

ANNEXURE A

Remarkables Park Limited's submission and further submission

SUBMISSION ON PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter Details:

Name of submitter: Remarkables Park Limited

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1. This is a submission on the Proposed Queenstown Lakes District Plan (Stage 2).

2. Trade Competition

2.1 The submitter could not gain an advantage in trade competition through this submission.

3. Remarkables Park Limited (RPL) submission is that:

3.1 RPL is a development company that is the land developer of 150ha of land zoned Remarkables Park Zone (RPZ), which provides for a town centre and mixed-use urban development in Queenstown. It is noted the Proposed District Plan (PDP) identifies that the RPZ is exempt from the PDP. However, some chapters being reviewed as part of Stage 2 have district wide application and therefore may have indirect implications for the RPZ. Further, the Council has indicated that the RPZ may be part of Stage 4 of the PDP review. As such, RPL is obliged to submit on district wide chapters at this stage because it cannot be sure that those chapters will not have implications for the RPZ in the future.

4. RPL opposes aspects of the following Chapters in Stage 2 of the PDP Review:

4.1 Chapter 25 – Earthworks;

4.2 Chapter 29 – Transport;

4.3 Chapter 31 – Signs; and

4.4 Chapter 38 – Open Space and Recreation.

4.5 RPL’s primary concern is the extent to which the above chapters will be applied to the RPZ. More broadly, as a significant stakeholder in the district, RPL has concerns regarding the content and application of parts of the above chapters. These concerns indicate that the above Chapters:

- (i) do not promote sustainable or integrated management;
- (ii) do not manage the use, development and protection of natural and physical resources;
- (iii) do not avoid, remedy or mitigate adverse effects;
- (iv) do not meet the requirements under section 32 of the Act;
- (v) are not the “most appropriate” way to achieve the purpose of the Act;
- (vi) are not efficient or effective; and
- (vii) do not represent sound resource management practice.

4.6 There are some aspects that RPL supports. These are specifically identified in this submission.

Without derogating from the generality of the above, RPL makes the following specific submissions:

5. Earthworks Chapter

5.1 RPL was involved in Plan Change 49 to the Operative District Plan (**PC49**), including the submission of consent documents to the Environment Court resolving appeals on PC49. The consent documents were endorsed by the Environment Court in April 2016 and PC49 was made operative in July 2016.

5.2 The primary position of RPL is that the Operative District Plan’s earthworks provisions (Section 22) as amended by PC49 be retained.

5.3 In the alternative, RPL’s submission on the content of Chapter 25 is as follows.

- 5.4 RPL opposes the use of the word “minimise” in objective 25.2.1. It seeks that the words “avoid, remedy and mitigate” be used, noting that these terms are used in policy 25.2.1.3. Remediation and mitigation are well established techniques that are used to effectively manage the adverse effects of earthworks.
- 5.5 RPL seeks that “Bulk Earthworks” (as described in the operative District Plan) be expressly provided for as a restricted discretionary activity in Chapter 25.
- 5.6 RPL seeks the deletion of the words “while being protected from adverse effects” in Objective 25.2.2. Objective 25.2.1 addresses adverse effects. Objective 25.2.2 is intended to recognise the benefits derived from earthworks.
- 5.7 RPL considers that Policy 25.2.2.1 that follows Objective 25.2.2 should not be “subject to objective 25.2.1”.
- 5.8 RPL supports restricted discretionary activity status for earthworks in accordance with Rules 25.5.11, and 25.5.15 to 25.5.22. However, RPL seeks that:
- a) Earthworks for the “improvement and formation/creation” of track access (rather than only “maintenance”) be a permitted activity via rule 25.3.4.5;
 - b) Maintenance, improvement and creation of recreational trails be a permitted activity; and
 - c) These activities be permitted in the Rural Zone, including ONL’s.

In the alternative, the above activities be provided for as controlled activities.

- 5.9 RPL opposes the requirement for an erosion and sediment management design plan prepared by a suitably qualified person for all earthworks requiring resource consent. RPL considers that such a plan is only required for bulk earthworks in excess of 50,000m³.

6 Transport Chapter

Car Parking

- 6.1 The RPZ contains car parking ratios and requirements for the zone. As the RPZ is not part of stage 2, it is anticipated that those ratios cannot be amended or influenced by the provisions of proposed Chapter 29.

