highway 6 and 8B are to be designed to meet noise performance standards as specified in the new Rule 7.3.6(xii)(b).

3. Amend Section 8 : Business Resource Area of the Operative District Plan by:

- i) Inserting a new Policy 8.2.8 which relates to the Business Resource Area (2) in the Wooing Tree Overlay Area to provide for the development of high quality travellers accommodation and associated tourist oriented “vineyard village” themed retail and commercial activities in a manner that complements other business activities at Cromwell; and to amend the Explanation which follows, accordingly.
- ii) Amending the Reason which relates to Rule 8.3.1(i) to insert reference to standards which relate to the Business Resource Area (2) in the Wooing Tree Overlay Area.
- iii) Inserting a new Rule 8.3.1(iii) that lists activities that have status as a permitted activity in the Business Resource Area (2) in the Wooing Tree Overlay Area; and inserting a new Reason which relates to Rule 8.3.1(iii).
- iv) Amending Rule 8.3.2(ii) to insert a matter for control in the context of subdivision, specific to the Wooing Tree Overlay Area, being the provision for pedestrian and cyclist movement and linkages within and through the Wooing Tree Overlay Area.
- v) Amending Rule 8.3.2(iv) to be specific to the Business Resource Area and the Business Resource Area (1) and therefore excluding provision for vehicle oriented activity as a controlled activity in the Business Resource Area (2) in the Wooing Tree Overlay Area; and to insert a cross reference to confirm that a breach of Rule 8.3.2(iv) is a non-complying activity.
- vi) Amend the existing Rule 8.3.3 to be Rule 8.3.3(i) Breach of Standards; and to insert a new Rule 8.3.3(ii) to provide for all buildings in the Business Resource Area (2) in the Wooing Tree Overlay Area as a discretionary (restricted) activity; and to insert a new Reason which relates to the new Rule 8.3.3(ii).

- vii) Inserting a new Rule 8.3.3(iii) to provide for any expansion of the Wooing Tree Tasting Room and Wedding Venue activities authorised by RC 050408 in the Business Resource Area (2) in the Wooing Tree Overlay Area as a discretionary (restricted) activity.
- viii) Amending Rule 8.3.5(ii) to confirm that a breach of new Rules 8.3.6(xii) and (xiii) is a non-complying activity.
- ix) Inserting a new Rule 8.3.5(iii) which confirms that any activity in the Business Resource Area (2) in the Wooing Tree Overlay Area that is not listed as a permitted activity, a controlled activity, a discretionary (restricted) activity or a discretionary activity is a non-complying activity; and to confirm that any permitted activity under Rule 8.3.1(iii) shall not be considered to form part of the permitted baseline when considering an application for resource consent in terms of Rule 8.3.5(iii); and to insert a new Reason which relates to Rule 8.3.5(iii).
- x) Amending Rule 8.3.6(i) by renumbering the existing Rule as Rule 8.3.6(i)(a) and to insert a new Rule 8.3.6(i)(b) to stipulate the maximum area of shops in the Business Resource Area (2) in the Wooing Tree Overlay Area as follows:
 - (i) Any convenience grocery store shall have a maximum floor area of no greater than 100m² in area;
 - (ii) Five shops shall be permitted to have a maximum floor area no greater than 200m² in area;
 - (iii) All other shops shall have a maximum floor area no greater than 120m² in area.
- xi) Inserting a new Rule 8.3.6(i)(c) to stipulate that no shop in the Business Resource Area (2) of the Wooing Tree Overlay Area shall be located closer than 60 metres to the northern boundary of the Business Resource Area (2).
- xii) Amending Rule 8.3.6(ii) to require a yard of 15 metres adjacent to the north-east boundary of the Wooing Tree Overlay Area.
- xiii) Inserting a new Rule 8.3.6(xii) and associated Reason which relates to access in the Business Resource Area (2) in the Wooing Tree Overlay Area as follows:
 - (xii) *Access within the Business Resource Area (2) in the Wooing Tree Overlay Area*
 - (a) *No vehicle access is permitted from the Business Resource Area (2) in the Wooing Tree Overlay Area to a State Highway except:*
 - (i) *Within 10 years of Plan Change 12 becoming operative via a single lane roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue.*
 - (ii) *After 10 years of Plan Change 12 becoming operative via a roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue (which may or may not require the roundabout to be double-lane).*
 - (b) *No new development (other than a new temporary access from the existing Wooing Tree Tasting Room to Shortcut Road or internally within the property to a new road to access Shortcut Road) in the Business Resource Area (2) in the Wooing Tree Overlay Area shall be permitted until the roundabout referred to in Rule 8.3.6(xii)(a)*

and a pedestrian/cyclist underpass incorporated into the western side of the roundabout across State Highway 8B (unless such location on the west side is found to be impracticable in which case the underpass is to be provided on the eastern side of the roundabout) are completed and operational.

