



**Section 32 Report:**  
**Plan Change 25 – Rural Lifestyle Zone**

**Final for Notification**

**4 November 2023**

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# 1. Introduction

## Purpose of this Report

- 1.1. Section 32 ('s32') of the Resource Management Act 1991 ('the RMA') requires an evaluation to be undertaken of the changes proposed to the Mackenzie District Plan ('District Plan') through Plan Change 25 (PC25). The evaluation must be provided in a report which examines whether the objectives are the most appropriate in achieving the purpose of the RMA, and whether the policies and methods, taking into account their costs, benefits, efficiency and effectiveness, are the most appropriate way to achieve the objectives. The report must also assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. The analysis set out in this report is to fulfil the obligations of the Council under s32 of the RMA.

## Topic

- 1.2. This s32 report relates to the zoning and management of rural lifestyle areas. It proposes to replace each of the five existing rural residential zones contained in Section - 7A Rural/Residential Zone Manuka Terrace, Section - 7B Ōhau River Rural/Residential Zone, and Section 8 - Twizel Rural/Residential Zones of the Operative Mackenzie District Plan ('Operative Plan'), with new a Rural Lifestyle Zone ('RLZ') Chapter, aligning with the National Planning Standards framework. It is also proposed to include one Precinct to provide area specific provisions for the existing Ōhau River Rural Residential Zone. Four Specific Control Areas are also proposed.

## District Plan Review Process

- 1.3. The introduction of a chapter relating to the RLZ, as well as application of this zone, is part of Stage 3 of the overall review of the District Plan.
- 1.4. Prior to the District Plan Review, the Mackenzie District Council (the 'Council'), prepared the Mackenzie Spatial Plans ('Spatial Plans'), to provide a high-level plan for growth and development of each of the District's towns and small settlements over the next 30 years. These Spatial Plans were developed with input from each community and are intended to ensure each town can grow in a sustainable way, while protecting what makes them special for years to come. The majority of the zonings identified in the Spatial Plan were considered through Plan Change 21 ('PC21'), but this did not include any rural lifestyle areas. While the Spatial Plans form the basis for the Rural Lifestyle zoning proposed in PC25, further background work was undertaken to consider the zoning, and determine the appropriate framework to apply to this zone.
- 1.5. The background technical work involved:
  - a review of the Operative Plan provisions relating to Rural Residential Zones;
  - identification of key issues arising from the current provisions;
  - a review of relevant planning documents;
  - a review of the approach taken in other district plans; and

- technical input (infrastructure and hazards) in relation to the Hocken Lane Rural Residential Zone, the proposed rural lifestyle zoned Specific Control Areas at Fairlie and the RLZ at Manuka Terrace.
- 1.6. Engagement with the community was then undertaken on the key issues identified from the background work, as well as potential options to address those issues, and the feedback received was then used to inform a 'Preferred Approach' to the zoning and management of rural lifestyle areas within the District. The Preferred Approach was then used to draft the proposed provisions, which are evaluated in this report.

## Provisions

- 1.7. This s32 report relates to the following chapters proposed within Part 3 – Area-Specific Matters of the District Plan and Part 4 – Appendices and Maps:
- Rural Lifestyle Zone (RLZ)
  - Precinct:
    - Ōhau River Precinct 4 (PREC4)
  - Specific Control Areas:
    - Rural Lifestyle Zone Specific Control Area 9 – Nixons Road
    - Rural Lifestyle Zone Specific Control Area 10 – Clayton Road
    - Rural Lifestyle Zone Specific Control Area 11 – Max Smith Drive
    - Rural Lifestyle Zone Specific Control Area 12 – Lyford Lane
  - Overlays:
    - Ōhau River Precinct 4 No Build Area overlay
- 1.8. PC25 proposes to introduce the following definitions in Part 1 – Introduction and General Provisions – Interpretation:
- allotment
  - bore
  - commercial forest or commercial forestry
  - containment
  - discharge
  - drinking water
  - earthworks
  - exotic continuous-cover forest or exotic continuous-cover forestry
  - exotic forest

- functional need
- greywater
- industrial and trade waste
- intensive primary production
- lifeline utility infrastructure
- mining
- plantation forest or plantation forestry
- primary production
- quarry
- quarrying activities
- recreational activity
- relocated building
- reserve
- sewage
- stormwater
- subdivision
- wastewater
- wilding conifer species

- 1.9. PC25 also relies on the definitions for 'indigenous vegetation' and 'vegetation clearance' which are within the Operative Plan and were introduced via Plan Change 18 ('PC18'). These definitions are subject to appeal via the PC18 process and therefore are not within the scope of PC25. Any changes to these definitions as part of the PC18 process will amend these definitions insofar as they are relied on in PC25.
- 1.10. PC25 proposes to adopt the definition of terms introduced through Plan Changes 20 and/or 21, where those terms are used in the RLZ Chapter.
- 1.11. PC25 also proposes to apply the Zones, a Precinct, Specific Control Areas and an Overlay to those properties identified in the planning maps.

- 1.12. As a consequence of the above changes, PC25 proposes to make changes to the following sections of the Operative Plan to delete the provisions that relate to the existing Rural Residential Zones:<sup>1</sup>
- Section 3 - Definitions
  - Section 7A – Rural/Residential Zone Manuka Terrace
  - Section 7B – Ōhau River Rural/Residential Zone
  - Section 8 – Twizel Rural/Residential Zones
  - Section 13 - Subdivision, Development and Financial Contribution Secondary Subdivision Standard 7d.
  - Planning Maps, including:
    - Apply the Ōhau River Rural Residential Zone No Build Area overlay (and associated features within this overlay) to the proposed Ōhau River Precinct
- 1.13. The existing Lakeside Protection Area (in the Operative Plan) is not to be altered at all as part of this plan change. This Lakeside Protection Area and its provisions are therefore not within the scope of PC25 and not open for submissions.

## **Relationship with Other Stages**

- 1.14. The proposed changes being made to the existing Rural Residential Zones through PC25 also rely on changes being made to the earthworks and subdivision provisions in proposed Plan Change 27 ('PC27'), which are both part of Stage 3 of the District Plan review. The Natural Hazards and Risks provisions and the Noise provisions (which will be addressed in Stage 4) are also relevant to proposed RLZ. In order for the existing natural hazards and noise provisions to remain operative until Stage 4 of the District Plan review is publicly notified and/or operative, where necessary, the relevant natural hazards and risks provisions of the Operative Plan will remain operative and relevant to the RLZs that are the subject of PC25.

## **2. Statutory Context**

- 2.1. Sections 74 and 75 of the RMA set out legal obligations when changing a District Plan. Consideration needs to be given to matters including whether the plan accords with the Council's functions under Section 31 of the RMA and the provisions of Part 2 of the RMA. They also direct how the plan is to be drafted/considered in relation to a range of other statutory documents. The following section sets out those matters addressed in sections 74 and 75 that are relevant to this topic.

### **Functions Under s31**

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<sup>1</sup> Provisions relating to noise management and natural hazard management have not been deleted from the operative District Plan chapters as these provisions will remain operative until Stage 4 of the District Plan Review process when the Noise provisions and the Natural Hazards and Risks provisions are reviewed.

- 2.2. Section 31 sets out the functions given to territorial authorities for the purpose of giving effect to the RMA in their district. Of relevance to this topic, territorial authorities have the function of establishing, implementing and reviewing objectives, policies and methods to:
- achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources in the district (s31(1)(a));
  - ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district (s31(1)(aa)); and
  - control the actual and potential effects of use, development or protection of land (s31(1)(b)).

## **Part 2 of the RMA – Sections 5, 6, 7 & 8**

- 2.3. Section 5 of the RMA sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.
- 2.4. Sustainable management, as defined in section 5, relates to how natural and physical resources are managed to provide for the well-being and for their health and safety of people and communities while also: sustaining the potential of those resources for future generations; safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and managing the adverse effects of activities on the environment. This is relevant to the zone framework in PC25, as this chapter seeks to provide for community members who wish to live in a rural lifestyle environment and provides a framework for how adverse effects on the environment from activities are to be managed. The retention of the existing rural residential zone areas, for the most part, reflects the community's views that adequate land is available for rural lifestyle development near Twizel, and will enable some additional development near Fairlie (as informed by the Spatial Plan process), whilst ensuring the adverse effects of rural lifestyle activities on the environment are appropriately managed.
- 2.5. Section 6 contains a number of matters which require persons exercising functions under the Act to recognise and provide for, as matters of national importance. This includes the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development; and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. This is relevant to PC25, as it proposes to retain the rural lifestyle zoning within areas which are located within Te Manahuna / the Mackenzie Basin, which contains areas identified as an Outstanding Natural Landscape ('ONL'). The RLZ chapter also includes some rules relating to the clearance of indigenous vegetation.
- 2.6. Section 6(h) requires the management of significant risks from natural hazards. This is not directly relevant to PC25, because it does not propose to amend the natural hazard provisions applying within the RLZ, which will be reviewed in Stage 4 of the District Plan review.
- 2.7. Section 7 lists other matters to which particular regard must be had, some of which are relevant to the zone framework in PC25, including:
- the efficient use and development of natural and physical resources (s7(b));



- the maintenance and enhancement of amenity values and the quality of the environment (s7(c) and s7(f));
  - and any finite characteristics of natural and physical resources (s7(g)).
- 2.8. The PC25 provisions therefore need to consider the maintenance and enhancement of the amenity values anticipated in the RLZ, as well as its environmental quality. Consideration must also be given to the efficient use of land and existing physical resources, and any finite characteristics of natural and physical resources such as rural productive land and water, both in terms of the zone framework, as well as in the zoning of properties.
- 2.9. Section 8 requires that the principles of Te Tiriti o Waitangi / the Treaty of Waitangi shall be taken into account when exercising powers and functions under the RMA. These principles are relevant to the PC25 chapters, in terms of how mana whenua are involved in resource management matters in these areas.

## National Planning Standards

- 2.10. Section 75(3)(ba) of the RMA requires the district plan to give effect to any national planning standard.
- 2.11. The District Plan Structure Standard is relevant to PC25, as it directs the choice of zones that can be included, and the structure of this zone chapter within the Plan Framework. The Zone Framework Standard directs that a district plan must only contain the zones listed in that standard, and it must be consistent with the descriptions set out for each zone. Notably, none of the current Rural Residential zones used within the Operative Plan align with the options from this Standard, because the Standard does not include a 'Rural Residential' zone option. The District Spatial Layers Standard also sets out the spatial layers that can be used within district plans, and when they can be used. These include zones, overlays, a precinct, and specific controls areas.
- 2.12. Changes to the existing rural residential zones are therefore required to align with the National Planning Standards. A precinct and other specific control areas are proposed to enable site specific provisions to apply to different rural lifestyle zoned areas, as required.

