

Before the Independent Hearing Panel
Appointed by the Central Otago District Council

Under the Resource Management Act 1991

In the matter of Private Plan Change 14 to the Central Otago District Plan

Memorandum of Counsel regarding section 32AA evaluation

12 April 2021

Applicant's solicitors:

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May it please the Commissioners:

- 1 In accordance with the directions contained in Minute 12 of the Commissioners, please find attached a further evaluation of the changes to the proposal in accordance with section 32AA.

Dated this 12th day of April 2021

A handwritten signature in black ink, appearing to read 'S Eveleigh', with a stylized flourish at the end.

Sarah Eveleigh
Counsel for NZ Cherry Corp (Leyser) LP Ltd

Section 32AA evaluation

- 1 Section 32AA requires that a further evaluation is required only for any changes that have been made to, or are proposed for, the proposal since the section 32 evaluation report was completed. The section 32AA evaluation is to be undertaken in accordance with section 32(1) to (4), at a level of detail that corresponds to the scale and significance of the changes.

Evaluation of the objective(s)

- 2 The objective of the proposal has not changed, and accordingly no revised assessment is required as to the extent to which the objective of the proposal is the most appropriate way to achieve the purpose of the Act (section 32(1)(a)). The objective of the proposal is:

To enable the subdivision, use and development of approximately 142 hectares of land located at 144 Ripponvale Road to provide a mix of different land use densities to meet market demand for rural lifestyle development outside of urban Cromwell; recognise and provide for the natural landscape values of the Pisa Range; and facilitate use of a further approximately 29 hectares of land for horticultural development. Rural lifestyle development is to occur in an integrated, sustainable and planned manner to meet the needs of the District's people and communities, while avoiding, remedying or mitigating potential adverse effects on:

- *The Pisa Range – Outstanding Natural Landscape*
- *Landscape and amenity values*
- *Water resources*
- *The soil resource*
- *Surrounding land uses*
- *Natural hazard risk*

- 3 While the objective has not changed, the changes to the proposal have resulted in productive uses being enabled on a further 12 hectares of land (in addition to the 29 hectares of horticultural development referred to in the objective). There has also been an increased focus on connectivity to urban Cromwell, which was not specifically addressed in the proposal objective.

Evaluation of the provisions

- 4 An evaluation as to whether the revised provisions of the proposal are the most appropriate way to achieve the objectives (section 32(1)(b), (2) and (3)) is provided in **Table 1** attached. The evaluation addresses substantive changes only. Other minor amendments are proposed to improve drafting and clarity of meaning, these changes are not evaluated in Table 1.
- 5 In summary, the evaluation of the proposed changes to provisions contained in Table 1 demonstrates that the revised proposal is the most appropriate to achieve the objective of the proposal and the existing objectives of the District Plan, for the following reasons:
 - (a) Soils and productive use:

- (i) The revised provisions better facilitate productive uses on the site, through a combination of the new Rural Lifestyle Area (**RLA**) 6, and increased/amended requirements for building platforms and landscape plans.
 - (ii) The location, shape and minimum lot size of the new RLA6 has been developed in consultation with Residents for Responsible Development Cromwell to provide lots of a size and dimension that facilitate productive uses, located on those soils with more productive values (Waenga 5) which are largely free from stormwater flow paths and previous uses/disturbance which would diminish the productive value of the soil.
 - (iii) Building platform and landscape plan requirements will control extent of built form and amenity planting on each site, to retain the potential for productive uses on the remainder of each site.
 - (iv) Additional requirements for establishment of drainage and water-related infrastructure in the Horticulture Block provide even greater certainty that this area will be utilised for sustained horticultural activity. This certainty does not exist under the current zoning.
 - (v) The revised provisions increase the area where productive uses are provided for (Horticulture Block and RLA6) by 12 hectares, to a total of 41 hectares.
- (b) Connectivity and transport:
- (i) The revised provisions confirm appropriate provision and timing of the following roading upgrades and pedestrian/cycle connections, as agreed with Waka Kotahi NZTA:
 - (A) State Highway 6 underpass for pedestrians and cyclists;
 - (B) Dedicated pedestrian and cycleway along Ripponvale Road from SH6 to the site; and
 - (C) Widening of Ripponvale Road.
 - (ii) Changes to provisions to require these upgrades will not only better support the proposed development, but will also improve connectivity between Ripponvale and the Cromwell town centre and improve recreational opportunities for the benefit the wider community.
- (c) Reverse sensitivity and on-site amenity:
- (i) The revised provisions will better manage on-site amenity and potential reverse sensitivity effects, through:
 - (A) Additional boundary setback and planting requirements at the boundary with the rural zone on the south of the site (some of which reflect agreements reached with the neighbouring Kimm Jamieson Family Trust);
 - (B) Limitations of the number of dwellings on the southern boundary of the site as a result of the location of RLA6 in this area; and

(C) Requirements for acoustic insulation.

