

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 14:
Wakatipu Basin hearing
and transferred Stage 1
submissions related to
Arrowtown Urban
Rezoning

**SECTION 42A REPORT OF LUKE THOMAS PLACE
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

ARROWTOWN URBAN REZONING - STAGE 1 AND STAGE 2 SUBMISSIONS

30 May 2018

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APPENDIX 1: Recommendations on submissions addressed in this evidence;

APPENDIX 2: Notified Stage 1 Plan Maps 27 and 28; and

APPENDIX 3: Recommended provisions to be inserted into Stage 1 PDP Chapter 8, Lower Density Suburban Residential Zone (LDSRZ)

1. INTRODUCTION

- 1.1 My name is Luke Thomas Place. I am employed by Queenstown Lakes District Council (**Council** or **QLDC**) as a Policy Planner and I am an intermediate member of the New Zealand Planning Institute. I hold the qualification of Bachelor of Resource and Environmental Planning (First Class Honours) from Massey University.
- 1.2 My current role is Policy Planner, which I have held August 2017. Prior to this I was employed as a Resource Consents Planner at the Council from 4 January 2017.
- 1.3 Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. I am authorised to give this evidence on the Council's behalf.
- 1.4 The key documents I have used, or referred to, in forming my view while preparing this section 42A report are:
- (a) Section 42A report for Queenstown Mapping Annotations and Rezoning Requests - Strategic Overview and Common Themes;¹
 - (b) Section 32 evaluation report for the Medium Density Residential Zone (**MDRZ**);²
 - (c) Section 42A report for the MDRZ;³
 - (d) Right of Reply for the MDRZ;⁴

1 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-13/Section-42A-Reports-and-Council-Expert-Evidence/Section-42A-Reports/QLDC-13-Queenstown-Mapping-Kim-Banks-Strategic-s42A-Report.pdf>

2 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Section-32s/Medium-Density-Residential-s32.pdf>

3 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-6/Section-42A-Reports-and-Council-Expert-Evidence/Chapter-8-Medium-Density-Residential/Chapter-8-Medium-Density-Residential-Section-42A-Report.pdf>

4 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-6/Council-Right-of-Reply/QLDC-06-Residential-Chapter-8-Amanda-Leith-Reply-28690161-v-1.pdf>

- (e) The recommending report of the Independent Hearings Panel (**Panel**) for Chapter 8 – MDRZ⁵, and
- (f) The decisions version of Chapter 8 – MDRZ,⁶ and
- (g) The decisions version of Chapters 3⁷ and 4⁸.

1.5 I have made site visits to the land subject to the proposed MDRZ and to those additional sites subject to specific rezoning requests that have been addressed in my report.

1.6 Through my evidence I refer to the following versions of the PDP text, as follows:

- (a) **PDP or PDP 2018:** to refer to the PDP Stage 1 Decisions version 5 May 2018;
- (b) **Provision 24.X.X:** to refer to the Stage 2 notified version of a provision (i.e. Objective 24.2.1); and
- (c) **S42A Provision 24.X.X:** to refer to the recommended version of a Stage 2 provision, as included in **Appendix 3** to this evidence. (i.e. S42A Rule 24.4.XA).

1.7 In this report I have not undertaken a separate Section 32AA analysis. The analysis of the requirements of section 32AA are set out in the body of this report.

1.8 Attached to my evidence are the following documents:

- (a) **Appendix 1:** Recommendations on submissions addressed in this evidence;
- (b) **Appendix 2:** Notified Stage 1 Plan Maps 27 and 28; and
- (c) **Appendix 3:** Recommended provisions to be inserted into Stage 1 PDP Chapter 8, Lower Density Suburban Residential Zone (**LDSRZ**).

5 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-09A-Stream-6-Chapters-7-8-9-10-11.pdf>

6 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Chapters/Chapter-08-Medium-Density-Residential.pdf>

7 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Chapters/Chapter-03-Strategic-Direction.pdf>

8 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Chapters/Chapter-04-Urban-Development.pdf>

2. SCOPE

MDRZ at Arrowtown

- 2.1 My evidence makes recommendations on rezoning requests related to the geographic location of the MDRZ in Arrowtown, on Stage 1 Plan Maps 27 and 28.
- 2.2 Many submissions were received in Stage 1 in regard to the proposed **MDRZ** in Arrowtown. For the purposes of the Stage 1 hearings schedule, these submission points were separated out into the following categories:
- (a) Points of submission that relate only to the provisions/text of notified Chapter 8; and
 - (b) Points of submission that relate to the geographic location of the MDRZ in Arrowtown as shown on the notified Stage 1 Plan Maps 27 and 28, its general merits and effects in this location.
- 2.3 Submission points that relate to (a) above were heard in Hearing Stream 06 and decisions were made on them in April 2018.⁹ Those submission points are therefore outside the scope of this report. However, in addressing those points of submission referred to at (a), the reporting planner for Council on Hearing Stream 06, Ms Amanda Leith, and the Panel in its recommendations, considered a number of issues closely related to those raised by the 'rezoning' submission points allocated to (b) above.
- 2.4 Given this overlap, my evidence and recommendations necessarily cover a range of issues that have already been robustly tested in Stage 1. I therefore draw on the evidence presented in Stage 1 by Ms Amanda Leith, and the conclusions reached by the Panel in Stage 1, quite substantially in the analysis in my evidence.

⁹ <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-09A-Stream-6-Chapters-7-8-9-10-11.pdf>

Other rezonings near Arrowtown, Stage 2

2.5 I also address three submissions relating to land notified by way of Stage 2 in this report. These specific submissions were allocated to the current hearing stream on the basis of their clear relevance to the topic matter addressed in this report, being Arrowtown's urban form.

3. EXECUTIVE SUMMARY

3.1 The specific points of submission that relate to Arrowtown mapping, and that are considered within this evidence (and my recommendations), are listed in **Appendix 1**.

3.2 It is my recommendation that the location and extent of MDRZ in Arrowtown should be retained as notified within Stage 1, as illustrated on notified Stage 1 Plan Maps 27 and 28 attached as **Appendix 2**.

3.3 I do however recommend the following changes to the notified plan maps:

(a) that Arrowtown's Urban Growth Boundary (**UGB**) (notified in Stage 1) be extended to the south so that it encompasses Lot 2 DP 300390 and part of Lot 1 DP 300390, being the area identified at **Figure 1** of this evidence.

(b) that this land be rezoned from Wakatipu Basin Rural Amenity Zone (**Amenity Zone**) (Lot 2 DP 300390) and Community Purpose – Golf Course (part of Lot 1 DP 300390) to Lower Density Suburban Residential Zone (**LDSRZ**).

3.4 The LDSRZ provisions were decided on by the Council on 3 May 2018. In addition to the LDSRZ provisions, I recommend that a suite of additional zone specific standards apply to any future subdivision or development on this land as detailed in section xx of this report and attached in **Appendix 3**.

3.5 I consider that the extension to the UGB, the change in zone and the new provisions to support that change in zone are more efficient and effective than the PDP (notified Stage 1, and where relevant notified

Stage 2) zoning regimes. They provide for high quality residential intensification within an established urban context as well as limited greenfield development. This gives effect to relevant higher order strategic objectives and policies (decisions version Chapters 3 and 4) of the PDP and better meet the purpose of the Resource Management Act 1991 (RMA).

4. STATUTORY AND NON-STATUTORY CONTEXT

4.1 I draw on the analysis of statutory considerations that are explained in Sections 8 and 9 of Ms Banks' Strategic Overview and Common Themes for Hearing Stream 13.

4.2 Specific documents that I wish to comment on in more detail are set out below.

National Policy Statements ("give effect to")

4.3 The national policy statement of most relevance to my evidence is the National Policy Statement on Urban Development Capacity 2016 (NPS-UDC). The objectives of the NPS-UDC apply to planning decisions that affect an urban environment.

4.4 In terms of the NPS-UDC the District contains two main urban environments (Queenstown Urban Environment and Wanaka Urban Environment). The Queenstown Urban Environment comprises of Arthurs Point, Arrowtown, Fernhill and Sunshine Bay, Queenstown Bay, Queenstown Hill, Jacks Point (includes Jacks Point, Hanley Downs and Homestead Bay).

4.5 The Queenstown Lakes District is a 'high growth urban area' under the NPS-UDC. I refer to Ms Vanstone's evidence regarding the NPS-UDC, and note its relevance for this hearing as the Urban Growth Boundary at Arrowtown also defines the boundary of the Urban Environment. The MDRZ is also within the Urban Environment.

Iwi Management Plans (“take into account”)

4.6 To the extent that their contents have a bearing on the resource management issues of the district, two iwi management plans are relevant:

- (a) The Cry of the People, Te Tangi a Taurira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (MNRMP 2008):

In particular, Section 3.5.7, Policies 1- 18 contain a range of matters that are relevant to Subdivision and Development covering iwi involvement in planning processing and plan development, interaction with developers and iwi, particularly where there may be significant effects, long term planning and cumulative effects, avoiding adverse effects on the natural environment and advocating for the use of esplanades reserves.

- (b) Kāi Tahu ki Otago Natural Resource Management Plan 2005 (KTKO NRMP 2005):

Part 10 covers Clutha/Mata-au Catchments and outlines those issues and policies relating to land contained within the catchment. Generic issues, objectives and policies for all catchments across the Otago Region are recorded in Chapter 5. Policies 9 – 12 of Part 10 relate to land use. They focus encouraging the adoption of sound environmental practices and sustainable land use in respect of intensification, promote an integrated approach to land development, and emphasise the need to provide for reticulated sewerage which provide for future population growth.

Regional Policy Statement for Otago Operative 1998 (“give effect to”)

4.7 The operative Otago Regional Policy Statement 1998 (**RPS 1998**) is the relevant regional policy statement to be given effect to. The RPS 1998 is a broad document that sets out a range of high level objectives and provisions for activities within Otago.

4.8 The relevant objectives and policies include Objectives 9.4.1 and 9.4.3 and Policies 9.5.1 - 9.5.5. Together these provisions strive to achieve sustainable management of the built environment in a manner that meets the needs of the community and which avoids, remedies, or mitigates adverse effects by recognising cultural relationships; promoting the efficient development and use of infrastructure (including the transport network); minimising effects of urban development on the environment (including in relation to noise, amenity, and community values); and enhancing people's quality of life (including people's health and safety).

Proposed Regional Policy Statement for Otago 2015 ("have regard to")

4.9 The Proposed Regional Policy Statement (**PRPS 2015**) was notified for public submissions on 23 May 2015. Decisions on submissions were released on 1 October 2016.¹⁰ The majority of the provisions of the decisions version have been appealed, mediation has taken place, as have some limited hearings. I understand that consent memoranda for a number of topics have been lodged with the Environment Court. Limited weight can be provided to the decisions version of the PRPS 2015. However, the provisions of the PRPS 2015 are relevant in highlighting the direction given toward local authorities managing land use activities in terms of the protection and maintenance of landscape, infrastructure, natural hazards and urban development.

4.10 The following objectives of the **PRPS 2015** are particularly relevant to this report:

- (a) *Objective 4.5 – Urban growth and development is well designed, reflects local character and integrates effectively with adjoining urban and rural environments.*
- (b) *Objective 5.2 – Historic heritage resources are recognised and contribute to the region's character and sense of identity.*

¹⁰ The Otago Regional Council's track changed version incorporating decisions (Decisions Version) was released on 1 October 2016 and is currently subject to live appeals. Refer <https://www.orc.govt.nz/media/1585/appendix-2-decision-version-prps-tracked-text.pdf>

Monitoring Report: Residential Arrowtown, November 2011

- 4.11** This report included monitoring of both the Operative District Plan (**ODP**) Arrowtown Residential Historic Management and the ODP Low Density Residential Zone in Arrowtown, and formed part of the section 32 evaluation for Stage 1. This report concluded that the ODP provisions relating to both of the Arrowtown residential zones have worked efficiently over the review period. Consequently, only minor amendments to the ODP LDRZ provisions were recommended.

Arrowtown Design Guidelines (2016)

- 4.12** The Arrowtown Design Guidelines 2016 (**ADG 2016**) were notified as Variation 1 to the PDP in 2016 (and replaced the previous guidelines dated 2006).
- 4.13** The ADG 2016 are applicable to the PDP MDRZ and the LDSRZ and are intended to be the key principles that should be observed, respected and given precedence.¹¹
- 4.14** There were no substantial shifts in policy position or direction other than those deliberated by way of Hearing Stream 06A, in the Stage 1 decision on the ADG 2016.

Proposed District Plan (decisions version – 7 May 2018) (PDP or PDP 2018)

- 4.15** The PDP 2018¹² has retained the structure and overall approach to managing the District's natural and physical resources as notified. The PDP has a Strategic Directions chapter (Chapter 3) which sets out the over-arching strategic directions (objectives and policies) for the District. The objectives and policies of the Strategic Directions chapter are further elaborated on in the remaining strategic chapters (Chapter 4 – Urban Development, Chapter 5 – Tangata Whenua, and Chapter 6 – Landscapes) required to implement Chapter 3. All other chapters

¹¹ Report 9B, Report and Recommendations of Independent Commissioners Regarding Arrowtown Design Guidelines 2016

¹² The Decisions on submissions version of the text and planning maps and reports have been available for viewing since 23 April 2018 at <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-1/decisions-stage-1/>.

in the PDP must implement Chapters 3 - 6 in order to achieve the Strategic Directions Chapter 3.

4.16 The following Chapter 3 - Strategic Direction (decisions version) objectives and policies are relevant:

Objective 3.2.1 The development of a prosperous, resilient and equitable economy in the District. (addresses Issue 1).

Objective 3.2.1.9 Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment. (also elaborates on S.O. 3.2.2 following).

Objective 3.2.2 Urban growth is managed in a strategic and integrated manner. (addresses Issue 2).

Objective 3.2.2.1 *Urban development occurs in a logical manner so as to:*

- a. promote a compact, well designed and integrated urban form;*
- b. build on historical urban settlement patterns;*
- c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;*
- d. minimise the natural hazard risk, taking into account the predicted effects of climate change;*
- e. protect the District's rural landscapes from sporadic and sprawling development;*
- f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;*
- g. contain a high quality network of open spaces and community facilities; and.*
- h. be integrated with existing, and planned future, infrastructure.*

Objective 3.2.3 A quality built environment taking into account the character of individual communities. (addresses Issues 3 and 5).

