

# S35 Monitoring Report

## Kingston Village

### Special Zone

2024

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## Executive Summary

The findings of this Monitoring Report are intended to inform potential future amendments to the Kingston Village Special Zone Provisions and mapping. This report is based on desktop research on the consents which have taken place within the Zone. A site visit has been undertaken but as no development have been undertaken at the time of this report no conclusions have been reached based on this site visit.

The analysis of the Zone's Objectives and Policies will be limited due to the consents which have been recorded within the Zone. The application by the developer for every lot (217) contained within the Stage 1 development has led to identical consents undertaken dependent on the density the lots falls into (65 High Density, 116 Medium Density and 36 Low Density). This has led to a uniformity of the consents within the Zone, which has limited the analysis of the breaches recorded.

This report has found that the number of consents which are triggering as Non-Complying Activities is far above what is to be expected (100% of 217 consents). This would normally indicate the ineffectiveness of the Zones provisions however, the circumstances under which the consents recorded should be considered in this analysis. The consents requiring non-complying activity consents are due to the change in the roading layout of the Zone. Other non-complying breaches were also recorded for all of the different lot densities and types (low, medium, high and reserve). Such breaches to recession plan standards, building height standards (low density lots only) and building coverage standards also triggered as non-complying breaches. It is important to note that the resource consent applied for by the developer for the lots were not for specific designs but rather were generalised to provide greater options for potential purchasers of lots to undertake developments without requiring another resource consent. This may have led to the landowner to apply for consents which breached certain standards to allow for a more permissive developments for future landowners. The assessment on the effects on the environment undertaken by Council for the previously mentioned breaches were deemed to have a less than minor effect, and thus the consents were granted.

In conclusion, while all of the consents undertaken in the Zone have triggered as non-complying activities this has occurred due to the unique circumstances under which the consents were undertaken. This report finds that the Zones objectives, policies and rules have mostly been effective however, several of the Objectives could not be fully assessed due to the staged nature of the Zone's development.

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# 1 Introduction

This report monitors the effectiveness and efficiency of the Kingston Village Special Zone (Zone) in the Operative District Plan (ODP). The focus of this report is to evaluate whether the ODP provisions for the Zone are effective, whether the objectives and policies are being achieved, and help identify any resource management issues that have emerged. The findings of this report will help to inform the review of the Kingston Village Special Zone, and the wider review of the special zones of the ODP.

The Resource Management Act (RMA) requires that the effectiveness and efficiency of a plan are assessed, with the findings then used to inform the process of a reviewing a plan. This is focused on the efficiency and effectiveness of the plans objectives, policies or methods (i.e., rules).

**District Plan Effectiveness monitoring** requires the Council to compare what is actually occurring under the District Plan provisions with the intentions of the Plan (as expressed through its objectives). This involves first identifying what the plan is trying to achieve for the zone, and to then track how well it is achieving these objectives. Once an understanding of how well the objectives are being met, the next consideration is identify to what extent this can be attributed to the District Plan policies and rules and to what extent 'outside' influences may be affecting the ability of the Plan to achieve its objectives.

**Plan Efficiency monitoring** refers to comparing the costs of administering the Plans provisions incurred by applicants, the Council and other parties compared to the outcomes or benefits achieved. It is noted here that determining what level of costs are acceptable is generally a subjective judgement and, as such, it is difficult to reach definitive conclusions. It is also considered that if development can be undertaken with no resource consent fees then that improves the efficiency of the Plan.

## 1.1 Requirements of the Resource Management Act (1991)

This report fulfils the requirements of section 35(2)(b) in relation to the Kingston Village Special Zone. Section 35 of the Resource Management Act 1991 (RMA) states that:

*(2) Every local authority shall monitor –*

...

*(b) the efficiency and effectiveness of policies, rules or other methods in its policy statement or plan;*

...

*and take appropriate action (having regard to the methods available to it under this Act) where this is shown to be necessary.*

This report monitors the effectiveness and efficiency of the Zones objectives, policies and rules. This report is limited to monitoring the effectiveness and efficiency of the objectives, policies and rules.

## 2 What is the Purpose of the Kingston Village Special Zone?

The Kingston Village Special Zone is located adjacent to the southern boundary of the existing Kingston township. The purpose of the zone is to provide for the future growth of Kingston while retaining the character and amenity associated with the existing township.