- (d) Rural character and amenity, landscape and visual effects:
- (i) The location of RLA6 at the south of the site will improve rural character and amenity at Ripponvale Road and on entering the site, as confirmed by landscape evidence.
 - (ii) The increased density at the centre of the site will be noticeable to only a small degree from near viewpoints, and would not be readily noticeable in longer views. Visual amenity effects are largely offset by the presence of increased productive land uses along the southern boundary of the site and the increased setback in built form.
 - (iii) Other revised provisions proposed, including controls on lighting and increased/amended requirements for building platforms and landscape plans, are beneficial in terms of landscape and visual effects, including retention of rural character and amenity.
- (e) Housing supply:
- (i) The revised provisions will maintain housing yield from the proposed development, which is important to meeting identified demand.
 - (ii) Retention of development yield is also important to the viability of the proposal as a whole, by supporting the intended recreational and horticultural use and development of the wider site (ONL and Horticulture Block).
- (f) Mixed use - recreation:
- (i) The revised provisions better confirm the intention that the Outstanding Natural Landscape (**ONL**) area be developed as a focal point for mountain biking in the District, by including requiring provision of cycling connections through the ONL.

Table 1 – Evaluation of amended provisions

Amendment to proposed provision from that notified	Proposed provision	Benefits	Costs	Appropriateness, efficiency and effectiveness in achieving the objectives	Other options considered and reasons for deciding on this provision
<p>Structure Plan changes</p> <p>The proposed Structure Plan has been amended as follows:</p> <ul style="list-style-type: none"> • Introduction of a new Rural Lifestyle Area (RLA) 6 with a minimum lot size of 4 hectares, generally positioned to the south of the site; • Increases in density through the centre of the site: <ul style="list-style-type: none"> ○ Change to the development density of an area between the southern portion of the loop road to the south and open space stormwater corridor to the north from RLA2 to RLA1 density; ○ A small extension to the north of the RLA1 density area adjacent to the Horticulture block; ○ Change to the development density of an area immediately north of the northern portion of loop road from RLA3 to RLA2 density. • Addition of a requirement to retain and plant a shelterbelt along a portion of the southern boundary; • Removal of part of the Horticulture Amenity Edge requirement, between RLA6 and the adjacent Horticulture block; and • Identification of sound insulation boundaries. 	<p>Structure Plan</p>	<p>Greater potential for productive use of the site - The new RLA6 provides for 4 hectare lots with dimensions that enable productive use of the soils, in areas where the soils with more productive value (Waenga 5) are located and are largely free from stormwater flow paths and previous uses/disturbance which would diminish the productive value of the soil. The minimum lot size combines with requirements for building platforms and landscaping plans which will ensure productive uses are enabled over the majority of the RLA6 lots. This change has increased the area of land within the site identified for productive uses by 12 hectares, to a total of 41 hectares (RLA6 plus Horticulture Block).</p> <p>Improved rural character and amenity- Location of RLA6 adjacent to Ripponvale Road and the Rural Zone to the south of the site will increase rural amenity as experienced by users of Ripponvale Road and adjacent properties both inside and outside of the site. It will also enhance the rural amenity experienced as users enter the site through this area,</p> <p>Location of RLA6 (and reduced housing density) adjacent to neighbouring Rural land will also reduce potential reverse sensitivity effects.</p> <p>Increases in density through the centre of the site retain the housing yield while retaining more of the productive soil in the RLA6 area, and without encroaching into those areas of the site which are at a higher elevation and therefore more visible.</p> <p>The shelterbelt planting (together with a greater setback) along a portion of the southern boundary</p>	<p>The RLA6 minimum lot size reduces the housing yield from this part of the site.</p> <p>Increasing RLA1 areas through the centre of the site increases the visual density and results in a small decrease the rural amenity within this part of the site.</p> <p>The shelterbelt planting along the southern boundary results in a small reduction in the productive area of this future RLA6 lot.</p> <p>Sound insulation requirements will add a modest increase to construction costs.</p>	<p>Objective of the proposal:</p> <p>The amendments better enable the subdivision, use and development of the site to provide a mix of different land use densities to meet market demand for rural lifestyle development, while avoiding, remedying or mitigating effects on landscape and amenity values, the soil resource and surrounding land uses.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>4.3.7 – Soil resource</p> <p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p> <p>16.3.4 – Amenity Values</p> <p>16.3.5 – Water and Soil Resources</p> <p>The introduction of RLA6 increases the retention of the more productive soils across the site and facilitates imposition of controls to enable productive uses on these soils, thus better maintaining the life-supporting capacity of the District's soil resource and providing for the community wellbeing which arises from productive use of the soils. RLA6 also reinforces the intended mixed-use of the site, incorporating productive uses into the Rural Resource Area (5) zone. (Objectives 4.3.1, 4.3.7, 4.3.9, 16.3.5)</p> <p>Location of the RLA6 area and imposition of additional setbacks at the south/entrance of the site reduces potential reverse sensitivity effects, which is important for community wellbeing, and better maintains the rural amenity of Ripponvale Road and the zone as a whole. (Objectives 4.3.1, 4.3.3, 16.3.4)</p> <p>Increases in density in the centre of the site maintain housing yield of the development, which is important to future community wellbeing. The centre of the site is better able to absorb this density of development while</p>	<p>A range of other approach have been considered through the course of the hearing, including the original proposal which allocated densities primarily based on landscape and visual effects criteria, and subsequent amendments including:</p> <ul style="list-style-type: none"> • A more uniform density across a wider area of the site, with a minimum lot size of 4,000m² (as proposed in the Applicant's opening); and • A requirement to identify an area comprising at least 50% of the RLA2, RLA3 and RLA4 areas to be utilised for horticultural or agricultural activity (as proposed in the Applicant's opening). <p>These options were generally not supported by submitters.</p> <p>The location, shape and minimum lot size of the new RLA6 has been developed in consultation with Residents for Responsible Development Cromwell to provide lots of a size and dimension that facilitate productive uses, located on the more productive soils found on the site.</p> <p>The changes have been developed with landscape expert input and are supported by landscape evidence. Mr Milne has assessed that the changes would be positive for Ripponvale Road viewpoints. The increased density in the centre of the site will continue to deliver a rural outcome, would be noticeable to only a small degree from near viewpoints, and would not be readily noticeable in longer views. Visual amenity effects are largely offset by the presence of increased productive land uses along the southern boundary of the site and the increased setback in built form. Mr Espie agreed that RLA6 would retain more productive character close to Ripponvale Road, and reduce adverse effects on views and visual amenity from the Ripponvale Road area.</p> <p>Development yield is important to supply of housing to meet market demand.</p>