Objective 3.2.3.1 *The District's important historic heritage values are protected by ensuring development is sympathetic to those values.*

Objective 3.2.5 *The retention of the District's distinctive landscapes. (addresses Issues 2 and 4).*

Objective 3.2.5.2 *The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.*

- Objective 3.2.6** *The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety (addresses Issues 1 and 6).*
- Policy 3.3.13** *Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack's Point), Wanaka and Lake Hawea Township. (relevant to S.O. 3.2.2.1).*
- Policy 3.3.14** *Apply provisions that enable urban development within the UGBs and avoid urban development outside of the UGBs. (relevant to S.O. 3.2.1.8, 3.2.2.1, 3.2.3.1, 3.2.5.1 and 3.2.5.2).*
- Policy 3.3.15** *Locate urban development of the settlements where no UGB is provided within the land zoned for that purpose. (relevant to S.O. 3.2.1.8, 3.2.2.1, 3.2.3.1, 3.2.5.1 and 3.2.5.2).*
- Policy 3.3.16** *Identify heritage items and ensure they are protected from inappropriate development. (relevant to S.O. 3.2.2.1, and 3.2.3.1).*
- Policy 3.3.32** *Only allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded. (relevant to S.O.3.2.19 and 3.2.5.2)*

Jurisdictional Matters

- 4.17** At the date of this report, the appeal period for the PDP 2018 has not closed and, as such, it is acknowledged that the objectives, policies and rules that are relevant to my evidence may be subject to appeal. However, given the extent to which they have been tested by way of the plan review processes to date, I have given them considerable weight in making recommendations on submissions.
- 4.18** I have used the Panel's Stage 1 approach to the analysis of rezoning submissions¹³ from Report 17.1, Report regarding Queenstown, as guidance, and the statutory tests¹⁴ for deciding on what are the most appropriate provisions or zones in the PDP. This is copied below:¹⁵

¹³ Page 35-36 Section 5.1 <https://www.gldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Recommendations/Reports/Report-17-01-Qtn-Map-Introduction.pdf>

¹⁴ Section 32 RMA

¹⁵ Paragraph 132 Pg 38

- (a) whether the change implements the purpose of the PDP Strategic Direction, Urban Development and Landscape Chapters;
- (b) the overall impact of the rezoning gives effect to the ORPS and the PRPS;
- (c) whether the objectives and policies of the proposed zone can be implemented on land;
- (d) economic costs and benefits are considered;
- (e) changes to the zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints (e.g Airport Obstacle Limitation Surfaces, SNAs, Building Restriction Areas, ONL/ONF);
- (f) changes should take into account the location and environmental features of the site (eg. the existing and consented environment, existing buildings, significant features and infrastructure);
- (g) zone changes are not inconsistent with the long term planning for provision of infrastructure and its capacity;
- (h) zone changes take into account the effects on the environment or providing infrastructure onsite;
- (i) there is adequate separation between incompatible land uses;
- (j) rezoning in lieu of resource consent approvals, where a portion of a site has capacity to absorb development does not necessarily mean another zone is more appropriate (i.e rezoning of land when a resource consent is the right way to go); and
- (k) zoning is not determined by existing use rights, but these will be taken into account.

4.19 Relevant local context factors have been considered and include:

- (l) the layout of streets and location of public open space and active transport infrastructure;
- (m) land with physical challenges such as poor ground conditions, instability or natural hazards;

- (n) accessibility to centres and the multiple benefits of providing for intensification in locations with easy access to centres; and
- (o) the ability of the environment to absorb development and integrate well with the character of existing urban settlements.

5. SUBMISSIONS 37, 99, 181, 154, 155, 189, 190, 199, 204, 210, 221, 244, 261, 264, 265, 306, 317, 341, 423, 578, 597, 752, 824, 831 AND 853 (ALL OPPOSE THE MDRZ AT ARROWTOWN)

5.1 All of these submissions oppose the MDRZ at Arrowtown. Submitters 99, 181, 190, 221, 261 and 423 more specifically request that the status quo remain (i.e. this land was Low Density Zone in the ODP. I have approached the rezoning submission by comparing MDRZ against the PDP LDSRZ regime).

5.2 A number of key issues have been raised in these submissions (not consistently, and in each section below I identify which submissions have raised that issue). I therefore address the issues under the following headings:

- (a) Issue 1 – Effects on Arrowtown’s character;
- (b) Issue 2 – Residential amenity;
- (c) Issue 3 – Parking, traffic and congestion;
- (d) Issue 4 – Infrastructure capacity
- (e) Issue 5 – Expanding the urban growth boundary; and
- (f) Issue 6 – Other matters.

6. ISSUE 1 – EFFECTS ON ARROWTOWN’S CHARACTER

6.1 The following submissions oppose the proposed MDRZ in Arrowtown based on potential adverse effects on the town’s character (37, 99, 181, 154, 189, 190, 199, 204, 221, 244, 261, 264, 265, 306, 317, 341, 423, 578, 597, 752, 824, 831 and 853). This issue was also relevant to these submitters’ views on MDRZ chapter text (a Stage 1 matter).

6.2 The following section provides a summary of Council’s position as articulated in Ms Leith’s evidence, in relation to the submissions

addressing the effects of the MDRZ on Arrowtown's Character, and the subsequent position in the PDP 2018 MDRZ chapter.

Hearing Stream 06 – MDRZ text

- 6.3** In particular, Ms Leith¹⁶ for the Council referenced notified Objective 8.2.2 and its associated policies relating to the need for development to respect an area's character, heritage and identity through quality urban design solutions. Ms Leith¹⁷ recommended substantial changes to notified Objective 8.2.2 and its associated policies, intended to improve the clarity of provisions rather than to implement a substantive shift to the notified policy approach.
- 6.4** Ms Leith¹⁸ also drew attention to notified Objective 8.2.6, which seeks to ensure that medium density development in Arrowtown responds sensitively to the town's character, as well as Policy 8.2.6.1 which directly references the Arrowtown Design Guidelines 2016.
- 6.5** The Panel's recommendation report¹⁹ acknowledges comments by P Winstone²⁰ and found relevantly that development should be compatible with the town's existing character. Further, Policy 8.2.4.1 in the decisions version places greater emphasis on building design and form, as well as the scale and layout of buildings relative to street frontages.
- 6.6** The Panel agreed with submitters that the MDRZ's focus on density enablement may result in unacceptable adverse effects if not well managed.²¹ However, the Panel did not accept that densification in and of itself would necessarily lead to adverse environmental effects where the associated policy framework clearly sets out minimum levels of quality required of development.²² This approach is articulated within Objective 8.2.2, which enables intensification only where the quality of development will be high.²³ Objective 8.2.2 and its associated policies were therefore considered by the Panel as an 'essential plank'²¹ in substantiating MDRZ upzoning.

16 Ms Leith's MDR Section 42a Report at paragraphs 10.6 to 10.13

17 Appendix 1 to Ms Leith's MDR s42a Report

18 Paragraph 10.8

19 Paragraph 262

20 Submitter 264

21 Paragraph 226

22 Paragraph 227

23 Paragraph 223

- 6.7** Regarding the type of environment ‘quality’ MDRZ development is intended to promote, Objective 8.2.2 and its associated policies point to a new type of high quality character focused on establishing positive visual connections with public spaces, avoiding visual dominance by way of more varied built form, and more effective and integrated landscaping. In the LDSRZ, these changes would largely be articulated through a greater diversity of housing typologies and a reduction in established building setbacks.
- 6.8** The Panel acknowledged that MDR upzoning will bring about changes in character²⁴ and as such, a blanket requirement to maintain or enhance the existing set of character or amenity values is not justifiable or achievable.²⁵ The Panel crafted Objective 8.2.2 and its associated policies in light of this to ensure that development contributes to the planned medium density character of the area and aims to ‘avoid the worst potential adverse effects likely from allowing medium density housing to occur close to lower density housing’.²⁶ Objective 8.2.4 and its associated policies direct MDR development in Arrowtown to occur in a manner that is compatible with the town’s character. Objective 8.2.4 and its policies recognise that MDR development can occur harmoniously within Arrowtown.
- 6.9** Ms Leith also addressed how the relationship between medium density character and the adjoining ‘older’ historic part of Arrowtown (zoned Arrowtown Residential Historic Management Zone (**ARHMZ**) in the PDP) could be managed. Ms Leith considered that use of the ADG 2016 would be the best tool to manage potential adverse effects of densification at the interface of these zones. She also²⁷ recommended that a transition overlay be applied in the area along Suffolk Street and Kent Street called the ‘Arrowtown Historic Management Transition Overlay Area’ (**AHMTO**) and that notified Rules 8.4.10 and 8.4.11 be amended to require restricted discretionary consent for the construction of residential units within the AHMTO.
- 6.10** Ms Leith²⁸ did not consider those remaining areas of the MDR zone outside of the recommended AHMTO to be sufficiently sensitive to the

24 Paragraph 230

25 Paragraph 228

26 Paragraph 232

27 Paragraph 10.11

effects of greater densification to warrant inclusion in the overlay. Subject to the zone's controls on built form being implemented, development would be unlikely to cause significant adverse effects on those more special and unique attributes associated with Arrowtown's character. Ms Leith²⁸ also noted that existing built form within the MDR zone is of varied ages, styles and designs.

- 6.11** The Panel did not recommend material changes to the intent or meaning of Rules 8.4.10 and 8.4.11 as recommended by Ms Leith.

Hearing Stream 06A – Variation 1: ADG 2016

- 6.12** The ADG 2016 includes recommendations relating to the design of new buildings, building materials, appropriate tree species, and the location and design of dwellings within the proposed MDRZ. The Panel have included the ADG 2016 as a matter of discretion for any development requiring restricted discretionary resource consent within Arrowtown's MDRZ but any permitted activity would not be subject to specific assessment against the ADG 2016.

- 6.13** In his section 42A report, Mr Nigel Bryce²⁹ (planning consultant for Council) considered the extent of zones within Arrowtown to which the ADG should apply. In responding to submissions, Mr Bryce noted that the ADG 2006 had been amended by the variation specifically in response to the new area of MDRZ in Arrowtown in anticipation of the more intensive form of development likely to occur, including at the interface with the ARHMZ. Mr Knott³⁰ (Heritage Urban Design evidence for Council) confirmed support for the revised rule framework and AHMTO promoted by Ms Leith in being the most effective approach to managing potential adverse effects of intensification at the boundary of the proposed MDRZ and the ARHMZ.

- 6.14** In their recommendation report,³¹ the Panel in considering the geographical applicability of the ADG 2016, noted the contrast between the built form characteristics of the 'old town' and inner residential area with the new 'outer' residential areas. In the Panel's view, "*the more*

²⁹ Paragraph 11.6, Section 42a Hearing Report, Variation 1 – Arrowtown Design Guidelines, 7 November 2016

³⁰ Statement of Evidence of Richard John Knott on Behalf of Queenstown Lakes District Council, Arrowtown Design Guidelines, 12 October 2016

³¹ Report 9B, Report and Recommendations of Independent Commissioners Regarding Arrowtown Design Guidelines 2016

*recent 'outer' residential areas of Arrowtown reflect a lesser visual quality and coherent or consistent character when compared with the older, 'inner' Arrowtown area*³² such that the ADG have more significance within 'inner' Arrowtown and less significance in 'outer' Arrowtown. This approach is reflected in the text of the MDRZ Chapter 8 and the provisions relating to the AHMTO.

6.15 I concur with the Panel that densification in and of itself will not result in harm to Arrowtown's character. The objectives, policies and rules of the MDRZ should bring about a new type of high quality medium density character and densification will be enabled where it contributes positively to this character. The objectives, policies and rules specifically identify those areas of the MDRZ most at risk from this change in character (i.e. the ARHMZ) and proactively respond (i.e. through identification of the AHMTO) so as to manage potential adverse effects on the most unique and valued aspects of Arrowtown's character.

6.16 Overall, and for all of these reasons, I consider that the issue of adverse effects to Arrowtown's character is sufficiently addressed through the MDRZ provisions.

7. ISSUE 2 – RESIDENTIAL AMENITY

7.1 Submissions 99,132, 154, 181, 244, 261, 341, 578, 597, 618, 646, 648, 752, 824, 853 express specific concern regarding changes to residential amenity that (in the submitters' views) would result from applying the MDRZ at Arrowtown. In particular, the submitters considered that MDRZ intensification would result in more dominant types of built form that would reduce privacy and access to sunlight.

7.2 Important factors determining the nature of residential amenity in an area include building coverage and density,³³ building length,³⁴ minimum boundary setbacks,³⁵ recession planes,³⁶ building height,³⁷

32 Paragraph 55

33 MDRZ section 42a report Paragraphs 10.107 – 10.110

34 MDRZ section 42a report Paragraphs 10.54 – 10.62

35 MDRZ section 42a report Paragraphs 10.75 – 10.76 and 10.83 – 10.90

36 MDRZ section 42a report Paragraphs 10.97 – 10.106

37 MDRZ section 42a report Paragraphs 10.111 – 10.121

and window sill heights.³⁸ These are text related matters considered in the Stage 1 decision, and are beyond the scope of this report. However, as noted above, they influence the nature of residential amenity, and are therefore relevant to the appropriate zone, in an area.

7.3 The Panel’s recommendations and the Council’s decision on the PDP 2018 have made significant alterations to the notified version of these provisions in response to submissions, a number of which requested relief specifically related to the Arrowtown MDRZ. As an overview, the Panel’s decision version of Chapter 8 amends the activity status of breaches as follows:

Provision	Non-Compliance Activity Status	
	Notified MDRZ	Decision MDRZ
Building coverage	D	RD
Building length	RD	RD
Density	NC	RD
Minimum boundary setbacks	D	RD
Recession planes	NC	RD
Building height	NC	NC
Window sill heights	D	Deleted

7.4 Of particular significance are those amendments to the activity status for breaches related to building coverage, building length, density, minimum boundary setbacks and recession planes. The Panel recommended providing for non-compliance of these standards by way of restricted discretionary activity status. The PDP 2018 Chapter 8 also introduces a specific set of matters of discretion requiring assessment of those components of residential amenity in the event of a breach of these standards. These matters of discretion provide scope to refuse inappropriate development on a case by case basis where it cannot be shown that adverse effects on residential amenity are minor

7.5 Longer continuous building lengths have been permitted within the MDRZ, with the notified permitted baseline (notified Rule 8.5.9) increasing from 16 metres to 24 metres in the decisions version, to better provide for those housing typologies anticipated within the zone (i.e. terraces comprising up to three dwellings). However, a specific matter of discretion relating to effects on neighbouring properties from the external appearance, location and visual dominance of a building

³⁸ MDRZ section 42a report Paragraphs 10.63 – 10.73

in breach of this rule has been incorporated into Rule 8.5.9 as a means to avoid potential adverse effects on the residential amenity.

