

**Mark Chrisp for Bookabach and Bachcare – Hearing Stream 15 – Visitor Accommodation  
Summary of Evidence – 18 September 2018**

1. The submissions by Bookabach and Bachcare (BB) stated concerns that, in terms of the Strategic Objectives of the District Plan, the notified provisions:
  - Drew an artificial distinction between Homestay accommodation and Residential Based Visitor Accommodation (whole home rental for short term stay);
  - Assumed without an evidential basis that restrictions on short term rental would facilitate a switch to long term rental (for residential occupancy); and
  - Did not effectively address amenity issues arising from multi-party occupancy.
2. While I support the increased flexibility reflected in the S42A recommendations regarding the permitted length of stay in Residential Visitor Accommodation (RVA) being extended to 42 days/year across all zones, my evidence explains why further amendments are required to achieve the sustainable management of resources. My evidence explains the changes that are, in my opinion, needed and I have undertaken a further evaluation of these proposed amendments under Section 32AA of the Act which I summarise in my evidence.
3. Any actual or potential effects on residential amenity can be addressed by way of appropriate definitions and performance standards relating to the range of visitor accommodation that is expected to be provided. Where performance standards are not able to be achieved, a resource consent application (as a Restricted Discretionary Activity) guided by relevant assessment criteria can and should clearly establish the matters that are to be addressed.
4. The amendment of the definitions, rules and assessment criteria that I have outlined in my evidence would ensure that the effects associated with RVA and Homestays, whether they are a permitted activity or specifically consented, would be mostly indiscernible from that of a typical residential dwelling. As such, they will be consistent with the objectives for the respective residential zones which seek to ensure that residential character is maintained. A house that is occupied is more consistent with residential character than one that is empty more of the time due to restrictions of the number of days it can be used by short stay occupants. For similar reasons, I support the alternative relief proposed by BB of enabling RVA and Homestays to be permitted up to 90 days/year with the ability to apply for a Restricted Discretionary Activity resource consent where the permitted activity standards are breached.
5. Anticipated visitor growth is a significant component of the district's growth projections. Accommodation for short term rental is clearly an essential resource that needs to be available in order to sustain the operation and growth of the tourism economy. RVA aids dispersal across the district (including Wanaka plus rural areas). In many cases, RVA is the preferred choice for families and groups who seek self-contained, self-catering accommodation. This is specially the case for domestic travellers who know and feel comfortable with getting around the area.
6. I recognise the appropriateness of provisions that will improve the supply of dwellings to meet local needs but do not consider that it is appropriate for this to be achieved, nor do I consider that it will be achieved, through a restriction on other forms of occupancy which clearly form part of the projected requirements.
7. Owning a bach and owning a rental property are two very different investment propositions with different objectives. Renting out a bach for long-term rental accommodation defeats the primary purpose for which it was purchased, i.e. to be able to periodically use it yourself whenever you want to. There is no evidence that restrictions on RVA will result in an increase in

the availability of houses for long term rental accommodation. The only certain outcome associated with such restrictions is that bachs will stay empty for longer periods of time and not be as available to meet projected increases in demand for short stay accommodation. Allowing a bach to be used for short stay accommodation by people other than the owners represents a more efficient use of resources (compared to the house otherwise being empty).

8. Restricting an activity to the equivalent financial return of a 'medium income' (i.e. the 42 day/year limit) is not a sound rationale for the proposed planning provisions. If there is to be a limit on RVA, then 90 days/year is more appropriate. Failure to comply with any performance standards should result in a Restricted Discretionary Activity application being required.

### **Response to Memorandum of Counsel for QLDC providing Expert Witness Responses to Issues Raised during the Hearing dated 14 September 2018**

The following provides a brief response to each question and the answers provided by QLDC Experts (using the numbering of the points in the memorandum).

1. I agree with Ms Bowbyes that the regulation of RVA via the District Plan is a legitimate function of Council under the RMA, however, there is no evidence that the proposed restrictions on RVA will have any effect on the affordability of housing or the availability of long-term rental accommodation.
2. I agree with Ms Bowbyes that, while they can often have similar effects, Homestays and Home Occupations are sufficiently different such that they should each be the subject of specific rules relating to each activity (rather than Homestays being a subset of Home Occupations).
3. I agree with Ms Bowbyes that it is appropriate to remove any repetition between Objectives 7.2.8 and 7.2.9. No amended wording has yet been proposed by Ms Bowbyes (this apparently being the subject of 'reply evidence').
4. I agree with Ms Bowbyes that registration is both possible and a desirable approach for RVA and Homestay activities. I also agree with Ms Bowbyes that such a requirement should sit within the rules that relate to RVA and Homestays.
5. As stated in the summary of my evidence above, it is my opinion that failure to comply with a performance standard relating to RVA or Homestays should result in the need for a Restricted Discretionary Activity resource consent application (anywhere in the district). It is excessively heavy handed for a minor breach of a performance standard to result in Non-complying Activity status. I consider that the latter should be used for activities that are not generally contemplated in a particular zone, which is not the case in relation to RVA and Homestays in the Queenstown Lakes District being one of the most popular tourist destinations in the country.

In my opinion, there is no resource management justification based on environmental effects that would result in a different consent status for RVA and Homestays associated with a failure to comply with one or more performance standards.

6. There is, in my opinion, a basis for more lenient provisions relating to RVA and Homestays in the rural environment compared with the urban environment. This is largely due to the lesser density of development and the associated greater distances between neighbouring activities (whereby there is less potential for any offsite effects on neighbours such as traffic generation and noise).

In answering this question, Ms Bowbyes seeks to retain the 42 day/year restriction which, for the reasons stated in my evidence, I do not agree with. As previously noted, if there is to be a limit on RVA and Homestays, then 90 days/year is more appropriate.

7. I support the increased flexibility proposed by Ms Bowbyes in relation to the Millbrook Zone including allowing RVA and Homestays up to 179 days/year. The same approach, albeit to a lesser extent (i.e. 90 days/year), is appropriate elsewhere in the district.
8. I have no view or preference whether inclusion of RVA activities in the structure plan provision would be a more appropriate method for providing for RVA activities in the Jacks Point Zone.
9. I have no comment on the evidence regarding current VA bed numbers.
10. In the absence of any evidence that RVA and Homestays are having any effect on housing affordability and the availability of long-term rental accommodation, the extensive list of non-RMA initiatives set out in paragraph 10.9 of the Memorandum provided by Mr Heyes, would suggest that there are many other solutions to address the issues at hand, and which are far more likely to be effective in achieving the desired outcomes.