## Statutory Planning Documents

**Table 1: Planning Documents**

<b>National Policy Statements</b>		
<b>Relevance: District Plan must give effect to (Section 75(3)(a))</b>		
<b>Indigenous Biodiversity 2023</b>	The National Policy Statement for Indigenous Biodiversity 2023 (NPSIB) provides direction to Councils to protect, maintain and restore indigenous biodiversity requiring at least no overall loss in indigenous biodiversity after the commencement date.	Provisions relating to ecosystems and indigenous biodiversity are contained in Section 19 of the District Plan, which was introduced through PC18. PC18 is currently before the Environment Court. PC18 was promulgated before the NPSIB was released, and future amendments will be made if and where necessary to

		give effect to the NPSIB. However the NPSIB is relevant to those provisions pertaining to indigenous biodiversity which are proposed in PC25 in relation to the Ōhau River Precinct.
	<p>Objective 2.1(1)</p> <p>The objective of this National Policy Statement is:</p> <p>(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and</p> <p>(b) to achieve this:</p> <p>(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and</p> <p>(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and</p> <p>(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and</p> <p>(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.</p>	<p>The Ōhau River Precinct includes one rule that enables the clearance of indigenous vegetation for buildings, accesses and services only. Prior to any indigenous vegetation being cleared, a Vegetation Management Plan is required, as part of the subdivision process, which will set out the overall approach to vegetation management in this Precinct. The NPSIB will be applicable at the time the site is subdivided.</p>
<b>Highly Productive Land 2022</b>	<p>The overarching objective of this policy statement ('NPSHPL') is to protect highly productive land for use in land-based primary production. To this end, policy direction includes prioritising and supporting the use of highly productive land for land-based primary production.</p> <p><b>Objective:</b> <i>Highly productive land is protected for use in land based primary production, both now and for future generations.</i></p> <p><b>Policy 4:</b> <i>The use of highly productive land for land-based primary production is prioritised and supported.</i></p> <p><b>Policy 6:</b> <i>The rezoning of and development of highly productive land as rural lifestyle is avoided, except as provided in this NPS.</i></p>	<p>Two new areas are proposed to be zoned for rural lifestyle purposes at Fairlie. This zoning is proposed as it better reflects the current pattern of development in these areas and was identified as rural lifestyle within the Spatial Plan. The land to be rezoned at Fairlie (referred to as Specific Control Area 9 - Nixons Road and Specific Control Area 10 - Clayton Road) are not classified as LUC 1, 2 or 3, and is therefore not defined as highly productive land.</p> <p>No other changes to the spatial extent of the existing rural residential zones (which are to become RLZ) is proposed as part of PC25. However, Specific Control Area 12 (Lyford Lane), which is currently the Hocken Lane Rural Residential Zone is partly within</p>

	<p><b>Clause 3.7</b> requires territorial authorities to avoid rezoning of highly productive land as rural lifestyle.</p>	<p>land that is classified as LUC3, which, if rurally zoned would meet the definition for Highly Productive Land under the transitional provisions of the NPSHPL. Because the existing zoning and provisions limits further subdivision and development, and enables primary production activities, it is considered appropriate to continue limiting development in this area to protect this land. The proposed provisions for the Specific Control Area 12 continue to limit development in this Area and enable primary production activities.</p>
<p><b>Regional Policy Statements</b>  <b>Relevance: District Plan must give effect to (Section 75(3)(c))</b></p>		
<p><b>Canterbury Regional Policy Statement</b></p>	<p><b>Objective 5.2.1</b> of the Canterbury Regional Policy Statement ('CRPS'):  Development is located and designed so that it functions in a way that:</p> <ol style="list-style-type: none"> <li>1. achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and</li> <li>2. enables people and communities, including future generations, to provide for their social economic and cultural well-being and health and safety; and which: <ul style="list-style-type: none"> <li>• provides sufficient housing choice to meet the region's housing needs;</li> <li>• encourages sustainable economic development by enabling business activities in appropriate locations;</li> <li>• is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;</li> <li>• avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;</li> </ul> </li> </ol>	<p>The RLZ will need to be aligned with this CRPS objective of achieving consolidated growth while ensuring sufficient housing choice and enabling rural production activities, which could be impacted by reverse sensitivity effects arising from rural lifestyle development close to rural productive activities, and the loss of productive rural land.</p> <p>Management of water supply for rural lifestyle properties, and the impacts of rural lifestyle development within or near to the Twizel Community Drinking Water Supply Protection Area overlay on water quality is required to ensure adverse effects on the region's natural and physical resources are avoided.</p>

	<ul style="list-style-type: none"> <li>• avoids conflicts between incompatible activities.</li> </ul>	
	<p><b>Policy 5.3.1</b></p> <p>To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:</p> <ol style="list-style-type: none"> <li>1. ensure that any             <ol style="list-style-type: none"> <li>a. urban growth; and</li> <li>b. limited rural residential development</li> </ol>             occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;           </li> <li>2. encourage within urban areas, housing choice, recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;</li> <li>3. promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;</li> <li>4. maintain and enhance the sense of identity and character of the region's urban areas; and</li> <li>5. encourage high quality urban design, including the maintenance and enhancement of amenity values.</li> </ol>	<p>Like Objective 5.2.1, implementation of this policy requires that rural lifestyle development is limited, and that it occurs adjacent to existing urban areas. The existing character of each rural lifestyle area should also be maintained or enhanced, and high-quality built development encouraged, and the maintenance and enhancement of amenity values should be encouraged.</p>
	<p><b>Policy 5.3.2</b></p> <p>To enable development including regionally significant infrastructure which:</p> <ol style="list-style-type: none"> <li>1. ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose:             <ol style="list-style-type: none"> <li>a. existing or consented regionally significant infrastructure;</li> <li>b. options for accommodating the consolidated growth and development of existing urban areas;</li> <li>c. the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;</li> <li>d. the protection of sources of water for community supplies;</li> </ol> </li> </ol>	<p>This policy requires that development ensures the protection of community water supply sources and does not foreclose options for accommodating consolidated growth of existing urban areas, or productivity of soils. It further requires that development avoids or mitigates effects of natural or other hazards, and reverse sensitivity effects, and is integrated with infrastructure, including transportation networks.</p>

	<ul style="list-style-type: none"> <li>e. significant natural and physical resources;</li> </ul> <p>2. avoid or mitigate:</p> <ul style="list-style-type: none"> <li>a. natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards;</li> <li>b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and</li> </ul> <p>3. integrate with:</p> <ul style="list-style-type: none"> <li>a. the efficient and effective provision, maintenance or upgrade of infrastructure; and</li> <li>b. transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system.</li> </ul>	
	<p><b>Policy 5.3.5</b></p> <p>Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:</p> <p>1. avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; ...</p>	<p>This policy requires that any residential development is able to be adequately serviced.</p>
	<p><b>Policy 7.3.5</b></p> <p>To avoid, remedy or mitigate adverse effects of land uses on the flow of water in surface water bodies or the recharge of groundwater by:</p> <p>1. controlling the diversion of rainfall run-off over land, and changes in land uses, site coverage or land drainage patterns that will, either singularly or cumulatively, adversely affect the quantity or rate of water flowing into surface water bodies or the rate of groundwater recharge; and ...</p>	<p>The method under this policy directs local authorities, as part of zoning of land for residential, commercial or industrial uses, to consider the effects of changes in land uses on land drainage patterns and stormwater disposal requirements. This is relevant to the consideration of the RLZs and how development in these zones is managed.</p>
<p><b>Regional Plans</b></p> <p><b>Relevance: District Plan must not be inconsistent with (Section 75(4)(b))</b></p>		

<b>Land and Water Regional Plan</b>	Directs how land and water is managed in the Canterbury region in relation to the regional council's functions for those activities.	Managing water supply for dwellings in the Rural Lifestyle Zones and ensuring rural lifestyle development does not impact upon the community drinking water source areas must align with, but not duplicate the rules in the regional plan.  The current Plan also includes policies relating to the management of wastewater disposal and water supply that appear to duplicate the controls in this regional plan.
<b>Plans or strategies prepared under other legislation</b> <b>Relevance: District Plan must have regard to (Section 74(2)(b)(i))</b>		
<b>Mackenzie Spatial Plans 2021</b>	Sets a 30-year vision for the future of the District's towns and rural lifestyle areas.	<i>This is discussed further below.</i>
<b>Long Term Plan 2021-31</b>	Identifies the activities Council intends to carry out over the next ten years, their cost, and how they will be funded.	The proposed RLZ must take into account the servicing upgrades planned for the District in the Long Term Plan, to ensure adequate servicing is available or to ensure servicing of dwellings can be provided where reticulated services are not available.
<b>Iwi Management Plans</b> <b>Relevance: District Plan must take into account (Section 74(2A))</b>		
<b>Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region 1990</b>	Provides Ngāi Tahu views on resource management in Canterbury.	The development of the District Plan has been undertaken in partnership with mana whenua, and this process will continue until the provisions, including those of the RLZ, are made operative. Through this process, Ngai Tahu's views on resource management will be better understood.
<b>Iwi Management Plan of Kati Huirapa 1992</b>	Describes the values of Kati Huirapa (hapū), issues relating to environmental matters of concern. These issues include: - the disturbance of ground where there was or is traditional and customary use of ancestral lands; - the mapping/recording of sites of Mahika kai for protection/restoration.	While relevant to the development of land within the RLZs, methods to manage earthworks are addressed in a separate chapter of the District Plan, as are the provisions proposed to manage sites of significance to Māori.
<b>Resource Management Plan of Kati Huirapa 2022</b>	Describes the values of Kati Huirapa, issues relating to these, the expectations of Kati Huirapa in remedying the issues, and the outcomes required to address the issues in	While relevant to the development of land within the RLZs which falls within the area covered by this plan, methods to manage earthworks are addressed in a separate chapter of the District

	<p>order to meet resource management values.</p> <p>This plan is prepared by Kati Huirapa (hapū), who include Te Rūnanga o Arowhenua (primary Rūnanga), Te Rūnanga o Waihao and Te Rūnanga o Moeraki.</p> <p>This plan covers the area from the Rakaia River in the north to the Waitaki River in the south, and from the coast to the main divide.</p>	<p>Plan, as are the provisions proposed to manage sites of significance to Māori.</p>
<b>Waitaki Iwi Management Plan 2019</b>	<p>Describes the values of the Te Papatipu Rūnaka (Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki) in relation to the Waitaki River and the wider catchment that provides a life source to the river (Aoraki/Mount Cook to the sea). The plan outlines the issues relating to the area, and direction for how these are addressed and how their relationship with the identified resource can be provided for.</p>	<p>Riparian management rules ensure building development will not occur close to the margins of the rivers within the wider catchment of the Waitaki River.</p>

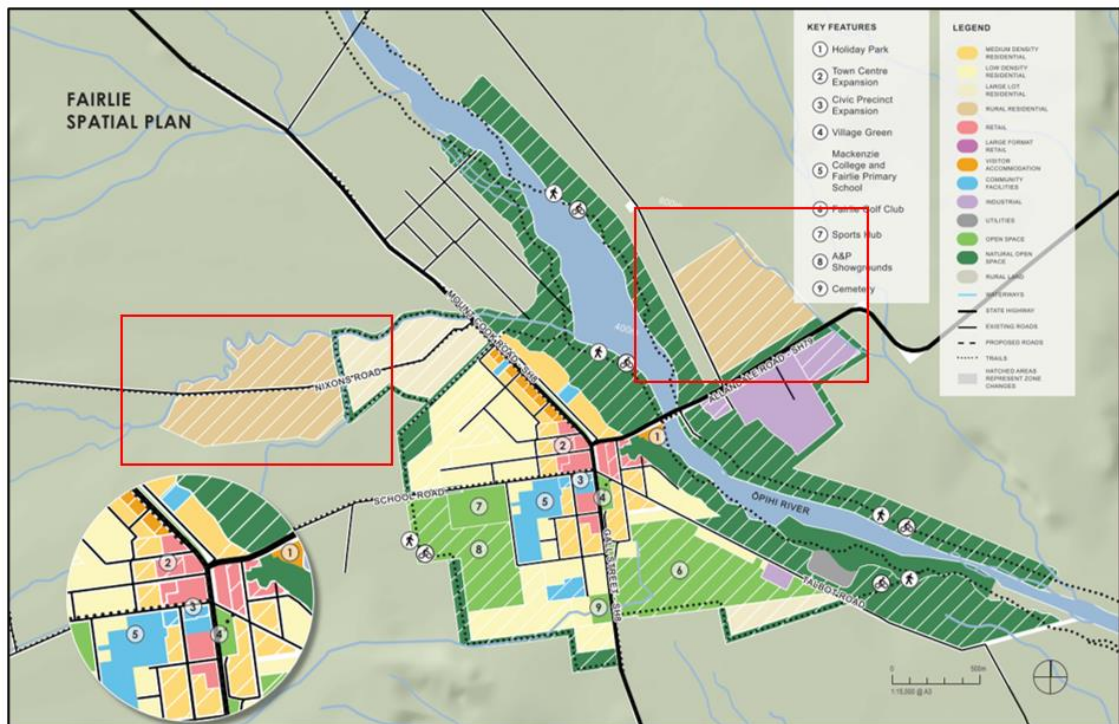
## Mackenzie Spatial Plans

- 2.13. The Mackenzie Spatial Plans were adopted in September 2021 and provide a high-level blueprint for how the townships and rural settlements in the district will grow and develop over the next 30 years. The Spatial Plans were drafted based on extensive community engagement, along with expert advice, and are intended to inform future land use patterns and the District Plan zoning as well as create a shared vision for how the towns, rural settlements and rural lifestyle areas will develop.
- 2.14. The Spatial Plans did not propose changes to the extent of rural residential zoning at Twizel.
- 2.15. The Spatial Plan proposed that the Rural Residential 1 Zone would become a Large Lot Residential Zone ('LLRZ') and Open Space Zone. The land identified as LLRZ in the Spatial Plan was rezoned in Stage 2 of the District Plan Review and is not in scope of Stage 3. As part of the consultation on Stage 2, the owner of the Twizel Rural Residential 1 zoned land identified as Open Space in the Spatial Plans indicated a desire to pursue an alternate zoning for this land, such as for industrial purposes. Following community consultation and consideration of the appropriateness of an industrial zone in the subject location, as well as the limited technical information provided to support the rezoning, zoning the land General Industrial Zone was not considered to be suitable and was not progressed by the Council. Therefore, it is proposed to rezone this land, which is currently zoned Rural Residential 1 Zone, to Rural Lifestyle Zone via PC25 (essentially retaining the status quo). This site is shown the figure below:



**Figure 1: Land to be zoned Rural Lifestyle Zone, north of Max Smith Drive Outlined in Red**

- 2.16. The Spatial Plans also identified two new rural residential areas in Fairlie along Nixons Road and Clayton Road, as displayed in Figures 2, 3 and 4.