Amendment to proposed provision from that notified	Proposed provision	Benefits	Costs	Appropriateness, efficiency and effectiveness in achieving the objectives	Other options considered and reasons for deciding on this provision
		<p>will appropriately manage reverse sensitivity effects.</p> <p>Removal of the Horticulture Amenity Edge planting requirement in RLA6. increases the potential productive area of tis lot</p> <p>Sound insulation requirements reduce potential for reverse sensitivity effects and ensure a high standard of residential amenity is maintained within dwellings.</p>		<p>limiting potential reverse sensitivity, landscape and visual effects (including rural amenity). (Objectives 4.3.1, 4.3.3, 16.3.4)</p> <p>Removal of Amenity Edge planting between RLA6 and the Horticulture Area maintains the productive potential of this area of land where uses are expected to be compatible and buffers are not required. (Objectives 4.3.1, 4.3.3, 4.3.7, 4.3.9, 16.3.4, 16.3.5)</p> <p>Sound insulation requirements reduce potential for reverse sensitivity effects and ensure a high standard of residential amenity is maintained within dwellings. (Objectives 4.3.1, 4.3.3, 16.3.4)</p>	<p>Housing continues to be an increasingly challenging issue through-out New Zealand, including in Cromwell, Increasing supply, particularly through new builds, is identified as an important part of the response to this issue. Ms Hampson has confirmed that there is demand for and limited supply of the type of development proposed. As addressed in evidence, there continues to be no public update on progress/timing of the District Plan review, and currently no other plan changes, to enable additional housing supply by way of rezoning.</p> <p>Development yield is also important to the viability of the proposal as a whole, including provision of public access and tracks in the ONL, and to support development of the Horticultural Area. Weather events over the last three seasons, including the 2020/21 season, have reaffirmed the volatility of horticultural crops and the value of diversification of revenue streams to support development.</p> <p>The shelter belt requirement (together with building setback requirements) reflect the agreement reached with neighbouring Kimm Jamieson Family Trust to appropriately manage potential reverse sensitivity effects at this boundary.</p> <p>The sound insulation requirements, which are dependent on distance from the zone boundary, have been assessed by Mr Humpheson to appropriately manage potential adverse noise effects to protect residential amenity of occupiers and mitigate potential for reverse sensitivity.</p>
<p>Planting of Horticulture Area</p> <p>Amendments require that all necessary drainage and water-related infrastructure are in place, in addition to the requirement that this area be at least 60% planted prior to grant of consent for residential activity in the Rural Resource Area (5)</p>	<p>4.7.2(ib)(c)</p>	<p>Provides a further commitment to the establishment and the ongoing use and sustainability of the Horticulture Area. It confirms the positive requirement to utilise this 29 hectare area for productive uses, which is not otherwise required under the existing Rural zoning. This development has consequential effects for employment and providing a scale of operation that supports on-site</p>	<p>Additional up-front cost to the developer, and increased financial exposure to this volatile industry.</p>	<p>Objective of the proposal:</p> <p>The amendment better facilitates the use of a further approximately 29 hectares of land for horticultural development.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.7 – Soil resource</p> <p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p>	<p>Alternatives include requirements for horticultural planting only (no infrastructure).</p> <p>The change reflects Applicant's intention is that the infrastructure to support the planting be put in place at the time of planting. The amended provision provides certainty that the horticulture development will occur. This certainty does not exist under the current zoning, and the land</p>

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		provision of workers' accommodation.		16.3.5 – Water and Soil Resources Provision of horticultural infrastructure ensures the life-supporting capacity of the soil is maintained and reinforces the contribution of the Horticulture Area to this mixed-use proposal.	has otherwise been used for low value agricultural activity.
<p>Landscape Plan</p> <p>An additional requirement for RLA6 lots to identify areas to be retained for horticultural and agricultural use. Additional reference to the objective of the landscaping plan in RLA6 as being to retain the soils for productive uses by limiting the area of built form and amenity plantings.</p> <p>In addition a predominance of species from the planting schedule, species may alternatively be chosen for their productive use.</p>	4.7.2(ib)(d)	<p>Greater potential for productive use of the RLA6 sites as result of the thoughtful location of built form and amenity planting, and identification of areas to be retained for productive uses.</p> <p>General reference to plant species chosen for their productive use increases the potential for these species to be chosen and reinforces the intended character and use of the zone.</p>	Modest additional cost for preparation of landscape plans at consenting of residential activity.	<p>Objective of the proposal:</p> <p>Landscape plan requirements will better ensure that rural lifestyle development avoids, remedies or mitigates effects on landscape and amenity values, and the soil resource.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>4.3.7 – Soil resource</p> <p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p> <p>16.3.4 – Amenity Values</p> <p>16.3.5 – Water and Soil Resources</p> <p>Limitations on the extent, and careful consideration of the location, of built form and amenity plantings better maintains the life-supporting capacity of the soils and reinforces the mixed-use intent of the zone to incorporate productive uses. It also better maintains the openness of the landscape and rural amenity.</p>	<p>Other options considered include a requirement to identify an area comprising at least 50% of the RLA2, RLA3 and RLA4 areas to be utilised for horticultural or agricultural activity (as proposed in the Applicant's opening). This was generally not supported by submitters.</p> <p>Together with the building platform requirements, the landscape plan achieves a similar or better outcome. Preparation of a landscape plan, rather than a general requirement for retention of a percentage of the site, better enables consideration of sighting of productive uses on appropriate areas of the lot, having regard to the soil resource and any co-location of productive areas across multiple lots.</p>

