

UFD – Urban form and development

Objectives

UFD-O1 – ~~Form and function~~ Development¹ of urban areas

The development and change ~~form and functioning~~ of Otago’s urban areas occurs in a strategic and coordinated way, which:²

- (1) ~~reflects~~ accommodates the diverse and changing needs and preferences of Otago’s people and communities, now and in the future, ~~and~~³
- (2) ~~maintains or enhances the character and resources of each urban area~~⁴ integrates effectively with surrounding urban and rural areas.⁵
- (3) results in a consolidated, well-connected and well-designed urban form which is integrated with infrastructure, and⁶
- (4) supports climate change adaptation and climate change mitigation.⁷

Commented [LW1]: Amendments to UFD-O1 to combine it with relevant aspects of UFD-O2, UFD-O3 and UFD-O5.

UFD-O2 – ~~Development of urban areas~~⁸

The development and change of Otago’s urban areas:

- (1) ~~improves housing choice, quality, and affordability,~~
- (2) ~~allows business and other non-residential activities to meet the needs of communities in appropriate locations,~~
- (3) ~~respects and wherever possible enhances the area’s history, setting, and natural and built environment,~~
- (4) ~~delivers good urban design outcomes, and improves liveability,~~
- (5) ~~improves connectivity within urban areas, particularly by active transport and public transport,~~
- (6) ~~minimises conflict between incompatible activities,~~
- (7) ~~manages the exposure of risk from natural hazards in accordance with the HAZ-NH – Natural hazards section of this RPS,~~

Commented [LW2]: Deletion of UFD-O2 on the basis that where it relates to methods, these are included at the policy level, and those aspects which relate to outcomes are better combined with UFD-O1.

Commented [LW3]: Encompassed in O1(1) (part of meeting changing needs.)

Commented [LW4]: Encompassed in O1(1) (part of meeting changing needs.)

Commented [LW5]: Addressed in other parts of RPS in relation to identified features, and where not an identified feature is addressed in O1(2)

Commented [LW6]: Shifted into O1(3)

Commented [LW7]: Encompassed in O1(1)

Commented [LW8]: Shifted into O1(3)

Commented [LW9]: Covered in addition to O1(2)

Commented [LW10]: Addressed in other parts of RPS. Deletion ensures consistent approach to not referencing / duplicating other direction.

¹ 00211.045 LAC Properties, 00210.045 Lane Hocking, 00209.045 Universal Developments Hawea Limited, 00139.001, 00139.250 & 00139.251 Dunedin City Council
² 00211.045 LAC Properties, 00210.045 Lane Hocking, 00209.045 Universal Developments Hawea Limited, 00139.250 & 00139.251 Dunedin City Council
³ 00321.084 New Zealand Infrastructure Commission, 00139.250 & 00139.251 Dunedin City Council
⁴ 00321.084 New Zealand Infrastructure Commission, 00139.250 & 00139.251 Dunedin City Council
⁵ 00139.001, 00139.250 & 00139.251 Dunedin City Council
⁶ 00211.045 LAC Properties, 00210.045 Lane Hocking, 00209.045 Universal Developments Hawea Limited, 00139.250 & 00139.251 Dunedin City Council
⁷ 00139.001, 00139.250 Dunedin City Council, 00136.010 Minister for the Environment
⁸ 00139.001, 00139.251 Dunedin City Council

~~(8) results in sustainable and efficient use of water, energy, land, and infrastructure,~~

Commented [LW11]: Encompassed in O1(3)

~~(9) achieves integration of land use with existing and planned development infrastructure and additional infrastructure,~~

Commented [LW12]: Outcome component shifted into O1(3) and covered at a broader level.

~~(9A) facilitates the safe and efficient ongoing use, maintenance, upgrade and development of nationally significant infrastructure and regionally significant infrastructure,~~

Commented [LW13]: Covered in EIT-INF

~~(10) achieves consolidated, well designed and located, and sustainable development in and around existing urban areas as the primary focus for accommodating the region's urban growth and change, and~~

Commented [LW14]: Outcome component (consolidated and well-designed) shifted to O1(3).

~~(11) is guided by the input and involvement of mana whenua and provides for development opportunities which support the aspirations and values of mana whenua.~~

Commented [LW15]: Covered at the objective level (by IM-O1 and MW-O1) and noting that this is more process-related and therefore is included at the policy level.

~~UFD-O3 – Strategic planning⁹~~

Commented [LW16]: Key aspect moved to UFD-O1

~~Strategic planning is undertaken in advance of significant development, expansion or redevelopment of urban areas to ensure that:~~

Commented [LW17]: Considered to be a method, not an outcome

~~(1) there is at least sufficient development capacity supported by integrated infrastructure provision for Otago's housing and business needs in the short, medium and long term, and~~

Commented [LW18]: Covered in O1(1) (accommodating needs) and (3) (integrated with infrastructure)

~~(2) the involvement of mana whenua is facilitated, and their values and aspirations are provided for.~~

Commented [LW19]: Covered at outcome level in IM-O1 and MW-O1, with method aspect of it included in policies

~~UFD-O4 – Development in rural areas~~

Commented [LW20]: Changes are to remove methods and re-focus on outcomes.

