

Appendix A – Relief sought

Provision (PDP decision version)	Reason for appeal	Relief sought									
Chapter 24 Wakatipu Basin											
<p>Policy 24.2.1.1</p> <p><i>Require an 80 hectare minimum net site area be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.</i></p>	<p>Oppose</p> <p>An 80ha minimum lot size in the WBRAZ is opposed and consequentially this policy should be deleted.</p>	<p>Delete policy 24.2.1.1</p>									
<p>Policy 24.2.1.10</p> <p><i>Enable residential activity within building platforms created prior to 21 March 2019 subject to achieving appropriate standards.</i></p>	<p>Support in part</p> <p>The inclusion of a policy recognising existing building rights is supported, however the policy should not be date limited, as all approved development within the Wakatipu Basin should be enabled.</p>	<p>Amend Policy 24.2.1.10:</p> <p><i>Enable residential activity within <u>approved</u> building platforms created prior to 21 March 2019 subject to achieving appropriate standards.</i></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="208 1002 831 1436"> <thead> <tr> <th data-bbox="208 1002 320 1082">Rule</th> <th data-bbox="320 1002 696 1082">Table 24.1 – Activities in the WBRAZ</th> <th data-bbox="696 1002 831 1082">Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="208 1082 831 1129">Residential activities and buildings</td> </tr> <tr> <td data-bbox="208 1129 320 1436">24.4.6</td> <td data-bbox="320 1129 696 1436"> <p><i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on the applicable Computer Freehold register before 21 March 2019.</i></p> <p><i>Control is reserved over:</i></p> </td> <td data-bbox="696 1129 831 1436">C</td> </tr> </tbody> </table>	Rule	Table 24.1 – Activities in the WBRAZ	Activity status	Residential activities and buildings			24.4.6	<p><i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on the applicable Computer Freehold register before 21 March 2019.</i></p> <p><i>Control is reserved over:</i></p>	C	<p>Oppose</p> <p>The Wakatipu Basin Variation introduces rules (and supporting provisions) for the construction of buildings which undermine the building rights of landowners established under the ODP. For example, in Section 8 of the ODP the construction of any building (subject to site and zone standards) was a controlled activity, regardless of whether construction occurred within an approved building platform. It is considered unreasonable and unjustified to now undermine those existing building rights through the PDP regime, as landowners have relied on these rights when purchasing land and making development decisions, and there is no valid effects based argument for the change.</p>	<p>Amend Table 24.1 (and consequentially amend related provisions) to provide for activities which were permitted or controlled activities under the ODP Rural Residential Zone to also be permitted or controlled under the PDP WBRAZ – for example, any construction, alteration and addition to a building which would have been a controlled activity under Section 8 of the ODP should be enabled as a controlled activity in the WBRAZ and WBLP through the Chapter 24 rules.</p>
Rule	Table 24.1 – Activities in the WBRAZ	Activity status									
Residential activities and buildings											
24.4.6	<p><i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on the applicable Computer Freehold register before 21 March 2019.</i></p> <p><i>Control is reserved over:</i></p>	C									

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	<ul style="list-style-type: none"> a. Landscape character; b. Visual amenity values c. Access; d. Infrastructure; e. Landform modification, landscaping and planting (existing and proposed). 		
24.4.7	<p>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.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Landscape character; b. Visual amenity values; c. Access; d. Infrastructure; e. Landform modification, landscaping and planting (existing and proposed); f. Natural hazards. 	RD	
24.4.8	<p>The construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable Computer Freehold Register on a site where there is such a building platform.</p>	NC	