- 6.2 However, RPL supports the policy direction as promoted in this proposed chapter to reduce requirements for car parking spaces on site and recognising the benefits of public transport, walkability of developments and co-location of activities to reduce demand for onsite parking. RPL notes reference within Policy 29.2.3.5 to on-street parking however it is unclear how Chapter 29 is managing this activity. RPL considers the provision of on-street parking (if required) ratios along with alternatives to the provision for parking on-street should be detailed within Chapter 29.
- 6.3 RPL considers that on street parking should not be required where any street parking ratio (if any) can be provided off street.
- 6.4 RPL considers the minimum car parking requirements (particularly those specified for Visitor Accommodation as detailed in Table 29.5 Minimum Parking Requirements) has not been considered within the policy framework noted above (6.10) or the changes to bulk and location controls in the Stage 1 chapters. It appears the Unit Type and Guest Room type parking requirements for visitor accommodation have effectively been rolled over from the operative District Plan.
- 6.5 RPL considers that the proposed provisions do not align or promote the strategic direction set out in Stage 1 of the District Plan Review where intensification and increasing density of existing urban areas has been promoted. RPL considers the parking ratios as proposed are a significant barrier to realising intensification and higher density developments.
- 6.6 In particular, RPL considers that achieving the density, bulk and heights promoted in Stage 1 would be difficult (if not impossible) to achieve whilst ensuring the number of car parks and bus parks are provided as specified by Table 29.5.
- 6.7 RPL considers analysis and modelling of the parking requirements in conjunction with the proposed bulk and location requirements providing for visitor accommodation style development should be undertaken. In RPL's experience, achieving the number of parks required for visitor accommodation activities when developing multi storey developments necessitates parking under the entire footprint of the building plus additional surface parking.
- 6.8 In RPL's view, providing surface parking in addition to underground parking is an inefficient use of the land resource. Furthermore, providing for bus parking at a ratio of

1 space per 50 rooms is considered excessive when no cap on this number is provided or recognition that if people come by bus they will not arrive by car. Accordingly, RPL considers an upper limit should apply to the number of bus parks on site and if bus parking is provided, a commensurate reduction in car parking numbers should be enabled.

- 6.9 RPL also considers the ability (by coning of car parks) to park buses over car parks should be taken into account when determining the number of bus parks required.

Water Ferry Service

- 6.10 Proposed new Policy 12.2.5.7 and Rule 12.4.17 in the Queenstown Town Centre Zone have been the subject of Memoranda and Minutes in relation to water based passenger transport. The Transport Chapter also addresses “public water ferry services” (in particular, Objective 29.2.1, Policy 29.2.1.2, Rule 29.4.8 and the definition of “Public Water Ferry Service”).

- 6.11 RPL supports Objective 29.2.1 and Policy 29.2.1.2. RPL also generally support Rule 29.4.8, but considers that the restricted discretionary activity assessment matters should expressly refer to reducing reliance on vehicles and roads. RPL seeks that a new item “f” be added to Rule 29.8.3.1 as follows:

“reduces demand on the roading network and provides an alternative to cars or other road based transport”

- 6.12 RPL opposes the definition of “Public Water Ferry Service” proposed in the Variation to the Stage 1 Definitions section. The proposed definition is as follows:

Means a ferry service for the carriage of passengers for hire or reward, which is available to the public generally and is operated to a regular schedule, but does not include any such service that:

- is contracted or funded by the Ministry of Education for the sole or primary purpose of transporting school children to and from school; or
- is operated for the sole or primary purpose of transporting passengers to or from a predetermined event; or
- is operated for the sole or primary purpose of tourism.

The definition is limited to that part of the ferry service that occurs on the surface of the water and excludes any associated activity that occurs on land or on a structure attached to land, including the lake bed.

6.13 RPL seeks the deletion of the third bullet point in the definition because:

- (a) The purpose of the ferry service is not relevant to implementing the relevant objectives and policies;
- (b) The persons using the ferry service may be a combination of residents and tourists. It is conceivable that at some time, persons using the ferry service will be predominantly tourists. This could trigger non-compliance with the definition;
- (c) Tourists are also members of the public; and
- (d) Provided the ferry service is safe and there is adequate capacity on the water for the ferry to operate, the intended or actual customers of it should not matter.