~~Development in Otago's rural areas occurs in a way that:~~

~~(2) avoids as the first priority, highly productive land,¹⁰~~

Commented [LW21]: Sub-set of (4)

~~(3) only provides for urban expansion, rural lifestyle development and the establishment of activities that are sensitive to primary production and rural industry,¹¹ in locations identified through strategic planning or zoned within district plans as suitable for such development,¹²~~

Commented [LW22]: Method, which is addressed in UFD-P4 and UFD-P7 and UFD-P8. Outcome is reflected in (4) and (4A)

~~(4) outside of areas identified in (3),¹³ provides for the ongoing use of rural areas for primary production, supported by rural industry in appropriate locations, and~~

~~(4A) ensures that other activities does¹⁴ not compromise the natural and physical resources that support¹⁵ the productive capacity, rural character,¹⁶ and long-term viability of the rural sector~~

Commented [LW23]: Deleted to reflect that key aspect is productive capacity and long-term viability (e.g. reverse sensitivity does not arise from loss of resources, but is something that can affect those resources being used to their fullest extent.)

⁹ 00139.252 Dunedin City Council

¹⁰ 00139.001, 00139.253 Dunedin City Council

¹¹ 00211.045, 00211.048 & 00211.049 LAC Properties, 00210.045, 00210.048 & 00210.049 Lane Hocking, 00209.045, 00209.048 & 00209.049 Universal Developments Hawea Limited, 00118.066 Maryhill Ltd, 00014.066 Mt Cardrona Station

¹² 00139.001, 00139.253 Dunedin City Council

¹³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001, 00139.253 Dunedin City Council

¹⁴ 00139.001, 00139.253 Dunedin City Council

¹⁵ 00236.099 Horticulture

¹⁶ 00139.262 Dunedin City Council, 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

and rural communities, and

~~(4A) provides for the use and development of land in rural areas by Kāi Tahu for papakāika, kāika, nohoaka, marae, and marae related activities.~~¹⁷

Commented [LW24]: Addressed in MW-P4. The outcomes to which this relates are set out in MW chapter.

UFD-O5 – Urban development and climate change¹⁸

The impacts of *climate change* are responded to in the development and change of Otago's *urban areas* so that:

- ~~(1) the contributions of current communities and future generations to *climate change* impacts are reduced,~~
- ~~(2) community resilience increases,~~
- ~~(3) adaptation to the effects of *climate change* is facilitated,~~
- ~~(4) energy use is minimised, and energy efficiency improves, and~~
- ~~(5) establishment and use of *small and community scale distributed electricity generation* is enabled.~~

Commented [LW25]: Broad outcomes relating to climate change shifted to UFD-O1(4). (1) and (4) are largely covered by EIT-EN-O3 (or captured at an outcome level in UFD-O1(4)) (5) is covered in EIT-EN-P8. (2) & (3) are reflected in UFD-P1(3), (or captured at an outcome level in UFD-O1(4)) (1) and (2) are also covered in definition of well-functioning urban environment and therefore reflected in UFD-P4(1). Policy direction in EIT-EN-P9 will also apply. The NPSUD also has direction relating to supporting emissions reductions and resilience to climate change effects which need to be given effect to in urban areas to which that NPS applies without further direction being required in this RPS.

Policies

UFD-P1 – Strategic planning

Strategic planning processes, undertaken at an appropriate scale and detail, precede urban growth and development and:

- ~~(1) identify how housing choice, quality, and affordability will be improved,~~¹⁹
- ~~(1A) ensure integration of *land use and infrastructure*, including how, where and when necessary *development infrastructure* and *additional infrastructure* will be provided, and by whom,~~
- ~~(2) demonstrate at least sufficient *development capacity* supported by integrated *infrastructure* provision for Otago's housing and business needs in the short, medium and long term,~~
- ~~(3) maximise current and future opportunities for increasing resilience, and facilitating²⁰ adaptation to changing demand, needs, preferences and *climate change*,~~
- ~~(4) minimise *risks* from and improve resilience to *natural hazards*, including those exacerbated by *climate change*, while not increasing *risk* for other development,~~²¹
- ~~(5) indicate how connectivity will be improved and connections will be provided within *urban areas*,~~
- ~~(6) provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, to ensure provision is made for their needs and aspirations, and cultural~~

Commented [LW26]: Shifted from UFD-O1

Commented [LW27]: Addressed in HAZ-NH. This policy is also about process (e.g. who is to be involved, what things are to be considered) and this clause is currently framed differently.

¹⁷ Reversion to notified version

¹⁸ 00139.254 Dunedin City Council

¹⁹ Shifted from UFD-O2. Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001, 00139.250, 00139.251 Dunedin City Council

²⁰ Clause 16(2), Schedule 1, RMA

²¹ 00139.001 Dunedin City Council

practices and values,

- (7) facilitate involvement of the current community and respond to the reasonably foreseeable needs of future communities, and
- (8A) identifies areas of potential conflict between incompatible activities and sets out the methods by which these are to be resolved.

UFD-P2 – Sufficiency of *development capacity*

Ensure that ~~a~~At least sufficient urban area housing and business *development capacity* is provided in urban areas, including any required competitiveness margin, is provided in the short, medium and long term including by:²²

- ~~(1) undertaking strategic planning in accordance with UFD-P1²³~~
- ~~(2) identifying areas for urban intensification in accordance with UFD-P3,²⁴~~
- ~~(3) identifying areas for urban expansion in accordance with UFD-P4,²⁵~~
- ~~(4) providing for commercial and industrial activities in accordance with UFD-P5 and UFD-P6,²⁶~~
- (5) responding to any demonstrated insufficiency in housing or business *development capacity* by increasing *development capacity* or providing more *development infrastructure* as required, as soon as practicable, including by
- (5A) ²⁷being responsive to plan changes that demonstrate compliance with UFD-P10, and
- (6) requiring Tier 2 *urban environments* to meet, at least, the relevant housing bottom lines in APP10.