Amendment to proposed provision from that notified	Proposed provision	Benefits	Costs	Appropriateness, efficiency and effectiveness in achieving the objectives	Other options considered and reasons for deciding on this provision
<p>Matters of control for Rule 4.7.2(ib) – Controlled activity consent for residential activity</p> <p>As notified, matters of control related only to methods to maintain planting in the Amenity Edge (which are now addressed in the subdivision rule 4.7.2(ii)(a)(vi)) and the listed matters in respect of landscape plans.</p> <p>Matters of control now related to the matters contained in the relevant standard, any impact on landscape values, and the relevant built form standards in 4.7.6.</p>	<p>Rule 4.7.2(ib) matters of control</p>	<p>Wider matters of control better enable management of landscape/visual effects of residential activity and the effects of residential activity on the productive potential of each lot.</p>	<p>Potential for greater control on future owners' activities.</p>	<p>Objective of the proposal:</p> <p>Matters of control will better ensure that rural lifestyle development avoids, remedies or mitigates effects on landscape and amenity values, and the soil resource.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>4.3.7 – Soil resource</p> <p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p> <p>16.3.4 – Amenity Values</p> <p>16.3.5 – Water and Soil Resources</p> <p>Wider matters of control better enable retention of landscape/visual values (including rural character and amenity), and retention of the life-supporting capacity of the soils. This contributes to providing for community wellbeing while ensuring environmental quality is maintained and enhanced, and ensuring the mixed-use intent of the zone is achieved.</p>	<p>Matters of control appropriately reflect the purpose of the controlled activity rule, to manage effects on landscape and productive soils.</p>
<p>Subdivision – minimum allotment sizes – RLA6</p> <p>Introduction of a new RLA6 with a minimum allotment size of 4 hectares.</p>	<p>4.7.2(ii)(a)(i)</p>	<p>Greater potential for productive use of areas where the more productive soils (Waenga 5) are located and are largely free from stormwater flow paths and previous uses/disturbance which would diminish the productive value of the soil. The minimum lot size combines with provisions for building platforms and landscaping plans which will ensure that productive uses are enabled over the majority of the site.</p>	<p>The RLA6 minimum lot size reduces the housing yield from this part of the site.</p>	<p>Objective of the proposal:</p> <p>The introduction of RLA6 better enables the subdivision, use and development of the site to provide a mix of different land use densities to meet market demand for rural lifestyle development, while avoiding, remedying or mitigating effects on landscape and amenity values, the soil resource and surrounding land uses.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>4.3.7 – Soil resource</p>	<p>Alternatives considered include:</p> <ul style="list-style-type: none"> • A more uniform density across a wider area of the site, with a minimum lot size of 4,000m²; and • A requirement to identify an area comprising at least 50% of the RLA2, RLA3 and RLA4 areas to be utilised for horticultural or agricultural activity. <p>These options were generally not supported by submitters.</p> <p>The minimum lot size of the new RLA6 has been developed in consultation with Residents for Responsible Development Cromwell to provide lots of a size that would facilitate productive uses, located on the more productive soils found on the site.</p>

