

Submission on the Queenstown Lakes Proposed District Plan – Stage 3

Form 5, Resource Management Act 1991

Name of Submitter: Quartz Commercial Group Limited

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

The specific provisions of the Plan that my submission relates to are:

1. The zoning of the submitter's property at Capell Avenue, RD 2 Wanaka 9382 being Lot 1 DP 27336 ("**property**") as Low Density Suburban Residential Zone and in part Visitor Accommodation Subzone.
2. The definition of visitor accommodation.
3. The provisions of the Low Density Residential Subzone (Chapter 7) as they relate to the property.
4. The provisions of the Transport Chapter (Chapter 29) as they relate to the property.
5. The provisions of the Wahi Tupuna Chapter (Chapter 39).

Reasons for the Submission

6. The Low Density Suburban Residential Zone and visitor accommodation provisions were determined as part of Stage 1 and 2 of the Proposed District Plan. The property was not notified as being rezoned as part of Stages 1 or 2 and so the submitter was not in a position of being informed by the zoning of the property in terms of making a submission on Stages 1 or 2.
7. Many of the provisions of the LDSRZ as determined in Stage 1 are not appropriate for the property given its characteristics and the existing consented visitor accommodation activities on the property and the adjoining site in the form of a hotel.
8. The submitter seeks the provisions of the LDSRZ be amended as they apply to the property so as to reflect these characteristics and activities.

9. The submitter also seeks the extent of the visitor accommodation subzone be increased in order to enable these activities to be carried out on the property. It is considered such increase is appropriate as it will allow for increased use of the property and the adjoining hotel site for visitor accommodation activities without having adverse effects on the residential character of the wider LDSRZ environment. Currently the sub-zoning does not include the entire site and therefore it is considered appropriate to rationalise the sub-zone boundaries so they match the property boundaries.
10. In terms of the Wahi Tupuna notation on the property, no justification has been given for the identification of the property as a Wahi Tupuna area or what values are being sought to be protected. Further, the Wahi Tupuna provisions will potentially place undue restrictions on property rights and may lead to unjustified cost and delays. For example, the change in activity status from restricted discretionary to discretionary for activities within a Wahi Tupuna area is unnecessary. If Wahi Tupuna matters were an important consideration in assessing such applications they could simply be added to the list of matters to which discretion is restricted.

The submission is:

11. The submitter supports the zoning of the property as LDSRZ.
12. The submitter supports the definition of visitor accommodation.
13. The submitter opposes Rule 7.4.6A requiring visitor accommodation within the Visitor Accommodation Subzone to obtain consent as a restricted discretionary activity.
14. The submitter opposes Rule 7.4.7 and 7.4.12 providing that commercial activity of 100m² or less gross floor area is a restricted discretionary activity, and commercial activity that exceeds 100m² is a non-complying activity.
15. The submitter opposes the status of licensed premises as a non-complying activity by way of Rule 7.4.12.
16. The submitter opposes Rule 7.5.5 providing for a maximum building coverage of 40%.
17. The submitter opposes Rule 7.5.1 and 7.5.2 providing for a maximum height of 7m for all sites in Wanaka.
18. The submitter opposes Rule 7.4.15 providing that airports other than those listed in Rule 7.4.2 (being those used for emergency landings, rescues and firefighting) are a prohibited activity.
19. The submitter opposes Rule 7.5.6 providing that at least 30 percent of a site area shall comprise landscaped permeable surface.

20. The submitter opposes Rule 7.5.7.3b providing that the exemption to recession plane standards applies only to site boundaries adjoining a Town Centre Zone or fronting a road, park or reserve.
21. The submitter opposes Rule 7.5.9 providing for a minimum separation distance of 4m between residential units within a site.
22. The submitter opposes Rule 7.5.10 providing for a maximum building length of 16m.
23. The submitter opposes Rule 29.8 – minimum parking requirements.
24. The submitter opposes the identification of the property as a Wahi Tupuna area.

The submitter seeks the following decision from the local authority:

25. The submitter seeks the Visitor Accommodation Subzone be extended to apply to the entirety of the property.
26. The submitter seeks Rule 7.4.6A be amended to provide that visitor accommodation within the Visitor Accommodation Subzone is a controlled activity, with control in respect of the following:
 - a. External appearance of buildings;
 - b. Setback from internal boundaries;
 - c. Setback from roads;
 - d. Access;
 - e. Landscaping;
 - f. Screening of outdoor storage; and
 - g. Parking areas.
27. The submitter seeks Rule 7.4.6 be deleted or amended such that the trigger for non-complying activity status is based on the coverage of a site rather than the gross floor area.
28. The submitter seeks a new Rule providing that licensed premises are a controlled activity, with control in respect of the following:
 - a. the scale of the activity;
 - b. effects on amenity (including that of adjoining residential zones and public reserves);
 - c. the provision of screening and/ or buffer areas between the site and adjoining residential zones;
 - d. the configuration of activities within the building and site (e.g. outdoor seating, entrances); and
 - e. noise issues, and hours of operation.

29. The submitter seeks Rule 7.5.5 be amended to provide that maximum site coverage is 70 percent.
30. The submitter seeks Rule 7.5.1 and 7.5.2 be amended to provide that maximum height is 12m.
31. The submitter seeks a Rule providing for informal airports within a visitor accommodation sub-zone is a controlled activity with control over flight paths number of flights and hours of operation.
32. The submitter seeks Rule 7.5.6 be deleted.
33. The submitter seeks that Rule 7.5.7 be amended such that the exemption applies to all boundaries other than residential boundaries.
34. The submitter seeks Rule 7.5.9 be amended such that it does not apply to the Visitor Accommodation subzone.
35. The submitter seeks Rule 7.5.10 be deleted.
36. The submitter seeks Rule 29.8 be amended such that the minimum car parking requirements for visitor accommodation within the Visitor Accommodation Subzone is provided for within 29.8.10 for unit type visitor accommodation and Rule 29.8.15 for guest room type visitor accommodation.
37. The submitter seeks the removal of the property as a Wahi Tupuna area.
38. Any other further, additional or consequential relief to give effect to the matters raised and relief sought in this submission.

The submitter wishes to be heard in support of its submission.

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

Dated: 18 November 2019



Signed for the submitter
By its duly authorised agent
Graeme Morris Todd/Benjamin Brett Gresson