Commented [LW28]: Agree with Ms McEwan

UFD-P3 – Urban intensification

~~Provide for~~ Ensure that intensification in urban areas where, as a minimum, it:²⁸

- (1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,
- (2) is well-served by existing or planned *development infrastructure* and *additional infrastructure*,
- ~~(2A) does not compromise the safe and efficient ongoing use of *nationally significant infrastructure* or *regionally significant infrastructure*,²⁹~~
- (3) enables heights and densities that³⁰ meets the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned *active transport* or *public transport*, and
- (5) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi

Commented [LW29]: Intent of change is to address concerns that previous wording implies intensification must be enabled where only matters listed are met.

Commented [LW30]: Covered in EIT-INF-P15

Commented [LW31]: Changes are to better align the way the clause is used in the context of this policy, with the direction in Policy 5 of NPS-UD.

²² 00139.001 Dunedin City Council

²³ 00139.256 Dunedin City Council

²⁴ 00139.256 Dunedin City Council

²⁵ 00139.256 Dunedin City Council

²⁶ 00139.256 Dunedin City Council

²⁷ 00139.001 Dunedin City Council

²⁸ 00139.257 Dunedin City Council

²⁹ Reversion to notified version

³⁰ 00139.001 Dunedin City Council

planning documents.

UFD-P4 – Urban expansion

Expansion of existing *urban areas* is facilitated where, at minimum, only occurs where³¹ the expansion:

- (1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,
- (1A) is identified by and undertaken consistent with strategic plans prepared in accordance with UFD-P1, or is required to address a shortfall identified in accordance with UFD-P2,

~~(1B) achieves consolidated, well designed and sustainable development in and around existing urban areas,³²~~

- (2) is logically and appropriately staged, and will not result in inefficient or sporadic patterns of settlement and residential growth,
- (3) is integrated efficiently and effectively with *development infrastructure* and *additional infrastructure* in a strategic, timely and co-ordinated way,

~~(3A) does not compromise the safe and efficient ongoing use of *nationally significant infrastructure* and *regionally significant infrastructure*,³³~~

- (4) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents,

~~(6) avoids, as the first priority, *highly productive land*, except as provided in the NPS-HPL,³⁴ and~~

~~(7) locates the new urban/rural zone boundary interface by considering:~~

~~(a) — considers *adverse effects*, particularly *reverse sensitivity effects*, on existing activities in rural areas and potential *anticipated primary production* or *rural industry* activities beyond when determining the location of the new urban/rural zone boundary, and³⁵~~

~~(b) — utilising key natural or built barriers or physical features, significant values or features identified in this RPS, or cadastral boundaries that will result in a permanent, logical and defensible long term limit beyond which further urban expansion is demonstrably inappropriate and unlikely, such that provision for future *development infrastructure* expansion and connectivity beyond the new boundary does not need to be provided for, or³⁶~~

~~(c) — utilising zoning or infrastructure servicing boundary that reflects a short or medium term, intermediate or temporary limit, where provision for future *development infrastructure* expansion and connectivity should not be foreclosed, even if further expansion is not currently anticipated.³⁷~~

Commented [LW32]: Intent of change is to address concerns that previous wording implies intensification must be enabled where only matters listed are met.

Commented [LW33]: Shifted from UFD-O2(10)

Commented [LW34]: Covered in EIT-INF-P15

Commented [LW35]: Agree with some of the changes proposed by Ms Tait to this. As a consequence of deleting (b) and (c) this no longer needs to be a sub-clause, and re-ordering of wording is therefore also proposed for readability.

Commented [LW36]: Agree with Ms McEwan that this is too detailed for RPS

³¹ 00139.258 Dunedin City Council

³² Shifted from UFD-O2(10). Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 Dunedin City Council

³³ Reversion to notified version

³⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

³⁵ 00213.042 Fonterra Co-operative Group Limited

³⁶ 00139.258 Dunedin City Council

³⁷ 00139.258 Dunedin City Council

UFD-P5 – Commercial activities

Provide for *commercial activities* in *urban areas* by:

- (1) enabling a wide variety and scale of *commercial activities*, social, recreational and cultural activities to concentrate in city, metropolitan, town centres and commercial zoned areas, where appropriate,³⁸ especially if they are highly accessible by *public transport* or *active transport*,
- (2) enabling smaller local and neighbourhood centres, mixed use zones and rural settlements to accommodate a variety of *commercial activities*, social, recreational and cultural activities of a scale appropriate to service local community needs, and
- ~~(3) providing for the expansion of existing areas or establishment of new areas identified in (1) and (2), and~~³⁹
- (4) outside the areas described in (1) and (2), ~~allow~~ provide⁴⁰ for small scale retail and service activities, home occupations and *community services* to establish within or close to the communities they serve.

Commented [LW37]: Agree with Ms McEwan.

Commented [LW38]: Effectively already covered in P2, P3 and P4 and in (1) and (2). This clause does not appear to add anything further.