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				<p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p> <p>16.3.4 – Amenity Values</p> <p>16.3.5 – Water and Soil Resources</p> <p>The introduction of RLA6 increases the retention of the more productive soils across the site and facilitates imposition of controls to enable productive uses on these soils. This better maintains the life-supporting capacity of the District's soil resource and provides for the community wellbeing which arises from productive use of the soils. RLA6 also reinforces the intended mixed-use of the site, incorporating productive uses into the Rural Resource Area (5) zone.</p> <p>Location of RLA6 at the south/entrance of the site also reduces potential reverse sensitivity effects, which is important for community wellbeing, and better maintains the rural amenity of Ripponvale Road and the zone.</p>	
<p>Subdivision – Structure Plan for the Rural Resource Area (5)</p> <p>Inclusion of additional matters to be provided for when consent is sought for subdivision:</p> <ul style="list-style-type: none"> Widening of Ripponvale Road – completion prior to issue of a certificate under s224c for the 51st allotment. Shared walking and cycling path along Ripponvale Road from Shannon Farm to SH6 – completion prior to issue of a certificate under s224c for the 51st allotment. State Highway 6 pedestrian/cyclist underpass – operational prior to issue of a certificate under s224c for the 51st allotment. Cycling connections added to the previous requirement to provide protected pedestrian connections in the ONL area. 	<p>4.7.2(ii)(a)(vi)</p>	<p>Greater certainty as to staging of the development when subdivision consent is sought.</p> <p>Ensures timely, comprehensive and cohesive completion of Amenity Edge plantings.</p> <p>Enables provision of cycling connections through the ONL.</p> <p>Ensures provision of roading improvements – SH6 underpass, Ripponvale Road pedestrian/cycle path, and Ripponvale Road widening – which will support the development and improve connectivity between the Cromwell town centre and Ripponvale area. In addition to supporting the proposed development, the improvements will have wider community benefit to those who access the Ripponvale area, and particularly in supporting recreational access to the ONL area.</p> <p>The timing of these improvements (completed prior to issue of s224c</p>	<p>Significant additional costs (estimated in the order of \$2M) to the developer associated with:</p> <ul style="list-style-type: none"> SH6 pedestrian/cycle underpass connecting Ripponvale Road to Cromwell township Widening of Ripponvale Road Pedestrian/cycle path along Ripponvale Road 	<p>Objective of the proposal:</p> <p>The amendments better enable the subdivision, use and development of the site to provide a mix of different land use densities to meet market demand for rural lifestyle development. They also better ensure that this subdivision, use and development occurs in an integrated, sustainable and planned manner, while avoiding, remedying or mitigating effects on landscape and amenity values, and surrounding land uses.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>4.3.4 – Recreation Resources</p> <p>4.3.7 – Soil resource</p> <p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p> <p>16.3.1 – Adverse effects on the Roading Network</p>	<p>Provisions for roading improvements and provision of pedestrian/cycling connections reflects the recommendations of the transport expert witnesses and agreement reached with Waka Kotahi NZTA regarding appropriate upgrades and timing.</p> <p>Reference to cycling connections reflects the intention that ONL area be a focal point for mountain biking recreation in the District. Evidence for submitters was that this particular recreational use would also attract mountain bikers from further afield, with tourism benefits for the Cromwell economy and community.</p> <p>In relation to planting of the Amenity Edges – the planting proposed is the same as notified, however it is considered more appropriate that this sits as a requirement of subdivision, rather than subsequent land use consent for residential activities. It is intended that this planting will be undertaken by the developer at subdivision stage.</p> <p>The requirement for Shelterbelt planting is new, and reflects the agreement reached with the neighbouring Kimm Jamieson</p>

