

SECTION 32 REPORT

PROPOSED PLAN CHANGE 15

VARIATION 1 TO PROPOSED PLAN CHANGE 13

MACKENZIE DISTRICT PLAN

SECTION 32 REPORT
PROPOSED PLAN CHANGE 15
VARIATION 1 TO PROPOSED PLAN CHANGE 13

CONTENTS	Page
1. Introduction	1
2. Background to Plan Change & Variation	1
3. Consultation	2
4. Concepts for Twizel	2
5. Proposed Plan Change Provisions & Section 32 Assessment	3
5.1 Ruataniwha Rowing Zone	4
5.2 Special Travellers' Accommodation Zone, Twizel	6
5.3 Twizel Rural-Residential 1 & 2 zones	8
5.4 Hocken Lane Rural-Residential zone	14
5.5 Residential 3 & 4 zones	19
5.6 Mackenzie Park	23
5.7 Change of zoning from Tourist to Residential 1, Ostler Road	26
5.8 State Highway 8/Ostler Road Corner Rezoning	27
5.9 Deferred Industrial zones - Ohau/Ostler Road	29
5.10 Business Zone amendments – Twizel Village Centre and commercial development	31
5.11 Additional Recreation A and Recreation P areas	34
5.12 Additional Stormwater & Sewage provisions	37
5.13 Extension of Outdoor Lighting Restriction Area	39
5.14 Extension of Mackenzie Basin Subzone boundary	40
5.15 Ostler Fault Hazard Area	43
Appendix A Map of Area of Plan Change 15 & Variation 1 to PC 13	
Appendix B Aerial Photo – Subdivisions and Applications Received by Council	
Appendix C Lot sizes of Subdivisions and Applications, Twizel	
Appendix D Variation 1 to PC13 – Map of Mackenzie Basin Subzone	
Appendix E Documents/Matters Considered	

1. INTRODUCTION

Proposed Plan Change 15 (PC15) has been prepared following a period of growth and development at Twizel. The following report outlines the background to the Plan Change and contains a summary of the evaluation of objectives, policies, rules and methods in accordance with section 32 of the Resource Management Act 1991.

As part of the proposal for the Twizel area, a variation associated with this Plan Change is required to the Council's Plan Change 13, for which decisions were released on 5 September 2009. The variation is to extend the Mackenzie Basin Subzone boundary to include an area of land west of Twizel. Sections 5.14 and 5.15 of this report contain an analysis of that proposal in accordance with section 32 of the Act.

2. BACKGROUND TO THE PLAN CHANGE & VARIATION

Twizel and its outskirts have experienced a period of growth in residential and rural-residential development, and the Council has undertaken a review of the zonings within and around Twizel to accommodate this development. This Plan Change (PC15) and Variation 1 to PC 13 have been prepared following a series of reports, consultation exercises, and a strategic planning study undertaken by the Council over a period of years beginning in 2003.

The Council embarked on this review initially in conjunction with a wider review of its provisions governing rural subdivision and development in the Mackenzie Basin. Much of the background work to both Plan Changes was undertaken together. In December 2007 Plan Change 13 was notified, which deals with matters of landscape and development in the rural zone in the Mackenzie Basin. Following notification of that PC, the intention was to complete the background work and proceed to notify PC15, relating to the area around Twizel, and then proceed to hear and decide submissions on both PCs at the same time.

However, there were a number of issues arising from PC13 which prompted the Council to proceed with the hearing of submissions on PC13, rather than delay the hearing and the release of decisions on PC13 to allow PC15 to 'catch up'. The intent was to provide certainty to landowners affected by PC13 as soon as practicable.

PC13 as notified included much of the area around Twizel in the newly created Mackenzie Basin Subzone, as an interim management measure while PC15 was to be drafted. The Council in its decision on PC13 however redefined the boundary to exclude areas adjacent to Twizel, on the basis that these areas were best considered in the context of the Twizel PC, rather than as part of the wider Mackenzie Basin. The area covered by this PC 15 is shown on the map attached at Appendix A.

A series of studies, reports and other documents were considered in the development of the Plan Change. A list of these is appended at Appendix E.

3. CONSULTATION

In 2003-4 an extensive consultation exercise was undertaken with the Twizel community with the aim of providing for the growth of Twizel. A strategic document titled “Twizel – the Future Starts Today – A Framework for Twizel’s Future” was produced in February 2004. This generated a series of actions including investigations of a possible Plan Change.

In 2006-7 Council staff and consultants drafted a series of proposals which were consulted on with affected landowners. Proposed rezoning and plan change provisions were then further developed, and general public submissions and hearings held on the proposals. In 2007 the Council made decisions on some of the content for the draft Plan Change, and areas where further information was needed were identified. Further information was then obtained on outstanding matters such as servicing requirements, landscape, and natural hazards. At this time the Twizel Community Board developed and released a Greenways Strategy, which was incorporated in to the drafting of the PC.

In 2009-10, further targeted consultation was undertaken on the draft provisions with the following parties, with respect to their areas of interest:

- Minister for the Environment (in accordance with Clause 3 of the First Schedule)
- Environment Canterbury
- Te Runanga O Ngai Tahu
- Te Runaka O Arowhenua
- Te Runaka O Waihao
- A. Hocken, Mackenzie Properties Ltd
- S & P Cameron, Ben Ohau Station
- R & T Gutschlag
- J. Silva, Avlis Ltd
- K & T Ritchie, Lake Ruataniwha Holiday Park - Kuraton Investments Ltd
- P. Bell, South Island Rowing Incorporated
- Department of Conservation – Twizel Area Office
- Twizel Community Board
- Assets Manager, Mackenzie District Council
- Reserves Manager, Mackenzie District Council

4. CONCEPTS FOR TWIZEL

A series of themes relating to Twizel’s development emerged out of the Council’s consultation and the development of its Plan Change. These can be generally expressed as follows:

- (a) Keeping the town’s centre as the focal point;
- (b) Protecting and enhancing the recreation and the greenway system as a feature of the town;

- (c) Recognising that there is no longer a ‘hard’ edge to Twizel in terms of the urban-rural split;
- (d) Following natural and physical boundaries as logical limits to development – SH8, Twizel River, Lake Ruataniwha, Ostler Fault;
- (e) Concentrating more intensive development where servicing is efficient and landscape issues are minor i.e. existing town, and south to lake (Mackenzie Park/Batcher Block);
- (f) Following up existing development with zoning support (efficiency);
- (g) Moving from ‘compact urban’ to ‘spacious urban’ to rural-residential, to full rural (subzone);
- (h) Providing for a variety in density of development, lot sizes/residential living.

The Plan Change reflects these key concepts.

5. PROPOSED PLAN CHANGE 15 PROVISIONS & SECTION 32 ASSESSMENT

Section 32 of the Act requires an evaluation of the extent to which each objective is the most appropriate way to achieve the purpose of the Act. Section 32 also requires an evaluation of whether the proposed policies, rules and methods are the most appropriate for achieving their objective, and in this assessment regard must be had to the effectiveness and efficiency of these. For the purposes of this assessment, effectiveness is taken to mean the extent to which something achieves the desired result, or in this case the proposed objectives. Efficiency is taken to mean where the benefits outweigh the costs, either immediately or over time.

The following report summarises the evaluation undertaken in respect of each matter addressed by the Plan Change, where amended or new provisions are proposed. As noted above, a series of reports, proposals and consultation exercises has been undertaken prior to the adoption of the proposed Plan Change provisions for notification. In doing this, the Council considered options in relation to each matter listed above. The summary below contains an assessment of relevant objectives, and then policies and rules for each of the proposed matters covered by the PC (either new provisions or amendments to existing provisions). This is followed by general consideration of other options for each matter.

Set out below is a summary of the evaluation undertaken by the Council.

5.1 Ruataniwha Rowing Zone

The proposed Plan Change introduces a new Special Purpose Zone in Chapter 9 of the Plan, called the Ruataniwha Rowing Zone (RRZ). This Special Purpose zone is shown on Planning Map 55. The zone encompasses 26 hectares of land owned by South Island Rowing Incorporated, adjacent to Lake Ruataniwha at Twizel. This area is currently zoned Rural under the present District Plan.

The purpose of introducing this new zone is to recognise the importance of the rowing venue and facilities to the township and the District, and to provide for buildings and facilities to support this. The maintenance of public access is also a matter provided for in this new zone, given its location and importance to the community.

5.1.1 Assessment of Objectives

The Proposed Plan Change introduces a new objective, as follows:

To recognize and provide for the importance of the Ruataniwha rowing course and associated facilities, by enabling ongoing use and development at the site while ensuring that adverse effects including those on the Lake and its margins, and on public access, are avoided, remedied or mitigated.

This objective provides for specific recognition of and support for the rowing activity that is significant to the area and has a functional need to locate adjacent to the Lake. It provides clear support for activities already established, while allowing for management of adverse effects of activities including those on the Lake and its margins, and on public access. Section 6 and 7 matters that arise at this site include public access, natural character, and the maintenance and enhancement of amenity values. The proposed objective requires consideration and appropriate management of these matters.

5.1.2 Assessment of Policies

PC 15 introduces four new policies for this zone, as follows:

- 1 To provide for appropriate development and maintenance of the Ruataniwha Rowing Zone, in accordance with the site plan at Appendix B.*
- 2 To ensure that public access to the site and the margins of Lake Ruataniwha is safeguarded.*
- 3 To ensure that new and existing buildings and facilities are visually recessive, and do not impinge on the open space or visual amenity of the site and the adjacent Rec P area and lakeside.*
- 4. To ensure that any development in the Ruataniwha Rowing Zone is adequately serviced.*

The policies proposed in the Ruataniwha Rowing Zone specifically recognise the activities that occur and the values to be protected at the site, both of which are specific to this area and do not exist elsewhere in the District. Each policy serves to implement relevant parts of the stated objective for the zone.

5.1.3 Assessment of Rules and Other Methods

A series of new rules are introduced to implement the policies, which allow activities that support or are integral to rowing events that have minor effects as a permitted activity. Development and layout of the site is to be in accordance with a specified site plan, which replaces a previous site plan already in the District Plan at Appendix B. Consent is required as a restricted discretionary activity for those activities that are not in accordance with the updated site plan. Restricted discretionary activity status will also apply to activities that are not otherwise specified as permitted activities, but are directly in support of or integral to rowing.

Any other activity or building not provided for becomes a non-complying activity, as does commercial visitor accommodation that is not related to rowing events or activity. Subdivision is also non-complying.

The proposed zone rules and site plan are efficient in that they allow activities with less than minor effects which specifically facilitate rowing, without unnecessary need for resource consent. Activities that are likely to have more than minor effects are clearly identified as non-complying activities. This results in efficiencies for both the consent authority and applicants, who have a clearer understanding of the type of development that is appropriate in this zone, and its location (identified in the updated site plan at Appendix B of the Plan). Over time, the costs to parties will be reduced compared with the present Rural zone provisions, as the policies and rules are specific and introduce clarity as to management of effects.

5.1.4 Assessment of Alternatives

The Council could choose to leave the zoning of the site as it is at present, which is Rural. However this is considered to be neither efficient or effective. The site is not in rural use, and its present zoning does not provide a useful or appropriate framework for managing the type of activities which actually occur at the site. The site plan which is in the current Plan at Appendix B is out of date, and the information on it is no longer correct.

Rural zoning would not achieve adequate protection of section 6 and 7 matters which are relevant at this site, including public access, natural character, and the maintenance and enhancement of amenity values. For example, under the present rural provisions, subdivision could be undertaken as a controlled activity with no minimum lot size. This leaves the Council very little ability to appropriately recognise and provide for Part 2 matters and manage adverse effects.

It is considered that the creation of a specific new Special Purpose Zone for this land is more appropriate than the current general Rural zoning. The description in the Plan for Special Purpose Zones is as follows:

Throughout the District there are a number of areas within which a specialist activity is undertaken. There are also existing or potential activities and developments which are of such significance that they require special recognition in this District Plan.

Both of these statements clearly apply to the South Island Rowing land, as the rowing activity is a specialised activity, and is of national and regional significance as well as to the District. It is therefore appropriate to provide for it as such in the Plan.

5.2 Special Travellers' Accommodation Zone, Twizel

The area of land occupied by the Lake Ruataniwha Holiday Park at Twizel will be rezoned to Special Travellers Accommodation Zone, which is an existing zoning within the Plan. The site is currently zoned Rural.

The site is located on the northern side of Lake Ruataniwha. The intent is to provide for low-density accommodation at the site, with easy access to the lake. It is intended that this zone will utilise the existing camp ground to provide open camping areas for tents and campervans plus cabins and chalets.

5.2.1 Assessment of objectives

The Proposed Plan Change introduces a new objective for the Twizel STAZ, as follows:

Recreation objective 4 – Special Travellers' Accommodation Zone – Twizel

An area of low-density visitor accommodation activity including camping grounds, cabins and chalets near Lake Ruataniwha, achieved in a visually recessive manner from the lake and surrounding recreation zones.

This objective is intended to provide a clear basis for management of appropriate development, given the location of this site and surrounding values. It addresses section 6 and 7 matters including natural character, amenity values, and the efficient use of natural and physical resources. These matters are relevant considerations in this zone, given its proximity to the Lake and highly valued recreation land adjacent.