UFD-P6 – Industrial activities

Provide for *industrial activities* in *urban areas* by:

- (1) identifying specific locations and applying zoning suitable for accommodating *industrial activities* and their reasonable needs and *effects* including supporting or *ancillary activities*,
- (2) identifying a range of *land* sizes and locations suitable for different *industrial activities*, and their *operational needs* including land-extensive activities,
- (3) avoiding activities likely to result in *reverse sensitivity effects* on existing or potential *industrial activities* ~~(particularly residential or retail activities except yard-based retail),~~⁴¹ or likely to result in an inefficient use of industrial zoned *land* or *infrastructure*, particularly where the area:
 - ~~(a)~~ provides for a significant *operational need* for a particular *industrial activity* or grouping of *industrial activities* that are unlikely or are less efficiently able to be met in alternative locations, ~~or~~ and
 - ~~(b) contains nationally significant infrastructure or regionally significant infrastructure and the requirements of EIT-INF-P15 apply, and~~⁴²
- (4) in areas that are experiencing or expected to experience high demand from other urban activities, and the criteria in (3)(a) ~~or (3)(b)~~ does⁴³ not apply, only allowing for the transition of industrial zoned areas to other purposes, by first applying (1) and (2).

Commented [LW39]: Agree with Ms Simpson

Commented [LW40]: Covered in EIT-INF-P15, also noting it does not relate to the stem in any case.

³⁸ 00139.260 Dunedin City Council

³⁹ 00139.260 Dunedin City Council

⁴⁰ 00139.260 Dunedin City Council

⁴¹ Reversion to notified version.

⁴² 00139.001 Dunedin City Council

⁴³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 Dunedin City Council

UFD-P7 – Rural areas

The management of development in⁴⁴ rural areas:

- (2) maintains ~~the productive capacity, amenity and character of~~⁴⁵ rural areas, as places where people live, work and recreate and where a range of activities and services are required to support these rural functions, and provide for social and economic wellbeing within rural communities and the wider region,
- (3) prioritises *land-based primary production on highly productive land* in accordance with the NPS-HPL⁴⁶,
- (4) ~~facilitates~~ provides for⁴⁷ primary production, rural industry and supporting activities and recognises:
 - (a) the importance of mineral and aggregate resources for the provision of *infrastructure* and the social and economic well-being of Otago's communities, and
 - (b) ~~the requirement for that mineral mining and aggregate extraction activities to can~~ only⁴⁸ be located where those resources are present, and
- ~~(5) directs rural lifestyle development to areas zoned for that purpose in accordance with UFD-P8,~~⁴⁹
- (5A) ~~provides for the use by Kai Tahu of Native Reserves and Māori Land, for papakāika, kāika, nohoaka, marae and marae related activities, and otherwise provides for Kai Tahu use of rural areas and the resources and values they contain,~~⁵⁰
- (6) restricts the establishment of non-rural activities which could adversely affect, including by way of reverse sensitivity or fragmentation, the *productive capacity of highly productive land* or existing or ~~potential~~ anticipated⁵¹ primary production and rural industry activities, unless those activities are undertaken in accordance with MW-P4 or the NPS-HPL UFD-P4, UFD-P8 or UFD-P9 as relevant.⁵²
- ~~(7A) may place constraints on certain rural activities where necessary for the effective management of nationally significant infrastructure or regionally significant infrastructure,~~⁵³

Commented [LW41]: To align policy with narrower application of UFD-O4 and make it clearer that the provision relates only to development in rural areas.

Commented [LW42]: Covered in (6) and does not relate to rest of clause.

Commented [LW43]: Agree with Mr Brown and Mr Ferguson that there may be instances where this type of development is appropriate within a zone where that is not the *purpose* of that zone, but might still be anticipated/appropriate in some circumstances. Consequential change is then recommended to UFD-P8 so that it covers all forms of rural lifestyle development.

Commented [LW44]: Removed on the basis that clause 6 is recommended to refer to MW-P4, where this is already addressed. (This reflects that clause 6 previously referred to UFD-P9 but that policy is recommended to be deleted on the basis that it is not needed in addition to MW-P4 - refer below)

Commented [LW45]: Covered in EIT-INF-P15

⁴⁴ Responds to submissions seeking that management of rural areas more broadly is not contained in this chapter, by aligning it more closely with UFD-O4 and therefore making it more clearly limited to 'development'. e.g. 00240.033 New Zealand Pork Industry Board, 00239.172 Federated Farmers, 00236.096 Horticulture New Zealand

⁴⁵ 00139.262 Dunedin City Council, 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

⁴⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.318 Kai Tahu ki Otago, 00235.153 OWRUG

⁴⁷ 00236.102 Horticulture New Zealand

⁴⁸ Drafting amendments to previous recommendation (relating to 00115.007 Oceana Gold)

⁴⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁵⁰ Reversion to notified version.

⁵¹ Minor change to previous recommendation (relating to 0015.032 Oceana Gold)

⁵² Reversion to notified version (in part). Reference to MW-P4 is a Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.264 Dunedin City Council. Reference to NPS-HPL is a Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties.

⁵³ Reversion to notified version.

