

RESOURCE MANAGEMENT ACT 1991

CENTRAL OTAGO DISTRICT PLAN

EXPLANATORY STATEMENT

PLAN CHANGES 6A-6C

This explanatory statement has been prepared to assist interested persons in considering Plan Changes 6A-6C to the Central Otago District Plan. This document is an explanatory statement and does not form part of Plan Changes 6A – 6C.

Background

A community workshop was held at Naseby on 14 January 2009. Those present participated in group discussions and considered where the town should develop for residential purposes. Favoured options were identified which have been given further consideration by the Council. A report from the Council's Planning Consultants dated 17 June 2009 was forwarded to Naseby Vision, and further comment received on that document. Further comment was received from Naseby Vision in response to a subsequent proposal from the landowner that land now subject to proposed Plan Change 6C also be made available for residential subdivision and development. The proposed Plan Changes 6A, 6B and 6C have resulted from this process.

Plan Changes 6A, 6B and 6C are proposed to increase the area of land available for residential subdivision and development at Naseby. Potential for "greenfields" subdivision is limited at Naseby, and the intent of Plan Changes 6A, 6B and 6C is to provide for additional land for residential subdivision and development at Naseby into the future.

Each plan change (eg. Plan Change 6A) is a discrete and separate plan change. In these circumstances each plan change shall be merged in and become part of the Operative District Plan following the formal approval by the Council, subsequent to the submission and (any) appeal process.

Scope of Plan Changes

Plan Change 6A : Map 22 Residential Resource Area, Naseby

Plan Change 6A amends Map 22 to include some 2.7 hectares of land described as part Lot 2 DP 347065 in the Residential Resource Area. This land is currently in the Rural Resource Area and is subject to the Rural Residential notation.

Residential Resource Area status will facilitate the subdivision and use of this land for residential subdivision and development. A 50 metre wide strip of land adjacent to the Ranfurly Naseby Road is to be retained in the Rural Resource Area (subject to the Rural Residential notation) to provide a buffer between future residential subdivision and development and the Ranfurly Naseby Road, at the entrance to Naseby. This area was cleared of trees about 3 years ago to reduce an ice hazard that existed in winter months. It is proposed to amend the matters for discretion that are relevant to subdivision in the Residential Resource Area (in terms of Rule 7.3.3(i)) to provide for screening at the southern end of any future residential subdivision, to partially screen residential development from the road.

Land in the Rural Resource Area north-west of the site (which is in forest) will provide screening between future residential subdivision and development on land subject to proposed Plan Change 6A and the Naseby Cemetery.

Plan Change 6B : Maps 22 & 23 Residential Resource Area (3), Naseby

Plan Change 6B amends Maps 22 and 23 to apply the Residential Resource Area (3) to land that has frontage to Carrowmore Street, Belfast Street, Annalee Street and unformed legal road at Naseby. The Residential Resource Area (3) provides for land to be subdivided into allotments having a minimum area of 1000m².

It is anticipated that access to future residential subdivision and development will be achieved from Carrowmore Street. The lower portion of the land (adjacent to Carrowmore Street) is protected by a stop bank from the Hogburn. The land subject to Plan Change 6B provides the opportunity for subdivision and development to occur in a manner which provides for allotments to include elevated land clear of any flood risk. While elevated such future development will not be prominent when viewed from elsewhere in the town.

Plan Change 6B affects some 6.65 hectares of land that is described as Lot 2 DP 356188, Lots 1 and 2 DP 410748, Sections 1, 14, 17 and 25 Block IV Town of Naseby and Section 13 Block XXI Town of Naseby. Plan Change 6B provides for an amendment to the Explanation to Policy 7.2.7, which states where the Residential Resource Area (3) applies.