5.2.2 Assessment of Policies, Rules and Other Methods

The following new policies are proposed for the Twizel STAZ zone:

- 1 To provide for a variety of new and existing low density tourist accommodation facilities, mainly focused on camping activities.*
- 2 To ensure that new and existing accommodation facilities in this area are visually recessive, and do not impinge on the open space or visual amenity of the adjacent recreation zones and Lake Ruataniwha.*

- 3 *To provide for accommodation related facilities that will not detract from use of retail opportunities in the town centre.*

The policies proposed in the Twizel STAZ specifically recognise the activities that occur and the values to be protected at the site. Each policy serves to implement relevant parts of the stated objective for the zone.

A series of new rules are introduced with the intention of allowing activities supporting camping activity, picnic facilities and recreational walkways. Visitor accommodation for up to 8 people and associated facilities are restricted discretionary activities, in order to allow the Council to consider matters important at the site, such as visual effects, servicing, scale and location. Restricted discretionary status allows some certainty for the applicant, and encourages good design and siting of such facilities. Controls on scale, appearance and density are included, to ensure the site retains high levels of amenity and landscape values, given its location adjacent to recreation land and the lake. Retail sales and larger scale accommodation activities are fully discretionary. Any other activity or building not provided for becomes a non-complying activity. Subdivision is also non-complying.

The proposed policies and rules are expected to be effective in ensuring development at the site is achieved in the manner set out in the objective. They are enabling in that they support the current land use, while providing for site specific management of activities with potentially significant adverse effects in the context of the values at the site and the surrounding environment.

The PC promotes efficiency by permitting activities relevant to the operation of the site that have less than minor effects, without unnecessary need for resource consent. The Council seeks to retain discretion over activities where matters such as scale, appearance and location may need to be carefully controlled in order to achieve the objective of low density and visually recessive development.

Activities that are likely to have more than minor effects are clearly identified as non-complying activities. This results in efficiencies for both the consent authority and applicants, who have a clearer understanding of the type of development that is appropriate in this zone.

Costs to parties are likely to be reduced as the policies and rules are specific and introduce clarity as to management of effects. The benefits include appropriate protection of natural character in relation to the zone's lakeside setting, landscapes, visual and amenity values, and the enabling of appropriate use and development of facilities at the site.

The policies and methods are therefore considered to be the most appropriate way to achieve the objective for the zone.

5.2.3 Assessment of Alternatives

The Council could choose to leave the zoning of the site as it is at present, which is Rural. However this is considered to be neither efficient or effective. The site is not in rural use, and its present zoning does not provide a useful or appropriate framework for managing the type of activities which actually occur at the site.

Rural zoning would not achieve adequate protection of section 6 and 7 matters which are relevant at this site, including natural character and the maintenance and enhancement of amenity values. For example, under the present rural provisions, controls on building height and appearance of buildings reflect rural zone amenity, rather than the visually recessive, low-scale, low density type visitor accommodation that the objective seeks to achieve. If the site were to be left Rural, subdivision could be undertaken as a controlled activity with no minimum lot size, and buildings could be built to 9m height as a permitted activity. This leaves the Council very little ability to manage potentially significant adverse effects. Neither does it recognise and provide for the campground's operation. It is therefore considered neither efficient or effective to retain the present rural zoning.

5.3 Twizel Rural-Residential 1 & 2 zones

The proposed PC introduces new Twizel Rural-residential 1 & 2 zones, situated to the west and south of the township. Since the 1990s there has been significant rural-residential development adjacent to Twizel, and these zones specifically provide for such development by introducing objectives, policies and rules for their management. The proposed minimum lot size for Rural-Residential 1 zone is 1 hectare, and the minimum lot size for Rural-Residential 2 zone is 4 hectares (as controlled activities).

There has been a number of subdivision applications received by the Council in recent years which provide for significant areas of essentially rural-residential development in the area west of Twizel. Attached at Appendix B is a map showing approved subdivisions and applications for subdivision consents received by Council. Appendix C shows the lot sizes of these developments. These applications for subdivision are a controlled activity in the Rural zone and must be approved by Council under the present Rural zone provisions in the District Plan.

The Council has had to weigh up the appropriateness of rezoning large areas of land for rural-residential use when the demand for such a large number of sections may be limited. The existence of these applications and approved consents, as well as consultation with the relevant landowners, was a significant factor in the Council's decision to rezone these areas for rural-residential purposes.

The Council recognises that the providing for rural-residential development by introducing these new Rural-Residential 1 & 2 zones is desirable in that it provides for a range of alternative living environments in Twizel, and allows for efficiencies in terms of servicing, and maintenance of linkages to community facilities and services. Provision of the Rural-Residential 1 and 2 zones will ensure that rural-residential development is undertaken in a way that ensures connections with the adjacent town are maintained, areas of hazard risk are avoided, and potential effects on the landscape are contained. The rural-residential zones also provide a transition in development intensity between Twizel's suburban area and the Mackenzie Basin subzone in the west, and acts as a buffer at this interface. Rezoning of these areas for specific rural-residential use is intended to assist in minimising the potential for remote and ad-hoc development. While it is recognised that there is a resultant loss in the area of rural land, the subject land is not at present used for productive rural uses.

The proposed provisions are considered to be appropriate in terms of giving effect to the Canterbury Regional Policy Statement. Policy 7 of Chapter 12 Settlement and the Built Environment of the RPS is of particular relevance. The policy is as follows:

The development and expansion of rural towns should enable people and communities to provide for their wellbeing, health and safety, and have particular regard to the efficient use and development of natural and physical resources.

The Explanation to the Policy further notes:

The development and expansion of rural towns should have regard to the efficient use of existing resources including sewerage, water reticulation, stormwater drainage and electrical and telecommunication systems.

The proposed new Rural-residential 1 and 2 zones are considered to give effect to the relevant provisions of the RPS, for the reasons set out below.

5.3.1 Assessment of Objectives

The following objective applies to the Rural-Residential 1 & 2 zones:

*Objective 1 – protection of soils, water quality, landscape, and amenity
Development within the Rural-Residential 1 & 2 zones which avoids or mitigates adverse effects of activities on water and soil quality, preserves amenity, open space and landscape values, and reflects the character of Twizel and the surrounding area.*

This objective is considered the most appropriate way to provide for the protection of natural and physical resources including landscapes and amenity values in the Rural-Residential 1 and 2 zones. The objective provides for the achievement of rural-residential activity in a location that is appropriate for such development, while managing its effects.

The objective clearly communicates to decision makers where and what type of rural residential activity is anticipated within the PC area. It is achieved through the implementation of the zone policies, and through rules relating to land use and subdivision.

An additional objective for management of activities that may occur in the zones is also introduced, as follows:

*Objective 3 - Non Residential Activities
Non-residential activities in rural-residential areas which are necessary to meet the needs of people and the community but do not detract from the amenity and safety of the area.*

This objective allows for non-residential activities in these zones, provided they do not detract from specified values of rural-residential areas. It allows people and communities to provide for their economic wellbeing, in a manner that ensures amenity and other values will be sustained.

The existing objectives in Section 13 Subdivision are all relevant to consideration of subdivision in the new Twizel Rural-Residential 1 and 2 zones. The Plan's existing objectives

are general in nature and relate to all subdivision. There is no proposal to change these as part of PC15, as they are felt to be the most appropriate to achieve the purpose of the Act in these zones, in their current form.

Of particular note is an existing objective in respect of subdivision design, as follows:

Subdivision - Objective 6 – Design And Location

The avoidance of adverse environmental effects associated with subdivision design and location.

A new policy relating to the implementation of this objective in the Rural-Residential 1 and 2 zones is discussed below.

5.3.2 Assessment of Policies

The proposed PC brings in a series of policies to implement the objectives outlined above. Policies relating to Objective 1 are as follows:

Policy 1A: To create high quality living environments which retain a dominance of open space over buildings, and to achieve built development that is compatible with the landscape and natural character of the zones and their surrounds through controls on density, coverage and reflectivity.

Policy 1B: To provide where possible for the protection of views and outlook from Rural-residential 1 & 2 zones in terms of landscape values including spaciousness and panorama.

Policy 1C: The colour of buildings should complement colours which predominate in the surrounding landscape.

Policy 1D: To avoid or mitigate adverse effects on soil and water quality through effective and sustainable stormwater and sewage treatment and disposal.

Policies 1A – C seek to achieve a high level of amenity by setting out standards to be met at the time of development. The policies will ensure that the standard of development within the zones is consistent within each zone and maintains the values of the natural setting and surrounds. They provide certainty for residents in relation to the anticipated character and amenity of the zones, and provide a base line for assessing activities which do not meet permitted activity conditions.

Policy 1D includes a requirement to carefully manage stormwater and sewage disposal to avoid adverse effects on the environment. The costs of infrastructure will be met by developers and landowners at the time of development, rather than ratepayers.

The following policies apply to management of specific activities within the Rural-Residential 1 & 2 zones, as follows:

Policy 3A - Forestry, Factory Farming, Industrial, Mining And Noxious Or Unpleasant Activities

To discourage the establishment of factory farming, forestry, mining, industrial, and noxious or unpleasant activities in rural-residential zones, due to their potential to adversely affect the pleasantness and amenity of rural-residential areas.

Policy 3B Visitor Accommodation -

To enable the establishment of visitor accommodation activities in the Rural- Residential 1 & 2 zones in a manner that protects and is compatible with the rural-residential character and amenity of the respective zone, and avoids, remedies or mitigates adverse effects.

Policy 3C - Home Based Employment

To enable home based employment to occur in rural-residential zones provided the pleasantness and amenity of rural-residential areas is maintained.

Policy 3D – Farming and Keeping Of Animals

To provide for farming and the keeping of animals within the Rural-Residential 2 zone and the Hocken Lane Rural-Residential zone, and to ensure any farming activity in the Rural-Residential 1 zone avoids, remedies or mitigates adverse effects on the amenity and residential character of the Rural – Residential 1 zone.

These policies are efficient in that they set clear limits in terms of appropriate development and provide certainty as to non-residential activities in the rural-residential zone. They assist in ensuring the highest level of rural residential amenity is retained for the least cost, because they are considered prior to the establishment of any activity. Potential costs to external parties in terms of noise, fumes, odours, shading, dust, vibration, and glare will be avoided.

In terms of subdivision, a new Policy 2 is introduced in the subdivision chapter to implement Subdivision Objective 6, as follows:

To ensure subdivision and development in the Residential zones and the Rural-Residential 1 & 2 zones in Twizel have regard to community coherence and linkages with Twizel.

The explanation of this proposed policy notes that this seeks to ensure... “*that development in the residential and rural-residential areas of Twizel is designed to provide for integration with the town, including linkages with the town and its services and facilities. These linkages can include roading, open spaces and greenways including cycleways and/or pedestrian walkways.*”

The policy is designed to encourage rural-residential development within those zones to take advantage of the benefits of close proximity to Twizel township, by designing subdivisions to provide linkages with existing services, accessways and facilities. This encourages efficient outcomes in terms of uses of existing infrastructure, savings in energy usage, reduction in effects on the environment and landscapes, and encouraging the expansion and enhancement of the town’s cycleway and walkway network where possible. It is an effective way of achieving the objective by seeking to avoid adverse effects associated with subdivision design and location.

All other subdivision provisions (objectives and policies) in the Plan are felt to be appropriate and effective in their current form, in achieving the purpose of the Act in respect of the Rural-Residential 1 and 2 zones.

5.3.3 Assessment of Rules and Other Methods

Subdivision in the Rural-Residential 1 zone is a controlled activity where lots are a minimum of 1 ha, and all standards for subdivision are met. This includes a requirement that the lots are fully serviced by reticulated water and sewer. Subdivision in the Rural-Residential 2 zone is also a controlled activity with a 4 ha minimum lot size, subject to the specified standards. Servicing for water is to be reticulated, but sewage disposal can be via on-site systems where appropriate.

A new standard for controlled activity subdivision is proposed to apply to subdivision in the Twizel Rural-Residential 1 and 2 zones, as follows:

6.f *Concept Plan*

For subdivision and development in the Residential 3, Residential 4, Rural-Residential 1 and Rural-Residential 2 zones, a plan shall be provided as part of resource consent applications which shows the overall concept for the development, including addressing the following:

- (a) Principal through roads, connections with the surrounding road network and relevant infrastructure and services;*
- (b) Parks and any other land to be set aside for recreation;*
- (c) The distribution of different residential densities;*
- (d) Pedestrian walkways and cycleways both within and adjoining the area to be developed, and linkages with existing walkways and/ or cycleways*
- (e) Proposals for stormwater management, including any land required for stormwater treatment, retention and/or drainage paths;*
- (f) Areas of landscaping/planting, and/or buffer zones;*
- (g) Information regarding staging and/or coordination of the development, if appropriate;*
- (h) Any other information which is relevant to an understanding of the development.*

This is to be provided at the time consent is applied for. This standard is a primary subdivision standard, and as such, if such a plan is not provided then the activity becomes a non-complying activity.

The provision of a concept plan is considered to be an effective way of ensuring that subdividers and developers consider appropriate subdivision design to meet the policies outlined above, and that linkages and efficiencies are incorporated in to design as much as possible. The costs of complying with the requirement rest with the applicant in providing this information. This standard ensures more effective implementation of relevant objectives and policies relating to subdivisions design, stormwater management, linkages and greenways, servicing, etc. It allows the consent authority to review the subdivision in an integrated way, and reduces the potential for ad-hoc development.