**Figure 2: Fairlie Spatial Plan. The New Rural Lifestyle Zones identified are outlined in red.**





Figure 3: Aerial Photograph of new Rural Residential Zoning Identified Along Nixons Road

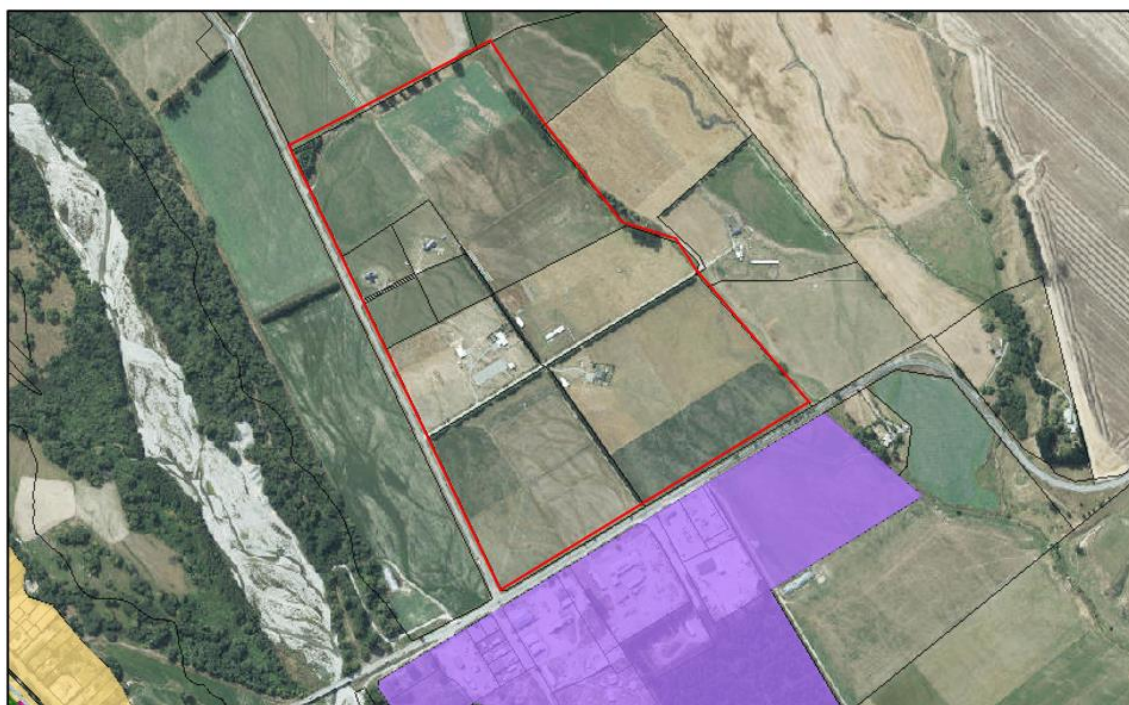


Figure 4: Aerial Photograph of New Rural Residential Zoning identified Along Clayton Road

### 3. Strategic Directions

3.1. The following proposed District Plan Strategic Directions are relevant to this topic:

#### ***ATC-O1 Live, Work, Play and Visit***

*The Mackenzie District is a desirable place to live, work, play and visit, where:*

- 1. there are a range of living options, businesses, and recreation activities to meet community needs;*
- 2. activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for;*
- 3. the anticipated amenity values and character of different areas are maintained or enhanced.*

**ATC-02 Rural Areas**

*The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.*

**ATC-06 Incompatible Activities**

*The location and effects of activities are managed to:*

- 1. minimise conflicts between incompatible activities; and*
- 2. protect important existing activities from reverse sensitivity effects.*

**MW-01 Mana Whenua Involvement**

*Mana whenua are able to:*

- 1. be actively involved in decision making that affects their values and interests;*
- 2. exercise their kaitiakitaka responsibilities; and*
- 3. carry out customary activities in accordance with tikanga.*

**NE-01 Natural Environment**

*The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:*

- 1. mahika kai resources;*
- 2. night sky darkness;*
- 3. outstanding natural features and landscapes;*
- 4. significant indigenous biodiversity; and*
- 5. water bodies and their margins.*

**UDF-01 Urban Form and Development**

*The District's townships and settlements grow and develop in a consolidated way that:*

- 1. is integrated into, and respects the values of the surrounding natural and physical environment;*
- 2. achieves good connectivity with other parts of the urban area;*
- 3. is integrated with the provision of infrastructure and facilities which support the functioning of the community;*
- 4. maintains the anticipated character of each township, and its attractiveness to residents, businesses and visitors; and*
- 5. responds to the needs of the community, including diversity in housing and business opportunities; and*
- 6. protects highly productive land.*

- 3.2. The RLZ must achieve the above objectives. The RLZs can provide a lifestyle option for community members who wish to live in a more rural environment, but the District Plan must ensure that the amenity values of the rural environment are not eroded, and that productive rural land is protected. The RLZs, the Ōhau River Precinct and associated provisions must ensure development in the zones is consolidated, can be serviced (either by reticulated services or individually) and can be connected to the roading network.

## 4. Current Approach

4.1. The Operative Plan has five Rural Residential Zones:

- The Manuka Terrace Rural Residential Zone (MTRRZ);
- The Ōhau River Rural Residential Zone (ORRRZ);
- The Hocken Lane Rural Residential Zone (HLRRZ);
- The Rural Residential 1 Zone (RR1Z); and
- The Rural Residential 2 Zone (RR2Z).

### The Manuka Terrace Rural Residential Zone

4.2. The MTRRZ was introduced to the Operative Plan as part of Plan Change 13 ('PC13'). It is situated west of Twizel between the Ōhau Canal and Lake Ōhau and covers an area of approximately 1,012ha. A small area of the zone is identified as a Lakeside Protection Area. The zone was created in response to the subdivision of land along Manuka Terrace and sets a minimum lot size of four hectares and one dwelling per site. Provision in the zone has however been made for dwellings to be established within existing sub-four hectare lots (as a permitted activity), where the site was approved by subdivision prior to 30 November 2007. In order to preserve this development opportunity, this rule is part of the RLZ provisions.

4.3. The MTRRZ is subject to some natural hazards and risks, which are typically addressed at the time of subdivision. Known natural hazards include earthquake faults, and part of the MTRRZ has recently been identified through consultation with the hydro scheme operator as being within an area of inundation in the event of a canal failure. These matters are not addressed via PC25, and will be considered when the Natural Hazards and Risks chapter is reviewed in Stage 4 of the District Plan review.

4.4. Permitted activities in the MTRRZ include residential activity, amenity tree planting (excluding a list of tree species), visitor accommodation (up to six guests), home occupation, farming activities, earthworks and vegetation clearance. All other activities are assessed as either discretionary or non-complying except for the planting of specific wilding tree species which is a prohibited activity.

4.5. In the MTRRZ all buildings require resource consent as a controlled activity, except buildings for farming purposes and dwellings on lots created or approved by subdivision consent prior to 30 November 2007, where the approval has not lapsed and the approval specifically provides for a building platform within the lot. The matters subject to Council's control are:

- Bulk and location including location to avoid natural hazard risk;
- Access;
- Servicing;
- Earthworks;
- External appearance and condition; and
- Ability to withstand strong winds.

4.6. The exemption for farm buildings is also rarely applied given the size of the underlying lots and the use of properties for rural residential activity.

## The Ōhau River Rural Residential Zone

- 4.7. The ORRRZ was introduced to the District Plan in the Interim Decision on PC13 where the Environment Court directed that parties to the appeals of Mackenzie Properties Limited (ENV-2009-CHC-183) prepare a complete set of subzone rules for this land adjacent to the Ōhau River. This zone is situated west of Twizel and covers an area of approximately 781ha. The zone is in single ownership and is currently undeveloped. Part of this zone is subject to the hydro inundation area (which is a flood hazard associated with a possible canal breach) which is managed by the current 'Ōhau River Rural Residential Zone No Build Area' planning notations. The Ōhau River No Build Area also manages limitations to development in this Zone, such as setbacks from the canal.
- 4.8. Development in the ORRRZ can only proceed once a Vegetation Management Plan, which requires management of weeds and wilding trees and maintenance of arboretum, is approved. No more than 50 building platforms can be created within the ORRRZ. Building platforms are to be no more than 1,000m<sup>2</sup> in area and must be created at the time of subdivision. No building platforms are to be identified or located within the No Build Area, 100m of a waterway, hydro canal or lake or 50m of a wetland or tarn. In addition, all building platforms are to be setback 20m from the Ostler Fault or 100m from the Conservation Estate or a public walkway.
- 4.9. An aerial photograph showing the location of the MTRRZ and ORRRZ is provided in Figure 5.

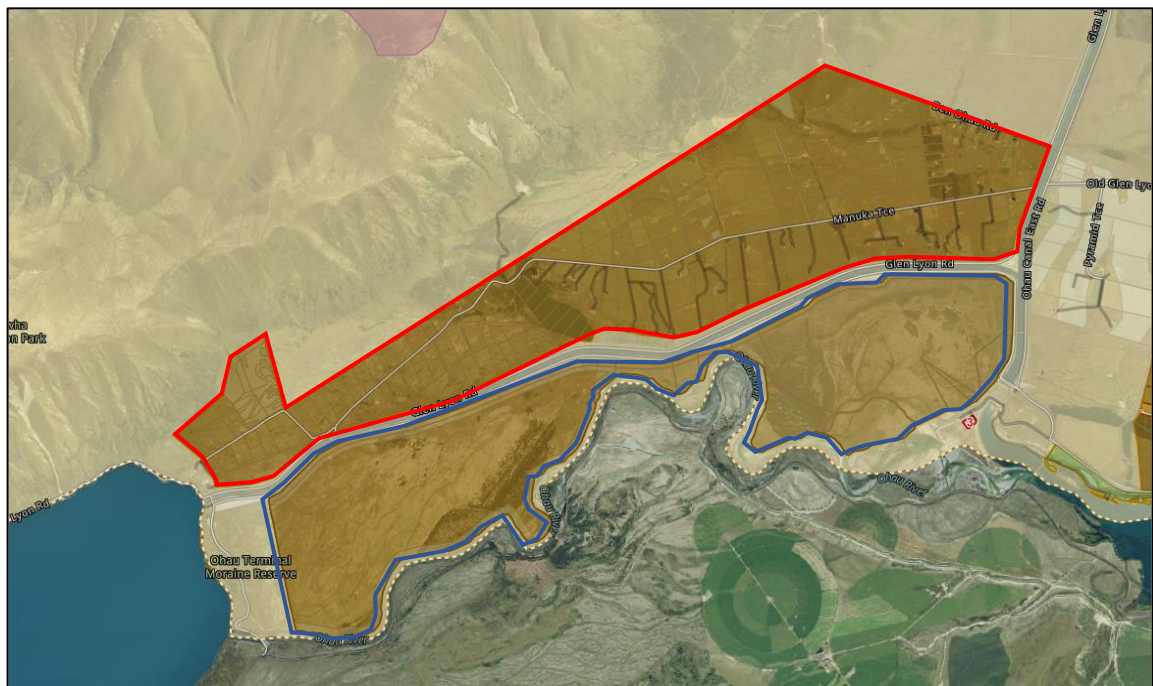


Figure 5: Aerial Photograph of the MTRRZ and the ORRRZ. The MTRRZ is outlined in red. The ORRRZ is outlined in blue.