## 3 What is the Zone Trying to Achieve?

The Kingston Village Special Zone is 88 hectares in area and is currently owned by Kingston Village Limited. The site is located directly south of the Kingston Township at the southern point of Lake Whakatipu, and is bounded by mountains to the west, the State Highway to the east and to the south by the Kingston Flyer railway line. In Figure 1 below, the structure plan for the Zone is shown, which shows its proximity to the Kingston Township.

The Zone provides for a range of densities to provide a range of living opportunities, and potentially a “diversity in future owners”. The provisions also aim to provide for future educational and employment activities alongside residential activities within the Zone.

<b>Objective 1: Spatial Planning and Design</b>	<p>The Kingston Village Special Zone is developed comprehensively, providing a range of activities in a form and location that achieves a legible, safe and attractive living environment.</p> <p>The Kingston Village Special Zone is developed in stages so that amenity values are maintained as the development progresses.</p>
<b>Objective 2: Township Amenity and Built Character</b>	<p>Development within the Kingston Village Special Zone provides diversity and choice for different lifestyles, complementing the existing character of Kingston and enabling the establishment of a sustainable and integrated community.</p>
<b>Objective 3: Servicing</b>	<p>To provide sustainable reticulated sewage and water infrastructure that serves the Kingston Village Special Zone.</p> <p>To provide effective management of stormwater through the use of a system of open swales throughout the Zone.</p>



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## 3.1 Structure Plan and Activity Areas

The Kingston Village Special Zone contains a structure plan (Figure 1) which sets out how the Zone is expected to develop. The Structure Plan has 4 distinct Activity Areas (AA) to enable different types of activities within the Zone. Activity area 1 can further be broken down into sub-areas, with areas 1a, 1b and 1c existing to enable different levels of density within the Activity Area. Activity Area 4 can also be broken down in AA4a and AA4b. The four activity areas in the Zone are outlined below.

- Activity Area 1 provides primarily for residential activities. The AA is broken down into three subzones (1a,1b, and 1c).
- Activity Area 1a provides the highest level of density in Activity Area 1, with sections ranging from 350m<sup>2</sup> to 500m<sup>2</sup>. There is also a precinct overlaid this AA for visitor accommodation.
- Activity Area 1b provides for medium density living, with sections ranging from 450m<sup>2</sup> to 700m<sup>2</sup>.
- Activity Area 1c provides for lower density living, with sections ranging upward from 700m<sup>2</sup>.
- Activity Area 2 provides for commercial, industrial and service activities that are of a nature and scale suited to the character and scale of Kingston.
- Activity Area 3 enables the provision of a future school. The rule of the AA provides that if, after 15 years of the Zone being operative there is no demand for educational facilities, the activity area will revert to AA1a.
- Activity Area 4 provides for both formal and informal recreation activities.
- Activity Area 4a provides for the golf club house and buildings for the purposes of providing community facilities.
- Activity Area 4b provides for open space and recreation including the golf course, green linkage park, sports fields, neighbourhood parks walkway linkages and stormwater management areas.

## 4 How was the Zone created?

### 4.1 Planning Context

#### 4.1.1 Plan Change 25

In December 2006, the Council considered a request by the Landowners (Kingston Village Ltd) to undertake a Plan Change in order to rezone the Plan Change site from its existing Rural general zoning into a new zone that would enable residential development.

The following resource management issues were identified to be addressed through the plan change (PC25) are listed below<sup>1</sup>:

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<sup>1</sup> Plan Change 25 Section 32 Report P.11

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- a) There is potential for uncoordinated development to occur on the periphery of Kingston in a manner that:
    - does not provide for a sustainable integrated community
    - fails to respect the distinct character and heritage of Kingston, and
    - adversely affects landscape values and rural character.
  - b) Kingston currently has no reticulated water or sewerage system. This is causing health concerns and has the potential to restrict further growth of the Township.
  - c) The single access point to Kingston may be insufficient for an expanded community. Any future development needs to provide vehicle, pedestrian and cycle connections to the existing Township while respecting the continued functioning of the Kingston Flyer and the State Highway. Road design can be used to achieve high levels of amenity and effective management of stormwater.
  - d) It is important to provide a range of living styles, densities and employment opportunities within Kingston while achieving amenity values that reflect and build on the character that currently exists.
  - e) While Kingston currently has some community facilities including a library and golf clubhouse, additional facilities will be needed as the community grows, including walkways, open space and reserves and educational facilities.
  - f) There is potential for Kingston to become a satellite town of Queenstown. To some extent this could be reduced through providing land within Kingston for employment opportunities.
  - g) The Council has committed to ensure that affordable housing is made available throughout the District.
  - h) Staging of development can assist in achieving efficiencies in the provision of infrastructure and can assist in maintaining amenity values as Kingston grows.