7. Signs

7.1 RPL seeks confirmation that the RPZ will not be subject to Chapter 31.

8. Open Space and Recreation

8.1 RPL supports the general thrust of Chapter 38. In particular, RPL supports recognition of:

- (a) maintenance and enhancement of integrated public access connections through walking and cycling tracks (policy 38.2.1.1);
- (b) access along lake and river margins (policy 38.2.1.1)
- (c) interface between activities within open space and recreation zones (Objective 38.2.4)

8.2 RPL supports the direction of Objective 38.2.1, however it is unclear how Chapter 38 is providing for the provision of a wide range of open spaces and recreation zones across the District within expanding or new urban areas.

8.3 RPL considers Chapter 38 should identify how new parks and open space are to be provided for along with any requirements around the number of these reserves and their size.

- 8.4 RPL opposes protection of established activities where those activities are contrary to the proposed policy framework and the public access imperatives contained therein. Chapter 38 should acknowledge that some historic uses of reserves and open space may no longer be appropriate.
- 8.5 RPL considers Objective 38.2.3 and its associated policies should be amended so that references to *'do not degrade'* and *'do not detract'* are clarified given the thrust of the objective is manage effects of Commercial activities. It is considered it should be clear that this objective and policy suite apply to established and proposed activities.
- 8.6 RPL generally supports the Purpose, Objectives and Policies for the Informal Recreation Zone. In particular, RPL and QPL support:
- (a) Ensuring ease of access (as stated in the first paragraph of the "Purpose");
 - (b) Providing for and enhancing walking and cycle links (as stated in the first paragraph of the "Purpose" and policy 38.4.1.6);
 - (c) Provision of open areas fronting the district's lakes (as stated in the second paragraph of the "Purpose");
 - (d) Ensuring that commercial recreation uses complement the values of a reserve (policy 38.4.1.2); and
 - (e) Encouraging access and use (policies 38.4.1.3 and 38.4.1.4)
- 8.7 RPL considers that the land at the southern end of Riverside Road that is shown as unformed road (on map 31a) should be zoned "Informal Recreation".
- 8.8 RPL supports the inclusion of land in the Shotover delta (below and to the north-east of the RESA) within the Informal Recreation zone but also considers given the size of this area some of it should be zoned for Active Sport and Recreation. This land is well located near existing and future urban areas, and can be linked to future open spaces within the RPZ.
- 8.9 RPL notes Part Section 131 Block III Shotover Survey District, located below Lake Hayes Estate, was previously designated reserve but hasn't been zoned although the land adjoining it has. RPL considers this land should be zoned CPZ due to the proximity of the land to the river and trail networks. This makes this land ideal as a community purpose access reserve.

8.10 RPL considers the height limit for buildings within Part Section 131 Block III Shotover Survey District should also be increased to 15m and the total ground floor area of buildings provided for on this site should be increased to 1500m².

8.11 RPL opposes the default status of non-complying for any activity not listed in Table 38.1 as specified by Rule 38.9.1.

9. The submitter seeks the following decision from the Queenstown Lakes District Council:

9.1 The Proposed District Plan (Stage 2) is amended to reflect the matters raised in this submission.

9.2 Any consequential relief or alternative amendments to the provisions required to give effect to the matters raised in this submission.

10. The submitter wishes to be heard in support of their submission.

11. If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.

Signature.....



Date.....

23/02/18

REMARKABLES PARK LIMITED- FURTHER SUBMISSION ON THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN STAGE 2

TO: QUEENSTOWN LAKES DISTRICT COUNCIL

Private Bag 50077

Queenstown

NAME: REMARKABLES PARK LIMITED

Attn: Tim Williams

PO Box 1075

QUEENSTOWN 9348

This is a further submission on the Queenstown Lakes District Council's Proposed District Plan Stage 2 (**PDP-S2**). Remarkables Park Limited (**RPL**) has an interest greater than the public generally. RPL is a development company that is the land developer of 150ha of land zoned Remarkables Park Zone (**RPZ**), which provides for a town centre and mixed-use urban development in Queenstown.

The **attached** table (**Attachment A**) is organised by submitter number and records the submissions that RPL supports and/or opposes together with the reasons for each further submission.

RPL wishes to be heard in support of this further submission.

If others present a similar submission RPL will consider presenting a joint case with them at the hearing.