Rules for the Twizel Rural-Residential 1 and 2 zones provide for residential and some economic activity on the sites that will have minor effects, while ensuring maintenance of

amenity values and the character of the zones. Residential activity, visitor accommodation and homestays for up to 6 guests, home occupations and limited retail sales are permitted activities in the Rural-Residential 1 and 2 zones, subject to standards including density, setbacks, reflectivity, access, and traffic generation. The standards imposed serve to protect the different character of each of the zones. This is efficient in that it allows a number of activities with minor effects to be undertaken without need for consent, while ensuring the character of each zone is maintained.

More intensive activity such as retail, commercial, and larger scale visitor accommodation activity which are likely to have increased effects or effects not normally anticipated in the rural-residential zone, are provided for as discretionary activities. Activities which are more likely to result in adverse effects on the environment, including the character of the zones, are non-complying activities. These include forestry, mining, industrial, and noxious activities. The regulatory controls proposed will ensure that adverse effects are properly considered at the time of consent, and potential for adverse effects on the community or environment are avoided or mitigated at the cost of the proposer/applicant.

Farming activities are a permitted activity in the Rural-Residential 2 zone, as the proposed minimum lot size is 4 ha. However in the Rural-Residential 2 zone, this is a discretionary activity given the lot size is restricted to 1 ha. This is because the effects of farming in the smaller lot sizes may be more significant, especially in the Rural-Residential 1 zone where comparatively higher levels of residential amenity can be expected.

Planting of certain species of trees is prohibited in both zones by Rule 1.6.1. This rule is consistent with other rules controlling potential wilding spread introduced in PC13 for the rural zone, to protect landscapes and the natural environment. The species listed in the rule are considered to have significant potential to spread as wildings. There are a number of other options for amenity plantings which do not present the same risk to the environment. The costs of this rule are low given there are other options available. Avoidance of this risk is therefore the most appropriate approach, given the significant difficulty and cost of mitigation and remediation of the wilding problem in the Mackenzie.

5.3.4 Assessment of Alternatives

The Council could choose to do nothing, and leave the proposed Rural-Residential 1 & 2 zones as Rural, as at present. However, this would be inefficient in respect of the areas that have already been subject to rural-residential development, as the current rural zoning is no longer a suitable 'fit' for the activities undertaken on the site. For land that is not yet developed but where consents have been sought and must be approved as a controlled activity, the same situation arises, in that smaller titles for rural-residential use rather than for farming activity are being created.

For the one strip of land proposed to be rezoned to Rural-Residential 1 that is not yet subject to a resource consent application, (land immediately west of south North West Arch), retention of Rural zoning at this site is a possibility. However it would seem illogical to retain Rural zoning for what would become an isolated strip of land, as it is unlikely on its own to form an economic rural unit and is surrounded by residential and rural-residential land uses. The landowner has indicated that rural-residential development is planned, given its

proximity to the town and services etc. Rural zoning would leave future rural-residential proposals on this land in a policy vacuum.

Rural zoning imposes little regulatory control on this type of subdivision and land use in the rural zone, which is indeed how the current situation has arisen. If a management framework for rural-residential development is not provided through zoning, further ad-hoc development may result which impacts both the natural and physical environment. It can affect water quality, landscape character, amenity values and natural character. A series of separate and unintegrated subdivision proposals may also result in demand for infrastructure provision which is untimely, expensive and inefficient. Ad hoc and unplanned settlement patterns may conflict with the community's expectations and investment in infrastructure.

The Council could choose to rezone much more limited areas of land for rural-residential use in order to address the question of demand and restrict potential oversupply, and leave the rest of the area zoned Rural. However given the approved subdivisions and controlled activity consent applications already before the Council, this would be a highly problematic alternative. It would be difficult to establish which sites are suitable candidates for rezoning over any other, and in any event, all existing applications are able to be proceeded with and subdivisions completed. Indeed, leaving the area zoned as rural does not, as has been demonstrated in the past, preclude further rural-residential development.

5.4 Hocken Lane Rural-Residential zone

The Hocken Lane Rural-Residential zone is a new zone introduced as part of PC 15. It is situated north of Twizel, and covers an area of approximately 147 hectares. Hocken Lane at present contains 20 lots, with a variety of lot sizes ranging from approximately 1.6 ha to 32.6 ha. It has a predominantly rural-residential feel. The Twizel Water Supply Protection Area (TWSPA) covers approximately half the area of the zone. The TWSPA is overlaid on the planning maps, and denotes the area up-gradient of the Council's three wells that draw water for the town supply.

The establishment of a zone specific to this area is considered to be necessary and appropriate in order to manage the issues and risks associated with the site, and to assist in avoiding unsustainable future rural-residential development. Residential development in Hocken Lane presents a number of management issues for the Council. It is considered that allowing further development under the existing framework may be unsustainable given the area is subject to flood hazard, is not serviced by reticulated sewage disposal, has a high water table, and has a large number of existing sections with legal access off a small right of way (the legal width varies from 20m to 4.5m along its length) where there are the associated complexities with maintenance and traffic safety. Retrospective 'fixes' for the current issues may be complex and costly for the Council to address.

The approach proposed for Hocken Lane should be seen in conjunction with the Council's wider policies in moving to open up alternative areas for rural-residential development adjacent to the town (the Twizel Rural-Residential 1 and 2 zones), where problems of flooding/hazard, access, potential impacts on Twizel's water supply, and matters of landscape do not arise. More appropriate forward planning for the efficient provision of access and

services meeting required standards can be achieved much more readily in the other areas proposed for rezoning.

The provisions below essentially require that, given the alternatives available, further subdivision in Hocken Lane will only be allowed where all of the issues described above can be fully and sustainably addressed. However, dwellings already approved through previous subdivisions/consents will be allowed to be built as a permitted activity without further scrutiny (subject to provisions for the Twizel Water Supply Protection Area.)

5.4.1 Assessment of Objectives

Objective 2, applying to the Hocken Lane Rural-Residential Zone, is as follows:

To avoid unsustainable rural-residential expansion and development in the Hocken Lane Rural-Residential zone.

The objective sets a relatively high test for future development in Hocken Lane, in terms of the outcome sought for rural-residential development in the proposed zone. However, it is considered such an objective better meets the purpose of the Act, given the issues facing future development at this site. Relevant matters in terms of Part 2 of the Act include the health and safety of people and communities, sustaining the potential of natural and physical resources to meet the needs of future generations, and safeguarding the life-supporting capacity of water and soils.

The objective is considered to be appropriate in terms of giving effect to the Canterbury Regional Policy Statement. Policy 2 of Chapter 12 Settlement and the Built Environment is of particular relevance in this zone. The policy relates to the use of land for urban development and notes that the physical expansion of settlements should be discouraged where such use would result in the contamination of sources of drinking water (among other things).

Objective 3 relating to non-residential activities outlined above in the Rural-Residential 1 and 2 zones also applies to Hocken Lane RRZ. Refer above for analysis of that objective.

The existing objectives in the subdivision chapter of the Plan are all relevant to consideration of subdivision in the new Hocken Lane RRZ. While all objectives apply, of particular relevance in this zone are the provisions of Objective 1, which aims for the provision of necessary services including safe and efficient access to subdivided allotments, and Objective 5, which requires the avoidance of subdivision in localities where there are significant natural hazards, unless these can be mitigated without significant adverse effects on the environment. There is no proposal to change these as part of PC15, as they are felt to be the most appropriate to achieve the purpose of the Act in respect of Hocken Lane, in their current form.

5.4.2 Assessment of Policies

The PC proposes a corresponding policy 2A to implement new Objective 2 above, as follows:

Hocken Lane Rural-Residential Zone - Policy 2A:

To allow further subdivision and development in the Hocken Lane Rural-Residential Zone only where it is demonstrated that:

- (a) protection of buildings and sewage treatment and disposal facilities from flood hazard will be achieved; and*
- (b) appropriate and sustainable servicing including access, water supply, stormwater and sewage treatment and disposal is ensured; and*
- (c) adverse effects on water quality and the Twizel Water Supply will be avoided; and*
- (d) adverse effects on traffic safety and access will be avoided; and*
- (e) adverse effects on landscape and natural character will be avoided or mitigated.*

This policy provides clarity and certainty to those parties wishing to undertake additional rural-residential activity within this zone by listing the specific matters that will be considered in deciding any application. It provides specific guidance to the decision maker as to what is or is not appropriate development in the zone, given the issues that exist.

The costs of providing information on these matters to satisfy the policy will fall on the individual applicant, and as it is likely that expert advice will be needed on a number of the matters listed above, the costs may be significant. The proposals may result in a loss of individual subdivision and development options for landowners. However, the potential risks to property, safety, water quality and Twizel's water supply from poorly planned development at the site are considered to outweigh the costs of fully examining those matters at the time development is proposed. Additionally, the Council has provided for other areas where rural-residential lifestyle options are available (the Rural-Residential 1 and 2 zones), where issues of flooding, servicing, and access do not arise.

The benefits of such a policy are that future potential costs to landowners and the community may be avoided by ensuring developments are carefully designed and considered, and unsustainable development is avoided. All parties proposing development will have clarity in relation to the potential barriers to development at the site and what is required to overcome them.

There are a number of existing policies in the subdivision chapter of the Plan which will apply to subdivision in the Hocken Lane RRZ. There is no proposal to amend or add to these policies, as it is considered that they remain the most efficient and effective way of achieving their respective objectives. There is no additional benefit in adding additional policies in this chapter that would be specific to Hocken Lane, as the policies listed allow for appropriate consideration of adverse effects that may arise from subdivision activity. These policies will be applied in conjunction with new Policy 2A listed above.

5.4.3 Assessment of Rules and Other Methods

The PC proposes that future subdivision in the Hocken Lane RRZ would be a non-complying activity. Section 104D of the Act requires that applications for non-complying activities only be approved where they are not contrary to the objectives and policies of the plan, or alternatively the consent authority must be assured that the activity will have no more than minor adverse effects on the environment. The costs of this assessment will fall on the applicant. This activity status is considered the most effective way to implement the policies outlined above, and in particular, new Policy 2A.

This approach, while it may be costly to an applicant, is intended to avoid future cost to the landowner and/or community of what may be expensive retrospective 'fixes' for adverse effects that were not appropriately considered/managed at the time of development. The significance of potential effects and the cost of creating development that may be unsustainable, or that places individuals or communities at risk, are felt to outweigh the cost to applicants of complying with the rules where additional development is proposed.

In the Hocken Lane RRZ, residential buildings on lots already in existence at the time of the PC will be allowed to be built as a permitted activity, subject to compliance with the standards in 2.7. This is considered efficient as at the time of creation of each existing title, issues of flooding and hazards were addressed via consent notices on each lot, which remain applicable. The Council therefore could be said to have turned its mind to residential use of each allotment at the time it approved the subdivisions creating the lots. It would be inefficient and inequitable to revisit this decision. The exception to this is residential buildings that do not meet permitted activity standard 2.7.11, which covers buildings that fall within the Twizel Water Supply Protection Area (TWSPA). The TWSPA covers approximately half of the area within the zone. This standard effectively only permits buildings where they can connect to a reticulated system. No such system is yet available in that area, so residential dwellings on those lots would become a non-complying activity. This is the same as the present Rule in the Plan, and it is considered essential to carry it over in to the new zone in order to protect Twizel's water supply. The potential risks to this water supply could be very significant, with widespread effects should it become compromised.

The PC proposes a height limit for buildings in this zone that can be built as a permitted activity, of 9m. This is 1m higher than that allowed in other rural-residential zones, to provide for the potential need to raise floor heights in response to flood risk.

Any additional residential development is made a non-complying activity, in order that future development is carefully planned and unsustainable residential activity is avoided. Visitor accommodation and homestays are also non-complying, given the risk of hazards in the Hocken Lane RRZ, and the potential for increased exposure to risk from these activities. Application of the policy listed above to these activities will also ensure that effects from increased traffic and servicing issues can be fully considered.

Activities which are more likely to result in adverse effects on the environment, including the character and amenity of the Hocken Lane RRZ, are also non-complying activities. These include forestry, mining, industrial, and noxious activities. The regulatory controls proposed will ensure that adverse effects are properly considered at the time of consent, and potential for adverse effects on the community or environment are avoided or mitigated at the cost of the proposer/applicant.

Activities such as farming activities and home occupations are permitted activities, as any effects of these can be managed through the standards imposed, and they are by nature generally not inconsistent with rural-residential amenity. There are some controls on earthworks in riparian areas, to ensure consistency with the present protections for riparian margins that apply in the Plan.

Planting of certain species of trees which have the potential for wilding spread is prohibited by Rule 2.6.1. This is consistent with the proposed rule in the Rural-Residential 1 and 2 zones. See explanation in that section above.

5.4.4 Assessment of Alternatives

The Council could choose to do nothing, and leave the area zoned as Rural. Under the current Rural rules, subdivision and rural-residential development is likely to be a discretionary or non-complying activity, based on one or more of three rules that apply at present. These rules are outlined below.

Currently under the present rural zoning, subdivision in the Hocken Lane RRZ would be subject to an existing rule under which access to more than 6 lots or residential units is required to be by way of a road and not a private right of way. This makes any further subdivisions which propose to use the existing access from the ROW in Hocken Lane a restricted discretionary activity.

