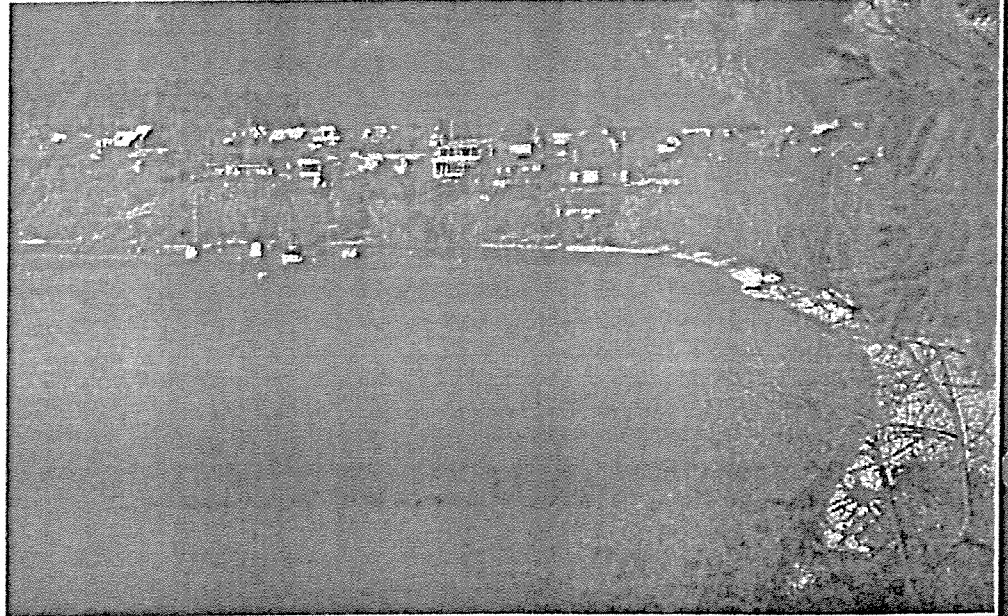


2011

**The Queenstown Low Density
Residential Zone Monitoring
Report**



Policy and Planning

Queenstown Lakes District Council

May 2011

the urban design qualities of seven subdivisions within the District. The Queenstown-specific sections of that report are attached in Appendix 3.

Overall, it found that the qualitative aspects of subdivisions at Lake Hayes Estate, Fernhill, Goldfields, and two subdivisions in Arthurs Point (including Atley Downs) ranged from Successful to Acceptable, but with room for improvement. Most of the improvements appear to relate to provisions in Section 7-Residential, not the Subdivision provisions (as currently structured).

Qualitative Assessment: Visitor Accommodation & Density provisions

Previous monitoring reports on the Low Density Residential Zone (April 2009) identified three specific provisions that were thought to be the rules that were allowing some large scale multi-unit visitor accommodation developments to locate in the Low Density Residential zone.

The 2009 report (as discussed previously above under Use Type) concluded that for large multi-unit developments, the density of development and the scale and extent of visitor accommodation that is being allowed to occur in the LDR Zone is considerably greater/ different than is anticipated in the objectives and policies and by the community, in general. This appears to be a more significant issue in Wanaka.

Specifically, this greater density and visitor accommodation activity is thought to be resulting from problems with the provisions relating to maximum density (Refer 7.5.5.2(iii), Comprehensive Residential Development (CRD) (Refer 7.5.3.4(v) and 7.5.5.2(iii)(b)), residential flats (Refer definitions) and visitor accommodation (Refer 7.5.3.4(i)). A summary of the various issues identified is provided below. These issues would be explored more fully during the District Plan Review.

The maximum density rule is in contrast to the considerably larger minimum lot sizes for the LDR zone, which range from 600m² to 1500m² per lot. The effect of this anomaly is that a 900 m² lot can not be subdivided into two but two dwellings can be erected on it as a permitted activity and it can then be subdivided into two with no restriction on how small one of the lots is. This anomaly makes it unclear as to what the District Plan considers to be an "appropriate" density and, in turn, character in the LDR Zone. Whilst the density rule is clearly having some effect on character where it is enabling two dwellings on sites which would otherwise not be able to be subdivided (in areas such as Atley Downs in Arthurs Point for example) it is perhaps having a more significant effect when used in order to increase the density of multi unit developments and particularly where the 450m² density is used in a multi unit scenario and includes a residential flat on each of these newly created sites.

In addition to the effects on character, the minimum density rule also seems to be influencing the effectiveness of the CRD provisions. Allowing a density of 1 unit per 450m² provides a relatively generous permitted baseline, from which the CRD applications are assessed and, in turn, a) may act as a disincentive to applicants to bother applying for CRD or b) limits the Council's ability to decline or influence poor proposals in that the permitted baseline is so enabling.

*The inclusion of **residential flats** in multi unit developments is enabling a clustering of high density in excess of that which is envisaged by the District Plan provisions or considered appropriate and, in turn, this often results in a built form that is out of character with that envisaged for the LDR Zone. This is essentially an issue of cumulative effects in that whilst there is an acceptance that individual dwellings or duplexes may have a residential flat, there is also a realistic assumption that not all dwellings in a street will opt to include a residential flat. As such, there is a clear distinction between the outcome anticipated by enabling*



residential flats in the LDR and that which is occurring when residential flats are included on every site within a multi unit development.