- 7.6** Rule 8.5.10 (window sill heights) has been deleted from Chapter 8 on the basis that it would result in poor amenity outcomes.
- 7.7** Privacy related matters in the notified MDR have been strengthened by including it as a matter of discretion at notified Rule 8.4.11 (decisions version Rule 8.4.10 relating to the construction of residential units) and inserting an additional policy relating to privacy under notified Objective 8.2.4.
- 7.8** I emphasise the Panel's clarification, set out at –section 13.2 of their Recommendation report, on the question of what 'type' of environment that 'quality' development within Arrowtown's MDRZ is intended to contribute to, or more specifically, what type of built character is anticipated within the MDRZ by Objective 8.2.2 and its associated policies. Of significance is the recognition that a different set of amenity values and built form qualities will eventuate over time associated with a new type of high quality medium density development and its associated residential amenity values. The abovementioned provisions and their matters of discretion provide for this shift in zoning for Arrowtown.
- 7.9** For the reasons outlined above, it is considered that those key determining factors associated with residential privacy have been considered and strengthened as a result of the matters considered in MDRZ, and therefore are not valid reasons for rezoning the notified MDRZ on the plan maps, at Arrowtown.
- 7.10** Other concerns raised by submitters in regard to residential amenity included crime, reserves and open space, and noise nuisance. These matters are discussed in the proceeding paragraphs.
- 7.11** Submitter 264 opposed the MDRZ on the basis that it would result in more crime in Arrowtown. It is not considered that residential intensification in and of itself results in additional crime, particularly where the design of new buildings provides for passive surveillance. In their consideration of notified Policy 8.2.5.2 (decisions version 8.2.2.2)

which requires buildings to have visual connections with the street, the Panel³⁹ noted that this policy directly relates to qualities that promote passive surveillance within the zone.

7.12 Submitters 154 and 824 oppose the MDRZ on the basis of a loss of reserves and open space. While it is acknowledged that MDRZ development may change the nature of space between dwellings, it is not considered that they would result in any direct loss of public open space or reserve land as the provisions do not apply to development on reserve land.

7.13 Submitters 154, 306, 341, 824 and 853 oppose the MDRZ on the basis that residential intensification would bring about additional noise nuisance. It is noted that Chapter 36 (Noise) at Rule 36.5.2 applies the same general noise standards across the LDSRZ, MDRZ and High Density Residential Zone. Given this, it is acknowledged that a change of density from one residential zone to another is not anticipated to bring about a change in noise related effects.

8. ISSUE 3 – PARKING, TRAFFIC AND CONGESTION

8.1 Submissions made in opposition to the MDRZ in Arrowtown raise concerns relating to the effects of increased traffic, congestion and parking demand (99, 190, 132, 199, 264, 646, 752).

8.2 At paragraph 13.56 of her section 42A report for Stream 06, Ms Leith noted P Winstone's (264) objection to notified Objective 8.2.1 which identifies that medium density development will be realised close to town centres, local shopping zones, activity centres, public transport routes and non-vehicular trails. The submitter noted that Arrowtown does not have significant shopping facilities or employment centres, unlike Frankton, and that Arrowtown is a 'commuter suburb' relying on private car trips. Other submissions which have been allocated to this hearing raise similar concerns to that of P Winstone (264), in particular, E Winstone (99), C Douglas (199), G W Crooks (646) and M Farrier (752).

³⁹ Paragraph 256, Report 9A, Report and Recommendations of Independent Commissioners Regarding Chapter 7, Chapter 8, Chapter 9, Chapter 10 and Chapter 11

- 8.3** C Douglas (199) also submits that MDR zoning in Arrowtown conflicts with notified Objective 8.2.1 as Arrowtown does not contain essential shopping or commercial services, and therefore Arrowtown residents are required to travel to Frankton. Further, C Douglas (199) submits that Arrowtown is not well connected to those essential services required by its residents. C Douglas (199) considers these circumstances will result in more traffic on the road between Arrowtown and Frankton and will result in environmental outcomes contrary to notified Objective 8.2.7, which aims to ensure that MDR development utilises existing infrastructure efficiently and minimises impacts on existing roading networks. Notified Policy 8.2.7.1 supports Objective 8.2.7, stating that MDR development shall be provided close to town centres and local shopping zones to reduce private vehicle movement.
- 8.4** E Winstone (99), G W Crooks (646) and M Farrier (752) express similar concerns to that of C Douglas (199). Specifically, E Winstone (99) submits that most people in Arrowtown need to travel elsewhere for work, while G W Crooks (646) outlines that most employment is located in Queenstown and Frankton rather than in Arrowtown, and therefore the proposed MDRZ would add to existing levels of traffic congestion. M Farrier (752) similarly considers that an MRDZ in Arrowtown is not logical in regard to locations of employment.
- 8.5** Ms Leith's response to P Winstone (264) in her section 42A report noted that the MDRZ in Arrowtown is located between 400 m and 900 m from the Arrowtown Town Centre, being a location of employment and amenities, and highlighted that Arrowtown is accessible from Queenstown by public transport and a substantial network of formed non-vehicular trails.⁴⁰ Ms Leith did acknowledge that many people living in Arrowtown commute for work using private transport, however she did not consider that this point sufficiently undermines those reasons validating the establishment of MDR zoning within Arrowtown, nor did she find it to be inconsistent with Objective 8.2.1 and its associated policies. I adopt this reasoning.
- 8.6** In terms of notified Objective 8.2.1 and Policies 8.2.1.1 – 8.2.1.5, Ms Leith recommended substantial changes with the aim of improving these provisions so they more clearly articulate the outcomes to be

40 Paragraph 13.56

achieved by the MDRZ. The Panel sought further simplification of Objective 8.2.1 and the wording of the Objective in the decisions version supports medium density development occurring in areas close to 'employment centres' more generally, with Policy 8.2.1.1 providing detail as to those locations most appropriate (being those areas close to town centres, local shopping zones, activity centres and public transport routes). The Panel agreed that the objective and its policies intend to direct the location of MDR intensification to those developed areas of the District and that the principle argument in support of this approach relates to four underlying considerations:⁴¹

- (a) the needs of new residents and adverse effects which they might experience where appropriate intensification is not enabled;
- (b) the efficiencies of concentrating new development in well serviced and located areas;
- (c) the inferiority of alternative locations to accommodate new growth; and
- (d) the adverse effects that could eventuate from such alternative settlement patterns (landscape effects, transport effects, social dislocation amongst others).

8.7 It follows then that the Panel have framed the provisions related to the MDRZ in Arrowtown in the context of these key considerations.

8.8 It is also worth noting the increased scale and quality of public transport services now operating within the Wakatipu Basin. In late 2017, Otago Regional Council launched a significantly expanded and subsidised public transport network that includes services between Arrowtown and those major employment centres of Queenstown and Frankton. This expanded public transport service further supports Ms Leith's and the Panel's conclusions supporting the identification of MDR zoning within Arrowtown.

8.9 Given the above, I consider that the matters raised by submitters C Douglas (199), G W Crooks (646) and M Farrier (752) have already been adequately addressed by the Decisions Chapter 8.

⁴¹ Report and Recommendations of Independent Commissioners Regarding Chapter 7, Chapter 8, Chapter 9, Chapter 10 and Chapter 11, paragraph 212.

Car Parking

- 8.10** A common theme among submissions in opposition to the notified MDRZ in Arrowtown is concern that the increased level of development contemplated by the zone will generate additional parking demand, in particular, new demand for on-street parking (submitters 154, 199, 204, 221, 244, 276, 306, 319, 341, 578, 752, 824, 853).
- 8.11** Ms Leith emphasised the intent of notified Chapter 8 Policy 8.2.7.3 (decisions version 8.2.5.1), which sought to ensure that access and parking is located and designed to optimise efficiency and safety, and minimise impacts to on-street parking. Taking into account more generally those concerns related to parking demand across MDR zones, Ms Leith recommended that the policy be amended to more clearly acknowledge the level of intensification anticipated within the MDRZ its potential adverse effects to on-street parking. The Panel agreed with this change, the effect of which is to ensure that development within the MDRZ takes into account any potential adverse effects to on-street parking. The Panel did not raise concerns with how parking related submission points had been addressed nor did it make any other specific amendments to the MDRZ provisions in regard to this matter.
- 8.12** The Stage 2 Transport chapter (Chapter 29) reduces minimum parking requirements for residential activities. Table 1 below compares the ODP's LDRZ parking provisions for residential activities with those of the MDRZ in Chapter 29 and shows an overall reduction to the number of parking spaces required in Arrowtown's MDRZ as opposed to the operative LDR zoning.

ODP LDR		PDP MDR (as notified in Chapter 29)	
Residential Units	2 per unit	Residential units and residential flats in Arrowtown	<ul style="list-style-type: none">• 0.7 per studio unit/flat and 1 bedroom unit/flat• 1 per 2 bedroom unit/flat• 1.5 per unit/flat comprising 3 or more bedrooms
Residential Flats	1 per flat		

Table 1
Residential parking provision comparison table (ODP's LDRZ and MDRZ in notified Chapter 29)

- 8.13** The Section 32 evaluation for Chapter 29⁴² provides a comprehensive analysis of those issues surrounding the imposition of overly rigid on-site parking requirements on the basis of seeking to meet almost all of the likely demand generated by development regardless of cost. These effects are pronounced in space-constrained environments like Queenstown, Wanaka and Arrowtown where the overall cost of providing on-site parking disincentivises the development of smaller more affordable units and worker housing. More expensive housing typologies are the result as they are more capable of absorbing higher development costs.⁴³ The analysis notes the impact of high rates of parking provision on the viability of alternate modes of transport that have a range of benefits for sustainability and wellbeing. Clearly, this set of circumstances does not sit well with those aims of the MDRZ centred around increasing affordable density and providing additional compact residential capacity within an existing and confined residential context.
- 8.14** Policy 29.2.2.3 enables lower rates of parking for residential flats and residential activities within the MDRZ to support the efficient and effective intensification of the zone. Implementing Policy 29.2.2.3 is Rule 29.5.2, which sets out standards for residential activities that provide some or all of their parking spaces off-site. Significantly, it requires that any off-site parking must not be located on a private or public road. A number of supporting standards are set out within Rule 29.5.2 relating to the proximity of any development provided for under this rule to public transport facilities and the proximity of the off-site parking spaces to the particular site and use they serve.
- 8.15** It is also worth noting that LDSRZ provides for a range of different suburban residential development typologies including the ability to create sites of 300 m².⁴⁴ Additionally, the LDSRZ provides for residential sites to contain a principal dwelling and a flat of up to 70 m² and contain a separate household, which, if fully developed, would be likely to create a similar level of development intensity and additional parking demand as would be likely to occur on most of the existing sites in Arrowtown identified as MDRZ.

⁴² Section 32 Evaluation, Chapter 29 Transport, 1 November 2017

⁴³ Paragraphs 9.16 – 9.17, Section 32 Evaluation, Chapter 29 Transport, 1 November 2017

⁴⁴ Rule 7.4.7 and 7.5.11, Chapter 7, Low Density Suburban Residential Zone (decisions version), May 2018

- 8.16** Taking these provisions into account, and assuming they proceed through the plan development process in some form, it is considered that residential intensification within Arrowtown's MDRZ would have a range of benefits and that the adverse effects on on-street parking in Arrowtown from the increased levels of development it enables would not be unacceptable.
- 8.17** In conclusion, taking into account the above matters relating to traffic, parking and congestion, I recommend those submissions opposing the MDRZ be rejected.

9. ISSUE 4 – INFRASTRUCTURE CAPACITY

- 9.1** Concerns relating to the capacity of infrastructure in Arrowtown were common among those submissions made in opposition to the MDRZ (190, 221, 341, 423, 578, 646, 752, 824, 853). These submissions describe Arrowtown's wastewater and stormwater infrastructure in particular as being at capacity and unable to support further residential intensification. As a consequence, a number of these submitters suggest that MDRZ intensification would require significant and costly upgrades to Arrowtown's existing water, wastewater and stormwater infrastructure.
- 9.2** Ms Leith partially addressed this matter within her section 42A report. Specifically, she addresses those concerns raised by P Winstone⁴⁵ who questioned whether residential intensification within the Arrowtown MDRZ would efficiently utilise existing infrastructure and whether significant costs would be incurred to upgrade existing services. Ms Leith also addressed submitters J Newson⁴⁶ and K Milne⁴⁷ who sought evidence that Arrowtown's water and sewerage infrastructure could cope with additional demand. Ms Leith identified other submitters who also raised concerns in regard to this matter.⁴⁸
- 9.3** Mr Ulrich Glasner, Council's Chief Engineer, provided expert evidence⁴⁹ in response to P Winstone, J Newson, and K Milne. In his

45 Submitter 264

46 Submitter 319

47 Submitter 578

48 Submitters 154, 199, 306 and 319

49 Statement of Evidence Of Ulrich Wilhelm Glasner On Behalf Of Queenstown Lakes District Council, Infrastructure, 14 September 2016

evidence, Mr Glasner confirmed that Arrowtown's water and sewerage infrastructure have capacity to supply the planned additional demand resulting from the application of MDR zoning and that the Council has a planned programme of renewals, upgrades and extensions to relevant services identified within the Long Term Plan applicable at that time (Long Term Plan 2015- 2025).⁵⁰

9.4 Mr Glasner noted that the existing stormwater management system in Arrowtown copes well during heavy rainfall events.⁵¹ He outlined that most of Arrowtown relies on ground soakage stormwater disposal and that residential intensification would not necessitate any change to this approach taking into account the retention of permeable surface standards within the PDP.

9.5 In regard to potable water capacity, Mr Glasner's evidence detailed that Arrowtown has capacity to supply the planned additional demand and that the Council has a planned programme of renewals combined with upgrades and extensions to services⁵². Finally, Mr Glasner emphasised that new demands placed on infrastructure from new development will largely be paid for by the developer and subsequently vested to Council.⁵³

9.6 In her statement of evidence, Ms Jarvis⁵⁴ acknowledges concerns relating to infrastructure capacity in Arrowtown raised by those submissions in opposition to the notified MDRZ. However, Ms Jarvis supports the location of the MDRZ, noting that the proposed zoning is sited within the scheme boundaries for both water supply and wastewater servicing. Further, Ms Jarvis states that intensification in this location can be supported either by existing infrastructure or by Council's planned programme of renewals together with upgrades and extensions to services identified within the draft Ten Year Plan (2018 – 2028).

9.7 In summary, Council's evidence is that there is sufficient infrastructure capacity to service the notified MDRZ at Arrowtown.