UFD-P8 – Rural lifestyle and rural residential⁵⁴ zones development⁵⁵

The establishment, development or expansion of rural lifestyle and rural residential⁵⁶ zones development⁵⁷ only occurs where:

- (1) ~~the land is adjacent to existing or planned urban areas and ready access to employment and services is available,~~⁵⁸
- (2) ~~despite the direction in (1),~~ it also⁵⁹ avoids land identified for future urban development in a relevant plan or land reasonably likely to be required for its future urban development potential, where the rural lifestyle development would foreclose or reduce efficient realisation of that urban development potential,
- (3) it minimises impacts on existing primary production, and rural industry and other rural activities, rural production potential, amenity values⁶⁰ and avoids⁶¹ the potential for reverse sensitivity effects to arise in adjoining rural production zones,
- (4) it avoids, as the first priority, highly productive land, except as provided for in the NPS-HPL,⁶²
- (5) the suitability of the area to accommodate the proposed development is demonstrated, including
 - (a) capacity for servicing by existing or planned development infrastructure (including self-servicing requirements),
 - (b) particular regard is given to the individual and cumulative impacts of water supply, wastewater disposal, and stormwater management including self-servicing, on the receiving or supplying environment and impacts on capacity of development infrastructure, if provided, to meet other planned urban area demand, and
 - (c) likely future demands or implications for publicly funded services including emergency services and additional infrastructure, and
 - (d) ~~does not compromise the safe and efficient ongoing use of nationally significant infrastructure or regionally significant infrastructure~~⁶³

Commented [LW46]: Agree with Mr Brown and Ms McEwan.

Commented [LW47]: Agree with Ms Wharfe that this is appropriate in the context of this policy.

Commented [LW48]: Covered in EIT-INF-P15

UFD-P9 – Iwi, hapū and whānau

~~Facilitate the development, by mana whenua, of Native Reserves and Māori land, for papakāika,~~

Commented [LW49]: This policy overlaps with MW-P4 and it is not necessary to have in both chapters. However, it is considered necessary to address the interrelationship between UFD-P7 and MW-P4 - which is addressed in changes to UFD-P7 above.

⁵⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

⁵⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁵⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

⁵⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁵⁸ 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁶⁰ 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

⁶¹ 00322.042 Fulton Hogan Limited, 00236.103 Horticulture New Zealand, 00235.153 OWRUG, 00221.016 Silver Fern Farms

⁶² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties.

⁶³ Reversion to notified version.

~~kāika, nohoaka, marae, and marae related activities where existing or planned development infrastructure of sufficient capacity is or can be provided (including allowance for self-servicing systems).~~⁶⁴

UFD-P10 – Criteria for significant development capacity

‘Significant development capacity’ is provided for where a proposed plan change affecting an *urban environment* meets all of the following criteria:

- ~~(1) the location, design and layout of the proposal will positively contribute to achieving a well-functioning urban environment,~~
- ~~(2) the proposal is well-connected to the existing or planned urban area, particularly if it is located along existing or planned transport corridors,~~⁶⁵
- (3) required *development infrastructure* can be provided effectively and efficiently for the proposal, and without material impact on planned *development infrastructure* provision to, or reduction in *development infrastructure* capacity available for, other feasible, likely to be realised developments, in the short-medium term,
- (4) the proposal makes a significant contribution to meeting a need identified in a *Housing and Business Development Capacity Assessment*, or a shortage identified in monitoring for:
 - (a) housing of a particular price range or typology, particularly more affordable housing,
 - (b) business space or *land* of a particular size or locational type, or
 - (c) community or educational facilities, and
- (5) when considering the significance of the proposal’s contribution to a matter in (4), this means that the proposal’s contribution:
 - (a) is of high yield relative to either the forecast demand or the identified shortfall,
 - (b) will be realised in a timely (i.e. rapid) manner,
 - (c) is likely to be taken up, and
 - (d) will facilitate a net increase in district-wide up-take in the short to medium term.

Commented [LW50]: Agree with Ms McEwan

Methods

UFD-M1 – Strategic planning

Otago Regional Council and *territorial authorities*:

- (1) must, where they are Tier 2 local authorities, jointly determine housing *development capacity* that is feasible and likely to be taken up in the medium and long terms through *Housing and Business Development Capacity Assessments*,
- (2) should, for other districts, jointly determine demand and potential supply responses through

⁶⁴ 00139.264 Dunedin City Council

⁶⁵ 00226.310 Kāi Tahu ki Otago

similar, but appropriately scaled strategic planning approaches,

- (3) must, where they are Tier 2 and Tier 3 local authorities, monitor and regularly assess and report on the supply of, and demand for, residential, commercial and industrial zoned *land development capacity* available at the regional, district and *urban environment* scales, and other local authorities are encouraged to do so,
- (4) must coordinate the redevelopment and intensification of urban areas and the development of extensions to urban areas with *infrastructure* planning and development programmes, to:
 - (a) provide the required *development infrastructure* and *additional infrastructure* in an integrated, timely, efficient and effective way, and
 - (b) ~~to~~⁶⁶ identify major existing and future activities, constraints and opportunities,and for Tier 2 local authorities to achieve this through jointly developed *Future Development Strategies* and/or strategic planning, and for all other *local authorities* through strategic planning in accordance with UFD-P1,
- (5) must, where they are Tier 2 local authorities, develop housing bottom lines for urban environments and include those bottom lines in APP10 and in the relevant *district plans*,
- (6) must individually or jointly develop further regulatory or non-regulatory methods and actions to implement strategic and spatial plans, including to guide the detail of how, when and where development occurs, including matters of urban design, requirements around the timing, provision, and responsibilities for open space, connections and infrastructure, including by third parties, and the ongoing management of effects of urban development on matters of local importance, and
- (7) must involve *mana whenua*, and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, ~~to ensure provision is made for their needs and aspirations, and cultural practices and values and to ensure the requirements of the MW chapter are met, and the issues and values identified in RMIA are recognised and provided for.~~⁶⁷

UFD-M2 – *District plans*

Territorial authorities must prepare or amend their *district plans* as soon as practicable, and maintain thereafter, to:

- (1) identify and provide for urban expansion and intensification, to occur in accordance with:
 - (a) any adopted *future development strategy* for the relevant district or region, which must be completed in time to inform the 2024 Long Term Plan, or
 - (b) where there is no *future development strategy*, a *local authority* adopted strategic plan developed in accordance with UFD-P1, for the relevant area, district or region,
- (2) in accordance with any required *Housing and Business Development Capacity Assessments* or monitoring, including any *competitiveness margin*, ensure there is always at least sufficient

Commented [LW51]: This part extends beyond a method (noting this aspect is covered at the policy level) and additional references to other chapters are not considered necessary.