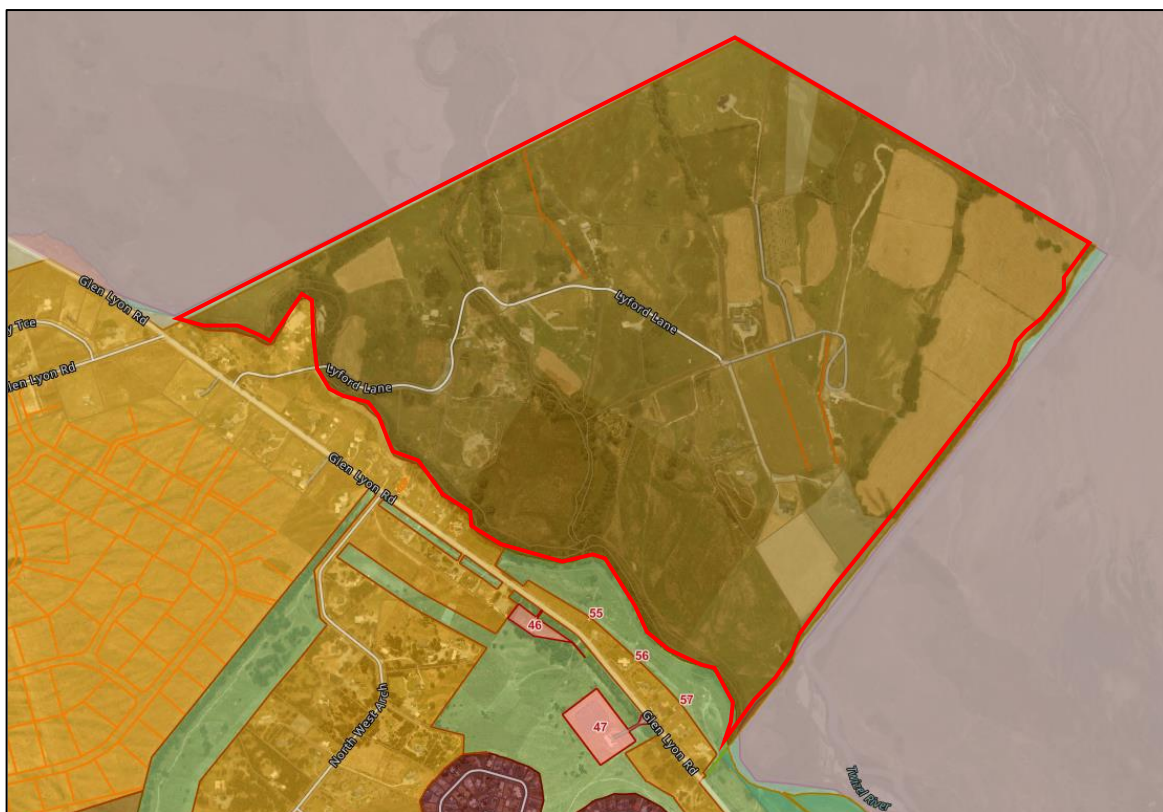
## The Hocken Lane Rural Residential Zone

- 4.10. The HLRRZ was introduced to District Plan as part of Plan Change 15 (PC15). It is situated north of Twizel and covers an area of approximately 147 hectares. The zone is subject to the Flood



Hazard Planning Notation and is located within a Hydro Inundation Hazard Area. Almost half of the HLRRZ is also located within the Twizel Community Drinking Water Supply Protection Area (which is a community drinking water supply).

- 4.11. The HLRRZ comprises of 20 land parcels which vary in size from 1.6ha to 37.93ha. All land parcels in the zone are accessed from Glen Lyon Road via a private right of way (Lyford Lane).
- 4.12. Permitted activities in the HLRRZ include residential activities, amenity tree planting (excluding a list of tree species), home occupation, farming activities, retail sales (subject to scale thresholds), vegetation clearance and earthworks. All other activities including visitor accommodation are assessed as either discretionary or non-complying activities except for the planting of wilding tree species, which is a prohibited activity.
- 4.13. Development in the HLRRZ is carefully managed with residential buildings only permitted on lots created or approved prior to 25 September 2010. All residential buildings on lots created after the 25 September are a non-complying activity. All extensions to existing buildings and residential buildings erected within the Twizel Water Supply Protection Area (now referred to as the Community Drinking Water Supply Protection Area) which do not connect to Council's reticulated sewage disposal system are also a non-complying activity. It is noted that Council's reticulated sewer network is not available from Lyford Lane.
- 4.14. All habitable buildings in the HLRRZ, at the time of building consent, require a chartered professional engineer's certificate confirming that the foundation design structure and floor height will withstand a flood event and avoid potential settling as a result of soil conditions or a high-water table. This rule is not within the scope of PC25, and therefore the rule will remain operative until reviewed as part of the Natural Hazards and risks provisions in Stage 4 of the District Plan review.
- 4.15. An aerial photograph showing the location of the HLRRZ is provided in Figure 6.



**Figure 6: Aerial photograph of the HLRRZ. The HLRRZ is outlined in red.**

## **The Rural Residential 1 and 2 Zones**

- 4.16. The RR1Z and RR2Z were introduced to the District Plan as part of PC15 and are situated west and south of Twizel. The majority of the RR1Z was rezoned to Large Lot Residential Zone as part of PC21, resulting in only one area south-west of Twizel retaining the RR1Z. The rule and policy framework for the RR1Z and RR2Z is essentially identical except for the minimum allotment size (which is 1 hectare for the RR1Z Zone and 4 hectares for the RR2Z Zone), total building coverage (which is 600m<sup>2</sup> for the RR1Z Zone and 800m<sup>2</sup> for the RR2Z Zone) and treatment of primary production activities (which is discretionary in the RR1Z and permitted in the RR2Z). No notable planning notations or overlays are applicable to the zones. The RR1Z comprises an area of approximately 52ha and is in single ownership. The land is undeveloped. The RR2Z comprises an area of approximately 197ha and is undeveloped.
- 4.17. Permitted activities in the RR1Z and RR2Z include residential activities, buildings and accessory buildings, amenity tree planting (excluding a list of tree species), visitor accommodation (for up to six guests), home occupation, retail sales (scale thresholds), earthworks and vegetation clearance. All other activities are assessed as either a discretionary or non-complying activity except for the planting of wilding tree species which is a prohibited activity.
- 4.18. The RR1Z and RR2Z allow for buildings and accessory buildings as a permitted activity provided the performance standards are complied with. The primary performance standards applicable to the Rural Residential Zones are outlined below.
- 4.19. An aerial photograph showing the location of the RR1Z and RR2Z is provided in Figure 7.



Figure 7: Aerial Photograph of Twizel Zoning. The Operative RR1Z is outlined in blue and the Operative RR2Z is outlined in yellow. These areas are proposed to be zoned RLZ.

## Rural Residential Zones Standards

4.20. The primary performance standards for each of the Rural Residential Zones is provided in the Table below:

**Table 2: Rural Residential Zone Performance Standards**

Standard	MTRRZ	ORRZ	HLRRZ	RR1Z	RR2Z
<b>Residential Density</b>	One dwelling and one minor unit per site	-	One dwelling per site on allotment created or approved prior to 25 Sep 2010	One dwelling and one minor unit per site	One dwelling and one minor unit per site
<b>Setbacks</b>	20m	-	20m dwellings and buildings housing animals 10m all other buildings	20m dwellings and buildings housing animals 10m all other buildings	20m dwellings and buildings housing animals 10m all other buildings

<b>Coverage</b>	700m <sup>2</sup>	700m <sup>2</sup>	700m <sup>2</sup>	600m <sup>2</sup>	800m <sup>2</sup>
<b>Height</b>	8m	8m	9m	8m	8m
<b>Reflectivity</b>	-	-	40%	40%	40%

## 5. Issues

### Investment Logic Map (ILM)

- 5.1. The ILM development for the District Plan review identified four key problems which the Plan Review should address. Of particular relevance to this topic are:
- *Uncoordinated & fragmented development is enabled, disrupting social & economic wellbeing, putting pressure on infrastructure.*
  - *The outdated & permissive nature of the plan, results in inconsistent and ad hoc decision making, creating perverse & undesirable outcomes*
- 5.2. The ILM process further noted that this includes (amongst other things) that the Operative Plan does not give effect to all relevant higher order documents, including the National Planning Standards, nor does it reflect the Mackenzie Spatial Plans. Specific to the RLZ, the Operative Plan has a lack of strong policy direction regarding development in the rural residential zones. The MTRRZ for example has no objectives and policies to guide decision making. The overall purpose of each of the rural residential zones is also unclear. Therefore, there is limited guidance on the types of activities or outcomes that are anticipated in each zone and limited scope to decline or impose conditions on applications for resource consent.

### Complexity

- 5.3. The Operative Plan contains five Rural Residential Zones which provide for rural residential development surrounding Twizel. Despite the overall purpose of each zone being similar (providing for rural residential activity), the use of different zones has been used to apply area-specific controls or constraints, which has resulted in unnecessary complexity, by using three separate chapters for these zones. The rule and policy framework for the RR1Z and RR2Z, for example, is essentially identical except for the minimum allotment size, total building coverage and treatment of farming activities. There is an opportunity to rationalise the number of Rural Residential Zones and to incorporate other methods into the provisions, such as spatial control tools, to maintain any area-specific distinctions that are still warranted.
- 5.4. There is also an opportunity to rationalise some of standards that differ slightly between zones, such as the maximum building height limit and the site coverage rules.

### Development Controls/Constraints

- 5.5. The Rural Residential Zones are subject to numerous development controls/constraints that limit development in these areas, which require consideration. Development controls/constraints include the impacts of natural hazards and other risks, servicing constraints, the effects on the Twizel Community Drinking Water Supply Protection Area and the specific requirements relating to the ORRRZ. Some of these provisions require updating.



## Rural Residential Growth - Fairlie

- 5.6. The Mackenzie Spatial Plan identifies two new Rural Residential areas in Fairlie. These areas already contain some rural lifestyle type development, so the rezoning of these areas to RLZ will better reflect this established land use. These two areas are recommended to be zoned RLZ, with a minimum lot size of 4 ha (and one dwelling per site) until such time reticulated services are in place (water and sewer). Specific Control Areas are then recommended for both of these RLZ areas to enable an increase in density of 1 ha at Nixons Road and 2 ha at Clayton Road, at the time they are connected to reticulated services. This will allow for increased rural residential development surrounding Fairlie as envisioned in the Spatial Plan, while enabling development to be aligned with the provision of infrastructure.

## 6. Consultation

- 6.1. In accordance with Schedule 1, clause 3(1), consultation was undertaken with the Minister for the Environment, other Ministers of the Crown who may be affected by the plan change, adjoining local authorities who may be affected, the regional council, and tangata whenua.
- 6.2. Mana Whenua, via Aoraki Environmental Consultants Limited staff who are part of the project team, have been involved in the background work associated with the development of the provisions proposed in PC25.
- 6.3. During the development of the plan changes that are part of Stage 3 of the District Plan Review, community engagement was undertaken. A summary of key information was provided through the Council's online engagement platform, allowing for interested parties to provide comment by email. An online survey was also developed and promoted through a number of channels. Community open days were held in Fairlie, Takapō / Lake Tekapo, Twizel, Albury and Kimbell during the first and third week of March 2023. The summary material was promoted to the community using a range of Council channels, including mailouts, newsletters, emails and social media posts.
- 6.4. This provided the community the opportunity to comment on matters addressed in this stage of the District Plan Review. While this included the ability to provide any feedback, comments were specifically sought on identified key issues, which, in relation to the RLZs included:
- How Rural Lifestyle Zones should be managed;
  - The rezoning of the RR1Z land north of Max Smith Drive in Twizel to Light Industrial;
  - Subdivision and density standards;
  - Managing fencing in Te Manahuna / the Mackenzie Basin.
- 6.5. The following summarises some of the feedback was received on matters relating to the RLZs:
- Increasing intensity should not be enabled and the expansion of RLZ should be limited;
  - Minimum lot size in the MTRRZ should be decreased from 4ha to 2ha;
  - Concerns about the effects of residential activities Hocken / Lyford Lane RRZ on the Twizel community drinking water supply protection area;