Plan Change 6C : Map 22 Residential Resource Area (3) and Heritage Precinct notation, Naseby

Plan Change 6C amends Map 22 to apply the Residential Resource Area (3) to land that has frontage to Broom Street, Rannoch Street, Avoca Street, Oughter Street, Carrowmore Street and Lomond Street at Naseby. The Residential Resource Area (3) provides for land to be subdivided into allotments having a minimum area of 1000m². Plan Change 6C also applies the Heritage Precinct notation to Sections 114, 164, 165 and 166 Block I Town of Naseby, Lot 1 DP 23928 and to that part of Section 7 SO 23708 that has frontage to Broom Street between Council Street and Rannoch Street.

It is anticipated that access to future residential subdivision and development will be achieved from Broom Street, Rannoch Street and Avoca Street. The upper portion of the land subject to Plan Change 6C (north of Council Street) is located in close proximity to land that has recently been subdivided for residential purposes at Naseby. The lower portion of the land (adjacent to Rannoch Street and Avoca Street) has been subject to a topographical survey, and this has demonstrated that the land is not subject to flooding.

The application of the Heritage Precinct notation to land that has frontage to Broom Street between Council Street and Rannoch Street will ensure that future residential development occurs in a sensitive manner, having regard to the heritage values of the existing Heritage Precinct at Naseby (that applies to part of the land that has frontage to Broom Street on the eastern side).

Plan Change 6C affects some 5.5 hectares of land that is described as Section 7 SO 23708, Sections 114, 164, 165 and 166 Block I Town of Naseby, Lot 1 DP 23928 and Lot 12 DP 385904. Plan Change 6C provides for an amendment to the Explanation to Policy 7.2.7, which states where the Residential Resource Area (3) applies.

Statutory Authority for Plan Changes

Section 73(1A) of the Resource Management Act 1991 enables a territorial authority such as the Council to change a district plan.

Section 31(1) confirms that functions of a territorial authority for the purpose of giving effect to the Act in its District include, amongst other things,-

- *“The establishment, implementation, and review of 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 of the District; and*
- *The control of any actual or potential effects of the use, development, or protection of land...”*

Section 74 of the Resource Management Act 1991 requires that the Council prepare and change its District Plan in accordance with its functions under section 31, the provisions of Part 2, its duty under section 32 and any regulations.

Part 2

Plan Changes 6A – 6C are consistent with the purpose of the Resource Management Act 1991 as stated in section 5, which is to promote the sustainable management of natural and physical resources. Plan Changes 6A – 6C will provide for the sustainable management of the land resource.

In terms of section 7 Plan Changes 6A – 6C will facilitate-

- The efficient use and development of natural and physical resources.
- The maintenance and enhancement of amenity values.
- The maintenance and enhancement of the quality of the environment.
- Recognition of the finite characteristics of natural and physical resources.

Plan Changes 6A – 6C are not contrary to the principles of the Treaty of Waitangi or to any other matter stated in Part 2.

Section 32

Section 32 of the Resource Management Act 1991 requires that the Council evaluate alternatives and assess costs and benefits with respect to Plan Changes 6A – 6C. A comprehensive section 32 report has been prepared, and this report has been made available for public inspection at the same time that Plan Changes 6A – 6C are publicly notified.

The section 32 report contains information with respect to the background to Plan Changes 6A – 6C and considers the proposed plan changes in terms of the purpose of the Act and the objectives and policies of the Central Otago District Plan. Various alternatives to Plan Changes 6A – 6C have been identified and assessed including-

- Status quo.
- Take no action.
- Use of alternatives and non regulatory methods.
- Initiate plan change.

The evaluation has concluded that Plan Changes 6A – 6C are appropriate.

Sections 74 and 75

Plan Changes 6A – 6C will not be inconsistent with the Regional Policy Statement for Otago or to any regional plan. Plan Changes 6A – 6C are not considered contrary to any other management plan or other document which must be considered in terms of sections 74 and 75 of the Act.

Summary

Plan Changes 6A – 6C will change various provisions of the Central Otago District Plan and particularly the allocation of land between various Resource Areas at Naseby. Plan Changes 6A – 6C have been prepared in accordance with the Council's functions under section 31, the provisions of Part 2, the Council's duty under section 32 and regulations. Plan Changes 6A – 6C are not contrary to the Regional Policy Statement for Otago.