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<p>Building Size and Building Coverage</p> <p>Rule 24.5.4 - Building Size</p> <p><i>Where a residential building is constructed within a building platform under Rule 24.4.6, the ground floor area of all buildings must not exceed 500m².</i></p> <p>[non-compliance: RD]</p> <p>Rule 24.5.5 Building coverage</p> <p><i>The ground floor area of all buildings not subject to Rule 24.5.4 must not exceed 15% of net site area, or 500m² ground floor area, whichever is lesser.</i></p> <p>[non-compliance: RD]</p>	<p>Oppose</p> <p>Amendments are sought to both rules so that the building size and coverage standards are assessed per individual building, to ensure the standards are not overly restrictive and provide for planning flexibility.</p> <p>Further, the non-compliance status is amended to controlled to reflect the ODP position. The 500m² maximum ground floor area is considered an arbitrary restriction that limits the development of larger dwellings without landscape or planning reasoning. It is submitted that suitable residential development depends more on building design that building size – within the Wakatipu Basin there are likely to be many circumstances where larger buildings can be accommodated into the surrounding environment whilst achieving positive landscape and planning outcomes.</p>	<p>Should the rules and associated provisions of Chapter 24 not be amended to provide for existing building rights established under the ODP Rural Residential Zone, amend Rules 24.5.4 and 24.5.5 as follows:</p> <p>Rule 24.5.4 - Building Size</p> <p><i>Where a residential building is constructed within a building platform under Rule 24.4.6, the ground floor area of all buildings <u>any individual building</u> must not exceed 500m².</i></p> <p>[non-compliance: RD <u>Controlled</u>]</p> <p>Rule 24.5.5 Building coverage</p> <p><i>The ground floor area of all buildings <u>any individual building</u> not subject to Rule 24.5.4 must not exceed 15% of net site area, or 500m² ground floor area, whichever is lesser.</i></p> <p>[non-compliance: RD <u>Controlled</u>]</p>
<p>24.6 Non-notification</p> <p><i>Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:</i></p> <ul style="list-style-type: none"> a. Rule 24.5.4 Building Size. b. Rule 24.5.5 Building Coverage. c. Rule 24.5.6 Setback from internal boundaries. d. Rule 24.5.7 Height of buildings. e. Rule 24.5.8 Setback from roads. f. Rule 24.5.10 Setback from Escarpment, Ridgeline or River Cliff Feature. 	<p>Oppose</p> <p>There is no justification for requiring that applications which breach the building size and coverage standards should be notified. As discussed, buildings larger than 500m² can be accommodated into the surrounding environment and maintain landscape character and amenity values, when they are well designed. Where standards such as height and setbacks are complied with, it is not considered that a breach of the size and coverage standards will affect the amenity of neighbours or the public so as to require public or limited notification.</p>	<p>Amend 24.6 Non-notification:</p> <p><i>Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:</i></p> <ul style="list-style-type: none"> a. Rule 24.5.4 Building Size. b. Rule 24.5.5 Building Coverage. c. Rule 24.5.6 Setback from internal boundaries. d. Rule 24.5.7 Height of buildings. e. Rule 24.5.8 Setback from roads. f. Rule 24.5.10 Setback from Escarpment, Ridgeline or River Cliff Feature.

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<p><i>g. Rule 24.4.16 Retail sales of farm and garden produce and wine, where the access is onto a State Highway.</i></p>		<p><i>g. Rule 24.4.16 Retail sales of farm and garden produce and wine, where the access is onto a State Highway.</i></p>																		
<p>24.7 Assessment Matters 24.7.7 Non-residential activities</p>	<p>Support in part</p> <p>Rule 24.4.22 that provides for community activities in the WBRAZ as a discretionary activity is supported.</p> <p>However, amendments are required to the assessment matters to include assessment criteria which require community activities to be for the principal purpose of benefiting the local community.</p> <p>Given the broad definition of community activities, this criteria will ensure that activities operating in the WBRAZ genuinely benefit the community and fit within the established surrounding environment.</p>	<p>Insert new assessment criteria into 24.7.7 that ensure that community activities occurring the WBRAZ must be for the principal benefit of the local community and that the benefits can be clearly identified and demonstrated.</p>																		
<p>Chapter 27 Subdivision</p>																				
<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 1038 752 1412"> <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>In the WBLP an <u>average</u> density approach is proposed, with 4000m² as the average minimum. This minimum is appropriate for the WBLP as it reflects existing land use and provides for an appropriate degree of limited further development, which can be regulated by the standards proposed in Chapter 24 to maintain landscape character and amenity values.</p> <p>An <u>average</u> minimum as opposed to a minimum lot size allows for flexible design-led and innovative patterns of subdivision and development which leads to optimal landscape outcomes and better utilisation of land.</p> <p>The 80ha minimum lot size in the WBRAZ is</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="1525 1086 2168 1412"> <thead> <tr> <th colspan="2">Zone</th> <th>Minimum Lot Area</th> </tr> </thead> <tbody> <tr> <td>Rural <u>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 4000m² minimum average 1.0ha minimum average</td> </tr> </tbody> </table>	Zone		Minimum Lot Area	Rural <u>Wakatipu Basin</u>	Wakatipu Basin Rural Amenity Zone	<u>No minimum</u> 80ha		Wakatipu Basin Lifestyle Precinct	6000m² 4000m ² minimum average 1.0ha minimum average
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	<p>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>	
Planning Maps		
Planning Maps 13d and 26	<p>Oppose</p> <p>Zoning of the Land as Wakatipu Basin Rural Amenity Zone is opposed as this zoning does not reflect the actual established character of the Land and surrounding area as rural residential 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 economic benefits of rural living development.</p>	<p>Delete the Variation and Map 13d and rezone the Land as Rural Residential Zone, as sought in submission #444.</p> <p>In the alternative, rezone the Land to Wakatipu Basin Lifestyle Precinct, subject to the amendments to Chapter 24 sought in this appeal.</p>
Chapter 22 Rural Residential and Rural Lifestyle		
Further, additional and Consequential amendments	<p>The relief sought above in relation to Chapter 24 is also sought in relation to Chapter 22 (or similar relief) should the Land be rezoned to Rural Residential.</p>	<p>Should the relief sought to rezone the Land to Rural Residential Zone be accepted, make any further, additional or consequential amendments necessary to achieve the relief sought in this appeal and the relief sought in the original submission, in relation to the</p>

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		provisions of Chapter 22.