#### 4.1.1 Purpose of the Plan Change (PC25)

Given the resource management issues listed above, the purpose of Plan Change 25 was defined as follows<sup>2</sup>:

To undertake a Plan Change that provides for the future residential growth of Kingston, and incorporates;

- reticulated water and wastewater services that provide for both the Plan change site and the existing township
- open space areas (including the retention of the golf course)
- a school site
- an employment zone
- a range of residential densities
- a road network that provides for stormwater management, walking and cycling linkages and physical connection to the existing Township
- a new access point to the site from the State Highway.

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<sup>2</sup> Plan Change 25 Section 32 Report P.12

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## 4.2 The “State” of the Special Zone

To determine the state of the Kingston Village Special Zone, two forms of data are assessed. This allows for the analysis of both datasets to provide a clear picture of the development activity within the Zone. This includes:

- A desktop review of resource consent and building consent data; and
- Physical monitoring of the Zone.

## 4.3 Resource Consents

Prior to the resource consents applied for by the current landowner (Kingston Village Ltd), no known consents are attached to the land currently contained in the Zone. In an analysis of the site’s history undertaken for the overarching subdivision consent for Stage 1 of the development it was stated that “There is no record of any resource consents relating to the properties subject to this application in the QLDC system. The subdivision is the first in the Kingston Village Special Zone, a zone created as the result of Plan Change 25 and made operative in 2010.<sup>3</sup>”

After the creation of the Kingston Village Special Zone through Plan Change 25, a singular land-use consent was applied for Stage 1 of the development of the Zone on November 21<sup>st</sup>, 2018. The single resource consent was withdrawn and replaced with 218 separate resource consents (each lot has its own consent). This was due to the roading layout of Stage 1 of the development being different from the form anticipated in the Zones structure plan, which led to the consent holding a non-complying status.

## 4.4 Stages of development

The consents applied for consist of the first stage of the Zones development (referenced as Stage 1). The consents can be broken down into five categories, with these being:

- Overarching subdivision Consent which covers Stage 1 of the development.
- Consent for reserve lots
- Consent for change to condition (s127)
- High density lots
- Medium density lots
- Low density lots

Lot types:

- 65 High-Density Lots (AA 1a)
- 116 Medium-Density Lots (AA 1b)
- 36 Low-Density Lots (AA 1c)

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<sup>3</sup> RM181534 S95 and decision P.6



Figure 2 Stage 1 lots

## 5 Decision Making and Consent Status

### 5.1 Resource Consents

#### 5.1.1 Overview of Resource Consents undertaken

The consents recorded within the Zone, and the breaches contained in them can be broken down into three separate categories. The Consents (218) are contained in three different subzones (along with one consent for reserves), which are, High Density (1a), Medium Density (1B) and Low Density (1C). This has occurred due to every consent requiring a non-complying activity, as all the lots breached the requirement the Zone's Structure Plan.

The realignment of lots contained within Stage 1 of the Zone's development is shown in Figure 2, which highlights how the realigned lots do not fit with the Structure Plan's original road alignment. This has led to the roading associated with development requiring a redesign. This realignment led to breaches to a Standard under 12.28.3.4 (non-complying activities). Examples of such breaches include those to 12.28.3.4vii for residential activities taking place in Activity Area 4 (Open Space). This breach has occurred due to the realignment of Stage 1, which has led to some lots now contained (fully or partially) in the Open Space Activity Area.

Along with the consents undertaken for the lots contained within Stage 1 and the subdivision of the Zone, a consent was also undertaken for the creation of reserve lots while another was undertaken under Section 127 of the RMA to change consent conditions to the original subdivision consent.

