

Appendix A – Relief sought

Provision (PDP decision version)	Reason for appeal	Relief sought
Chapter 24 Wakatipu Basin		
<p>24.2 Objectives and Policies</p> <p><i>Objectives 24.2.1 to 24.2.4 and related policies apply to the Precinct and to the balance of the Rural Amenity Zone. Objective 24.2.5 and related policies apply to the Precinct only.</i></p>	<p>Oppose</p> <p>The WBLP has been identified independently to the remainder of the WBRAZ as a subzone which can accommodate a higher level of additional development. As such, the level of development provided for and the expectation for maintenance and enhancement of landscape character and amenity values will differ for the WBLP as compared with the remainder of the Zone. As such, it is considered that objective 24.2.1 and the associated policies are overly restrictive for the WBLP and are contradictory to the intention of the WBLP set out by objective 24.2.5 and associated policies. It is therefore considered that objective 24.2.1 and associated policies should apply only to the WBRAZ.</p>	<p>Amend 24.2 Objectives and Policies as follows so that objective 24.2.1 relates only to the Rural Amenity Zone (excluding the precinct):</p> <p><i><u>Objective 24.2.1 and related polices apply to the Rural Amenity Zone only (excluding the Precinct). Objectives 24.2.24 to 24.2.4 and related policies apply to the Precinct and to the balance of the Rural Amenity Zone. Objective 24.2.5 and related policies apply to the Precinct only.</u></i></p> <p>Make consequential amendments to the wording of policies 24.2.1.1 – 24.2.1.13 so it is clear that this policy suite apply only to the Rural Amenity Zone (excluding the Lifestyle Precinct).</p>
<p>Policy 24.2.1.1</p> <p><i>Require an 80 hectare minimum net site are be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.</i></p>	<p>Oppose</p> <p>The policies in respect of maintaining and enhancing landscape character and visual amenity values should take an effects based approach as opposed to a blanket approach based on minimum lot sizes. This objective implies that minimum lot sizes protect landscape character and visual amenity which is not the case. Further, this policy is sought to be deleted as a consequential change</p>	<p>1. Delete Policy 24.2.1.1</p> <p><i>Require an 80 hectare minimum net site are be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.</i></p>

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	of the relief sought to delete the 80ha minimum lot size for the WBRAZ.	
<p>Policy 24.2.4.6 <i>Facilitate the provision of walkway and cycleway networks and encourage opportunities for the provision of bridle path networks.</i></p>	<p>Oppose Policy support for the provision of bridle paths is not appropriate and is not supported.</p>	<p>Amend Policy 24.2.4.6 <i>Facilitate the provision of walkway and cycleway networks. and encourage opportunities for the provision of bridle path networks</i></p>
<p>24.2.5 Objective <i>Rural living opportunities in the Precinct are enabled, provided landscape character and visual amenity values are maintained or enhanced.</i></p>	<p>Oppose It is not reasonable to assume that the landscape character and visual amenity values of the Lifestyle Precinct will not change over time, and thus it will not always be possible to maintain those values.</p>	<p>Amend 24.2.5 Objective to acknowledge that the landscape character and visual amenity values of the Lifestyle Precinct will change over time.</p>
<p>Policy 24.2.5.1 <i>Provide for rural living, subdivision, development and use of land where it maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.</i></p>	<p>Oppose As above</p>	<p>Amend Policy 24.2.5.1 to acknowledge that the landscape character and visual amenity values of the Lifestyle Precinct will change over time.</p>
<p>Policy 24.2.5.2 <i>Promote design-led and innovative patterns of subdivision and development that maintain or enhance the landscape character and visual amenity values of the Wakatipu Basin overall.</i></p>	<p>Oppose The promotion of design-led and innovative patterns of subdivision and development in the Lifestyle Precinct is supported, but it is unclear how this initiative within the Lifestyle Precinct can be expected to maintain landscape character and visual amenity values within the Wakatipu Basin generally. It is submitted this policy should apply only to the Lifestyle Precinct.</p>	<p>Amend Policy 24.2.5.2: <i>Promote design-led and innovative patterns of subdivision and development that maintain or enhance the landscape character and visual amenity values of the <u>Lifestyle Precinct</u>. Wakatipu Basin overall</i></p>
<p>Advice Note 24.3.2.3 Guiding Principle: Previous Approvals</p>	<p>Oppose Advice Note 24.3.2.3 undermines the individual</p>	<p>Delete Rule 24.3.2.3</p>