50 Paragraph 4.6

51 Paragraph 4.2

52 Paragraph 4.6

53 Paragraph 4.7

54 Statement Of Evidence Of Andrea Therese Jarvis On Behalf Of Queenstown Lakes District Council, 28 May 2018

10. ISSUE 5 – EXPANDING THE URBAN GROWTH BOUNDARY (SUBMISSIONS 154, 155, 180, 199, 221, 244, 265, 276, 317, 341, 423, 569, 597, 646, 648, 814, 824, 831)

- 10.1** A number of submissions that opposed the MDRZ in Arrowtown requested alternative relief in the form of an extension to the UGB. The predominant view in these submissions (154, 155, 180, 199, 221, 244, 265, 276, 317, 341, 423, 569, 597, 646, 648, 814, 824 831) is that the UGB should be extended to the south to allow for residential development across existing greenfield land.
- 10.2** If this relief were granted this extension would be an alternative to MDRZ densification. Submitter 569 requested that any extension to the UGB should comprise low density type development only, while Submitter 341 suggested that a mix of low and medium density development should take place within any greenfield growth area. Submitter 567 requested that the UGB be extended to include Bracken Hill and Rodger Monk’s property. Generally speaking, other submissions did not identify specific sites for this extension, nor did they request specific zoning regimes. It is a consequence of an extension to the UGB, that urban development is anticipated within it. So even without any specific rezoning request within that extended UGB, the outcome is that the land within any new UGB location, would need to be appropriate for urban development (unless it were required for buffering, an urban park or some type of utility function).
- 10.3** Submitter 265 and 199 pointed to other developments (i.e. Arrowtown South) as good examples of greenfield development to the south of Arrowtown’s established residential area which should be followed.
- 10.4** Submitter 180 considered that any extension to the UGB should take into account natural features.
- 10.5** Submitter 341 requested that the UGB be extended to the northwest of Arrowtown. This relief is addressed in section 13 of this report.
- 10.6** I also make recommendations on the following three rezoning submissions made against land notified by way of Stage 2 of PDP (i.e.,

subject to the Wakatipu Basin variation and the Stage 2 Open Space and Recreation Zones), given their location at Arrowtown:

- (a) Queenstown Lakes Community Housing Trust (2299) – This submission requests LDSRZ zoning and an extension to Arrowtown’s UGB over two specific lots, zoned Wakatipu Basin Rural Amenity Zone (**Amenity Zone**) and Community Purpose – Golf Course by way of Stage 2 notification.
- (b) Shaping Our Future Inc (2511) – This submission opposes the notified zoning of land at Jopp Street within the Amenity Zone and requests that this area be zoned Wakatipu Basin Lifestyle Precinct (**Precinct**) or such other zoning that will enable carefully planned additional housing.
- (c) A Feeley, E Borrie & LP Trustees Limited (2397) – This submission requests that the subject land be rezoned LDSRZ rather than Amenity Zone, and consequentially that Arrowtown’s UGB be extended to incorporate the site. A structure plan was also included with the submission outlining a mix of potential development yields.

UGBs – A Background

- 10.7** In 2007 the Council developed the Growth Management Strategy (2007). This strategy concluded that growth should be located in the right places, with “all settlements to be compact with distinct urban edges and defined urban growth boundaries”.
- 10.8** Plan Change 30 introduced the concept of UGB’s to the ODP as a strategic tool which enabled the use of UGB’s ‘to establish distinct and defensible urban edges’.
- 10.9** The Arrowtown UGB was provided for by way of Plan Change 29 to the ODP. The Council ratified its decision to approve Plan Change 29 on 4 October 2010. Environment Court Decision *Monk v Queenstown Lakes District Council Ltd* [2013] NZEnvC 12 provides a comprehensive analysis of site specific issues associated with the UGB in Arrowtown and subsequently directed the Council to implement

the UGB through its District Plan. The UGB was made operative on 21 May 2015.

- 10.10** Specifically, Policies 7.9 – 7.10 of Chapter 4 of the ODP work together to limit the growth of Arrowtown to the area contained within the UGB and direct the scale, density and form of development within the boundary such that it is sympathetic to the existing character of built form located within the boundaries.

UGBs and the PDP

- 10.11** The use of UGBs as a strategic tool to manage urban development was carried through into the PDP. Chapter 3 (Strategic Direction) and Chapter 4 (Urban Development) contain objectives and policies that work together to establish a framework for the application of UGBs across the District.

- 10.12** The Panel⁵⁵ agreed with Council evidence that UGBs serve a useful purpose and are the most appropriate way to manage urban growth in a strategic and integrated manner. They suggest the most pressing reason to apply UGBs relates to the ad hoc nature of effects-based resource consenting processes and the negative externality born of their inability to efficiently manage cumulative effects. Ad hoc approaches to urban development can result in the incremental expansion of urban areas and adverse social, economic, environmental and cultural effects associated with urban sprawl.

Strategic Direction – Chapter 3 (decisions version)

- 10.13** At a high level, Objective 3.2.2 sets out those strategic principles for urban development and the positive outcomes it aims to achieve for the community at large. It specifically promotes growth that is compact, well designed, integrated and focused on identified historical patterns of settlement as opposed to sporadic sprawl across the District's rural landscapes.

- 10.14** Chapter 3's urban development policies (3.3.13 – 3.3.13) set out the course of action to achieve Objective 3.2.2. In particular, Policy 3.3.13

⁵⁵ Paragraph 656, Report 3, Report and Recommendations of Independent Commissioners Regarding Chapter 3, Chapter 4 and Chapter 6

states that UGBs be applied 'around the urban areas in the Wakatipu Basin'. Policy 3.3.14 elaborates, stating that provisos will be applied throughout the plan 'that enable urban development within UGBs and avoid urban development outside of UGBs'. These policies set a clear direction for urban development across the District and how it is to be managed principally through the application of UGBs. The remaining parts of the PDP must give effect to these strategic policies.

Urban Development – Chapter 4

10.15 The strength of direction associated with UGBs as expressed within Chapter 3 is carried forward to Chapter 4 (Urban Development) and the Panel's Recommendation Report 3.⁵⁶ Chapter 4 sets out objectives and policies for managing the spatial location and layout of urban development within the District, in particular, Objective 4.2.1 and its associated policies 4.2.1.1 – 4.2.1.7:

Objective 4.2.1 *Urban Growth Boundaries used as a tool to manage the growth of larger urban areas within distinct and defensible urban edges. (from Policies 3.3.12 and 3.3.13)*

Policy 4.2.1.1 *Define Urban Growth Boundaries to identify the areas that are available for the growth of the main urban settlements.*

Policy 4.2.1.2 *Focus urban development on land within and at selected locations adjacent to the existing larger urban settlements and to a lesser extent, accommodate urban development within smaller rural settlements.*

Policy 4.2.1.3 *Ensure that urban development is contained within the defined Urban Growth Boundaries, and that aside from urban development within existing rural settlements, urban development is avoided outside of those boundaries.*

Policy 4.2.1.4 *Ensure Urban Growth Boundaries encompass a sufficient area consistent with:*

- a. *the anticipated demand for urban development within the Wakatipu and Upper Clutha Basins over the planning period assuming a mix of housing densities and form;*
- b. *ensuring the ongoing availability of a competitive land supply for urban purposes;*
- c. *the constraints on development of the land such as its topography, its ecological, heritage, cultural or landscape significance; or the risk of natural hazards limiting the ability of the land to accommodate growth;*

56 Paragraph 826

- d. *the need to make provision for the location and efficient operation of infrastructure, commercial and industrial uses, and a range of community activities and facilities;*
- e. *a compact and efficient urban form;*
- f. *avoiding sporadic urban development in rural areas;*
- g. *minimising the loss of the productive potential and soil resource of rural land.*

Policy 4.2.1.5 *When locating Urban Growth Boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise degradation of the values derived from open rural landscapes*

Policy 4.2.1.6 *Review and amend Urban Growth Boundaries over time, as required to address changing community needs.*

Policy 4.2.1.7 *Contain urban development of existing rural settlements that have no defined Urban Growth Boundary within land zoned for that purpose.*

10.16 These provisions direct the use of UGBs as a tool to manage urban growth and recognise the intention of those higher order strategic objectives and policies of Chapter 3. However, these provisions go further than Chapter 3, identifying the function of UGBs in providing ‘limits’ (Policy 4.2.1.4(c), imposing ‘containment’ (Policy 4.2.1.7) and identifying ‘distinct and defensible urban edges’ (Objective 4.3.1).

10.17 Through their recommendations, the Panel sought to provide greater clarity in regard to the considerations that should be taken into account when defining UGBs under the general directive of Objective 4.2.1. In particular, Policy 4.2.1.2 outlines that they should be located ‘adjacent to the existing larger urban settlements’, but not necessarily immediately adjacent to them as this would be too confining and does not provide sufficient guidance as to where a settlement might end.⁵⁷

10.18 Policy 4.2.1.4 contains a set of qualifying characteristics for areas to be located within UGBs. Parts a. and b. of Policy 4.2.1.4 addresses the provision of land relevant to demand and achieving sufficient levels of competitiveness within the land supply market. Policy 4.2.1.4(c) identifies specific physical attributes to be taken into account when defining UGBs including topography, ecology, heritage, cultural or landscape significance, and the risk of natural hazards. These matters are addressed below.

57 Paragraph 918

- 10.19** The consideration of these specific physical attributes needs to be read in the context of Policy 4.2.1.5 which states that any UGB extension minimises the degradation of those values derived from open rural landscapes.
- 10.20** Policy 4.2.2.3 highlights that the proximity of the land to town centres, public transport routes, community, and education facilities should also be considered for development of higher densities.
- 10.21** Objective 4.2.2A draws attention to the significance of infrastructure and servicing considerations in the application of UGBs, directing the need for a coordinated approach between the delivery of urban development within UGBs and the efficient provision and operation of supporting infrastructure and services.
- 10.22** Objective 4.2.2B and its associated policies direct the nature and scale of development to take place within UGBs and establish a set of Wakatipu Basin specific policies (4.2.2.13 – 4.2.2.21). Policy 4.2.2.13 relates directly to the definition of the UGB in Arrowtown:

Policy 4.2.2.13 *Define the Urban Growth Boundary for Arrowtown, as shown on the District Plan Maps that preserves the existing urban character of Arrowtown and avoids urban sprawl into the adjacent rural areas.*

- 10.23** Policy 4.2.2.20 specifically directs the nature of development to take place within Arrowtown's UGB and reads as follows:

Policy 4.2.2.20 *Ensure that development within the Arrowtown Urban Growth Boundary provides:*

- a. *an urban form that is sympathetic to the character of Arrowtown, including its scale, density, layout and legibility, guided by the Arrowtown Design Guidelines 2016;*
- b. *opportunity for sensitively designed medium density infill development in a contained area closer to the town centre, so as to provide more housing diversity and choice and to help reduce future pressure for urban development adjacent or close to Arrowtown's Urban Growth Boundary;*
- c. *a designed urban edge with landscaped gateways that promote or enhance the containment of the town within the landscape, where the development abuts the urban boundary for Arrowtown;*

- d. *for Feehley's Hill and land along the margins of Bush Creek and the Arrow River to be retained as reserve areas as part of Arrowtown's recreation and amenity resource;*
- e. *recognition of the importance of the open space pattern that is created by the inter-connections between the golf courses and other Rural Zone land.*

11. QUEENSTOWN LAKES COMMUNITY HOUSING TRUST (2299) AND SHAPING OUR FUTURE INC (2511)

11.1 The Queenstown Lakes Community Housing Trust (QLCHT) has sought that Lot 2 DP 300390 and part of Lot 1 DP 300390 be rezoned to LDSRZ. The submitter also seeks that this land be included within the Arrowtown UGB. **Figures 1 – 2 and 5 - 7** below show the site subject to this submission.

QUEENSTOWN LAKES COMMUNITY HOUSING TRUST (2299)	
Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2299.1 No further submitters Submission 2299.2 No further submitters
Land area/request referred to as	Southern side of Jopp Street and east of Centennial Avenue, Arrowtown
Stage 1 PDP zone and any mapping annotation	Rural (replaced by variation) Designation 37 (over part)
Stage 1 Zone requested and any mapping annotation requested	Submission 88 That the land at Lot 2 DP 300390, Jopp Street, Arrowtown be included within the UGB.
Stage 2 PDP Zone and any mapping annotations	Lot 1 DP 300390 (note the submission does not relate to the entirety of this lot) Community Purpose – Golf Course Lot 2 DP 300390 Amenity Zone
Stage 2 Zone requested in submission	LDSRZ for both Lots

Supporting Information or reports provided with submission	None
Legal Description	part of Lot 1 DP 300390 Lot 2 DP 300390
Area	part of Lot 1 DP 300390 3.1 Ha (approximated using the submission and QLDC GIS) Lot 2 DP 300390 3.7 Ha (approximated from QLDC GIS) Total area Approximately 6.8 Ha
QLDC Property ID	part of Lot 1 DP 300390 10018 Lot 2 DP 300390 10019
QLDC Hazard Register	part of Lot 1 DP 300390 Liquefaction Risk: LIC 1 (P) Probably low risk but requires specific investigations. Lot 2 DP 300390 Liquefaction Risk: LIC 1 (P) Probably low risk but requires specific investigations Contaminated site: Former sewerage ponds

Aerial Photograph of the site (QLDC GIS)



Figure 1: Aerial photo – site subject to submission outlined in red.

Stage 2 PDP Map 27 (excerpt)



Figure 2: PDP stage 2 re-zoning (green shaded – Community Purpose-Golf Course, Blue shaded – Wakatipu Basin Rural Amenity Zone)

- 11.2 The submission from Shaping Our Future Inc (2511) requests similar relief to that of the QLCHT. In particular, they oppose the zoning of Lot 2 DP 300390 as Amenity Zone and seek that this land be included within the Precinct, or other zoning which would enable residential land use. **Figures 3 – 4 and 5 - 6** below show the site subject to this submission.