Reason

Development in these areas must not affect the safe and efficient operation of the State highway network.

- xiv) Inserting a new Rule 8.3.6(xiii) which relates to the Business Resource Area (2) in the Wooing Tree Overlay Area as follows:

(xiii) Maximum Total Floor Space in the Business Resource Area (2) in the Wooing Tree Overlay Area

The maximum total floor space (as defined) in the Business Resource Area (2) in the Wooing Tree Overlay Area shall be 10,000m² divided as follows:

- (a) *No more than 6,000m² of the floor space shall be used for Travellers Accommodation;*
(b) *No more than 3,000m² of the floor space shall be used for Shops;*
(c) *No more than 1,000m² of the floor space shall be used for any activities other than Travellers Accommodation or Shops*

provided that the maximum total building coverage shall not exceed 7,500 m² in the Business Resource Area (2) in the Wooing Tree Overlay Area.

- xv) Inserting cross references which confirm that a breach of the new Rule 8.3.6(xii) and of the new Rule 8.3.6(xiii) is a non-complying activity.

4. Amend Section 18 – Definitions by inserting new definitions as follows:

- “**Comprehensive Residential Development**’ in the Wooing Tree Overlay Area, a Comprehensive Residential Development means a comprehensively planned and designed collection of five or more residential buildings where the land use and subdivision consents are submitted and assessed together.”
- “**External Appearance**’ in relation to buildings in the Wooing Tree Overlay Area, means the bulk and shape of the building including roof pitches, the materials of construction and the colour of exterior walls.”
- “**Local Product**’ in the Business Resource Area (2) in the Wooing Tree Overlay Area means grown or produced in the Cromwell Ward. Includes local designers, artists, and producers; and manufacturing of local product is not limited to the local area.”
- “**On-site production**’ in the Business Resource Area (2) in the Wooing Tree Overlay Area means goods produced or manufactured in the same premises as the retail shop. This may or may not include areas visible/accessible to the public as part of the retail experience. Examples may include (but are not limited to) beer brewing, wine making, wood/stone carving, jewellery making, weaving, cheese making, cake making, ice cream making, chocolate or confectionary making, coffee roasting, pottery making, candle making, leather work, or glass making.”
- “**Regional Product**’ in the Business Resource Area (2) in the Wooing Tree Overlay Area means grown or produced in the Otago Region, and particularly in the Central