In addition, under the rural zone rules, any residential unit within the Twizel Water Supply Protection Area that does not connect to the Council's reticulated system is a non-complying activity pursuant to Rule 3.4.2 of the Plan. There is no reticulation at present in the Hocken Lane area. The water protection area covers approximately half the area of Hocken Lane closest to Glen Lyon Road. It is noted that there are still quite a few properties that are outside of the protection area that would not be affected by this rule.

Hocken Lane is within a flood risk area identified in the planning maps. Under the subdivision rules, any subdivision within a flood risk area is a restricted discretionary activity.

Under the current provisions applying to Hocken Lane, there are potentially a number of effects of subdivision and residential development which may be caught by various rules. Thus these activities would be considered each on their individual merits, with little policy guidance in the current plan. It is preferable to achieve integrated management by considering the overall effects of development in the area, and providing an overarching policy for its management. This is more efficient and is likely to be more effective in achieving the objective.

Continuing to allow future subdivision and rural-residential development as a restricted discretionary activity is unlikely to result in integrated management of all potential adverse effects in terms of future development at the site. It is more likely to result in costs to landowners and/or the community which may be unacceptably high, by exacerbating existing issues which are already problematic.

The Council could choose to further contain the potential for adverse effects by preventing houses on all lots not yet built on. While this would provide some protection in terms of natural hazards and overcome some servicing issues, it would seriously affect many landowners who have bought sections with the intention of building. This is not considered appropriate.

5.5 Residential 3 & 4 zones

PC 15 introduces two new residential zones to the District Plan. Currently there are two residential zones in the Plan, Residential 1 and Residential 2. PC15 introduces a new Residential 3 zone, with a minimum lot size of 2000m² and Residential 4, which has a minimum lot size of 4000m².

These zones are intended to ensure efficient development of residential land in Twizel, and provide opportunities for different lifestyle options in residential living. Traditionally Twizel had small residential sections grouped closely together around the town's centre (shops, park and school). This type of town plan is known as the 'Radburn' plan. This layout initially had a defined urban edge to the residential sections, looking on to large scale open rural land. To the west, an area of land known as North West Arch was subsequently developed with larger lot sizes and serviced to residential standards. Larger lot sizes also occur north of Glen Lyon Road, which have retained a rural outlook to the north and are fully serviced.

Further more recent residential development has occurred to the northwest and southwest of Twizel, in the rural zone. Developments with larger lot sizes have been created which do not reflect the traditional Residential 1 density, but instead provide a feeling of increased spaciousness and openness. Attached at Appendix B is a map showing the location of these developments, and Appendix C indicates the relative lot sizes. The existence of these subdivisions, as well as consultation with the relevant landowners, was a significant factor in the Council's decision to rezone these areas for Residential purposes, rather than leave the developments zoned as Rural.

The previously well defined edge to Twizel, in particular to the south and west of the township, has softened as a result of recent subdivision and development. There is now a transition from more compact urban form around the town's centre, to more spacious urban character, to rural-residential development, leading to the open spaces of the Mackenzie Basin. Residential 3 and 4 zoning occurs as part of this transition. The new zones achieve urban growth and consolidation in a locality that is appropriate for such development. The new zones can be fully serviced and the costs of infrastructure will be met by the development.

5.5.1 Assessment of Objectives

The District Plan has two existing objectives which will apply to the new Residential 3 and 4 zones. These are as follows:

Maintenance of the pleasantness, amenity and safety of residential areas and maintenance and protection of the surrounding natural and physical environment.

Non-residential activities in residential areas which are necessary to meet the needs of people and the community but do not detract from the amenity and safety of the area.

These objectives allow people and communities to provide for their wellbeing while ensuring natural and physical resources are sustained and protected. They apply equally appropriately to the new Residential 3 and 4 zones, and are therefore unchanged.

In respect of subdivision in the Residential 3 and 4 zones, the District Plan has an existing objective in respect of subdivision design which is relevant to the new zones, as follows:

Subdivision - Objective 6 – Design And Location

The avoidance of adverse environmental effects associated with subdivision design and location.

This is a general objective applying to all subdivision. It is implemented in the Residential 3 and 4 zones by a new policy, which is discussed further below. All other objectives in the subdivision section are considered to be relevant and appropriate in respect of subdivision in the new Residential 3 and 4 zones, and are therefore unchanged. Additional objectives would be of no further benefit in achieving sustainable management of such development in these zones.

5.5.2 Assessment of Policies

Objective 1 will be implemented by a new Policy 1D in the Residential 3 and 4 zones. This policy is as follows:

Residential Policy 1D - Residential 3 & 4 Zones

To provide for low-density residential areas in the Twizel township that:

- (a) offer a spacious urban character and high quality living environment;*
- (b) reflect the character of Twizel and the surrounding area;*
- (c) ensure an essentially low density, low scale suburban living environment, with plantings where appropriate;*
- (d) protect areas of amenity and linkages with adjacent zones;*
- (e) are healthy, environmentally sustainable, and functionally efficient.*

Setting out the desired characteristics of the zones in the policy is considered an efficient and effective way to achieve the objective. There are benefits in ensuring that the Residential 3 and 4 development has linkages with the town in terms of efficiency of servicing, amenity, and community cohesiveness. These zones will promote development around the existing town close to the town's centre, with associated proximity to community facilities and services. This promotes energy-efficiency and ensures efficient use of infrastructure. Costs of such a policy are low, as existing developments are largely considered to meet this policy, and new developments can be designed to achieve these at the outset. Benefits therefore include consistency of standards of development.

Policies 2A – 2E set out the approach to management of non-residential activities in all residential zones. These will apply unchanged to the Residential 3 and 4 zones, as they consider all relevant aspects of non-residential activities and their effects on residential use in general. They are felt to be efficient and effective in achieving the objective, in their current form. There are no additional costs of implementing the policies in the new zones.

In terms of subdivision, a new Policy 2 is introduced to implement existing Objective 6 in the new Residential 3 and 4 zones in Twizel, as follows:

To ensure subdivision and development in the Residential zones and the Rural-Residential 1 & 2 zones in Twizel have regard to community coherence and linkages with Twizel.

The explanation to this proposed new policy notes that this seeks to ensure...*“that development in the residential and rural-residential areas of Twizel is designed to provide for integration with the town, including linkages with the town and its services and facilities. These linkages can include roading, open spaces and greenways including cycleways and/or pedestrian walkways.”*

The policy is designed to encourage residential development within those zones to take advantage of the benefits of close proximity to Twizel township, by designing subdivisions to provide linkages with existing services, accessways and facilities. This encourages efficient outcomes in terms of uses of existing infrastructure, savings in energy usage, reduction in effects on the environment and landscapes, and encouraging the expansion and enhancement of the town’s cycleway and walkway network where possible. It is an effective way of achieving the objective in respect of avoiding potential adverse effects associated with subdivision design and location.

All other existing subdivision provisions (objectives and policies) in the Plan are felt to be appropriate and effective in achieving the purpose of the Act in the Residential 3 and 4 zones. It is unnecessary to introduce new policies relating to those subdivision matters, as the Council’s policies are general in nature and apply across all zones.

5.5.3 Assessment of Rules and Other Methods

The status of activities in the new Residential 3 and 4 zones is largely consistent with those in the Residential 1 and 2 zones, in order to achieve consistency in maintaining residential amenity. For the Residential 3 and 4 zones, given the larger lot sizes and more spacious character of those zones, there are increased setbacks to maintain the individual character of each zone. Building height and coverage also differ, to preserve the characteristics of each zone.

Residential activity, home occupations, and visitor accommodation for up to 6 people are permitted activities in the Residential 3 and 4 zones, as in the existing Residential 1 and 2 zones. Any other unspecified activities are permitted provided they meet a set of stringent standards. Activities not meeting standards are discretionary or non-complying, consistent with existing Residential zone provisions.

A new standard is proposed for residential and visitor accommodation development in the Residential zones chapter, requiring all units located within the Twizel Water Supply Protection Area (TWSPA) to be connected to the Council’s reticulated sewage disposal system. This is required because some of the land that falls within the TWSPA will be rezoned from its current Rural zoning, to the new Residential 4. This standard has therefore been deleted from the Rural chapter and included in the Residential (and Hocken Lane RRZ) chapter.

All of the lots in the proposed new Residential 4 zone are connected to, or are able to connect to the Council system, so this should not cause additional costs to any party, except to ensure connections are made upon further subdivision or development. As described above in the Hocken Lane RRZ, it is imperative that Twizel’s water supply remain unaffected by contaminants from additional development in these new zones. The costs of not doing so could be very high, to individuals and the community. Therefore residential type activity

proposed in the TWSPA that does not connect to the reticulated system is a non-complying activity.

All existing standards for residential subdivision apply to the new Residential 3 and 4 zones. However an additional standard for controlled activity subdivision is also proposed, which will apply to subdivision in the new Residential 3 and 4 zones, as follows:

6.f Concept Plan

For subdivision and development in the Residential 3, Residential 4, Rural-Residential 1 and Rural-Residential 2 zones, a plan shall be provided as part of resource consent applications which shows the overall concept for the development, including addressing the following:

- (a) Principal through roads, connections with the surrounding road network and relevant infrastructure and services;*
- (b) Parks and any other land to be set aside for recreation;*
- (c) The distribution of different residential densities;*
- (d) Pedestrian walkways and cycleways both within and adjoining the area to be developed, and linkages with existing walkways and/ or cycleways*
- (e) Proposals for stormwater management, including any land required for stormwater treatment, retention and/or drainage paths;*
- (f) Areas of landscaping/planting, and/or buffer zones;*
- (g) Information regarding staging and/or coordination of the development, if appropriate;*
- (h) Any other information which is relevant to an understanding of the development.*

This is to be provided at the time consent is applied for. This standard is a primary subdivision standard, and as such, if such a plan is not provided then the activity becomes a non-complying activity.

The provision of a concept plan is considered to be an effective way of ensuring that subdividers and developers consider appropriate subdivision design to meet the policies outlined above, and that linkages and efficiencies are incorporated in to design as much as possible. The costs of complying with the requirement rest with the applicant in providing this information. This standard ensures more effective implementation of relevant objectives and polices relating to subdivisions design, stormwater management, linkages and greenways, servicing, etc. It allows the consent authority to review the subdivision in an integrated way, and reduces the potential for ad-hoc development.

5.5.4 Assessment of Alternatives

Providing for higher density of development by allowing smaller lot sizes for each of the Residential 3 and 4 zones was an alternative open to Council. This may have represented a more efficient option in terms of servicing and infrastructure. However, the nature of more recent development and subdivision patterns in the areas adjacent to the traditional Residential 1 zones is one of larger sections which enjoy spaciousness, increased privacy, and higher levels of amenity. Smaller lot sizes would not achieve this.

It is considered to be more efficient to zone the sites to support current usage and density, to preserve the character of existing development such as North West Arch and the wider

pattern of development in Twizel. There is simply not the demand for additional smaller sections in these locations given the supply of rezoned land that will be available as a result of the PC.

Alternatively, the council could have chosen to leave the land zoned as it is at present, which is Rural. This would be inefficient in that it would not recognise the residential nature of the existing and consented land use. Leaving rules protecting rural amenity and values unchanged would not reflect the existing pattern of development and the level of servicing required to ensure that adverse effects on the environment are avoided or mitigated.

5.6 Mackenzie Park

PC15 includes provisions relating to the rezoning and management of a large area of land south of Ostler Road, known as Mackenzie Park (also known as the “Batcher Block”). The area is shown on Planning Maps 54 and 56.

The Mackenzie Park site is proposed to be rezoned from Rural zoning to Residential 1 and 3 zones, Recreation A & P zone, and Traveller’s Accommodation zone. The site is to be developed in accordance with a concept plan provided by the developer for the whole area. The concept plan will be included as Appendix S to the Plan, called “Mackenzie Park Development Plan”. This will guide the location and type of development at the site.

An area of land known as Mackenzie Park Stage 1, which refers to an existing residential development, is discussed separately in section 5.7 below.

5.6.1 Assessment of Objectives

All of the existing objectives relating to the Residential 1, Recreation and Traveller’s Accommodation zones in the Plan will apply to the respective areas of land in Mackenzie Park. These are considered to be appropriate as they are relevant and suitable for the new zones in Mackenzie Park, in their current form.

The proposed new Objectives for Residential 3 zones will also apply to the Residential 3 zones in Mackenzie Park. These are discussed in Section 5.5 above.

5.6.2 Assessment of Policies, Rules and Other Methods

Concept Plan

A new concept plan will be inserted at Appendix S called the Mackenzie Park Development Plan. The implementation of that plan is achieved by a new standard to be inserted in the subdivision rules, as follows:

6.g *Mackenzie Park Concept Plan, Twizel*

Any development within the Mackenzie Park Residential 1 & 3, Recreation A & P, and Travellers Accommodation zones shall be in general accordance with the concept plan in Appendix S.

The Mackenzie Park Development Plan sets out the developer's long term plans for the land. The benefits of such a long-term plan being included in the PC are that proposals for the land, which is significant to Twizel's growth and development, are understood by the community. The development of this land will be guided by this overarching plan, resulting in coordinated and integrated development. Efficiencies in planning for development and servicing the area can be gained by the inclusion of such a plan.

Recreation Zones

The concept plan indicates various areas to be set aside and rezoned for recreation purposes. Land for walkways and cycleways are also proposed. These are important linkages given the location of the site between the town's centre and Lake Ruataniwha, and given the community's desire for greenways and walkways to be protected and enhanced as a result of such development. The developer proposes to set aside land for active recreation such as sports fields, and proposes to construct an artificial lake in the centre of the site. The cost of construction of the lake and adjacent recreation areas will be met by the developer. These green areas, playing fields and the proposed lake will enhance the amenity of adjacent residential and traveller's accommodation zones.