- The rural residential zoning should be extended to include all land to the canal (Pyramid Terrace) and south of Old Glen Lyon Road;
  - Concern that having a single RLZ would not reflect the differences, in character and location, between the existing rural residential zones;
  - Allow tank water combined with roof collection for building consents instead of requiring bore water;
  - Seeking management of adverse effects of rural lifestyle activities to protect the Twizel Basin visual amenity values and the Dark Sky Reserve;
  - Concerns with noise levels and traffic associated with the Hocken Lane Rural Residential Zone.
- 6.6. Specific consultation occurred regarding the rezoning of the existing RR1Z land at Twizel (north of Max Smith Drive) to an Industrial Zone. This particular topic attracted a large number of survey responses, with the overwhelming number of respondents opposing the rezoning of this land for industrial purposes and preferring the current Rural Residential Zone be retained. Concerns raised included the effects of industrial activities on the surrounding environment such as increased heavy vehicle movements and increased noise, and the location near Lake Ruataniwha not being well suited for industrial activities.
- 6.7. The MTRRZ and the RR2Z are both recommended to be zoned RLZ. The minimum density in these areas is recommended to be maintained at 4ha. A reduction to 2ha, while supported by some members of the community, is not unanimously supported with others opposed to further rural residential development being enabled surrounding/near Twizel. In addition, allotments less than 4ha in area require discharge consent from Environment Canterbury ('ECan') to discharge wastewater to ground. Based on ECan's evidence for PC21, discharge consent cannot be guaranteed given the potential effects on ground water quality. Further, based on the growth projections for Twizel, completed as part of the Spatial Planning project, additional rural residential infill is also not required to meet anticipated growth. An increase in rural lifestyle density at Twizel is therefore not included in PC25.
- 6.8. Additionally, an increase in the minimum allotment size to 8ha and a corresponding decrease in density in the RR2Z was considered but has not been included in PC25 as it is inconsistent with the Operative Plan and would remove some landowners' existing development opportunities. It is also considered that the effects of rural lifestyle development at a density of one dwelling per 4ha is consistent with the outcomes sought by the District Plan, to enable housing choice including rural living options. Increasing the minimum lot size to 8ha would reduce the opportunities for rural lifestyle living, and would impact the feasibility of the provision of new reticulated services to these areas.
- 6.9. Consultation has occurred with the owner of the ORRRZ, which is zoned for rural lifestyle purposes but has not yet been developed. The engagement undertaken was to understand if these landowners have development aspirations for the land in line with the current zoning. It is understood that the owner does wish to develop the land for rural lifestyle purposes. While the owner is understood to have aspirations that may be limited by the current

provisions, they have indicated that they would prefer the current provisions are carried through into the District Plan as part of PC25.

- 6.10. Direct engagement with ECan (in relation to flood risk), Council's Engineering Department (in relation to 3-Water servicing) and the relevant hydro generator (in relation to the risk of hydro inundation) was undertaken to determine whether existing rural residential zone at Hocken/Lyford Lanes is suitable for further/more intensive rural residential development. A desktop analysis was undertaken to determine the development capacity of the existing allotments under the current rule framework, a summary of which is provided below. This analysis shows that, based on density provisions, six additional dwellings could be developed in this area. However, due to the existing restrictions of the Twizel Water Supply Protection Area, two of these additional dwellings would be non-complying activities. The outcome of this engagement is that the whole of the Hocken/Lyford Lane Rural Residential Zone is not considered suitable for additional development (over and above what is currently provided for) due to risks associated with the Twizel Community Drinking Water Supply Area, alongside the natural hazards and risks. This water supply is of critical importance to Twizel and the risk of contaminants entering groundwater must be appropriately managed.

**Table 3: Activity Status of 6 Lots Without Residential Units Within the Current Hocken Lane Rural Residential Zone**

Lot Number	TWSPA	Current Activity Status	Proposed Activity Status
Lot 1 DP 356211	Yes	Non-Complying, unless the residential unit is connected to Council's reticulated sewer network.	Non-Complying, unless the residential unit is connected to Council's reticulated sewer network.
Lot 3 DP 342136	Yes	Non-Complying, unless the residential unit is connected to Council's reticulated sewer network.	
Lot 2 DP 356211	Yes (In Part)	If dwelling is within the TWSPA Non-Complying, unless the residential unit is connected to Council's reticulated sewer network.	
		If dwelling is outside the TWSPA Permitted, subject to meeting the built form standards.	
Lot 2 DP 331442	Yes (In Part)	If dwelling is within the TWSPA Non-Complying, unless the residential unit is connected to Council's reticulated sewer network.	
		If dwelling is outside the TWSPA	

		Permitted, subject to meeting the built form standards.	
Lot 23 DP 82708	No	Permitted, subject to meeting the built form standards.	
Lot 4 DP 36426	No	Permitted, subject to meeting the built form standards.	

- 6.11. For the rural residential areas near Fairlie (Nixons Road and Clayton Road), which are currently zoned Rural, direct engagement with ECan, Council's Engineering Department and Waka Kotahi was undertaken to determine whether these areas can be integrated with infrastructure, and whether or not these areas contain values or constraints of such significance that their development would not be appropriate (e.g., if the areas are known to be susceptible to flood hazard, and if on-site wastewater disposal is appropriate). ECan, as part of the Spatial Planning process and more directly in the preparation of the Preferred Approach report for this Chapter, raised no concerns with these areas being zoned or with the continuation of the RLZ in terms of natural hazards (flood) risk, and Council's Engineering Department confirmed that, while both areas at Fairlie can be serviced, mechanisms are required to ensure the costs of providing this servicing is borne by the developer.
- 6.12. Additional community engagement was undertaken in August 2023, including circulation of draft chapters to interested parties. A summary of the broad themes raised in this engagement is set out in the table below.

**Table 4: Engagement Responses**

Matter Raised	Response
Potable water – where reticulated drinking water is not available, a bore water supply is required for a residential activity to be permitted. If a bore is not available, resource consent can be sought for an alternative solution. Several parties sought that alternative water supply options should be provided for as a permitted activity.	The standard has been updated to enable potable water to be supplied by any means, provided it meets the Building Act requirements. Therefore, where reticulated water supply is not available, alternatives to bore water supply are now provided for as a permitted activity. This is expected to result in rainwater and tinkered water being a source of drinking water.
Concern about the RLZ proposed at Old Glen Lyon Road has been expressed. Several other people support the retention of the current extent of the rural residential zoning at Twizel without expansion.	This land is already zoned Rural Residential, so the proposed RLZ will not change the current zoning at the site.
Some parties have stated that additional rural lifestyle zoning is required at Fairlie, to meet demand. While two new areas are proposed at Fairlie, the concern is that these areas are already largely developed to a density enabled by this rezoning.	The two new RLZ at Fairlie will enable more density once reticulated services are provided, which will enable further development of these areas. Further, there remains some capacity to develop additional lots at a density of 4 hectares, particularly at Clayton Road.

	Other areas for rezoning have not been proposed at this time and have not been identified in the Spatial Plans. However, the General Rural Zone Eastern Plains Specific Control Area enables development to 4 hectares (as a discretionary activity). This provides a pathway for development, subject to a resource consent process, which will include consideration of the NPSHPL.
Several members of the community consider that the Specific Control Area 11 (the land north of Max Smith Drive) is better suited for recreational purposes and seek a zoning for this land that enables this use. The RLZ at this site is therefore opposed.	This land is currently zoned Rural Residential Zone, so PC25 will retain the current zoning. Open Space zoning and provisions will be addressed as part of Stage 4 of the District Plan review. Consideration of the suitability of this site for recreational land uses can be undertaken at this stage.
Several members of the community consider that all RLZ land should be provided with reticulated services (water supply and wastewater).	It is understood that there are no plans to provide reticulated services to all RLZ areas. However, some consideration of connecting the existing lots within Lyford Lane Specific Control Area to reticulated wastewater system is being considered by Council to manage potential effects on the Twizel water supply.
Several parties consider that more development should be enabled at Lyford Lane (Specific Control Area 12). The discrete location is considered to be optimal as visibility of new development would be limited. One party questioned the risk ratio that is applied to the management tools imposed to protect people and property from hydro inundation in the event of a canal wall failure.	As per the Operative Plan, development is carefully managed at Lyford Lane. This area is within the Twizel community drinking water supply protection area, which means activities must be managed to ensure contamination of this water supply does not occur. The site is also within the hydro inundation area and is subject to rules to manage the effects of flooding. (The hydro inundation rules will be considered in the next stage of the District Plan review when the Natural Hazards and Risks chapter is addressed). Some parts of this zone are also classified as highly productive land under the NPSHPL. For these reasons, new residential activities are proposed to comprise Discretionary activities and where not connected to reticulated wastewater services, the activity status for new dwellings is non-complying. In the Operative Plan new dwellings are permitted, where outside of the Twizel community drinking water supply protection area and non-complying within the Twizel community drinking water supply protection area if not connected to a reticulated wastewater service. This rule framework is to ensure further development can be carefully managed, whilst still enabling a

	consenting pathway for new dwellings on undeveloped lots where they connect to a reticulated wastewater service.
Reservations about the development of the Ōhau River Precinct have been expressed by community members and stakeholders. One person expressed the view that development in this area was positive.	The proposed Ōhau River Precinct carries over the provisions of the Ōhau River Rural Residential Zone from the Operative Plan. The Ōhau River Rural Residential Zone was established via Plan Change 13 to the Operative Plan. While some minor changes have been made, the provisions enable the nature and scale of development at this site as is provided for in the Operative Plan.
One party has sought additional measures be included in the RLZ provisions to manage the spread of wildfire.	Measures to assist with controlling the spread of wildfire will be introduced in the Natural Hazards and Risks chapter of the District Plan, which will be part of Stage 4 of the District Plan review.
One community member has suggested that the Nixons Road Specific Control Area would be suitable for an eco-toilet trial.	It is understood that the eco-toilet trial would be a means of providing a 'reticulated' wastewater service at Nixons Road. The RLZ provisions do not prevent this initiative being undertaken.
Concern has been raised about the potential for reverse sensitivity effects to arise given the industrial zone located on the opposite side of State highway 79.	A planting strip along the State Highway 79 frontage of the Clayton Road RLZ is required at the time of subdivision to visually screen the industrial zoned area from the RLZ.
One landowner has requested that their property, which sits just outside of the Manuka Terrace RLZ zone, be included within this zone.	The subject property is located on the shore of Lake Ōhau, within the ONL and is within the existing Lakeside Protection area Overlay. It is not considered appropriate to rezone this sensitive and highly visible property to RLZ.
Some parties have sought provisions to better manage the visual effects of buildings, seeking covenants be imposed to control building styles, material and colour palettes. One person questioned the reflectivity standard.	<p>The reflectivity standard proposed is based on the standard used for Takapō / Tekapo, so it is considered suitable. However, colour options are available, so darker colours can be avoided if required.</p> <p>While standards are proposed to better manage the colours of buildings, as well as fencing, covenants may be used by developers when creating a new subdivision should they wish to implement design controls for their developments.</p>

## 7. Scale and Significance

- 7.1. Section 32(1)(c) of the RMA requires that the s32 evaluation report contains a level of detail that corresponds with the scale and significance of the of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

7.2. The following have been considered in determining the scale and significance of the effects anticipated from the implementation of the PC25 provisions:

- The geographic area of the district impacted by PC25 is limited to all currently zoned Rural Residential zoned areas, and the areas near Fairlie where rural residential development is established/it was foreshadowed in the Spatial Plan.
- The effects of development of RLZs also impact on landowners with properties adjoining these zones.
- There is a reasonable degree of change from the current provisions as PC25 proposes to introduce the new RLZ, Precinct and Specific Control Areas. However, for the most part the existing provisions are proposed to be carried forward, and the density within the rural residential zones will largely be retained under the new RLZ provisions. Where changes are proposed, these largely relate to responding to servicing constraints, rationalising the current approach and including additional standards to manage design outcomes.
- PC25 is largely implementing the Mackenzie Spatial Plans, which have been subject to extensive community consultation and reflect the agreed options for managing growth.
- PC25 does not generally relate to resources that are matters of national importance under s6 of the RMA, except in relation to zoning of areas currently located within Te Manahuna / the Mackenzie Basin (where the current zoning will essentially be retained).

7.3. The scale and significance of the proposed provisions introduced by PC25 is overall considered to be low-moderate.

## 8. Evaluation of Objectives

### Introduction

8.1. Section 32(1)(a) requires an evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. PC20 (which is operative) determined that the Strategic Directions are the most appropriate way to achieve the purpose of the RMA. This section of the report therefore considers whether the objectives relating to this topic are the most appropriate way to achieve the Strategic Directions and the purpose of the RMA.