The **comprehensive residential development (CRD) rule** enables multi unit developments anywhere in the LDR zone as a discretionary activity, provided the site is over 2,000m². Whilst the council could theoretically decline applications and/ or influence the outcome, the provisions appear to lack sufficient guidance in terms of design, appropriate locations, or the management of effects on character. In turn, the provisions seem to lack the "teeth" to enable applications to be declined where they are poorly designed and/ or inappropriately located.

Trends

In many instances the LDRZ is working fine and delivering results as anticipated by the community and the District Plan

However the District Plan Review should address the following:

- When large scale developments locate in the zone, they appear to be a breach of the following policy:
3.12 To ensure the single dwelling character and accompanying amenity values of the Low Density Residential Zone are not compromised through subdivision that results in an increase in the density of the zone that is not anticipated.
- Nearly 1/3 of Resource Consent applications are granted under delegated authority; are there matters that can be clarified in the rules such that these consents could become permitted?
- How the subdivision amenity issues raised in the Urban Design Critique can be addressed most effectively.

Issues for further consideration

How can the District Plan ensure that the community gets what it has expressed it wants through the zone Objectives and Policies?

During the District Plan Review, it is recommended that:

1. Officers conduct further investigation as to how the consenting process over the past 15 years would stack up through the Effectiveness, Efficiency, and Appropriateness tests described in Appendix 2.
2. Council build on the Urban Design Critique, to clearly articulate what outcomes can be expected for neighbourhoods within the LDR Zone;
3. Definitions be considered for the many terms used to describe the desired outcomes for the zone.
4. Engagement with the community be undertaken on a neighbourhood basis to confirm desired outcomes.
5. Council continue to research effectiveness of various tools that could improve achievement of the desired outcomes, including but not limited to:

DEFINITIONS

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RESIDENTIAL FLAT	<p>Means a residential activity that:</p> <ul style="list-style-type: none"> • Consists of no more than one flat in the same ownership as the residential unit; and • Is contained within the same residential unit; and • If attached to a detached accessory building does not cover more than 50% of the total Gross Floor Area of the building containing the flat and detached accessory building; and • Contains no more than one kitchen and one laundry; and • Does not cover more than 35% of the total Gross Floor Area of the building(s) containing the residential unit and flat (but excluding accessory buildings).
RESIDENTIAL UNIT	<p>Means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a residential flat, there shall be deemed to be more than one residential unit.</p> <p>Means any land and/or buildings, or part of a building, in which meals are supplied for sale to the general public for consumption on the premises, including such premises which a licence has been granted pursuant to the Sale of Liquor Act 1989.</p> <p>Means the direct sale or hire to the public from any site, and/or the display or offering for sale or hire to the public on any site of goods, merchandise or equipment, but excludes recreational activities.</p> <p>Means the development of residential units (either detached or attached) and associated facilities for the purpose of accommodating retired persons. This use includes as accessory to the principal use any services or amenities provided on the site such as shops, restaurants, medical facilities, swimming pools and recreational facilities and the like which are to be used exclusively by the retired persons using such accommodation.</p> <p>Means an area of land over which there is registered a legal document giving rights to pass over that land to the owners and occupiers of other land.</p> <p>Includes a stream, and shall have the same meaning as in the Resource Management Act 1991.</p> <p>Means road as defined in section 315 of the Local Government Act 1974.</p> <p>Means any boundary of a site abutting a legal road (other than an accessway or service lane) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.</p> <p>Means guardian group.</p>
RESTAURANT	
RETAIL SALES/RETAIL/RETAILING	
RETIREMENT VILLAGE	
RIGHT OF WAY	
RIVER	
ROAD	
ROAD BOUNDARY	
ROOPI KAITIAKI	

RURAL SELLING PLACE	<p>Means any land, building or part of a building located in a rural or rural living zone, on or in which farm or garden produce, wine or handicrafts are offered for sale by wholesale and/or retail.</p> <p>Means a self-supporting and portable sign.</p>
SANDWICH BOARD	
SECONDARY REAR ACCESS LANE	<p>In the Mount Cardrona Station Special Zone means any road, access lane or access lot established at the time of subdivision for the purpose of providing side or rear access for vehicular traffic to any site or sites.</p>
SECONDARY UNIT	<p>In the Mount Cardrona Station Special Zone means a residential activity that:</p> <ul style="list-style-type: none"> • Consists of no more than one unit in the same ownership as the residential unit; and • Has a gross floor area of between 35m² and 60m² (excluding accessory buildings); and • Contains no more than one kitchen and one laundry; and • Is within the same certificate of title as the residential unit. <p>Means a business primarily engaged in selling pre-used merchandise and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"> • antique dealers; • auctioneers; • charity shops; • pawnbrokers; • secondhand shops; and • suppliers of: <ul style="list-style-type: none"> • demolition goods and materials; and • trade-in goods.
SECONDHAND GOODS OUTLET (Three Parks Zone)	
SERVICE ACTIVITY SERVICE LANE	<p>Means the use of land and buildings for the primary purpose of the transport, storage, maintenance or repair of goods.</p> <p>Means service lane as defined in Section 315 of the Local Government Act 1974.</p>
SERVICE STATION	<p>Means any site where the dominant activity is the retail sale of motor vehicle fuels, including petrol, LPG, CNG, and diesel, and may also include any one or more of the following:</p> <ul style="list-style-type: none"> - The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles; - Mechanical repair and servicing of motor vehicles, including motor cycles, caravans, boat motors, trailers, except that in any Residential, Town Centre or Township Zone, the mechanical repairs of motor vehicles and domestic garden equipment shall not include panel beating, spray painting and heavy