Dated: 27 April 2018

J D Young

Counsel for Remarkables Park Limited

ATTACHMENT A: FURTHER SUBMISSIONS TABLE REMARKABLES PARK LIMITED

Submitter	Submitter number	Provision	Support/oppose	Reason
Active Transport	2078.1	Requirement for planning maps to identify key active transport network linkages	Support	RPL supports the concept of active transport network linkages but would want to understand and be involved in any potential mapping of these.
James Nona	2238.1	Requirement for more not less parking	Oppose	For the reasons outlined in RPL's primary submission.
James Nona	2238.11	Requirement for provision requiring reduce parking onsite be removed	Oppose	For the reasons outlined in RPL's primary submission.
Clark Fortune McDonald & Associates	2297.6	Requirement for assessment matters to support consideration of a shortfall in parking	Support	For the reasons outlined in RPL's primary submission.
Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, Hokonui Runanga, Te Runanga o Waihopai, Te Runanga o Awarua and Te Runanga o Oraka-Aparima (Kai Tahu	2329.3	Chapter 29 - Transport	Oppose	It is unclear how these matters would relate to the Transport Chapter and without clarity uncertainty exists as to how this could impact the chapter
Safari Group of Companies Limited	2339.6	Inclusion of Objectives and Policies which reduce onsite car and coach parking for hotels	Support	For the reasons outlined in RPL's primary submission.
RCL Henley Downs Ltd	2465.3	Deletion of the word public	Support	RPL supports the concept of the provisions applying equally to private transport.

RCL Henley Downs Ltd	2465.6	Inclusion of the reference to 'the benefits of the proposal' as a matter of discretion.	Support	For the reasons outlined in RPL's primary submission.
RCL Henley Downs Ltd	2465.39	Amendment of policy 29.2.1.2 to refer to 'all' water ferry services not only public water ferry service	Support	RPL's support widening the consideration of this proposal given the benefits of a Ferry Service can arise regardless of whether it is public or private.
Real Journeys Ltd	2466.1	Inclusion of benefits of all forms of transport	Support	For the reasons outlined in RPL's primary submission and because all forms of transport provide benefits and should be recognised accordingly.
Real Journeys Ltd	2466.2	Inclusion of benefits of all forms of transport	Support	For the reasons outlined in RPL's primary submission and because all forms of transport provide benefits and should be recognised accordingly.
Real Journeys Ltd	2466.37	Inclusion of the reference to 'the benefits of the proposal' as a matter of discretion.	Support	For the reasons outlined in RPL's primary submission.
Shundi Customs Limited	2474.31	Addition of 'the practicality of constructing to the standards given matters such as site constraints' to matters of discretion	Support	RPL supports greater recognition of the fact the site constraints can make it impracticable to meet parking and transport standards and this should be taken into account in any assessment.
Cardrona Alpine Resort Limited	2492.27	Inclusion of an objective and associated policies supporting activities that help resolve traffic congestion	Support	For the reasons outlined in RPL's primary submission.
Cardrona Alpine Resort Limited	2492.52	Deletion of Rule 29.4.10 High Traffic Generating Activities	Support	For the reasons outlined in RPL's primary submission. RPL considers this rule is unnecessary and is contrary to one of the key principles of the District Plan review being to encourage intensification.
Te Anau Developments Limited	2494.48	Deletion of 29.2.4.3 and provision of amended wording.	Support	For the reasons outlined in RPL's primary submission.
Shaping our Future	2511.3	That objectives are aligned with Shaping our Future's overall vision and reports	Support	For the reasons outlined in RPL's primary submission.
Second Kowarau	2569.1	Designation for a bridge connection	Support/Oppose	Although RPL supports a second bridge

Bridge Group		downstream of existing Kawarau Bridges at Kawarau Falls		location it considers the location as shown in the submitter submission is inappropriate. A second bridge(s) should be provided for downstream of the location shown in the submitters submission.
Queenstown Water Taxis Ltd (QWT)	2594.1	More enabling approach to water ferry services	Support	RPL considers provision of a water ferry is critical to the future of the districts transport infrastructure.
Queenstown Water Taxis Ltd (QWT)	2594.2	The definition of Public Water Ferry Service	Support	RPL supports amending this definition to remove the word public.
Queenstown Water Taxis Ltd (QWT)	2594.3	Distinction between Water Ferry Service and Commercial Boating Activity	Support	RPL agrees that further synergy is warranted between these two terms
Queenstown Airport Corporation	2618.9	Definition of Regionally Significant Infrastructure	Support	RPL considers this definition should be amended as requested by QAC and that the definition should also include RPL's proposed passenger gondola connecting the Remarkables Park town Centre to the residential areas at Lake Hayes Estate, Shotover Country and Bridesdale, extending to the Remarkables Ski Field and linking to a ferry terminal on the Kawarau River.
Well Smart Investments Ltd	2601.7	Amendment of Policy 29.2.2.5	Support	RPL supports providing greater flexibility.
Well Smart Investments Ltd	2601.9	Amendment of Policy 29.2.3.1	Support	For the reasons outlined in RPL's primary submission. Given there is reference to an external document any requirements should be included in the chapter and 'encouraged' is a more appropriate term than 'required'
Well Smart Investments Ltd	2601.11	Replacement of the word 'avoid' with 'manage in policy 29.2.4.1	Support	RPL considers manage provides a better reflection of the options available than