Activity Classification	Activity	Number
<b>High Density Lots (1a)</b>		
Restricted Discretionary	Access	65
Restricted Discretionary	Road Setback	65
Restricted Discretionary	Internal Boundary Setback	65
Non-Complying	Building Coverage	65
Non-Complying	Recession Plane	65
Non-Complying	Structure Plan (development in open space AA)	65
Non-Complying	Structure Plan (Not in general accordance with the structure plan)	65
<b>Medium Density Lots (1b)</b>		
Restricted Discretionary	Access	116
Restricted Discretionary	Road Setback	116
Restricted Discretionary	Internal Boundary Setback	116
Non-Complying	Building Coverage	116
Non-Complying	Recession Plane	116
Non-Complying	Structure Plan (development in open space AA)	116
Non-Complying	Structure Plan (Not in general accordance with the structure plan)	116
<b>Low Density Lots (1c)</b>		
Restricted Discretionary	Road Setback	36
Restricted Discretionary	Internal Setback	36
Restricted Discretionary	Building Coverage	36
Non-Complying	Building Coverage	36
Non-Complying	Building Height	36
Non-Complying	Recession Plane	36
Non-Complying	Structure Plan (development in open space AA)	36
Non-Complying	Structure Plan (Not in general accordance with the Structure Plan)	36
<b>Reserve Lots</b>		

Activity Classification	Activity	Number
Non-Complying	Structure Plan (Not in general accordance with the Structure Plan)	1

## 5.2 Building Consents

No building consents have been recorded within the Zone during the period monitored (2018-2024). This is likely due to the delay in the development of the Zone for the development of required three waters infrastructure.

# 6 How Effective are the Special Zone Objectives, Policies and Rules?

## 6.1 Effectiveness of the Objectives and Policies

### 6.1.1 Overall

The analysis of the Zone’s Objectives and Policies is limited due to the consents which have been recorded within the Zone. The application by the developer for every lot (217) contained within the Stage 1 development has led to identical consents undertaken dependent on the density the lots (65 High Density, 116 Medium Density and 36 Low Density). This has led to a uniformity of the consents within the Zone, which has limited the analysis of the breaches recorded.

## 6.2 Objectives and Policies

The Zones contains six separate Objectives which all contain their own policies.

### 6.2.1 Objective 1

Objective	Policies
<b>Objective 1 Spatial Planning and Design</b>  The Kingston Village Special Zone is developed comprehensively, providing a range of activities in a	<b>1.1</b> To ensure that subdivision and building design occurs in general accordance with the Kingston Village Special Zone Structure Plan, and that it

Objective	Policies
<p>form and location that achieves a legible, safe and attractive living environment.</p> <p>The Kingston Village Special Zone is developed in stages so that amenity values are maintained as the development progresses.</p>	<ul style="list-style-type: none"> <li>• Contributes to the overall structure of the Zone, providing a mix of densities throughout Activity Area 1; with higher densities provided primarily alongside open space areas and towards the centre of the Zone, and lower densities provided towards the edges of the Zone;</li> <li>• Provides for visitor accommodation activities within the Visitor Accommodation Precinct;</li> <li>• Creates an integrated network of safe, legible streets and walkways/cycleways with high amenity values;</li> <li>• Recognises and builds on the character of Kingston and its surrounds;</li> <li>• Enables the creation of a high quality living environment;</li> <li>• Provides employment opportunities;</li> <li>• Provides a range of open space and recreation areas, including sports fields, a golf course and play areas;</li> <li>• Enables the provision of education facilities.</li> </ul>
	<p><b>1.2</b> To contain development within a clear boundary that is demarcated by the State Highway to the East, the Kingston Railway Tracks to the South, and the Eyre Mountains to the West.</p>
	<p><b>1.3</b> To ensure that the Zone is staged in a logical manner, so that high amenity values are provided as the development progresses.</p>
	<p><b>1.4</b> To enable the establishment of non-residential activities, providing live-work opportunities, but only where they are compatible with the character and qualities of the residential area and residential health and safety.</p>

Objective	Policies
	1.5 To concentrate visitor accommodation activities within the Visitor Accommodation Precinct, and avoid its establishment in other areas of the Zone.
	1.6 To locate industrial and service activities within Activity Area 2.