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<ul style="list-style-type: none"> A condition requiring the establishment of the Ripponvale Road and Horticulture Block Amenity Edges and Shelterbelt planting prior to issue of a certificate under s224c. Details of planting requirements in the Amenity Edges are prescribed. (Note that planting of the Amenity Edges was originally a requirement for residential activity consent, but has been relocated to the subdivision rule) Staging details to be provided. 		<p>for the 51st allotment) enables the developer to accrue some income from sale of initial lots at the same time as these improvements are progressed, and ensures the improvements are operational prior to the majority of movements associated with the development.</p>		<p>16.3.2 – Services and Infrastructure</p> <p>16.3.4 – Amenity Values</p> <p>16.3.5 – Water and Soil Resources</p> <p>16.3.7 – Open Space, Recreation and Reserves</p> <p>Roading upgrades will provide for community wellbeing and ensure environmental quality is enhanced. They avoid, remedy or mitigate (and in some cases enhance) the safe and efficient operation of the roading network, providing the necessary infrastructure to support the development and enhancing recreational access to the Ripponvale area and associated amenity values for the wider Cromwell community. (Objectives 4.3.1, 4.3.3, 4.3.4, 16.3.1, 16.3.2, 16.3.4, 16.3.7).</p> <p>Provision of the amenity planting and shelterbelt at subdivision stage will enhance the amenity of the site and reduce potential for reverse sensitivity effects, thus providing for community wellbeing and ensuring environmental quality is maintained and enhanced. (Objectives 4.3.1, 4.3.3, 16.3.4)</p> <p>Provision of cycling connections through the ONL will provide for community wellbeing, enhance amenity values and provide recreational resources and public access to meet recreational needs of the wider Cromwell community. This is an important contributing element to the mixed-use proposal. (Objectives 4.3.1, 4.3.3, 4.3.4, 4.3.9, 16.3.4, 16.3.7)</p>	<p>Family Trust for appropriate measures to address potential reverse sensitivity effects.</p>
<p>Building platforms</p> <p>In addition to the previous requirement for identification of building platforms in RLA4 and RLA5, building platforms are now also required in RLA2, RLA3 and RLA6.</p> <p>A further matter of control has been added – the location of the building platform in regard to enabling horticultural and/or agricultural activity on the remainder of the site and</p>	<p>4.7.2(ii)(a)(viii)</p>	<p>Greater potential for productive use of the remainder of the RLA2, RLA3 and RLA6 sites as result of the thoughtful location and limitation on extent of built form.</p>	<p>May constrain desired use by future owners.</p>	<p>Objective of the proposal:</p> <p>Building platform requirements better enable the subdivision, use and development of the site for rural lifestyle development, while avoiding, remedying or mitigating effects on landscape and amenity values, and the soil resource.</p> <p>Relevant objectives of the District Plan</p> <p>4.3.1 – Needs of the District's People and Communities</p>	<p>The intention of this change is to limit built form and to locate it within each site to enable horticultural or agricultural activity on the remainder of the site. The new matter of control is included to reflect this intent.</p> <p>An alternative is to rely on standards for building bulk, form and location. This would not provide the same benefits with regard to enabling productive uses and potential co-location of built form across lots.</p>