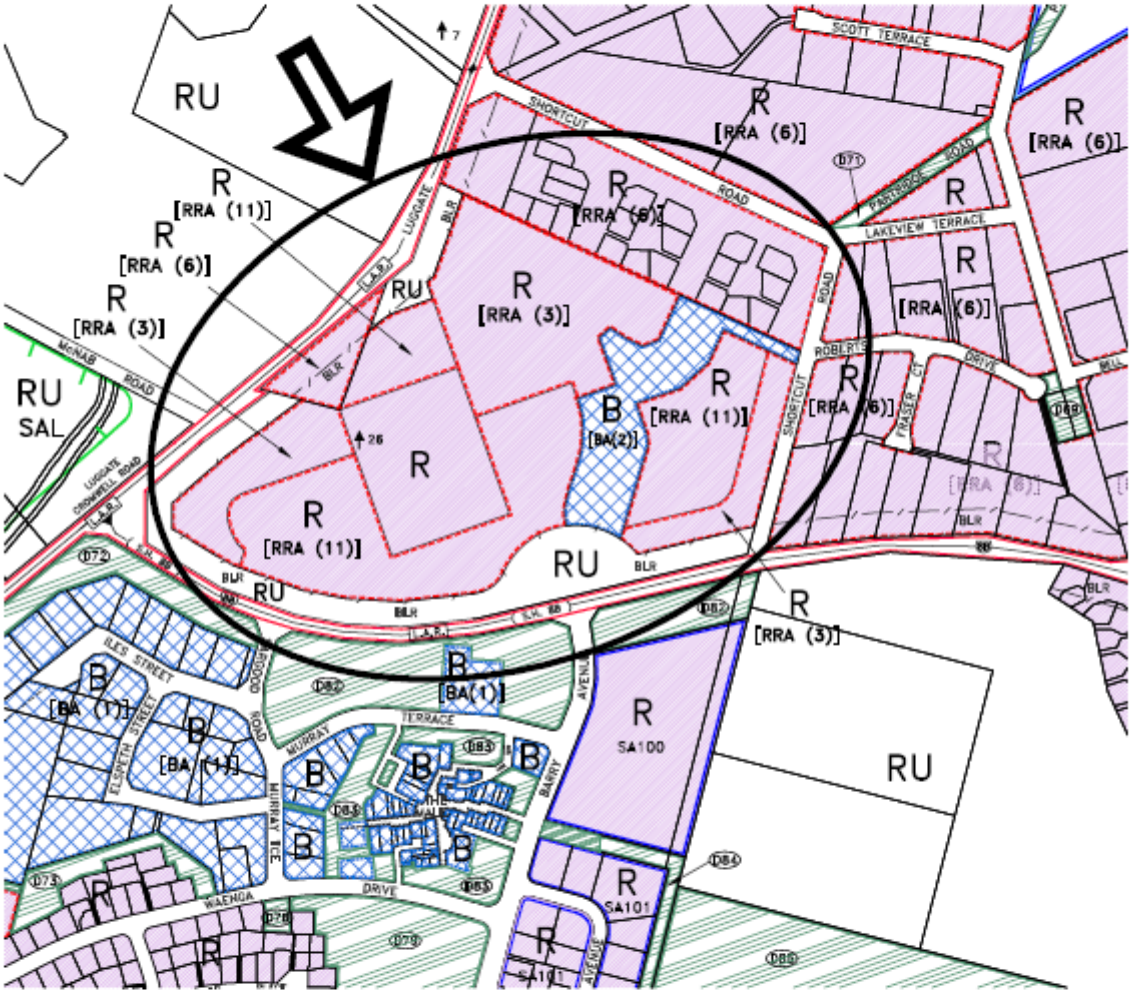
Otago and Queenstown Lakes Districts. Includes regional designers, artists, and producers; and manufacturing of regional product is not limited to the region.”

- “**Tourist Focus**’ in the Business Resource Area (2) in the Wooing Tree Overlay Area means a business selling goods or services targeted primarily at tourists/visitors. These may include products that reflect local, regional or New Zealand character or culture.”
 - “**Urban Design**’ in relation to the layout of buildings in the Wooing Tree Overlay Area, means the matters contained in the New Zealand Design Protocol (2005) – or any amendments thereto.”
 - “**Wooing Tree Overlay Area/Wooing Tree Overlay**’ means the land bounded by Shortcut Road and State Highways 6 and 8B at Cromwell that is legally described as Section 3 SO 461514.”
5. Amend Schedule 19.4 Register of Heritage Buildings, Places, Sites and Objects and Notable Trees to include a new item being Notable Tree No 26 being a Monterey Pine (*Pinus radiata*) known as the “Wooing Tree” that is located in the Wooing Tree Overlay Area.
6. Amend Planning Maps 12, 13, 13A and 14 to rezone land in the Wooing Tree Overlay Area being Section 3 SO 461514 from Residential Resource Area (6) to Residential Resource Area, Residential Resource Area (3), Residential Resource Area (11), Business Resource Area (2) and Rural Resource Area. The existing Building Line Restriction is to be amended to provide a greater depth adjacent to the location of a future roundabout; and the Monterey Pine (*Pinus radiata*) known as the “Wooing Tree” is to be shown by notation as Notable Tree No 26 on Planning Map 13.

Notes: 1. For full details of text as modified by the Council’s decision on Plan Change 12 see Annex 3.

2. It is noted that the text amendments at Annex 3 include consequential amendments to the text which are necessary to integrate the amendments summarised above into the Operative District Plan.

PLAN CHANGE 12 : MAP AMENDMENT



MAPS 12, 13, 13A & 14 – Scale 1:7500