**Table 5: Rural Lifestyle Zones Objectives**

Proposed Objectives
<b><i>RLZ-O1 Zone Purpose</i></b> <i>The Rural Lifestyle Zone provides primarily for living opportunities in a rural environment and other compatible activities that support and are consistent with the character and amenity values of the zone, including small scale primary production activities.</i>

**RLZ-02 Character and Amenity Values**

*The Rural Lifestyle Zone is a desirable rural living environment, which:*

- 1. contains predominantly detached residential units on large lots that provide on-site amenity;*
- 2. does not exceed available capacities for servicing and infrastructure;*
- 3. maintains a predominance of open space over built form; and*
- 4. maintains the character and amenity values of rural areas.*

**PREC4-01 Ōhau River Precinct**

*Limited rural lifestyle development which is sensitive to the natural values of the area including the Ōhau River, avoids development in hazard areas, provides for maintenance and access to the Ōhau Hydro Canal and achieves on going elimination of pest plants on the eastern block.*

**Relevant Strategic Directions****ATC-01 Live, Work, Play and Visit**

*The Mackenzie District is a desirable place to live, work, play and visit, where:*

- 1. there are a range of living options, businesses, and recreation activities to meet community needs;*
- 2. activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for;*
- 3. the anticipated amenity values and character of different areas are maintained or enhanced.*

**ATC-02 Rural Areas**

*The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.*

**ATC-06 Incompatible Activities**

*The location and effects of activities are managed to:*

- 1. minimise conflicts between incompatible activities; and*
- 2. protect important existing activities from reverse sensitivity effects.*

**Assessment**

These objectives are considered to be the most appropriate way to achieve the purpose of the Act because they will:

- Give effect to the purpose of the Act by managing natural and physical resources in the RLZ areas in a way that provides for the community's well-being, by providing different living opportunities in the District (s5(2));
- Address the current lack of direction at the objective level by outlining the specific purpose of the RLZ;
- Assist in protecting the district's outstanding natural landscapes (s6(b)) by providing clear guidelines on the purpose of the RLZ and the anticipated environmental outcomes for activities within this zone;
- Assist in maintaining and enhancing the amenity values and qualities (s7(c) and s7(f)) of the RLZ and surrounding environments, by providing clear direction on the purpose and anticipated environmental outcomes for these environments;
- Assist the Council in achieving integrated management of the use and development of land and to carry out its functions under s31 by providing direction for the subsequent framework;
- Align with the description in the National Planning Standards for the RLZ, Specific Control Areas and Precincts;
- Give effect to the CRPS by providing housing choice outside the residential zones and by encouraging activities that are consistent with the character and amenity of the RLZ;



- Align with the Strategic Directions, by providing a range of living options to meet the needs of the community and by enabling activities that are important to the community's social, economic and cultural wellbeing where they are consistent with the character and amenity values of the RLZs;
- Reflect the outcomes of the community consultation undertaken as part of the Spatial Planning process and as part of the District Plan review process on the anticipated character and amenity values of the existing rural residential areas;
- Not result in unjustifiably high costs on the community or any part of the community, particularly in terms of the provision of servicing; and
- Have an acceptable level of uncertainty or risk associated with them.

An alternative option considered was to retain the status quo, which would mean retaining the five existing rural residential zones and the individual provisions that provide for each of these zones. The existing RR1Z and RR2Z Objective generally aims to manage the effects of activities in these zones on water and soil, and to preserve the open space and landscape and amenity values. Other objectives manage non-residential activities and discourage incompatible activities. The Hocken Lane Rural Residential Zone objective seeks to only allow further development where flood hazard can be managed, servicing can be provided, effects on the Twizel water supply are avoided, traffic and landscape effects are avoided or mitigated. There are no objectives in the Operative Plan that apply to the MTRRZ. The ORRRZ objective seeks to limit rural residential development, avoid development in hazard areas and achieve the elimination of pest plants.

While the existing objectives broadly align with the requirement to manage adverse effects of activities (s5(2)(c)), there is duplication in these provisions, and they do not provide a consistent approach across the five zones. Further, some of the matters being managed, such as natural hazards, are addressed in other chapters of the District Plan, resulting in duplication. Because the MTRRZ does not have objectives or policies, there is no clear direction regarding the outcomes sought for this zone. As such, it is not clear what qualities and amenity values are to be maintained and enhanced in this zone (under ss7(c) and 7(f) of the RMA).

The proposed objectives are therefore anticipated to address the resource management issues identified, by providing clear objectives for the RLZs, limiting further rural lifestyle development to the existing rural residential zones, and the areas indicated in the Spatial Plan at Fairlie and reducing the complexity of the current approach. The proposed approach will also give effect to the relevant planning documents, including the National Planning Standards.

## Summary

- 8.2. Overall, the proposed objectives for the RLZ will provide clearer direction about the outcomes sought in this zone. In doing so, they are considered to more appropriately articulate how the physical resources in this zone will be managed in a way that provides for the community's well-being, and the amenity values and qualities of the zone and surrounding areas that are to be maintained and enhanced. They align with the Strategic Direction objectives and will give effect to the relevant direction in the CRPS. They are therefore considered the most appropriate way to achieve the purpose of the RMA.

## 9. Evaluation of Proposed Policies, Rules and Other Methods – Rural Lifestyle Zone

### Introduction

- 9.1. Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.
- 9.2. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.
- 9.3. The proposed provisions relating to the RLZ have been grouped, for the purposes of this assessment, as follows:
  - Provisions that relate to the Rural Lifestyle zoning of areas and how land use activities within the RLZ are managed.
  - Provisions that relate to the effects of activities, including built form, and how they are managed in the RLZ.

### Management of Activities

- 9.4. The RLZ policies seek to provide direction on the types of activities that are anticipated in this zone, and the activities which are not suitable and/or are not considered compatible with the anticipated activities. This direction is also reflected in the activity status of different activities within the rule framework.
- 9.5. The relevant provisions that are assessed in this section are:

**Table 6: RLZ Mapping, Policies and Activity Rules**

Maps	Where Applied	Reason
<b>Rural Lifestyle Zone (RLZ)</b>	Areas identified RLZ within the Spatial Plans in Fairlie and those areas already zoned Rural Residential Zone in the Operative Plan.	Consistent with the Spatial Plans and the intention of the zone as outlined in its description in the National Planning Standards.
<b>Ōhau River Precinct</b>	Applied to the current Ōhau River Rural Residential Zone, in its entirety.	This precinct is required to preserve the existing rule framework that applies to this zone under the Operative Plan. The rule framework manages the special character and environmental quality of this area.
<b>Specific Control Area 9 Nixons Road</b>	Applied to the newly created RLZ in Fairlie at Nixons Road.	Specific Control Areas are used to manage density in these areas, to ensure that development is limited until appropriate reticulated servicing is

<b>Specific Control Area 10 Clayton Road</b>	Applied to the newly created RLZ in Fairlie at Clayton Road.	available/developed (for the Fairlie RLZs) and to maintain the current density for the RLZ north of Max Smith Drive.
<b>Specific Control Area 11 Max Smith Drive</b>	Applied to the area currently zoned RR1Z north of Max Smith Drive in Twizel.	
<b>Specific Control Area 12 Lyford Lane (Overlay the RLZ)</b>	Applied to the current Hocken Lane Rural Residential Zone, in its entirety.	This Specific Control Area is required to manage development in this area. No further development within this area is considered appropriate (aside from new dwellings on existing undeveloped lots where they can connect to reticulated wastewater services), due to potential effects on the Twizel water supply area and other natural hazards and risks. The implications of the hydro inundation within this area will be addressed in the Natural Hazards and Risks chapter, which is part of Stage 4 of the District Plan review, and therefore, these elements of the operative Hocken Lane Rural Residential Zone mapping and provisions remain operative and do not form part of the scope of PC25.
<b>Other Overlays - No Build Area – (Overlay part of the Ōhau River Precinct)</b>	Applied to the area currently within the No Build Area overlay over part of the Ōhau River Rural Residential Zone (as shown on Operative Planning Map 60 as 'ORRR - No Building Area').	This No Build Area is subject to numerous natural hazards and risks as well as Sites of Natural Significance and setbacks from waterways, making buildings unsuitable in this area. Maintenance of this overlay is required to be consistent with the Operative Plan. A rule that manages indigenous vegetation within the Ōhau River Rural Residential Zone will be carried over to the Ōhau River Precinct. The implications of the natural hazards and risks within this area will be addressed in the Natural Hazards and Risks chapter, which is part of Stage 4 of the District Plan Review, and therefore, these elements of the operative Ōhau River Rural Residential Zone mapping and provisions remain operative and do not form part of the scope of PC25.
<b>Other Overlays – Twizel Water Supply Protection Area – (Overlay part of Specific Control Area</b>	The Community Drinking Water Supply Protection Area for Twizel is in place to ensure adverse effects of activities on this critical resource can be appropriately managed.	Activities that may adversely affect ground water are not suitable in this area. Retention of the ability to protect the Twizel water supply is required.

<b>12 Lyford Lane)</b>		
<b>Policies</b>	<p><b>RLZ-P1 – Residential Activities</b>  <i>Enable residential activities at a density that is compatible with a rural living environment.</i></p> <p><b>RLZ-P2 – Primary Production Activities</b>  <i>Provide for primary production activities that are compatible with a rural living environment.</i></p> <p><b>RLZ-P3 – Compatible Activities</b>  <i>Provide for other activities, where:</i></p> <ol style="list-style-type: none"> <li><i>they are ancillary to a residential or primary production activity, or are consistent with the character, amenity values and purpose of the zone; and</i></li> <li><i>the effects of the activity including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjacent sites and the surrounding areas.</i></li> </ol> <p><b>RLZ-P4 – Other Non-Residential Activities</b>  <i>Avoid other activities and buildings not provided for in RLZ-P1, RLZ-P2 and RLZ-P3, unless:</i></p> <ol style="list-style-type: none"> <li><i>any adverse effects of the activity do not compromise the amenity values of the surrounding area;</i></li> <li><i>the nature, scale and intensity of the activity is compatible with the character and purpose of the zone; or</i></li> <li><i>the activities and buildings relate to infrastructure that has a functional need or operational need to establish in the zone.</i></li> </ol>	
<b>Rules</b>	<p><b>Permitted Activities</b>  Residential Units (aside from Lyford Lane SCA12), Minor Residential Units, Extensions to Existing Buildings (where the standard is achieved), Buildings and Structures Not Otherwise Listed, Residential Activity, Primary Production (with limitations), Residential Visitor Accommodation (scale thresholds), Home Business (scale thresholds), Recreational Activities, Education Facilities (scale thresholds). Vegetation clearance, Fencing (Ōhau River Precinct).</p> <p><b>Controlled Activities</b>  Buildings (Ōhau River Precinct)</p> <p><b>Restricted Discretionary Activities</b>  Permitted activities, when Standards are not achieved.</p> <p><b>Discretionary Activities</b>  Residential Units (Lyford Lane SCA12), Minor Residential Units (when standards RLZ-R2 1, 2, and 3 are not achieved), Residential Visitor Accommodation (when standards not achieved), Home Business (above scale thresholds), Recreational Activities (when standard not met), Education Activities (when scale thresholds not met), Relocated Buildings and Shipping Containers, Use of an Aircraft, Activities otherwise not listed.  Vegetation clearance (when not in compliance with standards within the Ōhau River Precinct), Fencing (when standard not met in Ōhau River Precinct).</p> <p><b>Non-Complying Activities</b>  Minor Residential Units (within Lyford Lane SCA12), Extensions to Existing Buildings that require a change to the servicing (within Lyford Lane SCA12), Buildings and Structures not otherwise listed (within Lyford Lane SCA12 and Ōhau River Precinct), Residential Visitor accommodation (within Lyford Lane SCA12), (Intensive Primary Production, Industrial, Commercial Forestry, Mining, Quarrying.</p> <p><b>Prohibited Activities</b>  Planting of wilding conifers.</p>	

<b>Definitions</b>	commercial forest or commercial forestry, exotic continuous-cover forest or exotic continuous-cover forestry, exotic forest, functional need, intensive primary production, mining, plantation forest or plantation forestry, primary production, quarry, quarrying activities, recreational activities, wilding conifer species.
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- 9.6. The following table identifies the strategic directions and objectives that are relevant to the assessment of the group of provisions set out in Table 5 above and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