Amendment to proposed provision from that notified	Proposed provision	Benefits	Costs	Appropriateness, efficiency and effectiveness in achieving the objectives	Other options considered and reasons for deciding on this provision
<p>clustering of platforms over multiple sites.</p> <p>A corresponding standard for residential activities requires that dwellings and accessory buildings to be located within identified building platforms in RLA2, RLA3 and RLA6 (in addition to the previous requirement for RLA4 and RLA5).</p>	<p>4.7.2(ib)(b)</p>			<p>4.3.3 – Landscape and Amenity Values</p> <p>4.3.7 – Soil resource</p> <p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p> <p>16.3.4 – Amenity Values</p> <p>16.3.5 – Water and Soil Resources</p> <p>Limitations on the extent, and careful consideration of the location, of built form better maintains the life-supporting capacity of the soils and reinforces the mixed-use intent of the zone. It also better maintains the openness of the landscape and rural amenity.</p>	
<p>Yards</p> <p>Inclusion of additional building setback requirements from the southern boundary:</p> <ul style="list-style-type: none"> • 30m from the boundary for sites adjacent to the Shelterbelt as shown on the structure plan. • 80m from the boundary of Lot 1 DP 362547. 	<p>4.7.6A(l)(iv) and (v)</p>	<p>Reduced potential for reverse sensitivity effects as a result of greater requirements for physical distance of future buildings from existing rural activities.</p>	<p>May limit future owners' preferred use of their property, although this cost will be limited given the land is within RLA6.</p>	<p>Objective of the proposal:</p> <p>Building setback requirements at the south/entrance of the site better enable the subdivision, use and development of the site for rural lifestyle development, while avoiding, remedying or mitigating effects on surrounding land uses, and landscape and amenity values.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>16.3.4 – Amenity Values</p> <p>Imposition of additional setbacks at the south/entrance of the site reduces potential reverse sensitivity effects, which is important for community wellbeing, and better maintains the rural character and amenity of Ripponvale Road and the zone as a whole.</p>	<p>Alternatives include greater separation or physical barriers (planting, bunding and acoustic insulation) to manage potential reverse sensitivity effects. The proposed setback, in combination with boundary planting and acoustic insulation, is considered to appropriate manage effects on amenity within the development and potential reverse sensitivity, while limiting impacts on productive use of the adjacent sites and housing yield.</p> <p>The 30m setback reflects the agreement reached with Kimm Jamieson Family Trust for appropriate management of reverse sensitivity effects on its operation.</p> <p>The 80m setback from the Rockburn Winery boundary means that dwellings within the PC14 development would be at a similar distance from Rockburn boundary as consented building platforms on the Schooner Developments site.</p>
<p>Exterior lighting</p> <p>On sites:</p> <p>A new requirement prescribes that exterior lighting on buildings shall be fixed, no higher than 1 metre above finished ground level, capped, filtered or pointed downwards and screened so as to reduce lux spill. There shall be</p>	<p>4.7.6A(o) and (p)</p>	<p>Reduced landscape and visual effects associated with prominence of the development as a result of lighting at night.</p>	<p>May limit future owners' preferred use of their property.</p>	<p>Objective of the proposal:</p> <p>Controls on lighting better enable the subdivision, use and development of the site for rural lifestyle development, while avoiding, remedying or mitigating effects on landscape and amenity values.</p> <p>Relevant objectives of the District Plan:</p>	<p>Controls on lighting are proposed consistent with recommendations from landscape and visual effects expert, Mr Milne.</p>