### 6.2.2 Analysis

Objective 1 sets out the desired outcomes for the overall design of the Zone’s development, with its policies setting out how to achieve the Objective. The Objective states that the Zone is developed ‘comprehensively’, and that the development provides for a range of activities in a ‘legible, safe and attractive living environment’. The Objective also establishes that the Zone will be developed in separate stages to maintain the Zone’s amenity values as development occurs.

The Policies are considered effective as they have enabled the Objective’s goal. Policy 1.1 sets out that subdivision and building design within the Zone must ‘occur in general accordance with the Kingston Village Special Zone Structure Plan. All 218 consents undertaken breached Rule 12.28.5.2i which controls all subdivision, use and development within the Zone to be undertaken un general accordance with the Structure Plan. All consents applied for within the Zone breached this Rule as previously mentioned within this report. This occurred as Stage 1 required a realignment of its roading connection to the Kingston Township. This led to lots within Stage 1 not aligning with the current Activity Areas, leading to the development not being in general accordance with the Structure Plan. The departure from the Structure Plan was assessed and approved within the overarching subdivision consent for Stage 1. The Councils assessment of the consent found that while ‘the proposal is not entirely consistent with the Structure Plan for Kingston, however the urban design and planning assessment of the departures is that the effect of the changes is no more than minor’<sup>4</sup>. The remaining five policies have been achieved aside from 1.4, which has only been achieving partially. This is the case as no commercial, service, or industrial activities are included in Stage 1. Such activities are enabled in Activity Area 2 however, none of this AA was within Stage 1.

### 6.2.3 Objective 2

Objective	Policies
Objective 2 Town Amenity and Built Character	2.1 To achieve subdivision design that ensures lot layout that achieves

<sup>4</sup> Rm181534 Subdivision Consent

Objective	Policies
<p>Development within the Kingston Village Special Zone provides diversity and choice for different lifestyles, complementing the existing character of Kingston and enabling the establishment of a sustainable and integrated community.</p>	<ul style="list-style-type: none"> <li>• Maximum solar access for future dwellings;</li> <li>• The use of rear lanes, particularly within Activity Area 1a;</li> <li>• Dwellings that front the street;</li> <li>• Avoidance of rear lots;</li> <li>• A range of housing types and opportunities;</li> <li>• Staging of development;</li> <li>• Public open space areas that are bordered by roads.</li> </ul>
	<p>2.2 To provide a range of site sizes as follows:</p> <ul style="list-style-type: none"> <li>• Activity Area 1a comprehensive housing and sections between 350m<sup>2</sup> and 500m<sup>2</sup></li> <li>• Within Activity Area 1b sections between 450m<sup>2</sup> and 700m<sup>2</sup>;</li> <li>• Within Activity Area 1c sections of 700m<sup>2</sup> and above.</li> </ul>
	<p>2.3 To ensure that each site achieves appropriate levels of on-site amenity, sufficient outdoor living space including courtyards, yards or balconies and access to sunlight.</p>
	<p>2.4 To avoid a dominance of built form, achieve a range of dwelling types and complement the character of Kingston through imposing varying building coverage requirements between Activity Areas 1a, 1b and 1c, with a reduced percentage of building coverage within larger sites.</p>
	<p>2.5 To avoid the dominance of garages and parking areas on the street frontage through the use of rear access lanes and where these are not used in Areas 1b and 1c, through setting garages back further from the road boundary than the front façade of the dwelling.</p>
	<p>2.6 To create a diversity of housing typologies by enabling duplex housing and residential</p>

Objective	Policies
	flats throughout the Zone, and enabling comprehensive housing and retirement villages within Activity Area 1a where it is comprehensively designed and achieves high levels of amenity.
	<p>2.7 To promote an informal character and feeling of space by encouraging small dwellings and separating buildings from the street.</p>
	<p>2.8 To provide articulation between building forms and to encourage design elements including a diversity in materials and colour to provide visual interest and to contribute to Kingston’s eclectic character.</p>
	<p>2.9 To encourage the use of energy efficient building material, including high levels of insulation, and design lot layout and built form to achieve passive and active solar energy collection.</p>
	<p>2.10 To encourage a variety of one and two storey dwellings throughout the Zone.</p>
	<p>2.11 To achieve good visual connection between the private and public realm by using low fences or walls between the private allotment and public open space.</p>

## 6.2.4 Analysis

Objective 2 establishes that residential development within the Zone is to be built to provide for ‘*diversity and choice for different lifestyles, complementing the existing character of Kingston*’. Regarding diversity the approved resource consents do enable a range of housing typologies through the three different Activity Areas (high, medium and low density). The Objective and its policies are effective in part, with some being achieved while others have not.