⁶⁶ Drafting amendment to previous recommendation (relating to 00411.088 Wayfare, 00206.073 Trojan, 00219.012 FENZ)

⁶⁷ 00139.266 Dunedin City Council

development capacity that is feasible and likely to be taken up and, for Tier 2 urban environments, at a minimum meets the bottom lines for housing in APP-10, and meets the identified *land* size and locational needs of the commercial and industrial sectors, and where there is a shortage, respond in accordance with UFD-P2,

- (3) ensure that urban development is designed to:
 - (a) achieve a built form that relates well to its surrounding *environment*,
 - (b) provide for a diverse range of housing, *commercial activities*, industrial and service activities, social and cultural opportunities,
 - (c) achieve an efficient use of *land, energy, water* and infrastructure,
 - (d) promote the use of water sensitive design wherever practicable,
 - (e) minimise the potential for reverse sensitivity *effects* to arise, by managing the location of incompatible activities, within the urban area, and at the rural-urban interface, ~~and in rural areas,~~⁶⁸
 - ~~(ea) avoid the potential for reverse sensitivity effects on *nationally significant infrastructure* and *regionally significant infrastructure*, and~~⁶⁹
 - (f) reduce the adverse *effects* of Otago's cooler winter climate through designing new subdivision and development to maximise passive winter solar gain and winter heat retention, including through roading, lot size, dimensions, layout and orientation,
- (4) identify and provide for locations that are suitable for urban intensification in accordance with UFD-P3,
- (5) identify and provide for locations that are suitable for urban expansion, if any, in accordance with UFD-P4,
- (6) identify and provide for *commercial activities* in accordance with UFD-P5,
- (7) identify and provide for *industrial activities* in accordance with UFD-P6,
- (8) manage development in *rural areas* in accordance with UFD-P7,
- (9) manage rural residential activities lifestyle development⁷⁰ in accordance with UFD-P8,
- ~~(10) provide for *papakāiika, kāiika, nohoaka, marae* and *marae* related activities, in accordance with UFD-P9, and~~⁷¹
- (11) ~~must~~⁷² involve *mana whenua* and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, ~~to ensure provision is made for their needs and aspirations, and cultural practices and values and ensure the requirements of the MW chapter are met, and the issues and values identified in RMIA are recognised and~~

⁶⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00322.042 Fulton Hogan Limited, 00236.103 Horticulture New Zealand, 00235.153 OWRUG, 00221.016 Silver Fern Farms.

⁶⁹ Reversion to notified version.

⁷⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

⁷¹ 00139.267 Dunedin City Council

⁷² Clause 16(2), Schedule 1, RMA

provided for at the local level⁷³, and

(11A) ensure the design and maintenance of places and spaces, including streets, open spaces, public *buildings* and publicly accessible spaces so that they are safe, attractive, accessible and usable by everyone in the community.

Commented [LW52]: This part extends beyond a method (noting this aspect is covered at the policy level) and additional references to other chapters are not considered necessary.

UFD-M3 – Design of public spaces and surrounds

Territorial authorities must design and maintain public places and spaces, including streets, open spaces, public *buildings* and publicly accessible spaces so that they are safe, attractive, accessible and usable by everyone in the community.

Explanation

UFD-E1 – Explanation

The policies in this chapter are designed to facilitate the provision of sufficient housing and business capacity and ensure all of the region's *urban areas* demonstrate the features of *well-functioning urban environments* and meet the needs of current and future communities. Urban intensification ~~must be enabled~~, and urban expansion ~~should be facilitated, however these important~~⁷⁴ decisions should be preceded and guided by strategic planning processes that consider how best this can be achieved and in consideration of local context, values and pressures. The strategic planning process will also consider and demonstrate where, when, how and by whom the necessary *development infrastructure* and *additional infrastructure* will be provided in order to both facilitate development and change and minimise environmental impacts from it, ~~including avoiding impacts on the operation of regionally significant infrastructure and nationally significant infrastructure.~~⁷⁵

In addition, this chapter seeks to ~~manage development in Otago's rural areas, maintain the character and amenity values of Otago's rural areas, including by facilitating the use of the natural and physical resources that to~~⁷⁶ support the viability of the rural sector. Otago's rural and urban areas also contain significant natural, cultural and historic values which are subject to direction in other parts of this RPS.⁷⁷ This approach includes direction on different types of development within rural areas, managing the expansion and location of *urban areas*, and rural lifestyle development, and directing that growth be enabled in *urban areas* to minimise the need for development to occur within rural areas.