Amendment to proposed provision from that notified	Proposed provision	Benefits	Costs	Appropriateness, efficiency and effectiveness in achieving the objectives	Other options considered and reasons for deciding on this provision
<p>no lighting of vehicle accessways within any sites.</p> <p>Road lighting:</p> <p>A new requirement prescribes that street lighting shall be no higher than 1 metre above finished ground level, capped, filtered or pointed downwards and screened so as to reduce lux spill.</p>				<p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>16.3.4 – Amenity Values</p> <p>Controls on lighting reduce landscape and visual effects, and corresponding effects on amenity, thus maintaining the environmental quality.</p>	
<p>Acoustic insulation</p> <p>The following requirements apply:</p> <p>Dwellings shall meet the following sound insulation and ventilation standards within the identified areas shown on the Structure Plan:</p> <p>(i) between the 40dB Sound Insulation Boundary and the Horticulture Area, the sound insulation of habitable spaces should achieve 40 dB Rw+Ctr with the addition of mechanical ventilation to bedroom spaces;</p> <p>(ii) between the 35dB Sound Insulation Boundary and 40dB Sound Insulation Boundary or southern boundary of the RuRA(5) zone, the sound insulation of habitable spaces should achieve 35dB Rw+Ctr with the addition of mechanical ventilation to bedroom spaces; and</p> <p>(iii) at all other locations with the Structure Plan area – the sound insulation of habitable spaces should achieve 30 dB Rw+Ctr.</p>	<p>4.7.6E(e)</p>	<p>Sound insulation requirements reduce potential for reverse sensitivity effects and ensure a high standard of residential amenity is maintained within dwellings.</p> <p>Additional insulation is also expected to result in warmer homes.</p>	<p>A modest increase to construction costs.</p>	<p>Objective of the proposal:</p> <p>Acoustic insulation requirements better enable the subdivision, use and development of the site for rural lifestyle development, while avoiding, remedying or mitigating effects on surrounding land uses. They will assist in ensuring that the rural lifestyle development occurs in an integrated, sustainable and planned manner.</p> <p>Relevant objectives of the District Plan:</p> <p>4.3.1 – Needs of the District's People and Communities</p> <p>4.3.3 – Landscape and Amenity Values</p> <p>4.3.9 – Integrated, Comprehensive Mixed-Use Development</p> <p>16.3.4 – Amenity Values</p> <p>Sound insulation requirements reduce potential for reverse sensitivity effects and ensure a high standard of residential amenity is maintained within dwellings. This enables integrated provision of housing in a rural environment while ensuring that environmental quality is maintained.</p>	<p>Other options include:</p> <ul style="list-style-type: none"> Relying on the existing District Plan requirements – this is not preferred because they generally transfer compliance requirements to the existing noise generator, do not apply to temporary activities, and are generally considered lenient. Applying a greater setback – setbacks in excess of those already proposed (up to 80 metres) are not supported because they would further reduce development yield. <p>The sound insulation requirements, which are dependent on distance from the zone boundary, have been assessed by Mr Humpheson to appropriately manage potential adverse noise effects to protect residential amenity of occupiers and mitigate potential for reverse sensitivity. The proposed controls achieve a standard in excess of the WHO guideline standard for noise insulation.</p>
<p>Discretionary activities</p> <p>The following have been added:</p> <ul style="list-style-type: none"> Activities which do not comply with the requirement to identify building platforms 	<p>4.7.4(i)</p>	<p>Enables exercise of full discretion in determining an application for dwellings or accessory buildings outside of identified building platforms.</p>	<p>May limit future owners preferred use of their property and add to consenting complexity/cost.</p>	<p>As for 'Building Platforms' above.</p>	<p>Reinforces the importance of the building platform mechanism to retain productive use of the remainder of lots, or to manage landscape and visual effects.</p>

Amendment to proposed provision from that notified	Proposed provision	Benefits	Costs	Appropriateness, efficiency and effectiveness in achieving the objectives	Other options considered and reasons for deciding on this provision
<p>Non complying activities</p> <p>The following standard breaches have been added:</p> <ul style="list-style-type: none"> • Subdivision in accordance with the Structure Plan standard • Acoustic insulation 	<p>4.7.5(x) and (xi)</p>	<p>Ensures appropriate scrutiny is given to applications which do not accord with these requirements.</p>	<p>May limit future owners preferred use of their property and add to consenting complexity/cost.</p>	<p>As for ' Subdivision – Structure Plan for the Rural Resource Area (5)' and 'Acoustic insulation' above.</p>	<p>Reinforces the importance of the acoustic insulation and Structure Plan requirements.</p>