All existing provisions for the Recreation zones will apply to the proposed Recreation A & P areas. However, an additional and specific rule is proposed for the Recreation A zone in Mackenzie Park. The PC introduces a provision requiring consent as a discretionary activity for earthworks in this zone at Mackenzie Park. It does not apply to any other Recreation A zones in the Plan.

This is proposed because the Council is aware that there is an area of potentially contaminated soil at this site, and appropriate management and remediation will be required prior to land use being established. The most efficient and effective mechanism to achieve this is to require discretionary consent prior to any earthworks occurring or the construction of any facilities, in order that remediation can be planned and undertaken appropriately and in accordance with expert advice. General effects from earthworks can also be considered, in order to protect the amenity or neighbouring residential properties. The costs for obtaining such a consent and undertaking any remediation of the site fall on the landowner/developer. The benefits of ensuring public health and safety and safeguarding the quality of the environment are felt to outweigh any costs of imposing this provision. There are significant risks if no such further assessment in relation to contamination is required.

All other relevant Rec A and P zone provisions will apply unchanged to these zones in Mackenzie Park. Those provisions are discussed in Section 5.10 below.

Residential zones

The PC proposes to rezone approximately 64 hectares of Mackenzie Park from Rural to Residential 1 zone. The Residential 1 zone is characterised in the District Plan as being of medium density and scale, with ample open space around buildings. This zone makes up the majority of the traditional residential areas in the District's townships. In Twizel, the Residential 1 areas are based on the 'Radburn' town plan, with residential activity planned

around, and in close proximity to the central ‘hub’ of the towns centre. Most of the land in Twizel zoned Residential 1 is already occupied by dwellings or buildings, with few undeveloped sections remaining.

Given the existing development pattern of the town, it is difficult to provide for further Residential 1 land repeating the present town plan/layout, i.e. in close proximity to Market Place, while preserving the distinctiveness and the amenity of existing residential areas. Providing for additional Residential 1 zoned land further away from Market Place is therefore proposed.

The proposed rezoning of land to Residential 1 in Mackenzie Park ensures that there is land available for future Residential 1 development that can be fully and efficiently serviced. The site is in close proximity to transport routes and is accessible to the town’s centre by roads and pedestrian linkages. There is an area of land in Mackenzie Park south of Ostler Road that already has residential development to Residential 1 standards on it (Mackenzie Park Stage 1, see section 5.7 below).

The existing policies and rules for the Residential 1 zone will apply to the proposed Residential 1 land at this site. These are felt to be the most efficient and effective in their current form for achieving the objectives for Residential 1 development, and no changes are felt to be necessary. This ensures consistency of development standards in the township, and there are no effects arising from such residential development at this particular site which require additional or amended provisions.

Provisions for the area of proposed Residential 3 zone in the Mackenzie Park development are discussed in Section 5.5 above.

Travellers’ Accommodation Zone

The PC rezones an area of land adjacent to the proposed artificial lake at Mackenzie Park as Traveller’s Accommodation (TA) zone. This zone provides for visitor accommodation and residential activity as a permitted activity, and is intended to take advantage of the lake frontage as a feature of the site. Retail activities such as cafes and boat hire shops would be discretionary activities.

As well as all existing provisions for the Traveller’s Accommodation zone, an additional and specific rule is proposed for this TA zone in Mackenzie Park. The PC introduces a new Rule 6.4.2.b providing for residential activities as permitted activities on this site provided they meet Residential 2 zone standards already specified in the Plan (with the addition of a larger setback from the Rec P zone containing the proposed artificial lake). The rule allowing residential development to Residential 2 standards will not apply to any other TA zones, which require residential activity to be in accordance with Residential 1 provisions.

This is proposed because the developer wishes to provide for higher density and multi-unit residential activity on the site. This is an efficient use of the site as it maximises the benefit of its lakefront location. Residential 1 standards would not achieve this. All other relevant Traveller’s Accommodation zone provisions will apply unchanged to this zone in Mackenzie Park.

5.6.3 Assessment of Alternatives

The site has been identified by Council as a suitable area for future higher density residential growth at Twizel, given its location and existing linkages with the existing township. Mackenzie Park is able to be serviced to Residential 1 standards, and its proximity to existing services make the proposal an efficient use of this land. In terms of alternative areas for such growth, there are physical limitations in areas north and east of the town, being the Twizel River and State Highway 8. Growth beyond those physical ‘boundaries’ would be subject to number of potentially significant issues including flooding, protection of significant landscapes, and potential costs of servicing. Growth in those areas is likely to be less efficient in respect of higher costs of development, and may not achieve the purpose of the Act in respect of Part 2 matters including landscape and natural character.

Areas to the west of the township have been developed as lifestyle residential and rural-residential areas. Given the previous demand for such lifestyle options, the maintenance of this more spacious and open character in this area to the west is considered desirable.

For these reasons, Mackenzie Park is considered the most suitable site for future more intensive residential development, in accordance with the concept plan.

If Mackenzie Park were to be left as its present Rural zoning, this would allow subdivision and residential development to be undertaken as a controlled activity, in any part/s of the site. However rural zoning provides little policy guidance as to appropriateness of and standards for residential development, and allows the Council to exercise little control over staging and location within the area. Issues of adequate and appropriate services including sewage reticulation and roading/traffic effects that may arise from more intensive residential land use are not anticipated in the rural zone provisions. Given the proposals for development of the land, leaving the site zoned rural would result in inefficiencies in the consent process and could result in potential adverse effects on the environment.

5.7 Change of zoning from Tourist to Residential 1, Ostler Road

The proposed Plan Change seeks to rezone an area of residential development known as Mackenzie Park Stage 1, located on the south of the golf course on Ostler Road, Twizel. The site has already been constructed as a residential development, with most lots having dwellings on them at present.

The present zoning of the site is Tourist. Under Tourist zoning, the subdivision was a controlled activity and residential use a permitted activity (subject to standards being met). The developer has developed the site to Residential 1 standards.

5.7.1 Assessment of Objectives

The existing objectives for Residential 1 zone will apply to this area of land. This is felt to be the most appropriate given the site has already been developed and is in residential use.

5.7.2 Assessment of Policies, Rules and Other Methods

The existing policies and rules for the Residential 1 zone will apply unchanged to this area of land as a result of the rezoning. These are felt to be the most efficient and effective in their current form for achieving the objectives for Residential 1 development, and no changes are felt to be necessary. New policies and methods are unnecessary as this land is already developed to Residential 1 standards and there are no effects arising from such development at this particular site which require additional or amended provisions.

5.7.3 Assessment of Alternatives

The site could be left as its present Tourist zoning. However this would be neither efficient nor effective in respect of the actual land use at the site. One potential effect is the reduction in land available for tourist type development, but the site is already effectively 'lost' to such uses in any event. The loss of this site to potential tourist development are not considered significant, as there are other areas of land zoned for tourist use that are as yet undeveloped.

5.8 State Highway 8/Ostler Road corner rezoning

PC15 proposes to rationalise the zoning of this area, which is located west and southwest of the intersection of Ostler Road with State Highway 8. The area currently contains the Department of Conservation workshop, Meridian Energy Limited's workshops/storage sheds, a café and retail building, Areva T & D buildings, and Alpine Energy substation. The proposed amended zoning for the area is shown on Planning Map 54.

The zoning is currently a mix of Recreation P, Industrial, Rural, and Tourist zoning. The majority of the area is zoned industrial at present, with Recreation P land on the eastern side of the area adjacent to SH8. The Rec P land occurs on both private and Council land. There is a strip of Tourist zoning through the middle of the Rec P zoned land, which also runs through the middle of two privately owned sections.

No tourist-based activities or development has occurred on the site, and it is proposed that this strip of Tourist zoning be removed. The PC also proposes that the area of Recreation P land is modified so that it applies to the Council-owned land only, around the eastern and north-eastern boundaries of the site. The remainder of the site is to be rezoned Industrial.

Meridian Energy Ltd owns a section of land that contains workshops and storage sheds, in the south of this area. The Meridian land parcel falls within a number of zones, being Tourist, Rec P, Industrial, and Rural. It is proposed to reduce the complexity imposed by the current zoning by including the Meridian land in the single Industrial zone at the site.

5.8.1 Assessment of Objectives

The PC proposes that the objectives for the Industrial zone will apply to this area of land, rather than the various Industrial, Rural, Recreation P, and/or Tourist zone objectives. This is

felt to be the most appropriate given the nature of the usages at the site. Business Objective 1 is particularly relevant in respect of the proposed rezoning, as it requires as follows:

Objective 1 - Consolidated and convenient business areas and the efficient use of buildings, land and infrastructure in business areas.

The proposed rezoning achieves rationalisation of the various mix of zonings, and consolidation of industrial-type activities.

The Council-owned land will be subject to the objectives in the Recreation P zone. This strip is identified as an important linkage in the Greenway Strategy for Twizel. The present objective for the Rec P zone will most appropriately achieve the purpose of the Act in respect of this strip of land.

5.8.2 Assessment of Policies, Rules and Other Methods

The existing policies and rules for the Industrial zone, as well as those proposed to be introduced in PC 15 (see section 5.10 below), will apply to this area of land as a result of the rezoning. These are felt to be the most efficient and effective for achieving the objectives with respect to Industrial development, and no additional changes are felt to be necessary in relation to this area. The proposed rezoning to a single Industrial zone better reflects the nature of the site, provides for efficiencies in infrastructure and forward planning, and achieves consolidation of industrial-type activity.

The existing Recreation P policies and rules will continue to apply to the Council-owned land around the perimeter of the Industrial zone, as well as to the small additional area of Council land being rezoned Rec P. This will achieve the protection of recreation values at the site, and continuation of a greenways linkage adjacent to the State Highway and Ostler Road which was identified in the Twizel Greenways Strategy.

As the privately owned land at this site is being rezoned from Rec P to Industrial, there will be an overall reduction in Rec P land available at this site. However the loss of this land is not felt to be significant, given the retention of the Council land as Rec P and the small extension of this zoning on the Council land. The rezoning will ensure an appropriate and important linkage is maintained as identified in the Greenways Strategy., while allowing efficient use of the private land adjacent.

5.8.3 Assessment of Alternatives

In terms of the strip of land zoned Tourist, this area could be left as its present Tourist zoning. However this would be neither efficient nor effective in respect of the actual and surrounding land uses at the site. One potential effect of the proposal is a reduction in land available for tourist type development. However the loss of this site to potential tourist development is not considered significant as there are other areas of land zoned for tourist use that are as yet undeveloped.

The Council could also choose to leave the present area of Recreation P zoned land, which would theoretically provide an increased area for public and recreational use of the land at the site. However, the nature of actual land uses at the site are not suited to recreational zoning.

The owners of the private land intend to and have developed commercial and industrial type activities across the existing Rec P land. The continuation of the existing Rec zoning would be inefficient in light of this. Further, the retention of the Rec P zoning on the Council land sufficiently safeguards an important greenway linkage around the perimeter of the area. The costs of retaining this zoning on the private land are therefore potentially high for the landowners, while adding little overall benefit.

The Meridian Energy land could be left as it is at present, which is split zoning of a small area of Industrial, Recreation P, and Tourist zoning, with the majority being Rural zoning. The compliance situation in terms of individual rules that apply to Meridian's single land parcel does not promote efficiency, nor would it be possible to effectively achieve the objectives and policies with respect to each zone on one individual section of this type. In general, it is considered that rationalisation of the zoning to a single zoning reflecting the land use at the site is highly desirable, from an administrative and practical point of view. The framework in the Plan for managing the effects of Industrial activities is much more suited to the activities that occur on this land. The present zoning does not promote efficiency, nor is it effective in achieving the objectives for the respective zones.

5.9 Deferred Industrial zones - Ohau/Ostler Road sites

The Plan Change proposes to rezone two areas of land adjacent to the Ostler Road/Ohau Road intersection from their current zoning of Rural (west of Ohau Road) and Recreation A (east of Ohau Road), to Industrial (deferred). These areas are shown on proposed Planning Map 54.

There is a need to identify appropriate areas in Twizel for the future growth of industrial activity. These particular areas of land have been identified by Council as potential sites for industrial use since 2006. The area west of Ohau Road proposed for rezoning contains the Twizel landfill, which is now closed. The site east of Ohau Road is on the south side of Man Made Hill.

The deferment of the zoning at these sites is considered appropriate as the likely demand for industrial development within the township can be met by the existing industrial zone already available, which is largely undeveloped. The deferment will be lifted when the Council is satisfied that services have been or can be provided to appropriate standards within each deferred area. This will ensure that the zoning is enacted at a time that servicing and development is considered to be an efficient use of these industrial areas.

The purpose of zoning these sites for industrial use now is to ensure that land is set aside for such development, to provide for appropriate servicing and site development, and to assist in avoiding the development of potentially non-compatible or sensitive land uses either on the sites or in the areas adjacent. The sites are felt to be appropriate for industrial use in terms of serviceability, and are able to be easily accessed off Ostler Road and from the State Highway. Heavy traffic movements can be contained to the existing industrial zoned land and the proposed new areas, which are in close proximity to each other. This avoids the need for such vehicle movements through more sensitive areas (tourism, retail, etc).

