

QLDC Council
30 June 2016

Report for Agenda Item: 8

Department: Planning & Development

Making Plan Change 50 – Queenstown Town Centre Zone Extension, Operative

Purpose

The purpose of this report is to make Plan Change 50 – Queenstown Town Centre Zone Extension, operative.

Recommendation

That Council:

1. **Note** the contents of this report;
2. **Authorise** officers to amend the Operative District Plan in accordance with the Environment Court's decision on Plan Change 50 dated 18 May 2016;
3. **Approve** Plan Change 50 in accordance with clause 17 of the First Schedule of the Resource Management Act 1991;
4. **Authorise** public notification of the date on which Plan Change 50 shall become operative.

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15/06/2016

Reviewed and Authorised by:



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15/06/2016

Background

- 1 The purpose of Plan Change 50 is to rezone land currently zoned High Density Residential to Queenstown Town Centre Zone and to address an identified shortage of appropriately zoned land adjacent to the existing Town Centre.
- 2 Plan Change 50 was notified on 15 September 2014.

- 3 On 8 July 2015 the Council notified its decision on Plan Change 50 following a hearing before an independent panel and receipt of their recommendation.
- 4 A number of appeals on the Council's decision were lodged with the Environment Court during August 2015. The appeals were either withdrawn or resolved leading up to and during an Environment Court hearing that commenced on 4 April 2016.
- 5 On 18 May 2016 the Environment Court issued its decision on Plan Change 50. The appeal period for this decision has expired and no appeals were lodged.
- 6 Revitalisation of the Queenstown Town Centre via intensification and enabling more diversified activities adjacent to the Town Centre has been one key objective identified by the Council and community to provide for and facilitate growth in the District.
- 7 Plan Change 50, initiated by Council in response to this identified objective, will allow higher density residential, visitor accommodation and commercial activities due to increased height and building coverage controls.

Comment

- 8 The process for making a plan change operative is set out in the first schedule of the Resource Management Act 1991 (RMA).
- 9 Pursuant to clause 16(1) of the First Schedule of the RMA, the Council must make amendments to the Operative District Plan required by the decision of the Environment Court on Plan Change 50 (Attachment A).
- 10 Once the Council has amended the Operative District Plan, it is required to approve Plan Change 50 under clause 17 of the First Schedule of the RMA.
- 11 Plan Change 50 will become operative on the date that is 5 working days after public notification in accordance with clause 20 of the First Schedule of the RMA.

Options

- 12 The Council does not have any other options on this matter.

Significance and Engagement

- 13 This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy because it has a high degree of community interest, as substantiated by the extent of residents and ratepayers (50+) who participated in the Plan Change process.
- 14 Compliance with the decision making requirements in sections 76-78 of the Local Government Act 2002 has been achieved through the public participation process of the RMA including calling for submissions, holding a hearing and the right of appeal that was exercised to the Environment Court.

Risk

15 This matter relates to the strategic risk SR1 'Current and future development needs of the community (including environmental protection)', as documented in the Council's risk register. The Council is following the statutory process set out in the RMA for making plan changes operative and the risk is classed as low.

Council Policies, Strategies and Bylaws

16 The following Council policies, strategies and bylaws were considered:

- Operative District Plan
- Proposed District Plan
- Economic Development Strategy (2015)
- Queenstown Town Centre Strategy (2009)

Local Government Act 2002 Purpose Provisions

17 The plan change decision:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by enabling land use intensification;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Attachments (See Attachments Booklet)

- A Decision of the Environment Court
- B Queenstown Town Centre Planning Maps