**Table 7: Assessment Against Relevant Objectives**

Relevant Strategic Directions		
<p><b>ATC-01 Live, Work, Play and Visit</b>  <i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> <li><i>there are a range of living options, businesses, and recreation activities to meet community needs;</i></li> <li><i>activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for;</i></li> <li><i>the anticipated amenity values and character of different areas are maintained or enhanced.</i></li> </ol> <p><b>ATC-02 Rural Areas</b>  <i>The significant contribution of rural areas to the social, economic and cultural well-being of the District is recognised and provided for.</i></p> <p><b>ATC-06 Incompatible Activities</b>  <i>The location and effects of activities are managed to:</i></p> <ol style="list-style-type: none"> <li><i>minimise conflicts between incompatible activities; and</i></li> <li><i>protect important existing activities from reverse sensitivity effects.</i></li> </ol>		
Relevant Objective		
<p><b>RLZ-01 Zone Purpose</b>  <i>The Rural Lifestyle Zone provides primarily for living opportunities in a rural environment and other compatible activities that support and are consistent with the character and amenity values of the zone, including small scale primary production activities.</i></p> <p><b>PREC4-01 Ōhau River Precinct</b>  <i>Limited rural lifestyle development which is sensitive to the natural values of the area including the Ōhau River, avoids development in hazard areas, provides for maintenance and access to the Ōhau Hydro Canal and achieves on going elimination of pest plants on the eastern block.</i></p>		
	Benefits	Costs
<b>Environmental</b>	Ensures activities establishing in the RLZ are consistent with the zone purpose, and the character and amenity values of this predominantly residential zone.	Provides some limited opportunities for activities which can have adverse effects on residential amenity values, where these effects can be managed. The effects of these activities are however considered to be generally

	<p>Manages the establishment of non-residential activities that are considered to be out of character in the RLZ and associated Precinct, and ensures development does not detract from the purpose or rural character of the surrounding General Rural Zones.</p> <p>Site specific provisions that are focussed on the outcomes sought in the Ōhau River Precinct will set clear expectations for landowners regarding the character and amenity values sought in the Ōhau River Precinct.</p>	compatible with the residential character and amenity values of the zone.
<b>Social</b>	<p>Provides for similar level of rural lifestyle development as provided in the Operative Plan, which maintains the housing choice available in the District.</p> <p>Enables small scale commercial (home-based), education and recreational activities, alongside farming activities, providing employment opportunities.</p> <p>Provides certainty for communities as to the anticipated development and character of rural lifestyle areas.</p>	The provisions do not increase the areas where rural lifestyle development can occur in the district, which may limit opportunities for some members of the community to enjoy a rural residential lifestyle.
<b>Economic</b>	<p>Provides for housing choice other than within residential zones and introduces opportunities for other activities to establish that support the wellbeing of the community.</p> <p>Enables small scale commercial (home-based), education and recreational activities, alongside farming activities, providing employment opportunities.</p> <p>Specific provisions that are focussed on the density outcomes sought in the Specific Control Areas at Fairlie will set clear expectations for the timing of development.</p>	The limitations on some activities may lead to additional costs in terms of lost opportunity to establish activities or the costs associated with a resource consent process, for instance within the Lyford Lane Specific Control Area. However, the activities provided for, and those not provided for, in the RLZ are very similar to the Operative Plan so the costs are not considered to increase from those arising currently.
<b>Cultural</b>	None identified.	None identified.
<b>Efficiency</b>		
<p>The proposed provisions will be efficient in achieving the relevant objectives by enabling activities that achieve the outcomes sought in the RLZ, via providing for residential activities as a permitted activity. Of note, residential buildings are proposed to be permitted in the RLZ, which is more efficient than the activity status of 'controlled activity' which applied to some of the Operative Plan Rural</p>		

Residential zones. The controlled activity status for buildings/residential units is retained within the Ōhau River Precinct to ensure the specific outcomes sought for this area are achieved. Requiring a resource consent for other activities where the effects of the activity are required to be assessed on a case-by-case basis is an efficient way to manage adverse effects of activities to ensure they are compatible with the RLZ. The direction given in the policy framework and associated rules will provide greater efficiency for plan users understanding the types of activities that are anticipated in this zone.
<b>Effectiveness</b>
The proposed provisions are considered the most effective at achieving the objectives as they provide for a rural lifestyle living opportunities RLZ whilst enabling some limited primary production activities. The provisions enable the management of activities within RLZs to maintain the character and amenity values of the zone and ensure incompatible activities such as commercial and industrial activities do not locate within these semi-rural environs.
<b>Alternative Approach 1</b>
Status quo – the continuation of the current policies and rules.
<b>Appropriateness Assessment</b>
<p>There are no policies that apply to the Manuka Terrace RRZ. This does not provide clear direction regarding the actual outcomes sought for this zone, or its purpose.</p> <p>There is duplication across the rules for each of the existing Rural Residential Zones, making the status quo approach less efficient.</p> <p>PC25 does not propose to change how activities are managed within the RLZ from the status quo. However, some rules are no longer required, because rules elsewhere in the District Plan provide for the activities, such as vegetation clearance.</p> <p>Also, the existing rule framework does not align with the National Planning Standards framework. For instance, the Operative Plan contains rules that manage earthworks and natural hazards. Under the National Planning Standards these types of rules must be contained within separate chapters.</p> <p>The existing rule framework uses activity definitions that do not reflect the National Planning Standards definitions for activities.</p> <p>The current policy and rule framework is therefore considered less efficient and effective in achieving the objectives, and does not align with the National Planning Standards, and is therefore considered less appropriate.</p>

## Risk of Acting or Not Acting

- 9.7. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 9.8. The Council has sufficient information about the proposed provisions, as they are, to a large degree, a continuation of the current Rural Residential Zone frameworks. Changes to the provisions are primarily to update the activities to reflect the definitions within the National Planning Standards, for consistency across the District Plan.
- 9.9. Based on the above, it is considered that there is sufficient and certain information to act in the manner proposed, and that the risk of doing so is low.

## Overall Evaluation of Appropriateness

- 9.10. Overall, the proposed activity related provisions and for the RLZ, Specific Control Areas and the Ōhau River Precinct are considered to be the most appropriate way to achieve the RLZ and Ōhau River Precinct objectives. The proposed rules which only apply in the Specific Control Area 12 manage some activities, such as new residential units, which are a discretionary activity if connected to reticulated wastewater services, and minor residential units and extensions to existing buildings in the Lyford Lane Specific Control Area, which are non-complying. This is because any further development within this area is not considered to be appropriate due primarily to the Twizel Community Drinking Water Supply Protection Area affecting this land, but also the risk of water inundation and flooding (as per the current rule framework). Further, a large part of this area is classified as highly productive land (LUC3), indicating that this land is suitable for primary production purposes.
- 9.11. This approach provides more certainty and clarity to plan users and is therefore more appropriate than the current approach where the rules are contained in separate zone chapters.
- 9.12. The proposed approach is considered to provide for rural lifestyle living opportunities whilst managing the potential for reverse sensitivity effects arising from incompatible activities. The proposed approach also aligns with the National Planning Standards.

## Management of Environmental Effects

- 9.13. The RLZ policies seek to provide direction on how activities, including built form, are to be managed to achieve the purpose and to maintain the character and amenity values of the zone. This direction is then implemented through the built form, and other standards.
- 9.14. The relevant provisions that area assessed in this section are:

**Table 8: RLZ Mapping, Policies and Activity Rules**

<b>Policies</b>	<p><b>RLZ-P5 Adverse Effects</b></p> <p><i>Manage development within the Rural Lifestyle Zone to ensure:</i></p> <ol style="list-style-type: none"> <li><i>built form is of a scale and design that is compatible with the character, amenity values and purpose of the zone;</i></li> <li><i>larger lot sizes are retained in areas subject to servicing constraints, until such time appropriate services are in place; and</i></li> <li><i>a predominance of open space over built form is maintained.</i></li> </ol> <p><b>RLZ-P6 - Lyford Lane Specific Control Area</b></p> <p><i>Restrict development in the Lyford Lane Specific Control Area 12 to ensure adverse effects on the Community Drinking Water Supply Protection Area for Twizel are avoided.</i></p> <p><b>PREC4-P1 – Ōhau River Precinct</b></p> <ol style="list-style-type: none"> <li><i>To retain the natural values of the Ōhau River and its environs by providing for up to 50 allotments and residential units only on the terrace of the western block set back from the river (outside of the No Build Area);</i></li> </ol>
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	<p>2. <i>To set buildings back 100m from the Ōhau Hydro Canal to enable maintenance of the canal;</i></p> <p>3. <i>To manage the eastern half of the Precinct to prevent residential development and control pest plants, including wilding conifer species;</i></p> <p>4. <i>To manage the arboretum for a term of 50 years so as to maintain the exotic trees in good condition and for sustainable production of firewood (and/or timber); and</i></p> <p>5. <i>To impose obligations on residential landowners (by way of covenants and /or consent notices) to comply with policies 3 and 4 above.</i></p> <p>6. <i>To maintain physical access to the margins of the Ōhau River and on the formed terrace edge above the river.</i></p>		
Standards	RLZ	Special Control Areas	Precinct
<b>Density</b>	<p>The minimum site area per residential unit is 4 hectares; or one residential unit per existing site as at [notification date] of less than 4 hectares where a Discharge Consent for wastewater is in place from the Canterbury Regional Council.</p>	<p>Where the residential unit is not connected to a reticulated sewage system – the minimum lot size is 4 hectares, and one residential unit per lot is provided for.</p> <p>Where the residential unit is connected to a reticulated sewage system – the minimum lot size is:</p> <p>Specific Control Area 9 (Nixons Road) – 1 ha</p> <p>Special Control Area 10 (Clayton Road) – 2 ha</p> <p>For Specific Control Area 11 (Max Smith Drive), the minimum lot size is 1 hectare and one dwelling per lot is permitted.</p> <p>Specific Control Area 12 (Lyford Lane) - one residential unit per existing site [as at notification date] is provided for (if connected to a reticulated sewer network) as a discretionary activity.</p>	<p>Ōhau River Precinct – a maximum of 50 residential dwellings is provided for. There is no minimum lot size.</p>

<b>Height</b>	8m maximum height above ground level.		
<b>Setbacks</b>	<p>Any building or structure shall be setback a minimum of 20m from any road boundary, shared access or reserve. An additional buffer is proposed for Specific Control area 10 (Clayton Road) to manage the potential for adverse reverse sensitivity effects at the industrial zoned land at Fairlie (this is within the Subdivision chapter).</p> <p>All residential units and buildings housing animals shall be setback a minimum of 20m from internal boundaries.</p> <p>All accessory buildings and structures or buildings not otherwise specified shall be setback a minimum of 10m from internal boundaries.</p>		
<b>Coverage</b>	The maximum building coverage of any site shall not exceed 700m <sup>2</sup> .		
<b>Exterior Cladding of Buildings and Structures</b>	All exterior cladding shall be in the range of browns, greens, grey or black, with a light reflectivity value between 5% and 35%.		
<b>Fencing</b>	All fences shall be post and wire, post and rail, or 1.2m high stone walls unless otherwise provided for pest animal control.		Ōhau River Precinct - All fences shall be post and wire unless otherwise provided for pest animal control within an approved Vegetation Management Plan. No fences shall impede public access to publicly accessible places.
<b>Outdoor Storage</b>	Outdoor storage shall not be visible beyond the boundary of the site.		
<b>Servicing – Water Supply</b>	<p>Requires all residential units and buildings requiring water to either be connected to Council's reticulated system or have a bore, or a legitimate alternative method that achieve the relevant Building Act requirements, that supplies an adequate amount of potable water per day and water for fire fighting purposes. (The alternative water supply is expected to be rainwater collection and tankered water when rainwater is not sufficient.)</p> <p>Where the permitted activity standard cannot be achieved, alternative water supply options can be considered on a case by case basis.</p>		
<b>Servicing – Wastewater</b>	Requires all residential units and buildings that require a wastewater discharge that are not connected to a reticulated sewer network to be provided with an approved on-site disposal system.	Specific Control Area 12 (Lyford Lane) – requires all residential units and buildings that require a wastewater discharge to be connected to a reticulated sewer network.	
<b>Buildings (Ōhau River Precinct)</b>			Ōhau River Precinct -