5.9.1 Assessment of Objectives

The objectives for the Industrial zone are found in the Business Zones chapter of the Plan, and will apply to these areas of land once deferment is lifted. Objective 1 aims to achieve consolidation of business areas and the efficient use of buildings, land and infrastructure. Objective 2 seeks the creation of business areas where amenity and activities create a safe, pleasant environment for visitors and workers; and Objective 3 aims for residential areas that are not adversely affected by business activities (including industrial activities) located in the vicinity.

These are felt to be the most appropriate in respect of the two sites that are subject to the rezoning, in that they provide for the protection of natural and physical resources in a manner that will ensure the amenity values of the surrounding areas are sustained. This is important given the nature of surrounding land uses at the sites.

5.9.2 Assessment of Policies, Rules and Other Methods

Once the deferment is lifted, the existing policies and rules for the Industrial zone will apply unchanged to these areas of land as a result of the rezoning. The policies concentrate on the establishment of businesses in areas where similar businesses exist, achieving business areas that are attractive and safe, and avoiding adverse effects on businesses from the establishment of activities in business areas that may not be compatible. These are felt to be the most efficient and effective in their current form for achieving the objectives set out in the Plan for industrial uses.

The rules for the industrial zone are general in nature, and allow industrial (excluding a prescribed list of industrial, noxious, or bulk storage activities), recreational, community, and some commercial activities as permitted activities provided they comply with a set of standards prescribed in the Plan. These standards include setbacks from boundaries adjoining residential zones and roads, requirements for landscaping and visual amenity, and noise controls. Industrial activities listed in Schedule B to the rules (including noxious or bulk storage activities) are discretionary activities. Additional provisions are proposed to apply to commercial activities in Twizel's industrial zones as part of this PC, which will also therefore apply to these areas once deferment is lifted. For a discussion of proposed provisions for permitted and discretionary commercial activities in Twizel's Industrial zone, refer section 5.10 below.

The current and proposed rules remain appropriate for the proposed new industrial zones. Applying them across the additional industrial zoned land ensures consistency of industrial development in Twizel and achieves certainty for developers and the public as to what is appropriate.

The insertion of different policies and methods for these areas is considered unnecessary, as the existing and proposed provisions are considered to fully address the implementation of the objectives which are most appropriate for the sites (once deferment is lifted). There are no specific effects arising from the proposed rezoning of the sites which would require additional or amended provisions in order to better meet the purpose of the Act.

5.9.3 Assessment of Alternatives

The Council could choose to do nothing and leave the present zoning of each site in its present zoning of Rec A and Rural respectively, rather than deferred Industrial zoning. However this would not provide for future expansion of industrial land in an area located in close proximity to existing industrial uses. To provide for these through the proposed rezoning will result in efficient use of services and the transport network. Industrial areas can be expected to have a reduced level of amenity resulting from traffic generation, visual impact, and emissions, when compared with other zones. There are significant benefits in ensuring that these effects are not distributed across various locations.

One potential effect is the reduction in land available for Rec A purposes, and Rural use. Rural use of the parcel containing the old landfill site is not considered to be practical, given the size of the site and its location. It is unlikely to be an effective farming unit. The PC proposes to rezone the land on the western and northern boundaries of this site for residential use, as Residential 4 zone. However the lot size in the proposed Residential 4 zone will be a minimum of 4000m², with additional setbacks for buildings and requirements for landscaping in the rules, to ensure that the effects of rezoning for industrial use are managed. Given the availability of rural land in the wider area, the loss of this land for rural use is considered to be insignificant.

In terms of the Rec A land, it is not used as part of the golf course at present, and there are no Rec A-type activities that operate on the site. It is located on the south side of Manmade Hill. The site has walking track around the perimeter, located within the adjacent Rec A land, which would remain. There may be some effects from industrial development on the perception of the users of the walkway, but these can be mitigated through screening and setback requirements. There is existing industrial use of land on the south side of Ostler Road, so industrial uses are already present in the vicinity. The addition of further Rec A land through rezoning of other areas in the township is proposed elsewhere in the PC, so the loss of this area as Rec A will be more than offset by the enhancement of the green network in other areas.

The rezoning of these sites is therefore considered efficient and effective in respect of allowing the town to provide for its future growth, in appropriate locations.

5.10 Business Zone Amendments - Twizel Village Centre and commercial development

The PC proposes to introduce a new objective and policy relating specifically to the Twizel Village Centre zone. This is considered appropriate and necessary in order to protect the vitality, efficiency, and function of Market Place, particularly given the Radburn-style town plan which makes the village centre the central 'hub' of Twizel. As part of providing for the growth and development of Twizel and its surrounding area, there is a need to re-emphasise the village centre as the primary focus of commercial, social, economic, and community activity. In addition, new rules are proposed for commercial activities in Twizel's industrial zones, in order to allow the Council to consider the effects of out-of-centre commercial development.

5.10.1 Assessment of Objectives

The PC proposes the following new objective be introduced in Chapter 5, Business Zones:

Business Objective 6 - Twizel Village Centre

Reinforcement of the role and function of community and commercial activities within the Twizel Town Centre, to provide for a vibrant, compact and pedestrian friendly Village Centre.

The village centre is seen as a significant resource for Twizel, with an important function as a focal point for community wellbeing. This objective recognises the importance of the Twizel Village Centre in allowing the community to provide for their wellbeing and ensuring the efficient use and development of Market Place is sustained and enhanced.

5.10.2 Assessment of Policies

It is proposed to introduce a new Policy 6A to implement the objective, as follows:

Business Policy 6A: Twizel

Within Twizel, to provide for varying levels of commercial activity to meet the wider community's social and economic needs, primarily through the consolidation of such activities within the Twizel Village Centre. Commercial activities are to be managed to support and sustain the existing physical resources of the Twizel Village Centre Zone where these:

- (a) provide for the centre's ongoing vitality and viability;*
- (b) enhance Twizel's commercial and community self-sufficiency; and*
- (c) enhance the village centre as a pleasant, attractive and vibrant place for people and businesses.*

The Explanation to the new policy notes that commercial activity in Twizel is centred around Market Place. The policy provides guidance for activities wishing to locate in the village centre, but also in relation to the potential for dispersal of commercial activities outside the Village Centre zone. The potential for dispersal of commercial activity should be managed in order to maintain and enhance the vitality, convenience and function of the Village centre and the efficient use of services.

Commercial activities are primarily anticipated within the village centre to consolidate existing facilities and services. However, Policy 6A also provides for consideration of out-of-centre commercial development, where it meets the criteria in Clauses (a) to (c), and where for example such development would not contribute to the Village Centre's amenity or be necessary to its ongoing function.

The benefits of the policy include the clear identification of the importance of sustaining the Village Centre and providing for management of activities which may adversely affect the viability and functioning of that area. This is intended to manage the risk of other commercial areas being developed which duplicate the role and function of the existing village centre. This could result in separate and inefficiently operating commercial areas, and

potentially may result in a substantial decline in viability and function of the existing town's centre. It is considered that the addition of the Policy provides clarity to developers and the community as to how such commercial developments will be considered.

5.10.3 Assessment of Rules and Other Methods

The existing rules for activities in the Village Centre zones in the Plan apply unchanged to the Twizel Village Centre zone. The PC proposes to introduce a specific control on commercial activities in Twizel's Industrial zones. Elsewhere in the District, all commercial activity in Industrial zones is a permitted activity, subject to standards. However, it is proposed to introduce a consent requirement for certain types of commercial activity as a discretionary activity in Twizel's industrial zones.

The following commercial activities are proposed to be permitted in Twizel's industrial zones:

- Yard-based retailing;
- Trade supply retail;
- Traveller's Accommodation; and
- The display and sale of goods processed or produced on the site.

It is considered appropriate to enable those general trade-based commercial activities that would not either be accommodated within the existing Twizel town centre, or would not generate retail distributional effects on the town centre, as permitted activities. All other commercial developments are a discretionary activity in the industrial zones in Twizel, in order that their potential effects on the viability and function of the town's centre can be assessed. The costs of such an assessment would fall on the applicant for consent, as it is in that process that the assessment is made. However this cost is outweighed by the benefits of ensuring that the town's development is managed in an integrated and sustainable manner.

5.10.4 Assessment of Alternatives

The Council could choose to do nothing and leave the existing general provisions relating to the business zones as applying to the Market Place in Twizel, i.e. continue to allow commercial development as a permitted activity in any industrial zone in Twizel.

In the District's two other main towns, Tekapo and Fairlie, the commercial areas are centred on the State Highway which runs through the centre of each town. This assists in reducing the potential for dispersal of commercial activity away from central areas. The situation is different in Twizel, where the town centre is remote from State Highway 8. Other industrial areas separate from, and to the south of, Market Place are equally accessible from the State Highway, from a direct route off the State Highway on to Ostler Road. Proposals for commercial-type development at some of these industrial sites have recently been put forward. The current Plan provisions do not provide for adequate consideration of the effects of potential dispersal on the existing commercial centre of the town.

The Council has received an assessment of the current situation and potential effects in a report *Twizel Plan Change – Business and Retail Implications for Village Centre* from Planit Associates. That report describes the potential effects of ad hoc commercial development, and explains distributional effects in the following terms:

Distributional effects can best be described as the consequence of trade competition taken to a significant scale, where the patterns of support and patterns of commercial activity would change dramatically and detrimentally within a locality. Put another way, such effects would occur where a new business (or cluster of businesses) affects key businesses in an existing centre to such a degree that the centre’s viability is eroded, causing a decline in its function and amenity, and disenabling the people and communities who rely upon those existing (declining) centres for their social and economic wellbeing.

The planning argument for managing the distributional effects of diluted commercial retail activity, is based upon the following:

- (i). *That new commercial players can affect the viability of trading organisations of the same type; and therefore*
- (ii). *Key business in an existing centre, or the CBD, can be affected to such a degree that the centre’s viability will be eroded; and as a result*
- (iii). *The community will be unable to provide for their wellbeing in this locality.*

The issue is not that new retail activity will affect the trading circumstances of organisations of the same type, as these are purely trade competition considerations that the Council cannot consider under Section 74(3) of the Act. The Council should however intervene when the impacts of a proposed activity on similar activities in the market place would cause impairment that could lead to a decline in existing physical resources, amenity, transport efficiency and community enablement.

Despite the changing legal landscape relating to retail distribution since 1991, it is now settled law that the economic and social effect of a proposed retail activity on the environment can be taken into account. It is appropriate that a district plan should set its face against ad hoc commercial development and instead seek a predicative role in terms of planning (National Investment Trust vs Christchurch City Council C152/2007).

The assessment concludes that the current provisions are “generally open plan”, which have the potential to generate significant distributional effects on the existing Twizel Town Centre. It also advises that commercial centres in these locations would disproportionately reduce the viability and convenience of the existing town centre, and increase infrastructure and transport costs for operators and tourists, i.e. it would result in a less economically efficient and effective network. The costs of doing nothing are therefore considered to potentially high, with consequences of significance to the town and community. The benefits of introducing provisions to control and manage the effects of out-of-centre commercial development are therefore considered to outweigh the costs of the introduction of provisions managing such development.

5.11 Additional Recreation A & P areas

One of the key concepts in advancing the Plan Change is to provide for the enhancement of the greenway system that is a feature of Twizel. The intention is to ensure that provision is made for such areas and linkages between them, when considering the town's growth. This is proposed to be achieved by increasing the areas of land zoned for recreational uses, in locations that are valued for recreational experiences and/or that allow for linkages with existing greenways (including walkways and cycleways).

The Recreation A zone in the Plan provides for active recreation and consists mainly of large recreation reserves used for active sports and organised games. Such reserves serve regional and district functions but can also have local significance as pedestrian accessways, playgrounds and open spaces.

The Recreation P zone is intended to protect areas considered by Council to be appropriate for passive recreation. Recreational use of these areas is mostly informal in nature, involving activities such as walking and playing. The purpose of this zone is described as being to maintain open space or planted character and avoid cluttering them with facilities, while maintaining these areas' important role as recreational areas and visual open space for local neighbourhoods and for all residents and visitors.

The Twizel Community Board released the *Twizel Green Space Strategy* in March 2009, following consultation with Twizel community. This strategy formed the basis of many of the proposed areas to be rezoned.

The proposed PC rezones the following areas from Rural to Recreation A and Recreation P zones:

- Mackenzie Park – the development plan at Appendix S of the Plan shows an area of land that is intended for playing fields, which is proposed to be rezoned Rec A. The construction of an artificial lake is also proposed at that site, which is to be zoned Rec P. There are also linkages for walkways/cycleways planned around the perimeter of the Mackenzie Park development, to be rezoned Rec P;
- An area of Council land south and west of the existing Twizel Cemetery is proposed to be rezoned from Rural to Rec A;
- Council-owned land along all of the foreshore of Lake Ruataniwha within the PC area is to be rezoned from Rural to Rec P;
- Council, Environment Canterbury, and Department of Conservation land along the Twizel Walkway adjacent to the Twizel River is to be rezoned from Rural to Rec P;
- Parts of Council land along Ohau Road from the Ohau/Ostler Road intersection, south of Rata Road, and between Rata Road and Totara Drive is to be rezoned from Rural to Rec P.