SHAPING OUR FUTURE INC (2511)	
Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2511.2 FS2772.5 – Support Submission 2511.5 FS2772.8 – Support
Land area/request referred to as	Southern side of Jopp Street and east of Centennial Avenue, Arrowtown
Stage 1 PDP zone and any mapping annotation	Rural (replaced by variation) Designation 37
Stage 1 Zone requested and any mapping annotation requested	N/A (although #88 (table above) did submit on the same land in Stage 1, seeking that the land at Lot 2 DP 300390, Jopp Street, Arrowtown be included within the UGB.)
Stage 2 PDP Zone and any mapping annotations	Lot 2 DP 300390 Amenity Zone
Stage 2 Zone requested in submission	Precinct or such other zone that would enable additional housing.
Supporting technical information or reports provided with submission	Link to Arrowtown Community Visioning Report (2018)
Legal Description	Lot 2 DP 300390
Area	3.7 Ha (approximated from QLDC GIS)
QLDC Property ID	10019
QLDC Hazard Register	Lot 2 DP 300390 Liquefaction Risk: LIC 1 (P) Probably low risk but requires specific investigations. Contaminated site: Former sewerage ponds

Aerial Photograph of the site (QLDC GIS)

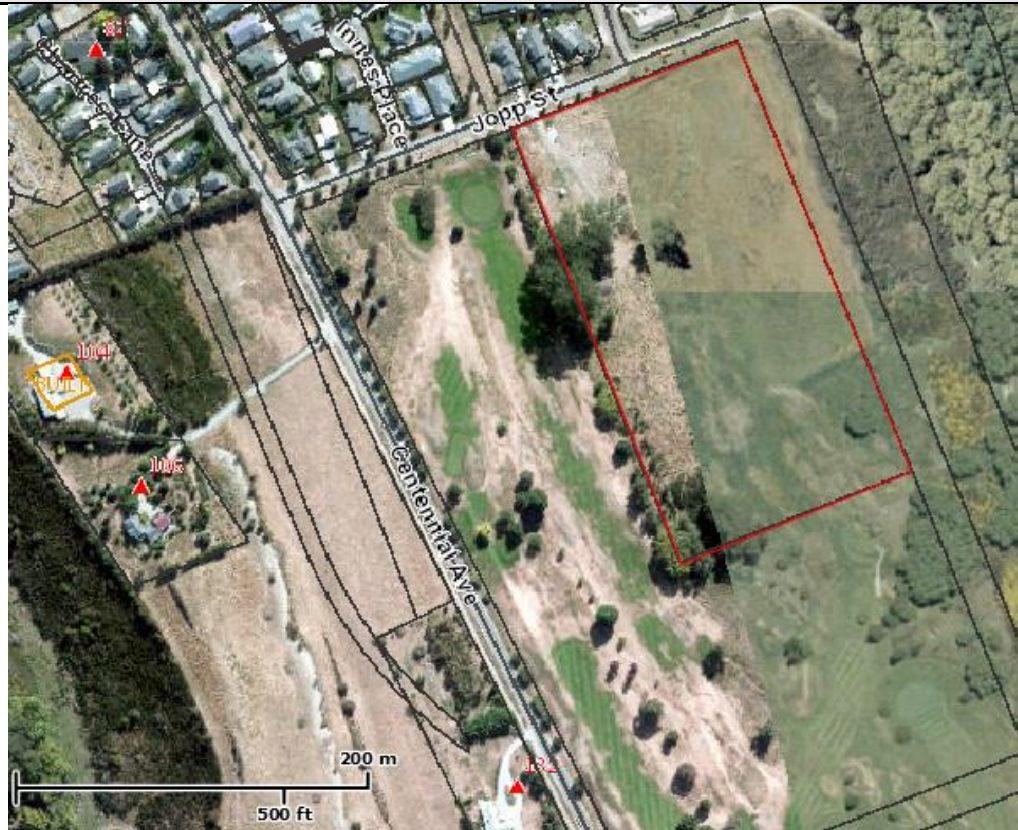


Figure 3: Aerial photo – site subject to submission outlined in red.

Stage 2 PDP Map 27 (excerpt)



Figure 4: PDP stage 2 re-zoning (green shaded – Community Purpose-Golf Course, Blue shaded – Wakatipu Basin Rural Amenity Zone)

- 11.3** Also of relevance is submitters 154, 221, 244, 265, 341, 423, 569, 597, 814, 824 and 831 who seek an extension of the UGB to the south, but do not specify any specific boundary of that extension. My reasoning on Submissions 2299 and 2511 applies also to those general submissions.
- 11.4** Both Lot 1 DP 300390 and Lot 2 DP 300390 are currently under the ownership of the Council.
- 11.5** The part of Lot 1 DP 300390 subject to submission 2299 is currently used as a golf course by the Arrowtown Golf Club containing holes 15 and 16. On the opposite side of Centennial Avenue, the future presence of a number of rural living dwellings set back from the road is anticipated by the Arrowtown South Special Zone (refer Arrowtown South Structure Plan in Figure 8 below).
- 11.6** The land subject to submissions 2299 and 2511 immediately adjoins the southern extent of Arrowtown's UGB and is bounded by Centennial Avenue, Jopp Street, unformed road reserve along the Arrow River, and the Arrowtown Golf Course.



Figure 5
Photograph showing the land subject to submission 2299 and 2511 (looking west down Jopp Street).



Figure 6
Photograph showing the land subject to submission 2299 and 2511 (looking south from Jopp Street).



Figure 7
Photograph showing the land subject to submission 2299 and 2511 (looking south onto the Arrowtown Golf Course at the intersection of Jopp Street and Centennial Avenue).

11.7 In their submission, QLCHT advise that they have created a master concept plan for up to 67 lots on the 3.7 Ha site (being Lot 2 DP 300390), however, no plans were specifically included with their submission (and the structure plan for submission #88 is only for 25 lots and does not include the whole submission area). QLCHT state that there is sufficient capacity within the Council's wastewater network to service this level of development, and that, subject to minor remedial or management measures relating to soil contamination on site (discussed further below), it would be suitable for residential use. No specific reports were included as part of the submission in regard to these matters.

11.8 The QLCHT note in their submission that they have undertaken preliminary discussions with the Arrowtown Golf Club with a view to a land swap. No specific correspondence was included with the submission detailing the nature of this discussion.

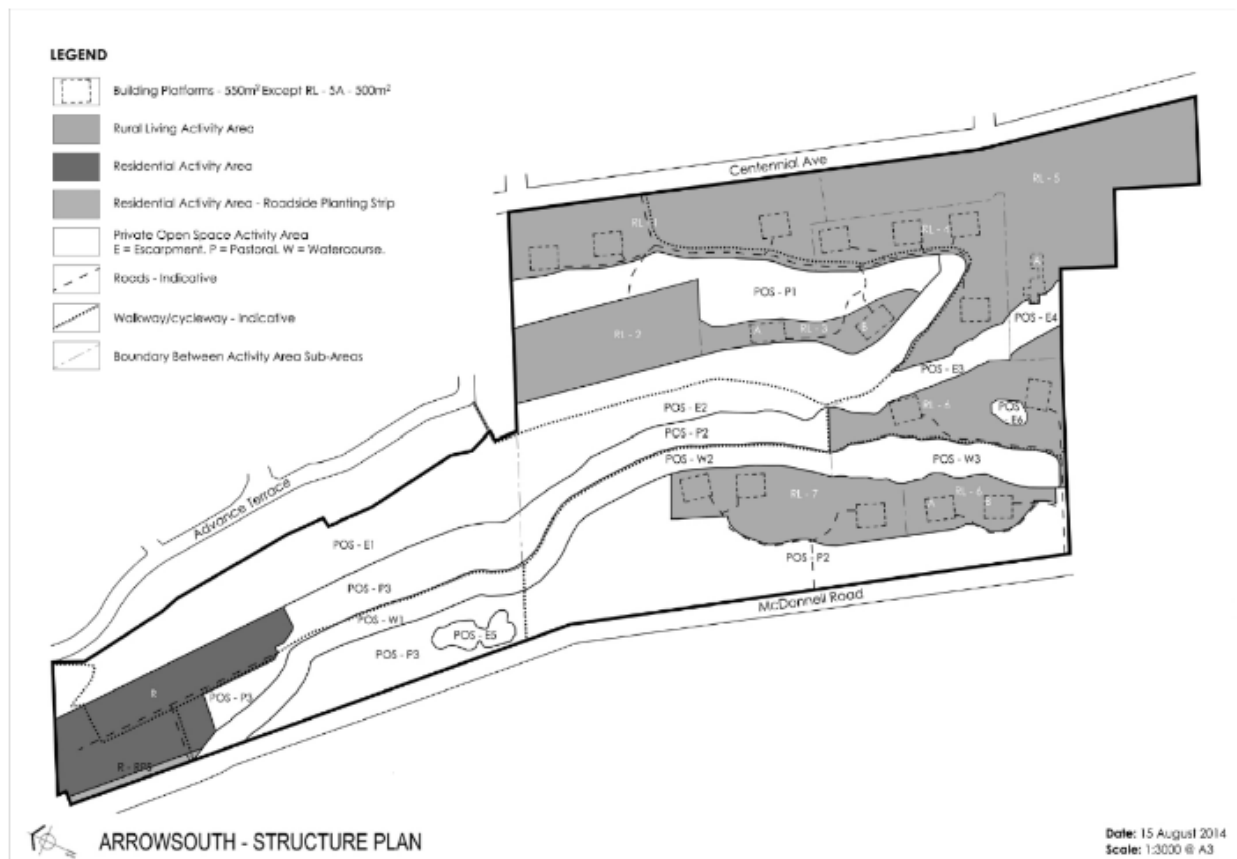


Figure 8
Arrowtown South Special Zone Structure Plan.

11.9 I now assess the suitability of the land in terms of Policy 4.2.1.4(c).

Topography and Landscape

- 11.10** In the context of Policy 4.2.1.2 and 4.2.2.3, the land at Lot 1 and Lot 2 DP 300390 is clearly located adjacent to Arrowtown, being situated immediately next to the settlement's established Stage 1 LDSRZ. The site is situated approximately 1.9 km from Arrowtown's town centre and within walking distance of public transport routes, community and education facilities. It is also noted that a small area zone Local Shopping Centre by way of Stage 1 of the PDP is proposed to be located at 32 Adamson Drive, approximately 1.2 km from Jopp Street.
- 11.11** Ms Mellsop's evidence for the Council considers the site to be part of the same landform as the existing area of LDSRZ development located immediately across Jopp Street to the north, which does not breach any topographical features or characteristics that assist to define Arrowtown as an urban settlement.
- 11.12** Although urban development on this site may be visible from the margins of the Arrow River, Ms Mellsop considers that built form in this location would be perceived as a logical extension of urban form and would not detract from the visual amenity of users or the natural character of the river margins.
- 11.13** That part of the land which fronts Centennial Avenue is considered by Ms Mellsop to be the most visually sensitive part of the site on account of its proximity to the road and the sense of openness it contributes to this area which functions as an entry point into Arrowtown. Despite this, Ms Mellsop considers that existing levels of amenity in this location could be maintained through the use of landscaping and generous building setbacks of at least 20 metres.
- 11.14** In summary, Ms Mellsop does not oppose the relief sought by the submitter, subject to the imposition of appropriate measures that would protect the visual amenity and character of this southern approach to Arrowtown.
- 11.15** I concur with Ms Mellsop's comments outlined above. In particular, I am of the opinion that the site has a high capacity to absorb visual effects of urban development with the use of vegetative screening such

that it would not adversely degrade the sense of openness in this location as directed by Policy 4.2.1.5. Further, the site's recognisable topographical association with existing LDSRZ development immediately across Jopp Street to the north would provide for a seamless extension to the existing urban landscape.

- 11.16** However, I do not consider that a 20 metre building setback is necessary in this location. I am of the opinion that this building setback could be reduced to 10 metres. A reduced building setback and landscaping consistent with current plantings along Centennial Avenue better recognises the site's capacity to adsorb development and would more effectively integrate development on the land with the existing urban context.

Ecological, heritage and cultural considerations

- 11.17** Submitter 2299 did not directly address ecological, heritage and cultural considerations as part of their justification. However, the Council does not hold any specific information in regard to this site which would suggest it has uniquely identifiable ecological and/or cultural characteristics that would exclude it, or conversely qualify it, for inclusion within the UGB. Mr Davis⁵⁸ evidence for the Council raises no ecological concerns for this site.

- 11.18** I do not consider that urban development on this site would adversely affect any heritage values or features specifically defined and/or protected in Arrowtown. It is also noted that the site does not directly interact with those boundaries of the ARHMZ, any Historic Heritage Precinct, Heritage Protection Order or Protected Tree, and it is not considered that the adjoining LDSRZ land situated to the immediate north contains any unique heritage characteristics that would be adversely effected.

Natural Hazards

- 11.19** In terms of natural hazards, it is known that the land identified by submission 2299 is subject to liquefaction risk LCI 1 (P) representing a low level liquefaction hazard (identified on Council's online GIS

⁵⁸ Statement of Evidence of Of Glenn Alister Davis On Behalf Of Queenstown Lakes District Council, Ecology - Wakatipu Basin Variation Area, 28 May 2018

maps⁵⁹). It is not uncommon for the Council to approve development on land subject to LCI 1 (P) hazard, however specific assessment may be required to definitively assess the degree of risk on a site specific basis. Chapter 28 (Natural Hazards) specifically recognises that natural hazards pose a risk to people and the built environment (Objective 28.3.1) and that development on land subject to natural hazards only occurs where this risk is appropriately managed (Objective 28.3.2 and Policy 28.3.2.3) This can be addressed at subdivision consent.

- 11.20** Part of submitter 2299's site at Jopp St (Lot 2 DP 300390) is identified as being contaminated due to its former use as an oxidation pond. Council records show that a detailed site assessment was carried out on this site in 2013.⁶⁰ This assessment found that the site complies with the soil contaminant standards (**SCS**) for 'residential' and 'recreational' scenarios for all metals, but exceeds the SCS for 'rural residential/ lifestyle block' for arsenic. The relevant requirements of the NES (soil contaminants) would apply to any development of the site, and no additional provisions are needed in any plan provisions to address this. The submitter states that they have carried out soil analysis that confirms the site as suitable for residential use subject to remedial action although no further information was submitted about any such remedial action.

Infrastructure and servicing

- 11.21** The submitter states that they have undertaken wastewater modelling that has shown sufficient capacity within the Council's existing network to accommodate 67 lots on the site. No specific modelling data was included with the submission.
- 11.22** Potential yield on this site under an LDSRZ zoning with a minimum lot size of 450 m² (Chapter 27 decision Rule 27.6.1) would provide for up to 102 lots (taking into account a gross site area of approximately 67,780 m² and subtracting 32% for roads and reserves producing a net site area of approximately 46,090 m²). It is not clear from the submission whether if the balance of lots possible under LDSRZ zoning

⁵⁹ <https://www.qldc.govt.nz/council-online/maps/gis-mapping/>

⁶⁰ Detailed Site Assessment, Decommissioned Arrowtown Oxidation Ponds, August 2013

has been factored into the submitter's wastewater modelling. It should also be acknowledged that the provision of a building setback/restriction area as recommended by Ms Mellsop would further reduce the yield potential.