			No more than 50 residential units are provided for, and they must be within approved building platform. (The standards that apply to the identification of building platforms is contained within the Subdivision Chapter).
<b>Vegetation Clearance (Ōhau River Precinct)</b>			Ōhau River Precinct - Clearance of indigenous vegetation shall be limited to those areas required for the establishment and occupation of buildings, access and services. Vegetation clearance shall not include clearance of the arboretum plantings and shall comply with the Vegetation Management Plan approved as part of the subdivision consent for the Precinct. (The rule that requires the Vegetation Management Plan is contained within the Subdivision Chapter).
<b>Matters of Control</b>	Ōhau River Precinct only PREC4-MC1 –Residential Units		
<b>Matters of Discretion</b>	RLZ-MD2 Height RLZ-MD3 Setbacks RLZ-MD4 Coverage RLZ-MD5 Exterior Cladding of Buildings and Structures RLZ-MD6 Fencing RLZ-MD8 Servicing – Water Supply		
<b>Definitions</b>	<i>Allotment, bore, containment, discharge, drinking water, earthworks, greywater, industrial and trade waste, relocated building, reserve, sewage, stormwater, subdivision, wastewater</i>		

- 9.15. The following table identifies the strategic directions and objectives that are relevant to the assessment of this group of provisions and provides an assessment of the effectiveness and efficiency of the proposed provisions in achieving those objectives. The assessment includes identification and assessment of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

**Table 9: Assessment Against Relevant Objectives**

Relevant Strategic Directions		
<p><b>ATC-01 Live, Work, Play and Visit</b></p> <p><i>The Mackenzie District is a desirable place to live, work, play and visit, where:</i></p> <ol style="list-style-type: none"> <li>1. <i>there are a range of living options, businesses, and recreation activities to meet community needs;</i></li> <li>2. <i>activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, are provided for; and</i></li> <li>3. <i>the anticipated amenity values and character of different areas are maintained or enhanced.</i></li> </ol> <p><b>ATC-06 Incompatible Activities</b></p> <p><i>The location and effects of activities are managed to:</i></p> <ol style="list-style-type: none"> <li>1. <i>minimise conflicts between incompatible activities; and</i></li> <li>2. <i>protect important existing activities from reverse sensitivity effects.</i></li> </ol>		
Relevant Objective		
<p><b>RLZ-02 Character and Amenity Values</b></p> <p><i>The Rural Lifestyle Zone is a desirable rural living environment, which:</i></p> <ol style="list-style-type: none"> <li>1. <i>contains predominantly detached residential units on large lots that provide on-site amenity;</i></li> <li>2. <i>does not exceed available capacities for servicing and infrastructure;</i></li> <li>3. <i>maintains a predominance of open space over built form; and</i></li> <li>4. <i>maintains the character and amenity values of rural areas.</i></li> </ol> <p><b>PREC4-01 Ōhau River Precinct</b></p> <p><i>Limited rural lifestyle development which is sensitive to the natural values of the area including the Ōhau River, avoids development in hazard areas, provides for maintenance and access to the Ōhau Hydro Canal and achieves on going elimination of pest plants on the eastern block.</i></p>		
	Benefits	Costs
<b>Environmental</b>	<p>The provisions will ensure the character and amenity values of the rural lifestyle zones are maintained and will appropriately manage adverse effects on the environment. Provisions are included to manage the bulk and scale and the visual effects of buildings and structures to ensure the rural character values and were relevant the Outstanding Natural Landscape values of surrounding environs are maintained. The provisions will limit the level of activity in areas where servicing constraints have been identified until those constraints have been addressed. This will protect the Twizel Water Supply and manage effects on soil and groundwater in other RLZ zoned areas.</p>	<p>The provisions provide for buildings and structures but do impose controls on the scale of buildings and structures, the reflectivity of exterior cladding, setbacks from roads and neighbours and restrictions on the type of fencing provided for. While providing for buildings and structures as a permitted activity reduces the need for a resource consent, this approach provides less control over the visual effects of buildings and structures.</p> <p>The two new areas to be rezoned from Rural Zone to RLZ at Fairlie will result in a reduction of rural land in these locations. However, the rezoning proposed is reflective of the existing underlying land uses, and farming activities remain permitted activities in the RLZ.</p>

<b>Social</b>	<p>Most of the RLZ zones and provisions reflect the existing built form controls and will maintain the character and amenity values of the Rural Lifestyle Zones.</p> <p>The provisions will limit the intensity of built form by setting clear density standards, which seek to ensure the RLZs remain a desirable place to live.</p> <p>The proposed changes to the provisions that apply to new development within the Specific Control Area 12 - Lyford Lane (refer discussion under 'Economic') will provide safety benefits for occupiers of buildings in this area, as well as ensuring Twizel's water supply is protected.</p>	<p>The proposed new RLZs near Fairlie may result in a change to the rural amenity and character within and near these existing areas.</p>
<b>Economic</b>	<p>Increased development opportunities may be realised at the new areas to be rezoned to RLZ near Fairlie, however this benefit will not occur until/unless reticulated services are available in these locations.</p> <p>Retaining the development opportunities within the other areas zoned RLZ will enable some additional dwellings to be established on currently unoccupied lots. This will result in economic benefits.</p> <p>The change in activity status for new dwellings (from controlled to permitted aside from Specific Control Area 12) will reduce costs for land owners/developers when building.</p>	<p>A reduction in development opportunities may result for the Specific Control Area 12 - Lyford Lane, unless reticulated services are provided to the existing lots. This could result in economic costs to some landowners. Based on the analysis undertaken, the proposed changes to the rules that apply to the Specific Control Area 12 will change the activity status for a new residential unit from permitted to non-complying for four allotments, unless wastewater reticulation is provided, in which case the activity status is discretionary.</p> <p>For sites not connected to reticulated water supply, there are costs associated with installing a bore, or alternative water supply such as storage tanks and a collection system.</p>
<b>Cultural</b>	<p>The Ōhau River Precinct includes rules to manage vegetation clearance and planting (via the Vegetation Management Plan) and impose setbacks from waterways which may have cultural benefits.</p>	<p>None identified.</p>
<b>Efficiency</b>		
<p>Overall, the proposed provisions are considered to be efficient in achieving the outcomes sought. The provisions will provide greater efficiencies for plan users through clearer direction and expectations for built form in the residential zones, particularly now that residential units are a permitted activity.</p>		

<p>The proposed standards to manage built form and structures such as fencing will maintain the amenity and character values of the areas. The proposed provisions will also remove the current issue of different built form standards being applied in the different (existing) rural residential zones and will simplify the rule framework. The rural character and amenity values of the RLZs will therefore be maintained, but through a more consistent and therefore more efficient framework.</p> <p>Rules that manage density so that development corresponds with the installation of reticulated services is proposed (for the new RLZs in Fairlie). This is considered to be an efficient way to manage development without resulting in inefficiencies for the Council. For existing rural residential areas where no reticulated water supply is currently proposed, water supply is required to be provided via a bore or the storage of a specified quantity of drinking water. The rules enable the consideration of alternative water supply methods on a case by case basis if the permitted activity standards are not met.</p> <p>Existing provisions that apply to the Ōhau River Rural Residential Zone which are in place to manage the effects of development within this area have been included within PC25, with this Zone becoming the Ōhau River Precinct, within the RLZ.</p> <p>The costs associated with any new controls are considered to be outweighed by the benefits in terms of managing the actual and potential adverse effects on the environment associated with development and activities within the RLZs.</p>
<b>Effectiveness</b>
<p>The proposed provisions are considered to be effective in achieving the outcome sought in the RLZ as they will:</p> <ul style="list-style-type: none"> <li>• Provide for residential units to be established (as permitted activities) provided the built form is of a scale and design that is compatible with the character, amenity values and purpose of the zone.</li> <li>• Retain a predominance of open space for residents and help maintain the character and amenity values of adjacent sites.</li> <li>• Manage visual amenity values by restricting fencing types and managing outdoor storage.</li> <li>• Give effect to the CRPS by enabling greater housing choice across the district.</li> <li>• Limit activity in areas where wastewater servicing constraints have been identified.</li> <li>• Ensure adequate water supply is available, including for fire fighting purposes.</li> </ul>
<b>Alternative Approach</b>
Status Quo - Continuation of the current policies and rules.
<b>Appropriateness Assessment</b>
<p>The existing provisions duplicate many of the same or similar standards for each of the Rural Residential Zones. For example, the building height limit rule is duplicated four times. The proposed approach consolidates many of these rules into one standard, streamlining the provisions wherever possible. This is less complex and easier to navigate for plan users.</p> <p>The existing standards do not contain many standards to control the visual effects of buildings and structures in the Rural Residential Zones, instead seeking to manage visual effects via a controlled activity resource consent. The proposed approach, where residential buildings will be permitted, includes more standards to manage visual effects of development in the RLZ. This provides guidance to the community about the expectations for the zones and alleviates the requirement for a resource consent.</p> <p>The status quo would retain the existing Rural Zone at the two proposed RLZs near Fairlie. This would not reflect the current land uses already established at these sites, nor the outcomes of the Spatial Plans.</p> <p>The proposed approach is considered to be more appropriate than retaining the status quo.</p>
<b>Alternative Approach</b>
Delay the up zoning of Specific Control Areas 9 and 10.

Appropriateness Assessment
Delaying the up zoning of Specific Control Areas 9 and 10 (the Nixons and Clayton Road RLZs at Fairlie) until servicing is established would be effective in limiting development in these areas while there are servicing constraints. However, the existing land use pattern in these areas, and their identification within the Spatial Plan for rural lifestyle development, indicates that these areas are suitable for RLZ. While the current Rural Zoning could be maintained until servicing matters are addressed, this would require a plan change or variation in the future to change the zoning to RLZ, which is less efficient. Therefore, the proposed approach is considered to be more appropriate.

## Risk of Acting or Not Acting

- 9.16. Section 32(2)(c) of the RMA requires that the efficiency and effectiveness assessment also assesses the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- 9.17. The Council has sufficient information about the proposed provisions, as they are, to a large degree, a continuation of the current Rural Residential Zone frameworks. Where changes have been recommended, such as enabling buildings as a permitted activity rather than a controlled activity, an additional standard is applied to manage the exterior cladding of buildings and structures. This standard already applies in the RR1Z, RR2Z and HLRRZ, and is considered to have been effective at managing visual effects of buildings. It is noted that private developers can impose further controls on new developments should they wish to achieve a certain style for their development. However, this is not considered something that the Council should be required to manage.
- 9.18. Based on the above, it is considered that there is sufficient and certain information to act in the manner proposed, and that the risk of doing so is low.

## Overall Evaluation of Appropriateness

- 9.19. Overall, the proposed RLZ provisions and associated Precinct and Specific Control Areas are considered to be the most appropriate way to achieve the RLZ objectives. The proposed approach is considered to provide for rural lifestyle accommodation opportunities whilst managing the actual and potential effects of these activities on the environment. The proposed approach will provide certainty for the community regarding the anticipated development and character of the RLZs, in particular that these areas will continue to provide a desirable place to live. The proposed approach will also manage effects on the Twizel community water supply and ensure that the density of development aligns with the provision of reticulated services, or, where appropriate, enables on-site services to be provided. The proposed approach also aligns with the National Planning Standards.

## 10. Conclusion / Reasons

- 10.1. This evaluation has been undertaken in accordance with Section 32 of the RMA. It has provided an assessment of the appropriateness of the provisions within PC25 relating to the RLZ, at achieving the purpose of the Act. This has included considering their efficiency and

effectiveness, their alignment with relevant direction in other statutory documents, and their contribution towards achieving the Strategic Directions.

- 10.2. Plan Change 25 seeks to largely adopt the Operative Plan's Rural Residential Zones into a new Rural Lifestyle Zone chapter. It also adopts the outcomes of the Spatial Plans by rezoning two areas near Fairlie to RLZ.
- 10.3. The provisions applying to existing Rural Residential Zones have been streamlined into one Zone, the RLZ. However, site specific provisions to reflect constraints or development outcomes have been implemented using a 'Precinct' for the Ōhau River Rural Residential Zone (proposed to be the Ōhau River Precinct, RLZ). Area specific density outcomes are proposed to be managed via Specific Control Areas (for the two new RLZs at Fairlie and Max Smith Drive in Twizel, and for the Hocken Lane Rural Residential Zone at Twizel). This is considered to be a more efficient and effective approach to managing activities within each area and will provide certainty for the community as to the anticipated development and character of each RLZ area. The management of built development in the RLZ seeks to incorporate aspects of the Operative Plan where no issues have been identified, while rationalising standards to reduce duplication. Additional standards are proposed to manage the visual effects of buildings and structures.
- 10.4. Overall, the objectives are considered to be the most appropriate to achieve the purposes of the RMA and the higher level proposed Strategic Directions. Taking into account efficiency and effectiveness, including costs and benefits, the proposed provisions are considered to be the most appropriate way to achieve the objectives.