5.11.1 Assessment of Objectives

The present objective that applies in the Recreation A & P zones will apply unchanged to these areas. This objective is:

A conveniently distributed and accessible range of public open space, community facilities and recreational areas and facilities to meet the diverse needs of residents and visitors to the District.

This objective is considered the most appropriate way to achieve the purpose of the Act as it is most relevant to the particular areas being rezoned. The rezoned areas enhance the present recreation areas by providing linkages and allowing for the development of community facilities, to encourage visitors and provide convenient and accessible recreational areas for the community.

5.11.2 Assessment of Policies, Rules and Other Methods

The following policies apply in the Rec A & P zones:

- 1 To encourage, and where possible, provide for a range of recreation opportunities and community facilities within the District.*
- 2 To ensure the provision of open spaces and recreational areas within or in reasonable proximity to new residential subdivisions to meet the needs of the future community.*

The above policies will apply unchanged to the newly rezoned areas. They are considered efficient and effective in respect of achieving the objective, in terms of the new areas being proposed. The Council has identified further land which is either valued for public recreation use at present, as in the case of the foreshore of Lake Ruataniwha and the area around the Twizel River, or which form useful linkages for recreational use, such as the land adjacent to the cemetery. Further land zoned for recreational use in Mackenzie Park will support the residential growth that is proposed for the site, and provide additional areas for playing fields and recreation.

Rezoning of the proposed sites for these specific purposes is the most efficient way to ensure these uses are protected and provided for in future. It would prove difficult to retrospectively provide for such linkages and areas once development has occurred. The costs in terms of the loss of rural zoned land and the provision of facilities are minimal compared with the benefits of providing public open space. These include enhancement of the health and wellbeing of the community and visitors, protection of natural character (in the case of the areas adjacent to Lake Ruataniwha and rivers), visual and amenity values, and energy efficiency in terms of enhancing the existing pedestrian/cycling routes around the township.

5.11.3 Assessment of Alternatives

The Council could choose to leave these areas zoned as Rural, as at present. However, none of the sites being rezoned constitute valuable rural land. The land is better suited to recreational zoning, either because of current usage (as in the case of the Twizel River area) or because of its location, such as the perimeter of Mackenzie Park which provides valuable linkages. Rural zoning allows for subdivision and other forms of development at those sites with little controls. Given the characteristics of the parcels being rezoned, this is unlikely to achieve the purpose of the Act in respect of the values of those areas. The potential loss of

these areas to subdivision and development should be avoided, and this can be better achieved through the proposed rezoning.

5.12 Additional Stormwater and Sewage provisions

PC15 introduces a number of new policies to allow for consideration of stormwater management in Twizel. These are aimed at achieving the objectives of the Plan in the new zones and in response to particular issues that arise at Twizel. The PC also seeks to introduce controls on subdivisions connecting to small diameter pressure sewage systems in the District.

5.12.1 Assessment of Objective

A series of new policies and a new rule is proposed in order to more effectively implement existing Objective 1 in section 13 Subdivision of the Plan. Objective 1 is as follows:

Objective 1 - Subdivision Servicing

The provision of necessary services including safe and efficient access to subdivided allotments in anticipation of the likely effects of land use on those allotments.

No changes are proposed to this objective as it sets out an appropriate objective in relation to the management of stormwater and sewage (and other relevant servicing issues) which the new policies and rule seek to address.

5.12.2 Assessment of Policies, Rules and Other Methods

New Policies 10 and 11 below refer specifically Twizel, but Policy 12 is a general policy which is to apply across the District.

- 10 *Land modification, development and subdivision in the Residential zones and the Rural-Residential 1 & 2 zones in Twizel should occur in a way that:
(a) protects the performance of natural overland flowpaths and open watercourses;
(b) protects water quality by the use of filtering mechanisms where necessary such as stormwater treatment ponds; and
(c) provides stormwater management in an integrated and cost effective manner.*
- 11 *For subdivision and development in Twizel, to require where appropriate/ necessary a comprehensive stormwater management plan which addresses stormwater runoff and management of its effects.*
- 12 *To encourage the harvesting and/or re-use of stormwater for non-potable uses where appropriate.*

Policies 10 and 11 require appropriate assessment of and planning for stormwater, and sets standards for its management. Stormwater management has arisen as an issue more recently given the proposals for residential and rural-residential development in Twizel. New policies are proposed in order to more specifically set out what is required when consents for subdivision and development are being considered. This is more efficient in respect of providing clarity as to what is required at the time of subdivision.

The cost of complying with these policies rests with the applicant for consents. Expert advice such as engineering may be needed in relation to stormwater management. However, the policies will result in subdivision and development which is more sustainable and will reduce effects on the environment, including potential adverse effects on water quality.

Policy 12 above is a general policy which encourages stormwater harvesting and re-use via rainwater tanks. This encourages a more sustainable method of water management. It is efficient in that it encourages re-use of a resource that would otherwise run to waste, and it reduces the demands on the mains supply. The costs of complying with the policy are minimal, in that it seeks to educate and encourage. The potential benefits from such a policy include added protection against loss or reduction of supply in a drought, and provision for more resilient communities in emergency situations.

PC 15 introduces a new rule for small diameter pressure sewage systems, which are also known as STEP sewage systems. The new rule is as follows:

*4.a Any subdivision which complies with all the Primary and Secondary Subdivision Standards and where connection to a small diameter pressure sewage system is proposed shall be a **Discretionary Activity**.*

In two sites covered by the proposed Twizel rezoning (North West Arch and the Ostler Road/Max Smith Drive subdivision), the reticulated system that services these areas is a small diameter pressure sewage system (known as a STEP sewage system)¹. The capacity of these systems is designed to provide for a certain number of connections, and this limits the potential number of sections that can be connected to the restricted system.

The Council therefore needs to ensure that provision is retained in the Plan to allow subdivision at those sites only where the reticulated system has capacity to include the additional sections. Discretionary activity status will allow for refusal of consent for smaller lots where there is no additional capacity in the system. The proposed new rule will apply to any subdivision in the district where STEP systems are installed.

5.12.3 Assessment of Alternatives

The Council could choose not to include these proposed provisions for stormwater in the Plan, and leave the subdivision section unamended in respect of stormwater. However this would not address the specific matters around development at Twizel where stormwater

¹ A STEP sewage system is also currently being installed in Eversley Reserve, adjacent to Fairlie township. That system is under construction at the time of writing, and is not yet operating. There are no other STEP sewage systems in the District.

issues have arisen. It is more efficient to have a set of policies which clearly set out what is to be achieved, in order to ensure consistent and appropriate management of stormwater.

In terms of the STEP sewage rule, the Council could choose not to introduce such a provision. If the rule was not incorporated in to the Plan, further subdivision could be undertaken as a controlled activity on some of those sites that may not be able to be serviced by the existing reticulated system. This would be neither efficient nor effective in terms of achieving the objective and policies of the Plan. Where there is sufficient capacity in the system, subdivision can be approved.

5.13 Extension of Outdoor Lighting Restriction Area

PC 15 proposes to extend the Outdoor Lighting Restriction Area in the Plan to the south boundary of the District, to protect the night sky.

5.13.1 Assessment of Objective

The Plan contains an existing objective in section 12 Signs and Outdoor Lighting as follows:

Objective 2 - Viewing Of The Night Sky

Maintenance of the ability to undertake effective research at the Mt John University Observatory and of the ability to view the night sky.

This objective is proposed to remain unchanged. It is considered to promote the protection of a significant natural resource in accordance with the purpose of the Act.

5.13.2 Assessment of Polices, Rules and Other Methods

To implement the objective, Policy 2A in the District Plan sets out the following:

To avoid unnecessary light pollution of the night time sky in the Mackenzie Basin area, so as not to adversely affect the astronomical, astrophysical and atmospheric research at Mt John University Observatory or people's ability to view the night sky.

This is proposed to remain unchanged as it is considered relevant to the management of adverse effects of development including in and around Twizel. To implement the objective and policy, the Plan has a series of rules restricting lighting in an area that is defined in a map appended to the Chapter. The rules are proposed to remain unchanged, but the area that is subject to the rules is to be extended to the south boundary of the Mackenzie District, which includes Twizel and surrounds.

The Outdoor Lighting Restriction provisions were included in the Plan to protect the values of the night sky in the Mackenzie Basin. This has been highlighted recently with respect to the application for World Heritage status for the night sky. There is widespread public support in the District for such a move. It is considered appropriate that these protection

mechanisms are extended to the south boundary of the district, particularly given the proposal to rezone areas for increased rural-residential and residential development in the Twizel area.

Extending the Lighting Protection Area (LPA) allows for early consideration of suitable types of lighting when developments are planned, in order to protect the night sky and the values of the Basin. Existing developments and activities have existing use rights in relation to lighting, and are not affected. The extension of this LPA to the south boundary of the district is considered to better achieve the objective and policy of the Plan. This is particularly relevant given the rezoning of areas in and around Twizel provided for by PC15.

5.13.3 Assessment of Alternatives

The Council could choose to leave the LPA as it is at present, which excludes Twizel township and the southern part of the District. Without such an amendment, any new or additional development in that part of the District could continue to be undertaken without consideration of the effects of lighting.

There is a community desire to protect the night sky as a significant natural resource in the District. In the context of increased development proposals around Twizel and the southern part of the District, light pollution can be expected to increase. Given there is no actual physical boundary in the night sky above the Basin, the removal of the artificial regulatory boundary is considered to be an appropriate and effective way of achieving the objectives and policies of the Plan.

5.14 Extension of Mackenzie Basin Subzone boundary

A variation to Council's Plan Change 13 is proposed to extend the boundary of the Mackenzie Basin Subzone (MBS) in order to include a specific area adjacent to Twizel, east of the Pukaki Canal. This area is shown on the Mackenzie Basin Subzone Map attached at Appendix D. There is one Farm Base Area to be included as a result of the extension of the boundary, which contains the existing homestead for Ben Ohau station.

The Council has obtained a landscape assessment of the area that is the subject of this variation. This report, titled "*Landscape Assessment of Rural Area Near Twizel Proposed For Inclusion Within the Mackenzie Basin Subzone*" by Graham Densem, describes the area that is the subject of the variation and evaluates its landscape values in the context of the MBS. The information and conclusions in that assessment have been used as a basis for the analysis in this section of the report.

The current boundary of the MBS was defined in the Council decision on Plan Change 13 (PC13), which was released in September 2009. It is recognised that the provisions introduced by PC13 are subject to appeal in the Environment Court. At the time of notification of this variation, the Court had heard evidence on the appeals but has not yet released its decision. If the Court decision amends any of the objectives, policies and methods outlined below, then the land subject to this variation will be subject to those

amendments. This assessment refers to the provisions that are current at the time of writing, as released in the Council decision dated 5 September 2009.

5.14.1 Assessment of Objectives

Plan Change 13 introduced 3 new objectives for the MBS, which will also apply to the area that is being included under Variation 1:

Section 7 – Rural Objectives

- Objective 3A, which focuses on the distinctive and outstanding natural landscapes,
- Objective 3B, which is about economy, environment and community, and
- Objective 3C, which deals with general landscape values across the District.

The landscape assessment received by Council concludes that this area shares similar values to the adjacent MBS, and that it is a significant natural landscape. It is therefore more appropriate that these objectives, which aim to protect such landscapes, are also applied to this area. These objectives are subject to any decisions of the Court, which may amend these provisions.

5.14.2 Assessment of Policies, Rules and Other Methods

PC13 introduced some new and revised policies in section 7 of the Plan to support these objectives, to support the rural objectives identified above, which manage growth and development within the Mackenzie Basin. Proposed variation 1 to PC13 extends the area of the subzone to include an identified area west of Twizel, but no changes are proposed to these policies.

The following rules of the MBS that would also apply to the area that is the subject of the variation are as follows:

Within Farm Base Areas (i.e. the Ben Ohau Farm Base Area):

- Farm buildings (defined to include homesteads and workers' accommodation) – Permitted Activity.
- Farm retirement dwellings – Permitted Activity
- Non-farm buildings – Permitted Activity, but with the limits on commercial recreation
- visitors' accommodation and retailing as in the District Plan prior to Plan Change 13

Outside Existing Farm Base Areas:

- Farm buildings (including homesteads and workers' accommodation) – Controlled Activity.
- Farm retirement dwellings – Controlled Activity
- Non-farm buildings – Discretionary Activity.

Subdivision:

- Subdivision for farming activities – Restricted Discretionary Activity.

- Subdivision for a farm retirement dwelling (defined) – Controlled Activity (minimum 50 hectares) if land use consent for the dwelling has been granted or is being considered simultaneously, otherwise Restricted Discretionary Activity.
- Subdivision for non-farming activities – Discretionary Activity.

It should be noted that Variation 1 also includes an overlay called the Ostler Fault Hazard Area (OFHA), which makes subdivision and residential-type activity in the OFHA a fully discretionary activity. This affects the activity status for some of the activities outlined above. This is more fully explained in section 5.14 below.

Mr Densem’s report which provides an assessment of the landscape in the ‘Variation 1’ area, concludes the following:

- (i) *The proposed Subzone area in its current state is an area of ‘Significant Natural Landscape’ in RMA terms;*
- (ii) *The proposed Subzone area differs from the residential and rural-residential areas closer to Twizel in its landscape character and is more akin to that of the Mackenzie Basin Subzone;*
- (iii) *The existing landscape character of the proposed Subzone area is distinctive and worth maintaining in the future.*

The assessment supports the management of this area in a manner consistent with the adjacent land currently within the MBS, on the basis that it also contains significant landscape values. There may be additional costs of including this area in the MBS, in terms of potential future development being subject to additional controls. These costs would fall on the two individual landowners whose land is the subject of the variation. Both landowners have been consulted regarding the proposal, and have concurred with this approach.