The resource consents were also undertaken to enable potential owners to develop either single or two storey buildings at different scales, depending on the Activity Area they were in. Policies 2.1 and 2.2 have been effective, with the subdivision of the Zone being consistent with that they aim to achieve. Policies 2.6 and 2.10 relate to achieving this aspect of the Objective and can both be considered to be effective. The e consents applied for allow for a range of building typologies while also facilitating the development of either one or two

storey buildings in all three of the different density lot-types. Policy 2.5 has not been achieved as the lots within Stage 1 are not accessed through rear lots. This has resulted in all residential lots within Activity Area's 1a and 1b (High and Medium Density) in Stage 1 breaching Rule 12.28.5.1 iv(b) which controls how lots are accessed. The policy has not been achieved as it states that lots should be accessed through rear lots to avoid the dominance of parking lots and garages on the street front. To address this, the consents included a condition which established controls on setbacks for parking. Policies 2.8, 2.9 and 2.11 could not be assessed as they relate to outcomes from consents that have not been given effect to.

### 6.2.5 Objective 3

Objective	Policies
<p><b>Objective 3 Servicing</b></p> <p>To provide sustainable reticulated sewage and water infrastructure that serves the Kingston Village Special Zone.</p> <p>To provide effective management of stormwater through the use of a system of open swales throughout the Zone.</p> <p>To provide infrastructure in stages as the development progresses.</p>	<p>3.1</p> <p>To provide reticulated water and sewage systems that are designed to provide for increased demand as the settlement grows.</p>
	<p>3.2</p> <p>To avoid the use of potable water supply for irrigation and encourage the use of water conservation devices; thus reducing water usage and associated wastewater disposal.</p>
	<p>3.3</p> <p>To provide a stormwater management system that utilises open swales. These enable a reduction in potential adverse effects from run-off, while also providing for walkway and cycleway linkages, amenity values and ecological enhancement.</p>
	<p>3.4</p> <p>To minimise stormwater runoff through the use of pervious materials for street parking, footpaths and cycleways.</p>
	<p>3.5 To stage the provision of infrastructure to keep pace with development so that efficiencies in the provision of infrastructure are achieved.</p>

### 6.2.6 Analysis

The Objective establishes the need for reticulated sewerage and water infrastructure, the need to provide for effective management of stormwater for the Zone, and to provide such infrastructure in stages as the development of the Zone progresses. Policies 3.1, 3.3 and 3.5 are effective as development has been

undertaken in stages (Stage 1 has been consented at this stage) and a Council owned water and wastewater network is being built. This will include a water source, treatment, storage, pumpstations and a treatment plant for wastewater. Policy 3.4 cannot be assessed at this stage as no development has occurred in the Zone.

### 6.2.7 Objective 4

Objective	Policies
<p><b>Objective 4 Transport Safety and Access</b></p> <p>A coherent road design and layout that is safe and efficient and provides clear linkage and connection between the existing Township and the Kingston Village Zone.</p>	<p>4.1</p> <p>To achieve a road network consistent with the Kingston Village Structure Plan, that:</p> <ul style="list-style-type: none"> <li>• Respects and connects to the grid pattern of the existing Kingston Township.</li> <li>• Provides visual linkage along the road corridors; east-west providing visual linkage to the surrounding mountains, and north-south providing visual linkage to the Lake.</li> <li>• Provides a safe and efficient access point to the Zone from State Highway 6.</li> <li>• Provides safe and efficient access across the Kingston Flyer Railway line.</li> <li>• Provides walking and cycling opportunities.</li> <li>• Achieves a well connected street network that is easy to comprehend, is continuous and avoids cul-de-sacs.</li> </ul>
	<p>4.2</p> <p>To provide a road design that achieves a high level of amenity through the provision of narrow vehicle corridors, wide berms, walking and cycling connections, street planting and open swales.</p>
	<p>4.3</p> <p>To reinforce the character of street planting within the existing Kingston Township by incorporating exotic tree species within the road reserves and recreation areas.</p>