11.23 Ms Jarvis' evidence for the Council notes that the land subject to this submission is not located within any current water or wastewater scheme boundary, but has been included within the Arrowtown Water Model.

11.24 To be sufficiently serviced by wastewater infrastructure the site would require connection to the Norfolk Street pumping station. Ms Jarvis⁶¹ advises that this pumping station has known constraints, but that upgrades are provided for within the draft Ten Year Plan (2018 – 2028) to provide for future capacity, including that identified on the subject land. Ms Jarvis⁶² also advises that the wastewater gravity network would require extension to connect to the site and may require a new wastewater pumping station internal to the site. Overall, however, Ms Jarvis advises that the receiving wastewater network has sufficient capacity for LDRZ density development on the site.

11.25 In terms of water supply, Ms Jarvis⁶³ advises that the local reticulation network would require extension to the site but that it would not require significant upgrades. Ms Jarvis also notes that new hydrants would need to be installed to support the site.

11.26 In summary, Ms Jarvis⁶⁴ outlines that she does not oppose the relief sought by submitters 2299 and 2511 in terms of water or wastewater infrastructure subject to the cost of extensions being borne by the developer and not offset against development contributions.

11.27 In the absence of any evidence to the contrary, I concur with those comments made by Ms Jarvis and am satisfied that the relief sought by the submitters could be supported by the Council's water and wastewater infrastructure subject to upgrades planned by the Council and appropriate extensions provided at the cost of the developer.

61 Paragraph 77.4

62 Paragraph 77.5

63 Paragraph 77.6

64 Paragraph 77.9

Transport

- 11.28** Mr David Smith⁶⁵ in his evidence for Council has acknowledged the potential yield of the site both in terms of the 67 lots described in the submission as well as the potential for a higher yield that could be obtained from the wider application of LDRZ densities across the site (102 lots).
- 11.29** Mr Smith considers that residential development in accordance with the relief sought could be accommodated without any significant impact on the safety and efficiency of the local road network. However, Mr Smith advises that the access onto Jopp Street would likely need to be upgraded before any development takes place on the subject land. Ms Smith advises that other improvements to cater for potential demand on Jopp Street could be addressed through future resource consent processes. Mr Smith does not consider that the intersection between Jopp Street and Centennial Avenue presents any significant safety concerns.
- 11.30** Mr Smith considers it likely that traffic to and from Queenstown from this locality would likely travel via SH6 and over the Shotover Bridge, where there is a capacity concern. Seen in isolation, Mr Smith considers that any additional traffic volume generated by the relief sought is unlikely to be noticeable and could be accommodated within the capacity of the existing network. However, in the context of other rezoning requests within the Wakatipu Basin, Mr Smith considers that this additional volume would negatively impact the long-term performance of the roading network. On this basis, Mr Smith opposes the relief sought.
- 11.31** In general, Mr Smith opposes zoning relief that would allow for increased development because of the cumulative significant impact on the efficiency of the network on the Shotover Bridge that would necessitate significant investment that has not been planned (except for the \$500,000 for *“initial work associated with an additional crossing near the Edith Cavell bridge at Arthurs Point, near Queenstown, for all*

65 Statement of Evidence Of David John Robert Smith, Traffic and Transportation, 28 May 2018

modes.” Allocated under the Regional Land Transport Plan). These concerns need to be considered holistically and include an assessment of the effect of the \$2 bus fare and the Park and Ride facility that is proposed in order to reduce traffic movements across the Shotover Bridge and across the wider roading network in the Wakatipu Basin. I accept that investments in infrastructure on this scale cannot be assumed to be a foregone conclusion and such investments must be carefully planned and prioritised in the context of other potential competing projects and limited funding. However, I note that Queenstown is New Zealand’s fastest growing district that plays an increasingly critical role in the region and nation’s economy.

11.32 The pressure of a growing Queenstown economy and growth from already consented developments in this area will necessitate investment in this critical route that resolves these capacity constraints within a reasonable time horizon. Protecting the capacity of the bridge in the meantime as a “dead hand” that prevents all additional urban growth north of the bridge is not tenable in my view. However, it provides further evidence that all development on the wider roading network needs to be considered holistically.

11.33 I conclude that the site at Lot 1 (part of) and Lot 2 DP 300390 is appropriate to be rezoned LDSRZ and for inclusion within the UGB. The recommended relief is shown below in **Figure 5**. The effects of development on this site in terms of the range of considerations contained in Chapter 3 (Strategic Direction) and Chapter 4 (Urban Development) could be sufficiently absorbed through the use of appropriate mitigation measures (vegetative screening along Centennial Avenue) and the local capacity of roading, service and infrastructure networks are sufficient for potential LDSRZ yields across the site.

11.34 The submitter’s relief would provide a more appropriate zoning regime for the site than that proposed by way of the notified mix of Amenity Zone and Community Purpose – Golf Course. The notified zoning would not provide any practical pathway for residential development of this site, which, as described above, is a logical extension to Arrowtown’s established residential settlement. Further, it is considered that Lot 2 DP 300390 represents a form of spot zoning,

being isolated from those larger tracts of land zoned Amenity Zone and which clearly contribute to the high quality open rural amenity of the wider Wakatipu Basin. While the relief sought would result in a loss of 'Community Purpose' zoned land, it is not considered that this would adversely affect the provision of passive/active recreation opportunities in this locality. Approximately 34.5 Ha of land would remain zoned Community Purpose – Golf Course and would continue to provide for passive/active recreation opportunities.

- 11.35** Therefore, submissions 2299 and 154, 221, 244, 265, 341, 423, 569, 597, 814, 831 are accepted in part. For completeness, I confirm that in recommending acceptance in part of these submissions, I am still recommending that the parts opposing the notified MDRZ, are rejected.

Chapter 27 amendments

- 11.36** In order to give effect to this relief, one additional objective (27.3.13), three policies (27.3.13.1 – 27.3.13.3) and a new set of rules (27.7.10) have been recommended for inclusion within Chapter 27 (Subdivision and Development) that would provide for subdivision and development on the site as a restricted discretionary activity. It is also recommended that Planning Map 27 be amended to identify a Building Restriction Area along the boundary of the zone with Centennial Avenue. The recommended provisions are outlined below and are accompanied with analysis in terms of Section 32AA of the RMA.

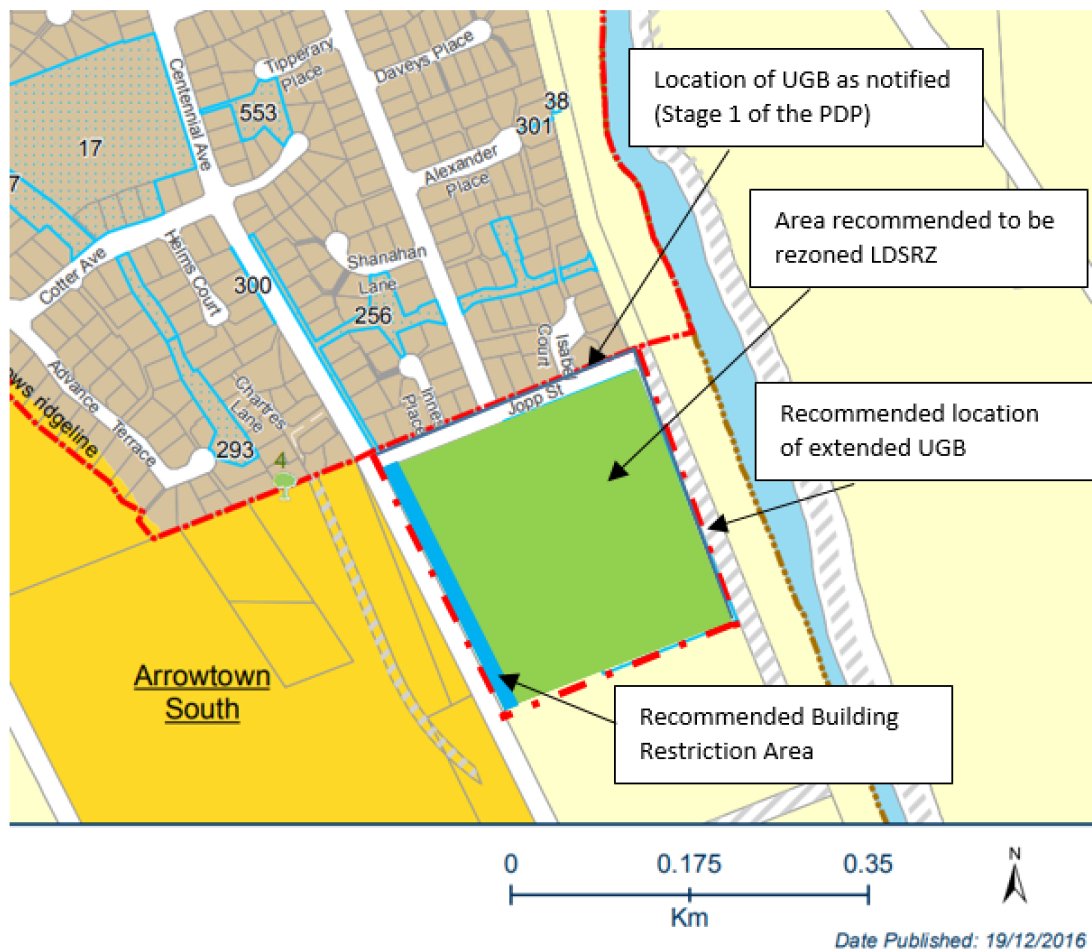


Figure 9

Excerpt of planning map 27 illustrating the area recommended to be rezoned from Amenity Zone and Community Purpose – Golf Course to LDSRZ, and showing the recommended extension to the Arrowtown UGB.

11.37 I recommend that the following Objective 27.3.13 be inserted in to Chapter 27:

27.3.13 *Lower Density Suburban Residential Zone located on the southern side of Jopp Street and east of Centennial Avenue, Arrowtown: Subdivision and development is well integrated with the adjacent settlement and roading pattern, and effectively manages Centennial Avenue’s role as a gateway into Arrowtown.*

11.38 The recommended objective would give effect to those higher order objectives and policies of Chapter 3 (Strategic Direction) and Chapter 4 (Urban Development), in particular, Objectives 3.2.2 and 4.2.2A, and Policies 3.2.2.1(h) and 4.2.2.5, as well as district-wide Chapter 27, Policy 27.2.2.4.

11.39 The recommended objective is also considered the most appropriate way to achieve the purpose of the RMA because it recognises and provides the basis for a policy framework to implement the Council's functions required by Section 31 of the RMA. The objective acknowledges that the Jopp Street site is suitable for residential subdivision and development and provides a pathway for this to occur. Considered within the context of the District's challenging housing affordability issues, the capacity to deliver additional LDSRZ housing would contribute to improving the social and economic wellbeing of the District's residents.

11.40 While providing for additional residential accommodation capacity, the objective also recognises that subdivision and development in this location needs to occur in a way that mitigates potential adverse effects. In particular, the objective seeks to provide for subdivision and development only where it is well integrated with the adjacent settlement and roading pattern, and where it effectively manages Centennial Avenue's role as a gateway into Arrowtown.

Roading and Access

11.41 Recommended Policy 27.3.13.1⁶⁶ and Rules 27.7.10.1 a – c:⁶⁷

27.3.13.1 Ensure that roading access arrangements to the zone is well integrated with the existing adjacent urban roading layout, provides for the safe and efficient operation of the intersection between Centennial Avenue and Jopp Street, and avoids any direct vehicular access onto Centennial Avenue.

27.7.10.1 Access and roading design:

- a. The primary access point into the zone is aligned with Devon Street.*
- b. Any connections to the roading network are only via Jopp Street.*

⁶⁶ Note that each recommended policy would sit together directly underneath the recommended objective

⁶⁷ Note that each recommended rule would sit together within a rule table specific to this zone

c. *There is no new vehicular access onto Centennial Avenue.*

11.42 The proposed provisions would impose costs on the developer associated with designing subdivision and development that integrates well with the existing adjoining urban context and in funding any upgrades that may be necessary to the roading network in this location.

11.43 The provisions would however ensure that subdivision and development on the site is well integrated with the existing adjoining urban context in a way that would assist with achieving a cohesive and well-planned layout of the wider residential context. The provisions would therefore be consistent with relevant higher order Chapter 3 (Strategic Direction) and Chapter 4 (Urban Development) objectives and policies, including Objectives 3.2.2 and 4.2.2A, and Policies 3.2.2.1(h) and 4.2.2.5, as well as district-wide Chapter 27, Policy 27.2.2.4. Collectively, these higher order provisions seek to provide for integrated developments and accessibility that are connected to existing and planned neighbourhoods.

11.44 The provisions are effective and efficient in achieving Objective 27.3.13 as they clearly articulate a requirement for subdivision and development to appropriately integrate with the adjoining residential context in terms of roading access arrangements and to provide for the safe and efficient operation of the roading network.

Building Restriction Area: Landscaping and Boundary Treatment

11.45 Recommended Policy 27.3.13.2 and Rules 27.7.10.2 a – c:

27.3.13.2 The Building Restriction Area adjoining Centennial Avenue incorporates landscaping consistent with established plantings located along Centennial Avenue.

27.7.10.2 Building Restriction Area:⁶⁸

⁶⁸ Note that Rule 7.5.16 of the LDSRZ (decisions version) states that where a Building Restriction Area is shown on the District Planning Maps, no building shall be located within the restricted area. Resource consent for a non-complying activity is required to breach this rule. This rule is consistent with the outcomes sought for the LDSRZ located on the southern side of Jopp Street and east of Centennial Avenue, Arrowtown and can apply to the new Building Restriction Area without subsequent amendment.

- a. *The Building Restriction Area within the zone shall be contained within a single allotment and held within the ownership of a single entity.*
- b. *The provision of landscaping within the Building Restriction Area designed to complement existing roadside plantings along Centennial Avenue. A landscape plan shall be submitted with any future application for subdivision consent and must detail the following:*
 - i. *The design, density and species of landscaping within the Building Restriction Area. Species used shall only comprise the following:*
 - A. *Betulus jacquemontii – Himalayan birch*
 - B. *Quercus robur fastigiata – Fastigate oak*
 - C. *Tilia cordata – Linden lime*
 - D. *Alnus cordata – Italian alder*
 - E. *The existing row of Silver Birches located on the boundary of the site with Centennial Avenue may also be retained as part of any landscape design*
 - ii. *A management strategy detailing the ongoing management of landscaping within the Building Restriction Area by the landowning entity or an alternative arrangement as agreed with Council.*
- c. *Any boundary treatments (i.e. fence type) for allotments adjoining the Building Restriction Area shall not exceed 1.2 metres above ground level, be in the colour range of browns, greens or greys with an LRV not exceeding 35 per cent , and comprise no more than 50 per cent solid or impermeable material.*

11.46 The provisions would impose costs on the developer as a result of being unable to develop the Building Restriction Area within the zone and in association with designing and implementing the required landscaping. The provisions relating to boundary treatments would limit design options for future potential owners of allotments that adjoin the Building Restriction Area, however this is considered to pose only a minor constraint.