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<p>a. <i>Requirements relating to building platforms and conditions of consents, including landscaping or other visual mitigation, that are registered on a site's computer freehold register as part of a resource consent approval by the Council are considered by the Council to remain relevant and will remain binding unless altered or cancelled.</i></p> <p>b. <i>Applicants may apply to alter or cancel any conditions of an existing resource consent as a component of an application for resource consent for development. Whether it may be appropriate for the Council to maintain, or to alter or cancel these conditions shall be assessed against the extent to which a resource consent application accords with the objectives and provisions of the Wakatipu Basin Rural Amenity Zone and Wakatipu Basin Lifestyle Precinct (as applicable).</i></p>	<p>building rights afforded to landowners through the resource consent process. The advice note is unnecessary as the process for variations or cancellations of consent conditions is set out in the RMA and does not need to be included in Chapter 24.</p>																						
<p>Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone</p> <p>Rules 24.4.4, 24.4.6, 24.4.7, 24.4.8 and 24.4.18</p> <table border="1" data-bbox="219 1114 810 1436"> <thead> <tr> <th>Rule</th> <th>Table 24.1 – Activities in the WBRAZ</th> <th>Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="3">Residential activities and buildings</td> </tr> <tr> <td>24.4.6</td> <td><i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered</i></td> <td>C</td> </tr> </tbody> </table>	Rule	Table 24.1 – Activities in the WBRAZ	Activity status	Residential activities and buildings			24.4.6	<i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered</i>	C	<p>Support in part</p> <p>The inclusion of Rule 24.4.6 which provides for the construction of residential buildings within an approved building platform as a controlled activity is supported, however this rule should not be date limited. Where residential activity complies with the relevant standards it should be enabled. There is no justification for restricting future development (beyond the date of the decision) in circumstances where standards can be met and landscape character can be maintained.</p>	<p>Amend Table 24.1 to include the following changes:</p> <table border="1" data-bbox="1469 986 2092 1426"> <thead> <tr> <th>Rule</th> <th>Table 24.1 – Activities in the WBRAZ</th> <th>Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="3">Residential activities and buildings</td> </tr> <tr> <td><u>Rule 24.4.x</u></td> <td><u><i>The creation of a new building platform for residential activity.</i></u></td> <td><u>RD</u></td> </tr> <tr> <td>24.4.6</td> <td><i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on</i></td> <td>C</td> </tr> </tbody> </table>	Rule	Table 24.1 – Activities in the WBRAZ	Activity status	Residential activities and buildings			<u>Rule 24.4.x</u>	<u><i>The creation of a new building platform for residential activity.</i></u>	<u>RD</u>	24.4.6	<i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on</i>	C
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	<p><i>on the applicable Computer Freehold register before 21 March 2019.</i></p> <p><i>Control is reserved over:</i></p> <p><i>a. Landscape character;</i></p> <p><i>b. Visual amenity values</i></p> <p><i>c. Access;</i></p> <p><i>d. Infrastructure;</i></p> <p><i>e. Landform modification, landscaping and planting (existing and proposed).</i></p>		<p>The intention of Rule 24.4.7 is supported, however a new Rule 24.4.x is proposed to provide explicitly for the identification of new residential building platforms as a restricted discretionary activity also. This rule provides for situations where landowners wish to identify future building locations without the requirement to design a complete building proposal.</p> <p>Amendment is sought to Rule 24.4.8 to provide for building construction outside of a building platform as a restricted discretionary activity. It is unclear why Standard 24.5.2 provides for the alteration of residential buildings not within a building platform by up to 30% increase in ground floor area as a restricted discretionary activity, but new construction outside of building platforms is non-complying. It is considered that there are circumstances where development outside of an established building platform is appropriate and/or necessary, and the standards regulating building size, coverage, height and setbacks will be sufficient to ensure that development maintains landscape character and amenity values, without the requirement for a non-complying consent.</p>		<p><i>the applicable Computer Freehold register before 21 March 2019.</i></p> <p><i>Control is reserved over:</i></p> <p><i>a. Landscape character;</i></p> <p><i>b. Visual amenity values</i></p> <p><i>c. Access;</i></p> <p><i>d. Infrastructure;</i></p> <p><i>e. Landform modification, landscaping and planting (existing and proposed).</i></p>	
24.4.7	<p><i>The construction of buildings for residential activity that are not provided for in Rule 24.4.5 or 24.4.6 and are not contrary to Rule 24.4.8.</i></p> <p><i>Discretion is restricted to:</i></p> <p><i>a. Landscape character;</i></p> <p><i>b. Visual amenity values;</i></p> <p><i>c. Access;</i></p> <p><i>d. Infrastructure;</i></p> <p><i>e. Landform modification, landscaping and planting (existing and proposed);</i></p> <p><i>f. Natural hazards.</i></p>	RD		24.4.7	<p><i>The construction of buildings for residential activity that are not provided for in Rule 24.4.5 or 24.4.6 and are not contrary to Rule 24.4.8.</i></p> <p><i>Discretion is restricted to:</i></p> <p><i>a. Landscape character;</i></p> <p><i>b. Visual amenity values;</i></p> <p><i>c. Access;</i></p> <p><i>d. Infrastructure;</i></p> <p><i>e. Landform modification, landscaping and planting (existing and proposed);</i></p> <p><i>f. Natural hazards.</i></p>	RD
24.4.8	<p><i>The construction of buildings for residential activity outside a building platform approved by a</i></p>	NC		24.4.8	<p><i>The construction of buildings for residential activity outside a building platform approved by a resource consent and</i></p>	NCRD