### 6.2.8 Analysis

The analysis of Objective 4 relates to the roading layout of Stage 1 of the Zone’s development. As mentioned earlier in the report, all of the 218 consents contained in Stage 1 triggered as non-complying activities due to

the development’s roading layout not being ‘*generally in accordance with the KSVZ Structure Plan*’<sup>5</sup>. The Objective and the new roading layout provides a direct connection between the existing Kingston Township and the Zone (through Oxford Street) in accordance with the Objective. Policy 4.1 has not been achieved, as all consents for lots in the Stage 1 development were not in general accordance with the Zone’s Structure Plan. Regarding Policy 4.2, it can be considered to be mostly effective. This conclusion was reached as the assessment of Stage 1’s development would have less than minor effects on the environment, and that the breaches would not lead to a more than minor loss of amenity. The final Policy (4.3) for the Objective cannot be assessed as no planting has occurred at the time of this assessment.

## 6.2.9 Objective 5

Objective	Policies
<p><b>Objective 5 Community Facilities and Open Space</b></p> <p>Provision of high quality community and educational facilities and open space areas that are available to the expanding settlement and visitors.</p>	<p>5.1 To provide a range of open space, recreation, community and educational facilities as the development progresses, consistent with the Structure Plan.</p>
	<p>5.2 To use natural watercourses to create features within the open space network and enhance the ecological connections and values of the Township and its surrounds.</p>
	<p>5.3 To avoid the location of buildings within the open space network, except where necessary for provision of reticulated services, sports facilities and pedestrian access.</p>
	<p>5.4 <i>To provide a community building within the Village Club House Precinct that provides for a range of community activities into the future and through design and landscaping contributes positively to the amenity of the Zone.</i></p>
	<p>5.5 To enable buildings within Activity Area 3 for the purposes of educational facilities that contribute positively to the amenity of the Zone through attention to building design and landscaping.</p>

<sup>5</sup> RM181781 p.6

## 6.2.10 Analysis

Regarding the Objective, the assessment of its effectiveness is limited to the consent undertaken to vest five lots as reserve land. These lots were included in Stage 1 to include lots to ‘enable activities associated with open space on the five lots that are to vest as reserve<sup>6</sup>’. At this stage of the Zone’s development this consent is the only one which applies to Objective 5 however, it has enabled the development of open space reserves. The consent has enabled Policies 5.1 and 5.3 to be considered mostly effective as Stage 1 has included open space reserves. It is of note that Policy 5.1 also includes community and educational facilities, which at this stage have not been included in the development of the Zone however, the activity areas in the Zone’s Structure Plan which relate to such activities are not within Stage 1.

## 6.2.11 Objective 6

Objective	Policies
<p><b>Objective 6 Provision for non-residential activities – Activity Area 2</b></p> <p>To encourage the provision of employment opportunities for Kingston residents within Activity Area 2 while ensuring that any potential adverse effects from such activities are minimised.</p>	<p>6.1</p> <p><i>To provide an employment zone that</i></p> <ul style="list-style-type: none"> <li>• complements the expanded settlement of Kingston;</li> <li>• provides local employment opportunities while respecting the local character of Kingston and avoiding or remedying adverse effects on the environment;</li> <li>• is designed and located such that potential reverse sensitivity effects are minimised.</li> </ul>
	<p>6.2 To enable built form necessary to provide employment activities, including storage and construction, while minimising adverse noise and visual effects on the surrounding sites, including the residential areas, golf course and rural general zone.</p>
	<p>6.3</p> <p>To encourage landscaping and site development that reduces the visual effects of built form associated with employment activities.</p>

<sup>6</sup> RM181751 P.4

	6.4 To ensure that parking and access is provided on site, avoiding congestion on access roads.
	6.5 Where possible, to use design elements to visually break up the bulk of large buildings into a collection of smaller elements.
	6.6 To avoid large scale industrial activities that are incompatible with the character of the surrounding community, and which create large heavy traffic volumes.
	6.7 To adopt best practice stormwater management techniques to avoid or reduce potential discharges to nearby water courses.
	6.8 To avoid the location of residential activities within Activity Area 2.