The policies in this chapter are primarily focused on directing where development is and is not appropriate and under what circumstances, but provides discretion for *local authorities* to determine

⁷³ 00139.267 Dunedin City Council

⁷⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001, 00139.257, 00139.258 Dunedin City Council

⁷⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 Dunedin City Council

⁷⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendments arising from 00240.033 New Zealand Pork Industry Board, 00239.172 Federated Farmers, 00236.096 Horticulture New Zealand, 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

⁷⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 Director General of Conservation, 00226.307 Kāi Tahu ki Otago.

the detail of how that development is managed, its ultimate density, height, bulk and location, timing and sequencing, the detail of any required *development infrastructure* and *additional infrastructure* that may be needed, and allows for the consideration of particular locally significant features, values and needs that contribute to the attractiveness or uniqueness of the diverse communities, landscapes, and environments of the region.

This more detailed determination must, however, be informed by evidence and information collated through appropriately scaled *strategic planning* processes which will identify how constraints to urban development, such as hazards, landscapes, *highly productive land*, and limits are responded to, and opportunities for meeting demand, integration with lifeline utilities, infrastructure and other requirements may be provided for. They will be implemented by a range of regulatory and non-regulatory methods, including partnership arrangements with iwi, developers, infrastructure providers and central government, joint development of *Housing and Business Assessments* and *Future Development Strategies* for Tier 2 local authorities, and similar but appropriately scaled processes undertaken in and for other areas, including regular regional, district and *urban environment* scale monitoring, analysis and evaluation.

In delivering on the objectives and policies in this chapter, which relate largely to human activities and settlements, the natural, physical, and built values and features of importance to the region must be recognised and provided for. These values and features are largely identified within other chapters and provision of the RPS. They also provide detail on how they should be identified and managed. Achieving the objectives of this chapter requires consideration of those other relevant parts of this RPS.

The following chapters of this Regional Policy Statement have particular relevance to the achievement of the objectives of this chapter by identifying particular aspects of Domains or Topics to be managed, and where there is an apparent conflict, must be balanced in accordance with the directions outlined in the IM - Integrated Management chapter:

- MW – *Mana Whenua*
- AIR – Air
- CE – Coastal environment
- LF – *Land and freshwater*
- ECO – Ecosystems and indigenous *biodiversity*
- EIT – Energy, *infrastructure* and transport
- HAZ – Hazards and *risks*
- HCV – Historical and cultural values
- NFL – Natural features and landscapes

Principal reasons

UFD-PR1 – Principal reasons

The provisions in this chapter assist in fulfilling the functions of the regional council under section 30(ba) and *territorial authorities* under section 31(aa) of the RMA to ensure sufficient *development*

capacity in relation to housing and *business land* to meet the expected demands of the region and districts respectively. They also assist in giving effect to the similar but more detailed requirements of the *NPSUD*.

Urban areas are important for community well-being and are a reflection the inherently social nature of humans. *Well-functioning urban areas* enable social interactions and provide a wide variety (across type, location and price) of housing, employment and recreational opportunities to meet the varied and variable needs and preferences of communities, in a way that maximises the well-being of its present and future inhabitants, and respects its history, its setting and the *environment*. The combination of population growth and demographic change will result in changes in the quantity and qualities demanded of housing, employment, business, *infrastructure*, social facilities, emergency services and *lifeline utilities* and other services across the region. Upgrade and replacement of the existing development and infrastructure will also continue to be required even where growth is limited, resulting in changes in the built environment. Some of these changes will also be driven by changes in the *natural environment*, including the impacts of climate change. Urban areas are highly dynamic by nature, so the provisions in this chapter seek to manage, rather than limit, the form, function, growth and development of urban areas in a way that best provides for the community's well-being both now and into the future.

The pace and scale of growth and change, and the scale and nature of urban environments and areas in the region is variable, meaning no single response at a regional level is appropriate in all cases. Accordingly, the process identified in this RPS remains flexible and responsive (outside of Tier 2 *urban environments*, which have specific requirements under the *NPSUD*). Key requirements of strategic planning include considering and providing for reasonably expected changes in overall quantum of demand and supply as well as changes in needs and preferences that may drive or add to these changes in demand, designing to maximise the efficient use of energy, land and infrastructure (including transport infrastructure). This can best be achieved by prioritising development in and around the region's existing urban areas as the primary focus of the region's growth and change, by enabling development within and adjacent to those urban areas, where it generally is most suitable and most efficient to do so.

These strategic planning processes provide the mechanism by which longer term issues can be considered, integration between land use and infrastructure can be achieved, and various constraints, opportunities and key trade-offs can be identified and appropriately resolved, while identifying and managing the values and resources identified in this RPS. These processes, and others should always involve *mana whenua*, at all levels of the process to ensure their views and values can be incorporated and celebrated, and their needs and aspirations appropriately provided for.