- 11.47** The provisions do however effectively acknowledge the location of the site within the outer edge of Arrowtown's UGB and Centennial Avenue's function as a gateway into Arrowtown. The 10m wide Building Restriction Area (to be depicted on Planning Map 27), associated landscaping and requirement for unobtrusive boundary treatments would soften the visual effects of the urban edge in this location and maintain similar setbacks from Centennial Avenue to those present within the adjoining existing urban context. To achieve this through another method, such as introducing a bespoke set of rules that would apply to any development adjoining a UGB and/or Building Restriction Area, or to apply split zoning across the site would not be as efficient or effective.
- 11.48** The provisions would assist in achieving Policy 4.2.2.20 (a) that seeks to ensure that development within Arrowtown's UGB is consistent with the town's character and 4.2.2.20 (c), which seeks to ensure the provision of a designed urban edge and landscaped gateways where development abuts the UGB. The provisions would also limit opportunities for the fragmentation of the Building Restriction Area by requiring its formation as a single allotment that is also held in a single ownership.
- 11.49** The provisions would be effective and efficient in achieving Objective 27.3.13 as they provide the means by which Centennial Avenue's function as a gateway into the settlement can be effectively managed in the context of subdivision and development.

Building Restriction Area: Cycle and Pedestrian Trail

- 11.50** Recommended Policy 27.3.13.3 and Rule 27.7.10.13 a and b

27.3.13.3 Require the formation of a cycle and pedestrian track within the Building Restriction Area adjoining Centennial Avenue that links with the existing formed trail on the eastern side of Centennial Avenue.

27.7.10.3 Cycle and pedestrian trail:

- a. *The construction of a cycle and pedestrian trail formed to Council standards within the Building Restriction Area required by 27.7.10.2 that provides for linkages with the existing trail along Centennial Avenue.*
- b. *The creation of an easement or other method as agreed with Council to provide public access over the Building Restriction Area and the cycle and pedestrian trail.*

11.51 The recommended provisions would impose (currently unquantified) costs on the developer in order to design and implement the cycle and pedestrian trail.

11.52 However, the benefits of the provisions are that they promote integration with existing and future trails through the wider urban context. The ongoing management and efficient use of this trail would be provided for by way of its location within the single allotment occupied by the Building Restriction Area (recommended Rule 27.7.10.2a), specific exclusion of vehicle crossings onto Centennial Avenue (recommended Rule 27.7.10.1c), and through the creation of an easement or other access instrument. The recommended provisions assist in achieving those higher order Chapter 3 and Chapter 4 provisions, including Policies 3.2.2.1(a), 3.2.2.1(h) and Objective 4.2.2A, which seek to facilitate a more coordinated and integrated approach to urban form and infrastructure provision. Policy 4.2.2.4 specifically encourages urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks. Policy 27.2.2.4, which seeks to provide for good and integrated connections and accessibility to trails.

11.53 The provisions would be effective at achieving Objective 27.3.13 as they specifically seek to ensure the provision of development on the site that is well integrated with the adjacent settlement in terms of its active transport networks and outline the method required to provide ongoing public access.

11.54 LDSRZ Rule 7.4.11 states that activities not listed in the activity rule table (Table 7.4) require non-complying activity resource consent. Trails are not listed within Table 7.4, and therefore the

implementation of recommended Rule 27.7.10.3(a) would trigger the need for a non-complying activity resource consent. This situation therefore necessitates the inclusion of a new rule that permits a trail within the Building Restriction Area of the LDSRZ located on the southern side of Jopp Street and east of Centennial Avenue, Arrowtown. It is recommended that the following rule be inserted within Table 7.4:

7.4.x Trails for cycle and pedestrian access within the Building Restriction Area of the LDSRZ located on the southern side of Jopp Street and east of Centennial Avenue, Arrowtown – Activity Status: Permitted.

- 11.55** Overall, it is anticipated that the recommended provisions would provide short to medium term employment as a result of the construction and engineering operations necessary to implement the subdivision and resultant development. It is also acknowledged that the provisions act to maintain those visual amenity values present at this gateway into Arrowtown in a manner which seeks to conserve the attractiveness of the settlement as a tourist destination. As such, it is not considered that subdivision or development within the zone would reduce economic growth associated with tourism in this locality.
- 11.56** In regards to this matter, it is acknowledged that the recommended relief would remove an area of land from the existing golf course. However, in the absence of any evidence to the contrary, it is not considered that removing this land from the golf course operation would significantly impact its economic viability. Further, it is noted that no submissions or further submissions have been received from or on behalf of the Arrowtown Golf Club in regard to this matter.
- 11.57** Alternative methods have been considered as a means to give effect to the relief. In particular, consideration was given to excluding that part of the zone located over Lot 1 DP 300390 (the golf course land) as a means to give effect to those provisions which relate to the identification of the Building Restriction Area. However, it is not considered that this would be an efficient or effective means of giving effect to the recommended objective as it would not provide for the

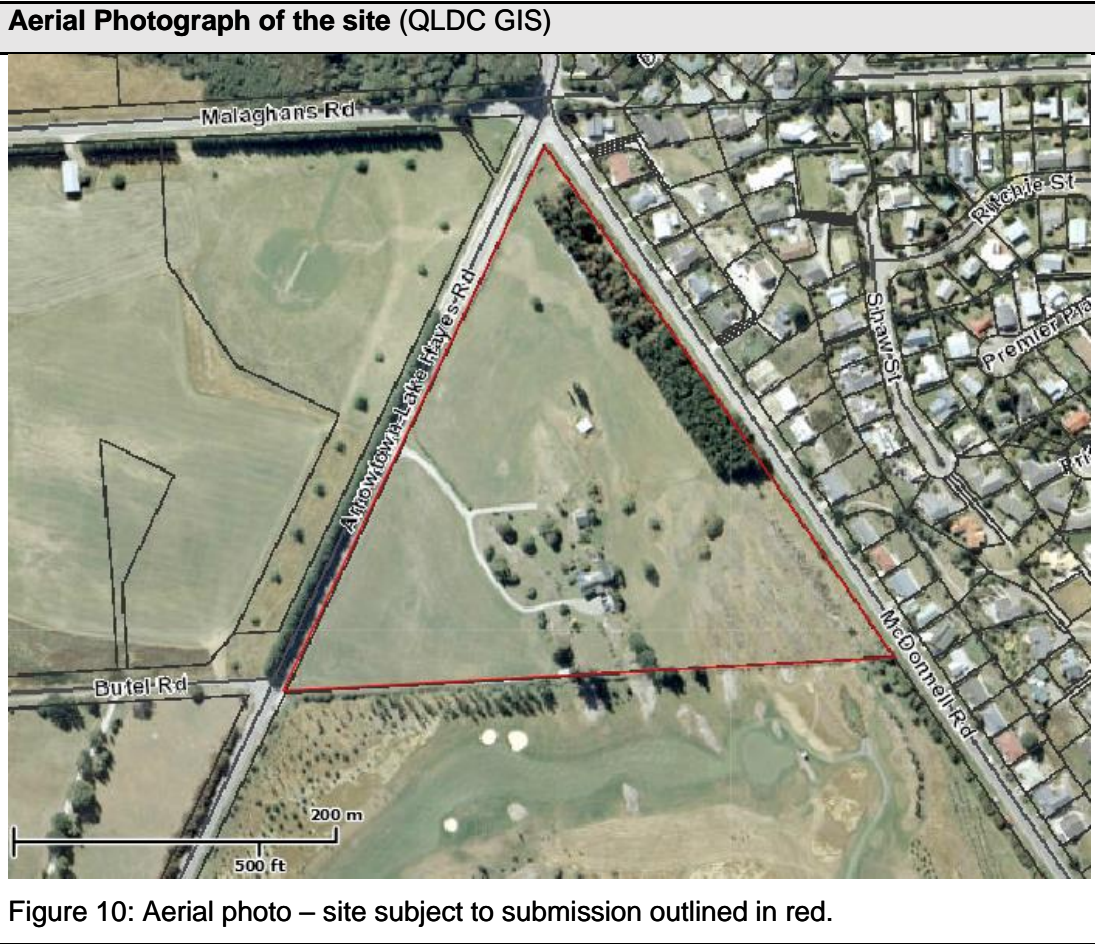
integration of the zone with the adjoining urban context in terms of landscaping, setbacks, and cycle/pedestrian trail connections. Further, this alternative relief would provide a degree of visual screening well beyond that necessary in this context.

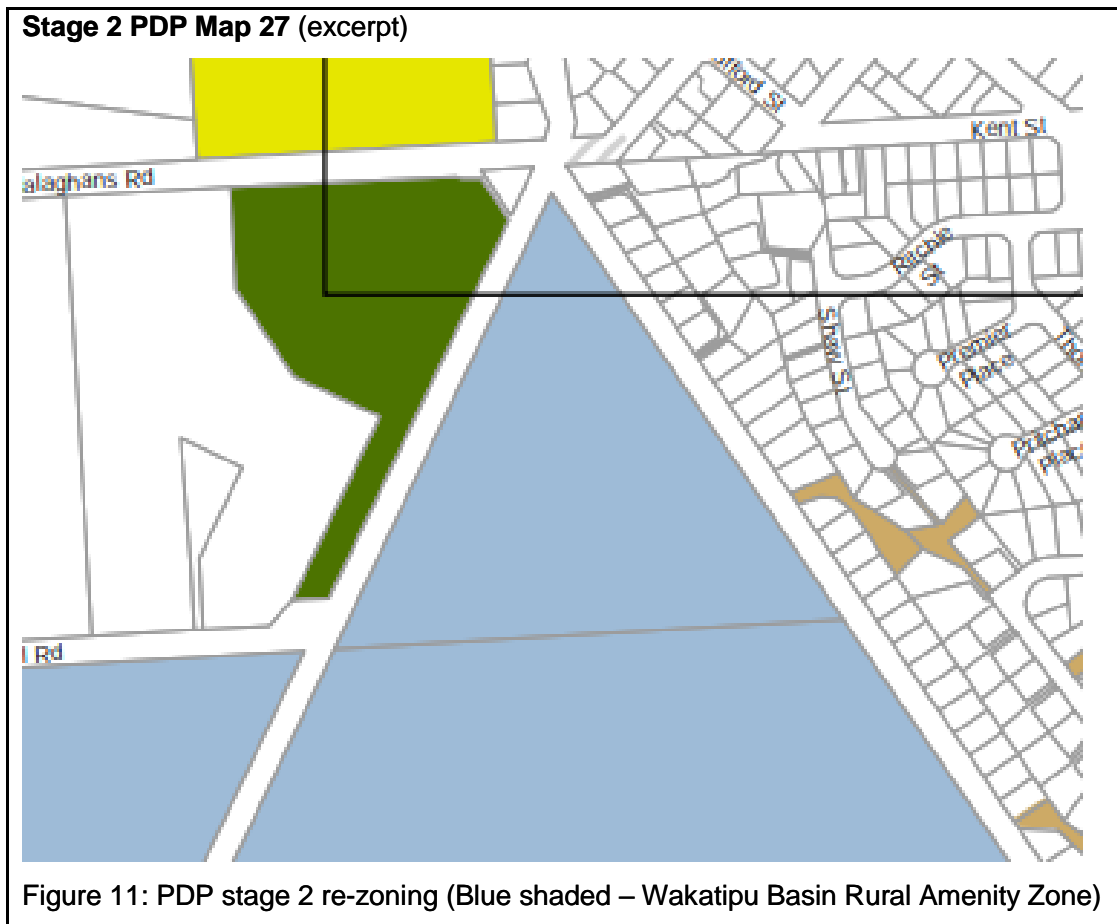
12. A FEELEY, E BORRIE & LP TRUSTEES LIMITED (2397)

12.1 Submitter 2397 has requested that Amenity Zone at Sec 9 BLK VII Shotover SD be rezoned to LDSRZ in accordance with a structure plan and, consequently, that Arrowtown’s UGB be extended to incorporate the site.

Overall Recommendation	
Recommendation	Reject
Property and submission information	
Submission Points and Further Submission Points	Submission 2397.1 FS2716.2 – Support FS2796.1 – Support Submission 2397.2 FS2716.3 – Support FS2796.2 – Support
Land area/request referred to as	At the corner of McDonnell Road, Arrowtown Lake Hayes Road and Malaghans Road.
Stage 1 PDP zone and any mapping annotation	Rural (replaced by variation)
Stage 1 Zone requested and any mapping annotation requested	n/a
Stage 2 PDP Zone and any mapping annotations	Amenity Zone
Stage 2 Zone requested in submission	LDSRZ
Supporting technical information or reports provided with submission	Site - Structure Plan
Legal Description	Sec 9 BLK VII Shotover SD
Area	6.2 Ha (approximated from QLDC GIS)
QLDC Property ID	29203 - 29205

QLDC Hazard Register	Liquefaction Risk: LIC 1 (P) Probably low risk but requires specific investigations.
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12.2 The site subject to this submission is located at the intersection of Arrowtown - Lakes Hayes Road, Malaghans Road and McDonnell Road. The land is shown in Figures 10 - 13. The site is triangular in shape and flat to undulating in contour. It currently contains one substantial dwelling set back approximately 150 metres from Arrowtown – Lake Hayes Road, and a few sheds/garages surrounded by exotic vegetation.

12.3 While the submission requests that the entirety of the site be rezoned LDSRZ and included within the UGB, a structure plan was included with the submission that would limit potential development yields across the site. This structure plan limits LDSRZ development to a 70-metre strip along McDonnell Road with an area of approximately 19,962.3 m². Excluding 32% of this gross area for roads, stormwater etc, this would provide a net LDSRZ area of approximately 13,574.5 m² yielding 30 lots under Decisions Rule 27.6.1 (Standards for Minimum Lot Areas – Chapter 37 – Subdivision and Development). The remaining part of the site comprises a 25-metre landscape protection

set-back along Arrowtown – Lake Hayes Road, and specifies a limit of 5 residential units at a density of about one dwelling per 7,000 m².