The variation proposes to use mechanisms already present in the Plan (as a result of decisions on PC13) to achieve protection of an additional area of significant landscape within the District. This provides clarity and certainty in terms of values to be protected at this site, and the provisions used to achieve this. It promotes efficiency by ensuring consistency within the Plan and in the Council’s approach to management of such landscapes.

5.14.3 Assessment of Alternatives

The Council could choose to do nothing and leave the area zoned simply as Rural under the District Plan. If the area were to be left as Rural, this would be procedurally simpler for the Council and would reduce cost to any applicants in terms of development in that area. However, it would allow subdivision to remain a controlled activity with no minimum lot size and little control over effects on the landscape.

The landscape assessment of this area provided by Mr Densem dated 18 September 2010 suggests that the identified landscape values that exist in the proposed Variation 1 area have more in common with the Subzone generally than with the Twizel margins, and that the existing landscape character is in itself of value and should be maintained as far as possible in the future. The “do nothing” option would therefore result in internal inconsistency in the Plan, and would not achieve the objectives of the Plan in respect of protection of significant natural landscapes.

The Council intends to simultaneously introduce a Plan Change (PC15) to provide for management of growth and rural-residential development (among other matters) around Twizel. PC 15 provides for a Rural-Residential 2 zone, which has a minimum lot size of 4 ha for subdivision in a defined zone west of Twizel. Should the adjacent zone remain Rural, subdivision could occur in the Rural zone to create lots that had areas of less than 4 hectares, or indeed any serviceable size. This would undermine the integrity of the adjacent rural-residential zones being introduced in PC 15, and would result in potential loss or degradation of landscapes and natural features in an area where those effects would be potentially significant.

Overall, it is considered that the inclusion of this specific area of land within the MBS most appropriately meets the objectives of the Plan and the purpose of the Act.

5.15 Ostler Fault Hazard Area (OFHA)

The Ostler Fault runs generally in a north-south direction and is located to the west of Twizel. The fault is already described in the District Plan. Its location and extent have been more accurately defined and mapped in a recent report entitled “*Assessment of active fault and fold hazards in the Twizel area, Mackenzie District, South Canterbury*” (GNS Science Consultancy and Environment Canterbury, May 2010).

The hazard has been characterised in the report as follows:

The Ostler Fault Zone is a major active fault, with an estimated recurrence interval of 3,000 ± 1,000 years for surface-rupturing earthquakes, and the most recent known such earthquake about 3,600 years ago. While this does not mean that an earthquake is imminent, it leaves no room for complacency. It should be assumed that significant and abrupt metre-scale ground breakage and warping will occur within the Ostler Fault Zone during the next rupture, and that it is possible that such an event may occur during the tenure of any current land development within the Ostler Fault Zone.

The information provided by this report has been used to more specifically identify the area of fault rupture hazard. The Council has identified this area of hazard on the Planning maps in the Plan, and introduced provisions to require the fault hazard to be considered when development is proposed within that area. The Ostler Fault Hazard Area (OFHA) covers the actual faultline itself and a defined ‘buffer’ margin where there is significant risk to the safety of people and to buildings and property from permanent ground deformation and tilting associated with fault rupture.

5.15.1 Assessment of Objectives

Objective 1 of Section 18 Natural Hazards in the Plan is as follows:

Avoid loss of life, and minimise the cost of damage and disruption to the community, or other parts of the environment from natural hazards.

Objective 5 of Section 13 Subdivision is as follows:

Avoidance of Natural Hazards

The avoidance of subdivision in localities where there are significant natural hazards, unless these can be mitigated without significant adverse effects on the environment.

Both these objectives already exist in the Plan, and are not proposed to be changed as part of the variation/PC. The PC introduces new policy provisions that flow from these objectives, relating specifically to the proposed new Ostler Fault Hazard Area.

It is not considered necessary to amend the existing objectives. In their current form they are general in nature and already establish an effective approach to management of natural hazards, including the specific hazard from the Ostler Fault. The objectives seek to avoid loss of life and minimise cost to the community, and the proposed policies relating to the OFHA implement each objective (see below).

5.15.2 Assessment of Policies, Rules and Other Methods

The proposed Plan Change introduces a new policy 10 in Section 18 Natural Hazards:

To minimise the risk of earthquakes affecting people and property as far as practicable, by controlling subdivision and development in the Ostler Fault Hazard Area.

An addition to Policy 1 under Objective 5 in the subdivision chapter is also proposed, as follows (addition in **bold** and underlined):

*To ensure that subdivision is either restricted, subject to mitigation measures, or avoided in areas subject to risk from flooding, subsidence or slippage, **or from hazards associated with active faults.***

PC 15 proposes to insert a new Method in to the Natural Hazards chapter to implement new Policy 10 (above), as follows:

The provision of rules to ensure that the area at risk from ground deformation hazard, including fault rupture and tilting, along the Ostler Fault is managed to address the effects of subdivision and development on the safety of people and their property, within the Ostler Fault Hazard Area.

The following new provisions are to be inserted in Chapter 7 Rural zone, Chapter 13 Subdivision, and the Planning Maps:

- Rules in Chapter 7 Rural zone which make all residential buildings (including farm dwellings and farm retirement dwellings), visitor accommodation and homestays in the OFHA a discretionary activity;
- Assessment matters added to the Rural rules section for such buildings, which require assessment of consents for those activities to have regard to “*the location of any buildings and the extent to which the siting and layout of the development will reduce the effects of fault rupture and tilting on people and their property, and the extent to which geotechnical and engineering reports show that risks to buildings and the safety of occupiers can be reduced.*”;

- Rules in Chapter 13 subdivision making all subdivision in the OFHA a discretionary activity;
- Assessment matters added to the subdivision rules section which requires assessment of applications for subdivision in the OFHA to have regard to:
 - a. *the extent to which the siting and layout of the development will reduce the effects of fault rupture and ground deformation on people and their property;*
 - b. *the location of building sites, and whether or not an allotment should be restricted from development on parts of the site;*
 - c. *the extent to which geotechnical and engineering reports show that risks to buildings and the safety of occupiers and neighbours can be reduced.*
- Identification of the OFHA as an overlay on Planning Maps 33, 38, 53, and 55.

The Council has based its proposals for management of risk from the OFHA on the above report received from Environment Canterbury and GNS. That report clearly outlines the risk to life safety and the nature of the hazard from the Ostler Fault, and maps the area of highest risk. As described above, this information was used to define the OFHA.

Given the information before Council in this report, it is considered that these policies and rules will be the most efficient and appropriate in achieving the objectives outlined above. The control of subdivision and residential-type development through a requirement for resource consents for such activities in the OFHA will ensure that these activities can be considered in relation to the risk posed to each site, and in relation to a particular proposal. Where this risk can be found to be mitigated, consent can be granted. The cost to the applicant of investigating and designing for this hazard is outweighed by the benefits of ensuring the risk to life and property is minimised as far as possible. Consultation has been undertaken with the two landowners who are affected by the introduction of the OFHA and associated provisions, and they have concurred with this approach.

The site of the existing Ben Ohau station homestead and outbuildings falls largely within the OFHA. The proposed Farm Base Area introduced in Variation 1 has therefore been extended in order to include land outside the OFHA, in order to allow the owners the option of undertaking residential activities outside the area identified as at potential risk, without the need for consent.

The activities captured by these proposed rules are subdivision and residential-type activities where people may reside or stay on a particular site (e.g. visitor accommodation) and are therefore likely to be subject to higher levels of risk. Activities such as farm buildings and sheds are not caught by these provisions. This is efficient in that it targets activities of the highest risk and does not impose costs in respect of other buildings which are necessary for the efficient functioning of the properties concerned. It most appropriately meets the purpose of the Act and the objectives of the Plan.

5.15.3 Assessment of Alternatives

The Council could choose to make subdivision and residential-type activities in the OFHA a non-complying activity. However it is considered that the level of risk can be managed appropriately through discretionary activity status, which will encourage applicants to seek

solutions such as siting and design of buildings which are likely to adequately manage the risk. If such activities were to be made non-complying, further costs could be imposed on the applicant with no different outcome or additional benefit.

Alternatively, the Council could choose the ‘do nothing’ option. This would mean that all subdivision and residential-type activity in the OFHA would fall under the Mackenzie Basin Subzone provisions of the Plan under Variation 1. This makes some subdivisions a controlled activity, and farm dwellings inside Farm Base Areas a permitted activity. There is one Farm Base area which falls partly within the OFHA, and is therefore potentially subject to risk from the fault. Also, Farm Retirement Dwellings may be a controlled activity, for which consent cannot be refused.

This option is not recommended given the recent information obtained by Council and the conclusions of the GNS report on the Ostler Fault, which describe potential significant risk to life and property within the OFHA. There is sufficient information from the study as to the nature and extent of the risk from the Fault. Further, the option would not achieve either of the objectives outlined above.

APPENDIX A

MAP OF AREA OF PLAN CHANGE 15 & VARIATION 1 TO PC 13

APPENDIX B

AERIAL PHOTO – SUBDIVISIONS AND APPLICATIONS
RECEIVED BY COUNCIL

APPENDIX C

LOT SIZES OF SUBDIVISIONS AND APPLICATIONS, TWIZEL

APPENDIX D

VARIATION 1 TO PC13 – MAP OF MACKENZIE BASIN SUBZONE

APPENDIX E
DOCUMENTS/MATTERS CONSIDERED

Barrell, D.J.A, *Assessment of active fault and fold hazards in the Twizel area, Mackenzie District, South Canterbury, GNS Science Consultancy Report 2010/040, Environment Canterbury Report No R10/25, May 2010*

Barrell, D.J.A, *Geological Hazard Assessment, Ruataniwha Farm Ltd (Lot 4 DP 75206 & Lot 7 DP 342137) Twizel South Canterbury, December 2005*

Baseline Planning Ltd, *Mackenzie Park, Mackenzie Country New Zealand, Development Plan, July 2010.*

Canterbury Regional Council, *Canterbury Regional Policy Statement, Report No. 98/4, June 1998.*

Canterbury Regional Council, *Canterbury Natural Resources Regional Plan, September 2009*

Davie Lovell-Smith, *Twizel Rezoning – Recommendations for Council’s Consideration Report to Council, 26 July 2007*

Davie Lovell-Smith, *Twizel Rezoning, Report to Council, 23 April 2008*

Davie Lovell-Smith, *Proposed Plan Change 13 – Officer Report on Twizel Submissions, 15 October 2008*

Davis Ogilvie, *Urban Design Assessment, Twizel – Mackenzie Park Development, August 2006*

Davis Ogilvie, *Assessment of Twizel’s Future Development Options, August 2006*

Davis Ogilvie, *series of design and master plans, Mackenzie Park, 21 March 2006*

Davis Ogilvie, *Twizel Ruataniwha Farm Analysis Plan, A3 plan, (no date)*

Densem, Graham, *The Mackenzie Basin Landscape: character and capacities, November 2007*

Densem, Graham, *Landscape Assessment of Rural Area Near Twizel Proposed For Inclusion Within the Mackenzie Basin Subzone, 18 September 2010*

Geotech Consulting Ltd, *Waimate, Mackenzie and North Waitaki Districts Engineering Lifelines Project - Earthquake Hazard Assessment, Report prepared for Environment Canterbury, May 2008*

Mackenzie District Council, *Twizel -the future starts today: a framework for Twizel's future*, February 2004

Mackenzie District Council, *Proposed Twizel Rezonings – Have Your Say*, Consultation documents, March 2007

Mackenzie District Council, *Mackenzie District Plan, Proposed Plan Change 13: Report and Decision*, September 2009

Mackenzie District Council – Staff Reports to Council:

Staff Proposals for Draft Plan Change 15 – Twizel, 8 April 2010

Plan Change 15 – Twizel- Final Draft, 13 August 2010

Plan Change 15 – Twizel – Final Draft, 27 August 2010

Draft Plan Change 15 – Twizel, 10 September 2010

Milward Finlay Lobb, *STEP Sewer System, Hocken Subdivision – Ostler Road and Max Smith Drive, Twizel*, Report to Planning Staff, Mackenzie District Council, 26 February 2010

Opus International Consultants, *Twizel Development – Water Supply Options*, Report to Assets Manager, Mackenzie District Council, 8 September 2008

Planit Associates, *Plan Change – Business and Retail Implications for Village Centre*, Report to Planning staff, Mackenzie District Council, 30 August 2010

Planit Associates, *Twizel Plan Change – Deferred Industrial Zones*, Report to Planning staff, Mackenzie District Council 10 September 2010

South Island Rowing Inc, *Facilities Development Report (draft)*, January 2008

Te Runanga o Arowhenua, Te Runanga o Waihao, Te Runanga o Ngai Tahu, Boffa Miskell Ltd, *Mackenzie Basin Proposed Plan Change 13: A Cultural Impact Assessment of the Proposed Plan Change 13 to the Mackenzie District Plan*, May 2008

Tonkin & Taylor, *Geotechnical assessment, Mackenzie Park, Ostler Rd, Twizel*, 5 March 2007

Twizel Community Board, *Twizel Green Space Strategy*, March 2009