All development should seek to maximise efficient use of water consumption (through water efficient design) and disposal. Reduced consumption reduces sewerage loads, and water sensitive design reduces impacts on both supplying and receiving natural systems and can reduce flooding from stormwater, and maximise the winter capture and retention of the sun's energy, which will also assist with reducing the energy needed to heat homes in winter and can also help reduce *air* pollution from solid fuel burning for home heating. Development in more central parts of the region also need to be designed to be cognisant of minimising excess sun capture in the summer months. ~~Enabling the establishment and use of small scale renewable energy generation also facilitates local energy resilience, contributes to national renewable energy generation targets with associated climate~~

change benefits, and may reduce the need for additional large-scale generation and transmission infrastructure and associated impacts.⁷⁸

Rural areas are attractive as residential living areas, and for other non-rural activities. However, they contain areas, activities and resources critical for rural production. There is pressure from non-rural activities and rural lifestyle development to locate within the rural area, but these activities that can be impacted by activities that are sensitive to primary production or rural industry and can adversely affect rural production.⁷⁹ Non-urban areas also contain a wide range of other values that can be negatively impacted by the impacts of rural lifestyle development, that do not have a functional need to be in rural areas.⁸⁰ The provisions in this chapter focus on managing where rural living opportunities and other non-rural activities are provided for, so that the potential effects on the rural character,⁸¹ productive potential and the wide range of environmental values, features and resources that rural areas also contain are appropriately managed. The supply of rural lifestyle opportunities to meet demand should be directed to suitably located and zoned areas to minimise impacts on values in rural areas. In designing and planning for rural residential lifestyle⁸² development, local authorities will need to be aware of the potential future constraints on future urban expansion and development, including the cumulative impacts of infrastructure servicing irrespective of whether this is onsite, community or through connections to urban reticulated schemes.

Implementation of the provisions in this chapter will occur partially through *regional plans* but primarily *district plan* provisions, as well as through preparation of *future development strategies* and *structure plans* and the financial and infrastructure planning processes they inform. While the functions and duties of regional and territorial authorities are different, each brings different focus and responsibilities to the task of achieving *well-functioning urban environments*. Working together, and with others, in accordance with specified joint responsibilities under the NPSUD, will assist with achieving the purpose of the RMA and the outcomes sought by this RPS.

To appropriately and efficiently achieve the objectives and policies, other non-regulatory spatial planning exercises and associated action plans, agreements and infrastructure delivery programs will be needed to complement regulatory approaches, including setting aside the necessary funding for delivery, and partnering with *mana whenua*, central government, communities and developers to deliver the quality and quantity of urban development needed to meet demand and provide for change, improve land and development market competitiveness, and achieve resilient, efficient and attractive urban places.

Anticipated environmental results

UFD-AER1 Appropriately scaled strategic planning occurs in advance of regulatory planning, and regulatory plans are changed in a timely manner to facilitate

⁷⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.254 Dunedin City Council

⁷⁹ 00236.106 Horticulture New Zealand

⁸⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from changes recommended to UFD-P7 and UFD-P8.

⁸¹ 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

⁸² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

Commented [LW53]: Agree in principle with concern of Ms Wharfe.

to outcomes identified in these processes.

UFD-AER2	Urban expansion only occurs when suitable and sufficient <i>development infrastructure</i> is in place or will be provided at the time of expansion and provision is made for the needs of <i>additional infrastructure</i> .
UFD-AER3	<i>Development infrastructure</i> is in place in time to facilitate reasonably expected urban intensification or planned expansion.
UFD-AER4	New developments including redevelopments are designed to maximise energy and transport efficiency and minimise impacts on <i>water</i> quality and quantity.
UFD-AER5	The majority of new <u>urban</u> ⁸³ development is located close to services, jobs, and other urban amenities and can access those amenities by a range of transport modes including <i>active transport</i> and, where available, <i>public transport</i> .
UFD-AER6	The mode share and use of <i>active transport</i> and where available, <i>public transport</i> increases.
UFD-AER7	New developments are at minimal risk from natural hazards including changes to risk due to the impacts of climate change, and do not increase risk to existing or planned developments.⁸⁴
UFD-AER8	In existing urban areas at risk from natural hazards, including changes to risk due to the impacts of climate change, communities are informed, resilient and prepared for the effects of known natural hazard risks.⁸⁵
UFD-AER9	There is an increased range of housing types and locations and an increased number of <i>dwelling</i> s, particularly more affordable housing in existing and planned <i>urban areas</i> .
UFD-AER10	The current and future needs of business are met by the availability of a range of opportunities for <i>land</i> and space that meets their requirements.
UFD-AER11	AH ⁸⁶ a New rural residential <i>lifestyle</i> ⁸⁷ development occurs within areas zoned <u>appropriate</u> for this use. ⁸⁸
UFD-AER12	The establishment of <i>sensitive</i> ⁸⁹ activities within rural areas does not result in adverse effects on activities functionally dependent on rural resources and rural surroundings.

⁸³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁸⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 Dunedin City Council

⁸⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 Dunedin City Council

⁸⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁸⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

⁸⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

⁸⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00213.009 Fonterra Co-operative Group Limited.

Commented [LW54]: Address in HAZ-NH chapter

- UFD-AER13** ~~Inappropriate u~~Urban expansion and urban activities are appropriately planned so that they⁹⁰ do not adversely affect the *productive capacity, and long-term viability of the rural sector and rural communities*⁹¹ amenity and character⁹² of the region's rural areas.⁹³
- UFD-AER14** *Mana whenua* are involved in strategic planning and other planning processes.
- UFD-AER15** ~~The development of Native reserves and Māori land occurs in accordance with the needs, aspirations and cultural values of mana whenua.~~⁹⁴
- UFD-AER16** ~~Urban and rural development maintain recognised regionally significant features and values.~~⁹⁵

Commented [LW55]: Agree with Ms Simpson

⁹⁰ Drafting amendment to previous recommendation (relating to 00236.107 Horticulture NZ, 00208.001 AgResearch, 00239.180 Federated Farmers)

⁹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.099 Horticulture

⁹² 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

⁹³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.099 Horticulture

⁹⁴ Reversion to notified version

⁹⁵ Reversion to notified version