### 6.2.12 Analysis

The effectiveness of this Objective, and its provisions cannot be assessed at this stage as the Activity Area (2) which provides for non-residential activities was not within Stage 1 and is yet to be developed. The Objective would be considered ineffective as no commercial or employment activities have been undertaken within Activity Area 2 however, as the land within the Zone is privately owned by the developer, and that no land within AA2 was within Stage 1 no conclusion can be reached on the effectiveness of this Objective or its policies.

## 6.3 Analysis of Breaches

### 6.3.1 Overall

The breaches recorded for the different Activity Areas (AA1a: High Density, AA1b: Medium Density, AA1c: Low Density) are the similar across all three Activity Areas. The breaches in the High and Medium Activity Areas are the same, with the difference being the scale of the breach to building coverage standards (standard in High Density is 40% while it is 35% in Medium Density). The breaches for consents in the Low-Density Activity Area do differ slightly, which will be further examined below. This has occurred due to the circumstances under how the Zone was subdivided in that all lots need a Resource Consent due to the subdivision’s roading layout.

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### 6.3.2 High Density

The breaches recorded for high density lots were for setbacks (Internal and Road) (**RD**), for access to lots (not from rear lane) (**RD**), Building Coverage standards (**NC**), Recession lines (**NC**), residential activities within the Open Space Activity Area (**NC**), and for consents not being consistent with the Zone's Structure Plan (**NC**). The breaches recorded can be split into two separate categories, with those being breaches to building standards, and those which have occurred due to the change in the roading pattern of the subdivision consent. The breaches to setback standards, recession lines and building coverage standards fall into the former category, while the breaches to access to lots, residential activities in the Open Space Activity Area and inconsistencies with the Zone's Structure Plan fall into the latter category.

### 6.3.3 Medium Density

The breaches recorded in the Medium Density Activity Area (1b) are almost identical to those in the High Density Activity Area (1a). The only difference between the breaches contained in the two Activity Areas regards the breach to building coverage standards. The consents the lots in for both the high and medium Activity Areas sought an increase in building coverage allowances for the lots to 50% of sites however, the standard in the High Density Lots is 40%, while it is 35% in the Medium Density Activity Area.

### 6.3.4 Low Density

The breaches recorded in the Low Density Activity Area (1c) differ from those recorded in the High and Medium Density Activity Areas. The Low Density Activity Area consents do not contain a breach for Access standards (12.28.5.1 iv(b)), and contain a restricted discretionary breach for Building Coverage and a non-complying breach for building height standards.

### 6.3.5 Site Visit and in person monitoring

A site visit was conducted in September 2024 which involved walking around the Zone. No development had occurred at the time of the site visit. This report will be based on the desktop research regarding approved consents as no findings could be obtained from the site visit.

### 6.3.6 Cost of consents

The consents included within Stage 1 of the development contain no information regarding their costs. The overarching subdivision consent (RM181534) has a listed cost of \$63,367. As the data regarding costs is limited to a single consent, no findings can be reached from this data.

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## 7 Findings

This report has found that the number of consents which are triggering as Non-Complying Activities is far above what is to be expected (100% of 217 consents). This would normally indicate the ineffectiveness of the Zones provisions however, the circumstances under which the consents recorded need to be considered in this analysis. All of the consents undertaken would have to be undertaken a non-complying activity due to the change in the roading layout of the Zone however, other non-complying breaches were also recorded for all of the different lot densities and types (low, medium, high and reserve). Such breaches to recession plan standards, building height standards (low density lots only) and building coverage standards also triggered as non-complying breaches. The resource consents applied for by the developer for the lots were not for specific designs but rather were generalised to provide greater options for potential purchasers of lots to undertake developments without requiring another resource consent. This may have led to the landowner to apply for consents which breached certain standards to allow for a more permissive developments for future landowners. The assessment on the effects on the environment undertaken by Council for the previously mentioned breaches were deemed to have a less than minor effect, and thus the consents were granted.

In conclusion, while all of the consents undertaken in the Zone have triggered as non-complying activities this has occurred due to the unique circumstances under which the consents were undertaken. This report finds that the Zones objectives, policies and rules have mostly been effective however, several of the Objectives could not be fully assessed due to the staged nature of the Zone's development.