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	<i>resource consent and registered on the applicable Computer Freehold Register on a site where there is such a building platform.</i>		<i>registered on the applicable Computer Freehold Register on a site where there is such a building platform.</i>
Rule 24.4.29	<p><i>Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4 metres.</i></p> <p><i>Discretion is restricted to:</i></p> <p><i>a. The extent of clearance;</i></p> <p><i>b. Trimming and works within the root protection zone;</i></p> <p><i>c. Replacement planting.</i></p>	<p>Oppose</p> <p>This rule is ultra vires in accordance with s76 RMA and should be deleted.</p>	Delete Rule 24.4.29
Table 24.3 – Standards Standards 24.5.3-24.5.12		<p>Oppose</p> <p>It is submitted that the standards regarding building materials, size, coverage, height and all setbacks need not apply to the construction of buildings within approved building platforms, as such standards would have been considered during the consenting process for the building platform, and to allow for their assessment again is a duplication of process that unnecessarily burdens the landowner.</p>	Amend Standards 24.5.3-24.5.12 so that these standards do not apply to residential buildings that fall within the ambit of Rule 24.4.6, being residential buildings constructed within an approved building platform.
24.7 Assessment Matters			
24.7.2	<i>All proposals for controlled activities or restricted discretionary activities will also be assessed as to whether they are consistent with</i>	<p>Oppose</p> <p>The cross-references to the higher order strategic direction, urban development and landscape chapters are opposed. This provision expands the</p>	Delete provision 24.7.2