				avoidance.
Well Smart Investments Ltd	2601.27	Adding a matter relating to the practicality of constructing to the Code of Practice	Support	For the reasons outlined in RPL's primary submission the interrelationship between this chapter and the code is unclear and any assessment should be clearly provided within the chapter provisions. Therefore greater discretion in terms of applying the code is required.
Loris King	2076.6	Chapter 38 - Open Space and Recreation	Oppose	There will be instances where buildings other than those associated with sport activities will be appropriate in an Open Space area
Real Journeys Ltd	2466.6	Chapter 38 - Open Space and Recreation That the Open Space Chapter recognises and provides for the benefits of commercial recreation.	Support	In some instances permitting commercial activities will enhance the enjoyment of open space and recreation areas
Queenstown Airport Corporation	2618.17	38.2 - Objectives and Policies - District Wide	Oppose	The proposal will not achieve sustainable or integrated management of resources
Queenstown Airport Corporation	2618.18	38.2 - Objectives and Policies - District Wide	Oppose	The proposal will not achieve sustainable or integrated management of resources
Queenstown Airport Corporation	2618.2	38.8 - Other Provisions and Rules	Oppose	The proposal will not achieve sustainable or integrated management of resources
Queenstown Airport Corporation	2618.21	38.10 - Rules - Standards	Oppose	The proposal will not achieve sustainable or integrated management of resources
Queenstown Airport Corporation	2618.22	38.10 - Rules - Standards	Oppose	The proposal will not achieve sustainable or integrated management of resources
Queenstown	2618.24	Chapter 38: Variation to Stage 1 PDP	Oppose	The proposal will not achieve sustainable

Airport Corporation		Chapter 2: Definitions		or integrated management of resources
Queenstown Airport Corporation	2618	QAC has submitted that the Open Space Zone at the Shotover Delta should be zoned Rural or have restrictions imposed on the recreational activities that can be undertaken.	Oppose	This land is well suited to a wide range of recreation activities and, given its close proximity to the new Wakatipu High School and residential development at Remarkables Park and its central location relative to residential areas at Lake Hayes Estate, Shotover Country, Jacks Point, Hanley's Farm and Quail Rise, the recreation land at the Shotover Delta is particularly well suited to development as playing fields for organised sport and recreation.
Real Journeys Ltd	2466.152	Chapter 25 - Earthworks	Support	Trail construction should be exempted
Queenstown Trails Trust	2575.7	25.3 - Other Provisions and Rules	Support	Trail construction should be exempted
Cardrona Alpine Resort Limited	2492.13	25.3.4 - General Rules	Support	Earthworks within a legal road corridor should be exempted
Darby Planning LP	2376.26	25.3.4 - General Rules	Support	Earthworks associated with any subdivision should be exempted. Exemption should apply to all subdivision – not just controlled or restricted discretionary
Te Anau Developments Limited	2494.16	25.3.4 - General Rules	Support	Exemption should not be limited to riparian planting
Glendhu Bay Trustees Ltd	2382.19	25.5 - Rules - Standards		There are instances where earthworks within 10 metres of a water body are required. Small volumes, as proposed by the submitter, should be permitted.

QLDC Chief Executive - submitting on behalf of Queenstown Lakes District Council	2239.6 &.7	25.5 - Rules - Standards - Table 25.3	Support	Minor dredging or excavation around wharf (docking) facilities should be exempted or permitted but the exemption or permitted status should apply to all wharf structures not just those owned by Council
Department of Conservation	2242.16	25.8.6 - Effects on water bodies, ecosystem services and indigenous biodiversity	Oppose	The submitters suggested inclusion (d) is already adequately covered by 25.8.6 (c). The use of the term "avoidance" by the submitter, without further qualification, is opposed as it will not achieve sustainable management of resources.