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<p><i>the objectives and policies relevant to the identified matters of control or discretion (as applicable) in this chapter 24 as well as those in chapter 3 – Strategic direction; Chapter 4 – Urban Development; Chapter 6 – Landscapes and Character and Chapter 28 – Natural Hazards.</i></p>	<p>assessment matters against which an application within Chapter 24 will be assessed, which fundamentally undermines the specific direction offered for the Wakatipu Basin Rural Amenity Zone through Chapter 24.</p>	
<p>Schedule 24.8 Landscape Character Units</p> <p>Landscape Character Unit 6 Wharehuanui Hills</p>	<p>Oppose</p> <p>The amendments made to the description of LCU 6 in Schedule 24.8 (as compared to the notified version) to reduce the listed 'capacity to absorb additional development' of the LCU from 'high' to 'high(western end) – low (eastern end)' are opposed.</p> <p>It is considered that the entirety of LCU 6 has a high capacity to absorb additional development, and the amendments made the Schedule 24.8 to change this were not supported by sufficient evidence and reasoning.</p>	<p>Amend Schedule 24.8 to delete the decision version description of LCU 6 and reinstate the notified version description, to reflect that the entirety of LCU 6 has a 'high' capacity to absorb additional development.</p>
<p>Chapter 27 Subdivision and Development</p>		
<p>Rule 27.5.9</p> <p><i>All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.</i></p> <p>...</p>	<p>Oppose</p> <p>Controlled default activity status for subdivision in the Wakatipu Basin is sought.</p> <p>It is considered unnecessary and unreasonable to require restricted discretionary consent for subdivision, where such subdivision is subject to and compliant with minimum and average lot densities, and when development is subject to various standards to ensure landscape character</p>	<p>Amend Rule 27.5.9</p> <p><i>All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.</i></p> <p>...</p>

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[Activity status: RD]	and visual amenity is maintained or enhanced. Where subdivision and development comply with these standards and minimum/average densities, enforcing a restricted discretionary subdivision regime unreasonably restricts the development rights of landowners and creates unnecessary uncertainty.	[Activity status: RD <u>Controlled</u>]																		
<p>27.6 rules – Standards for Minimum Lot Areas</p> <p><i>27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.</i></p> <table border="1" data-bbox="219 598 752 976"> <thead> <tr> <th colspan="2">Zone</th> <th>Minimum Lot Area</th> </tr> </thead> <tbody> <tr> <td>Rural</td> <td>Wakatipu Basin Rural Amenity Zone</td> <td>80ha</td> </tr> <tr> <td></td> <td>Wakatipu Basin Lifestyle Precinct</td> <td>6000m² 1.0ha minimum average</td> </tr> </tbody> </table>	Zone		Minimum Lot Area	Rural	Wakatipu Basin Rural Amenity Zone	80ha		Wakatipu Basin Lifestyle Precinct	6000m ² 1.0ha minimum average	<p>Oppose</p> <p>The 80ha minimum lot size in the WBRAZ is opposed. This is an illogical and arbitrary value that is not representative of existing landholdings in the Wakatipu Basin, which will not be able to be reasonably enforced, and which will unreasonably limit appropriate development.</p> <p>No minimum lot size in the WBRAZ is supported, in accordance with the approach taken for the Rural Zone and Gibbston Character Zone.</p>	<p>Amend 27.6 rules – Standards for Minimum Lot Areas</p> <p><i>27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.</i></p> <table border="1" data-bbox="1482 571 2145 906"> <thead> <tr> <th colspan="2">Zone</th> <th>Minimum Lot Area</th> </tr> </thead> <tbody> <tr> <td><u>Rural Wakatipu Basin</u></td> <td>Wakatipu Basin Rural Amenity Zone</td> <td><u>No minimum</u> 80ha</td> </tr> <tr> <td></td> <td>Wakatipu Basin Lifestyle Precinct</td> <td>6000m² 1.0ha minimum average</td> </tr> </tbody> </table>	Zone		Minimum Lot Area	<u>Rural Wakatipu Basin</u>	Wakatipu Basin Rural Amenity Zone	<u>No minimum</u> 80ha		Wakatipu Basin Lifestyle Precinct	6000m ² 1.0ha minimum average
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Planning Maps																				
Planning Maps 26, 29 and 13d	<p>Oppose</p> <p>Zoning the Williamson Land as Wakatipu Basin Rural Amenity Zone is opposed as this zoning does not reflect the established character of the Land as rural lifestyle in nature, and fails to recognise the capacity of the Land to absorb further appropriate development. It inappropriately limits the building rights of the landholder and does not recognise the social, cultural and</p>	<p>Adopt WBLP zoning over the parts of the Williamson Land as sought in submissions #499 and #2274 and amended in agreement with MCC, shown in Appendix C.</p>																		

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	economic benefits of rural living development.	