Figure 12

Photograph showing the land subject to submission 2397 (looking south at the intersection of McDonnell Road, Arrowtown-Lake Hayes Road and Malaghans Road).



Figure 13

Photograph showing the land subject to submission 2397 (looking south).

- 12.4** The submitter considers that the site's proximity to Arrowtown's town centre, reserve land, education providers, public transport, and council

services qualify it for urban rezoning. Further, the submitter outlines that the site's topography and close association with existing LDSRZ land to the east gives it the capacity to absorb development of the kind requested.

- 12.5** The Wakatipu Basin Land Use Study was used to inform the zoning framework proposed by way of notified Chapter 24 (Wakatipu Basin) and identified this site as part of a 'South Arrowtown Precinct' with a 'high' capability to absorb development at low to medium densities of 1:450 m² and 1:250 m² respectively.⁶⁹ This view was not supported by the Council in its more detailed analysis of the land in question prior to notification, as it was considered that the site contributes to the wider rural amenity values of the Wakatipu Basin.⁷⁰ I now turn to Policy 4.2.1.4(c).

Topography and Landscape

- 12.6** Ms Mellsop considers that development of the type proposed in this location would 'breach the current containment of Arrowtown's urban form by McDonnell Road' and could provide a precedent for further development sprawl into the rural land to the west.
- 12.7** Ms Mellsop disagrees that the entirety of this site is topographically distinct from the wider Wakatipu Basin, such that it is largely contiguous with the undulating nature of land comprising The Hills Golf course located to the south.
- 12.8** Ms Mellsop does not consider that the landscape protection set back of 25 metres from Arrowtown - Lake Hayes Road would be sufficient to maintain the valued visual amenity and spaciousness of this approach to Arrowtown, which is an important scenic route. In her view, both the LDSRZ and rural residential type development are likely to be visible. While Ms Mellsop acknowledges that vegetative screening could be established to assist with mitigating visual effects, she states that any such screening would likely obstruct views from the road to the Crown Escarpment and Crown Range.

⁶⁹ Wakatipu Basin Land Use Study, Final Report, March 2017

⁷⁰ Section 32 Evaluation Report, Chapter 24 Wakatipu Basin, Wakatipu Basin Rural Amenity Zone and Lifestyle Precinct (for Proposed Variation to the PDP), November 2017

- 12.9** Taking into account the wider landscape character of this part of the Wakatipu Basin, Ms Mellsop opposes the relief sought by the submitter.
- 12.10** I concur with Ms Mellsop's comments. Although the site could be considered 'adjacent' to Arrowtown in terms of its proximity to the town centre and existing dwellings, I am of the opinion that this site is topographically distinct from Arrowtown's established urban settlement. While it is acknowledged that LDSRZ land is located immediately across McDonnell Road, it is considered that this existing development forms a distinct urban edge, 'end point' or constraint to Arrowtown's contiguous urban form. This is exaggerated by the prominent escarpment which rises immediately behind those dwellings which front McDonnell Road and the noticeable lack of built form within the substantial fan of rural open land occupying the area between McDonnell Road and Malaghans Road. Additionally, the effect of the junction created at the intersection of McDonnell Road, Malaghans Road and Arrowtown-Lake Hayes Road cannot be ignored. In its current form, this intersection abruptly disrupts any direct relationship between the site and Arrowtown's established urban boundary.
- 12.11** Turning to those matters raised in Policy 4.2.1.5 concerning those values derived from open rural landscapes, it is considered that the site forms a significant area and visually prominent part of the open rural landscape at Arrowtown's primary gateway. Any form of urban development, including screen planting, would significantly alter the sense of openness in this locality and derogate those values of the wider rural landscape in this location.
- 12.12** Taking into account those conclusions above, it is considered that the relief sought by the submission would infringe the direction provided at Policies 3.2.2.1(e) and 4.2.2.13 regarding the need to avoid urban sprawl into the District's rural areas.
- 12.13** In regard to the matter of urban development at the edge of Arrowtown, the submitter considers that the proposed structure plan would provide for a 'graduated approach to density and form at the edge of the Arrowtown township rather than a boundary like approach',⁷¹ which has

71 Paragraph 5.4

less severe and is akin to other entrances to Arrowtown such as at Manse Road or Centennial Avenue.

12.14 I disagree with the submitter in that the site is not comparable to land located along Manse Road or Centennial Avenue. As described at above, the subject land is highly prominent and located at the primary entrance into Arrowtown. Land located along Centennial Avenue, particularly at the location subject to submission 2299 is not considered highly prominent on account of those reasons described at section 11 of this report. Land along Manse Road has a similar capacity to absorb development to that associated with submission 2299. It is topographically distinct from that fan of open rural land located between McDonnell Road and Malaghans Road, being situated between Feehly Hill to the east and areas of steeply rising terrain to the north and west. Further, significant open space setbacks (between 100 and 160 metres) are provided for between Malaghans Road and residential development, along with an additional area of 'designed urban edge', by way of the ODP Meadow Park Special Zone Structure Plan.⁷² Open space set-backs of this scale could not be provided for on a site of the size subject to submission 2937.

12.15 It is also prudent in respect of this set of issues to take into account those potential negative externalities associated with providing an underlying zoning regime more liberal and subject to higher order objectives and policies than that of the submitted structure plan. In particular, it is acknowledged the site could be subject to future resource consent or plan change applications which may seek to modify, replace or remove altogether those limitations provided for by way of the structure plan. This situation is considered entirely plausible given the direction provided by way of Chapter 3 (Strategic Direction) and Chapter 4 (Urban Development) in terms of urban development being promoted on land contained within UGB's.

Ecological, heritage and cultural considerations

12.16 Submitter 2397 did not directly address ecological, heritage and cultural considerations as part of their justification. However, the Council does not hold any specific information in regard to this site

⁷² Operative District Plan, Chapter 12, Meadow Park Special Zone

which would suggest it has uniquely identifiable ecological and/or cultural characteristics, neither is it considered that the adjoining LDSRZ land contains any unique heritage characteristics that would be adversely effected by urban development on the site. Mr Davis'⁵⁸ evidence for the Council raises no ecological concerns for this site.

Natural Hazards

12.17 Council records show the site as being subject to low level liquefaction risk (LCI 1 (P))⁵⁹. I do not consider that the presence of this natural hazard would preclude the inclusion of the site within the UGB or for more general residential use.

Infrastructure and servicing

12.18 The submitter notes that Council water, wastewater and stormwater services are located within McDonnell Road immediately adjacent to the site. No further information was included by the submitter in regard to the capacity for these services to absorb additional development.

12.19 Ms Jarvis notes that the subject land is currently located outside of the Council's wastewater scheme, but within an existing water supply scheme boundary.

12.20 In terms of water supply, Ms Jarvis advises that the existing network should have adequate levels of service assuming development contributions are paid to offset necessary upgrades to borefields, treatment and reservoir storage. Ms Jarvis considers that the rezoning would create a significant additional load on the wastewater network in this area and would exceed existing capacity. No options to mitigate these effects have been detailed within the submission.

12.21 Based on the significant increase in sewer demand and insufficient capacity within the existing demand, Ms Mellsop opposes the relief sought.

12.22 In the absence of any over evidence, I concur with Ms Mellsop's evidence.

Transport

- 12.23** Mr Smith has assessed the relief sought in terms of traffic and transportation related matters. Mr Smith considers that access to development on the site could be safely provided from McDonnell Road.
- 12.24** Mr Smith considers that it unlikely that the local road network would experience significant effects if the site were to be developed in accordance with the submitted master plan (providing for approximately 34 units). However, if the entirety of the site was to be developed at LDSRZ densities (providing for approximately 93 units) Mr Smith's evidence is that the effects on the road network would be more noticeable, depending on the configuration of access arrangements.
- 12.25** Seen in isolation, Mr Smith considers that the effects of additional traffic volumes on the road network generated by the relief sought will not be noticeable. However, Mr Smith advises that the impact of additional traffic on the Shotover Bridge is of greater concern, and in the context of other rezoning requests within the Wakatipu Basin, Mr Smith considers that this would negatively impact the long-term performance of the roading network. On this basis, Mr Smith opposes the relief sought. Given this, Mr Smith opposes the relief sought by this submission.
- 12.26** In regard to Mr Smith's position on this matter, I refer to my discussion at paragraphs 11.29 – 11.30 outlining the Council's position that all development and its effects on the roading network more widely need to be considered in a holistic manner.

Recommendation

- 12.27** Taking into account the analysis and expert evidence set out above, and my earlier analysis on the UGB at Arrowtown, I recommend that the rezoning submission be rejected and that the UGB not be extended.

13. OTHER SUBMISSIONS / REASONS

Submissions filed in support

13.1 The following submissions were filed in support:

- (a) Submissions 177 and 445 supported the identification of the MDRZ across the District.
- (b) Submitter 177 considered that the provisions of the MDRZ would generally meet the purpose of the RMA and provide for the communities social and economic wellbeing.
- (c) Submitter 445 considered that the MDRZ would assist in creating a more vibrant township, assist in restricting the effects of urban sprawl and reduce the effects of congested traffic.

13.2 The relief requested by these submitters is consistent with the Council's established position and is therefore accepted.

Air Quality

13.3 Submitters 210, 276, 646, 752 objected to the proposed MDRZ in Arrowtown on the basis that Arrowtown suffers from poor air quality (accumulation of PM10 particulate material), particularly during winter months.

13.4 While it is acknowledged that air quality in Arrowtown can be affected by air inversion layers at particular times of year which may adversely impact air quality, the Otago Regional Council (ORC) is responsible for controlling discharges of contaminants into air and the capacity of air to assimilate a discharge⁷³. It is therefore outside of the scope of the PDP to impose standards relating to the management of discharges to air.

13.5 The ORC has recently begun a review of the Air Quality Strategy for Otago. The strategy acknowledges that those standards for air quality, as set out within the National Environmental Standards for Air Quality,

73 Section 30 of the RMA

have not been met in many parts of the Otago region. The strategy identifies Arrowtown as an area that experiences high levels of particulate matters (PM10) during the winter period. The draft strategy identifies that the reliance on burning wood and coal for home heating is a key issue and sets out the need to adopt cleaner heating options by supporting communities to move towards the use of low impact heating. While the strategy is currently in a draft form, it represents a policy direction of the ORC to proactively work towards improving air quality in the region.

- 13.6** Given the abovementioned assessment relating to air quality, I recommend that those submissions opposing the MDRZ be rejected.

Submitter 341

- 13.7** Submitter 341 requested that the UGB be extended to the northwest of Arrowtown. The submitter did not identify any specific sites for inclusion within the UGB. Land to the northwest of Arrowtown's established urban settlement (including the site subject to Submitter 2397's rezoning request) comprises a large area of open rural landscape which offers a high level of visual amenity at the main gateway into Arrowtown. For those reasons outlined at paragraphs 12.6 – 12.15 of this report, it is not considered appropriate for land in this area be included within the UGB or zoned for in a way which would provide for prudential intensification.

- 13.8** As such, the relief requested by Submitter 341 is rejected.

Submitter 155

- 13.9** Submitter 155 requests that options be provided within the District Plan for first home buyers currently living in and contributing to the Arrowtown Community. The submitter did not provide any specific 'options' for consideration.
- 13.10** The PDP aims to address a wide range of issues that contribute to housing affordability within the District. In particular, the decisions version of Stage 1 chapters have provided for upzoning and those

provisions relating to the bulk and location of buildings within residential zones will provide for residential development at greater densities.

- 13.11** It should also be noted that components of the notified Stage 2 PDP review directly address other factors which impact housing affordability, including the visitor accommodation variation. Chapter 29 (Transport) looks to address a range of matters relating to off-street parking provision which maintains a high cost of development which is passed onto property buyers.
- 13.12** On account of those matters outlined above, this relief is not supported.

Submitter 189

- 13.13** Submitter 189 requests that Arrowtown become a completely separate zone with a strong degree of protection so that it be maintained as a 'living historical village'.
- 13.14** Arrowtown was the subject of extensive assessment in terms of its heritage values by way of Stream 06 (residential zones including the ARHMZ), Stream 06A (Variation 1 – ADG 2016), and Stream 03 (including historic heritage), all of which formed part of the PDP's Stage 1 review process. This work evaluated the merits of the proposed zoning regime across Arrowtown and considered what provisions would provide the most efficient and effective means to protect its unique heritage values.
- 13.15** As discussed in section 6 of this report, the expert evidence of Mr Knott³⁰ (Heritage Urban Design consultant for Council) fed into this stream of work in respect of the proposed MDRZ and Variation 1. The Panel have released recommendations on the zone provisions for this stream of work (which were subsequently endorsed by Council) without any substantial shift in policy direction.
- 13.16** I am therefore satisfied that the protection of Arrowtown's core heritage values has been appropriately considered and therefore recommend that the submitter's relief is rejected.

Submitter 25

13.17 Submitter 25 requested that the north side of Stafford Street in Arrowtown not to be included within the MDRZ on account of it being higher than the surround sections.

13.18 Notified Maps 27 and 28 show that the north side of Stafford Street has been excluded from the MDRZ. Therefore this relief is accepted.

Submitter 618

13.19 As part of their relief, submitter 618 requests that a retirement village be built to free up housing in Arrowtown. The submitter does not identify where this retirement village should be located, and what form it should take.

13.20 It is not considered that the specific provision of specialised housing by way of the District Plan would be efficient or effective in providing additional affordable residential accommodation capacity in the District. Further, it is noted that two recent retirement village type developments have been approved in the Wakatipu Basin in the intervening time since Stage 1 submissions closed on 23 October 2015, including the Queenstown Country Club development comprising 322 residential units and a hospital facility, and the Arrowtown Lifestyle Retirement Village comprising 120 villas, 75 apartments and a specialist aged care home. These developments provide substantial specialised housing capacity for retired people.

13.21 Given the analysis outlined above, this relief is rejected.

Submitter 266

13.22 Submitter 266 requests that Buckingham Street be made into a walking mall with provision of deliveries outside of daytime shop hours.

13.23 It is noted that Buckingham Street traverses the Arrowtown Town Centre and a small area of the ARHMZ. It is a one way only carriage way with on-street parking provision. In the absence of any evidence

to the contrary, it is not considered that the current use of Buckingham Street gives rise to significant adverse effects which would require a shift in the way it is managed. Further, it is considered that this matter is best addressed through Council's role as the Road Controlling Authority or through the Transport Chapter. I note that this recommendation accords with the recommendation of the Hearings Panel⁷⁴ (which was subsequently endorsed by Council) in response to a similar submission (809) considered in Hearing Stream 08 on the Arrowtown Town Centre Zone.

- 13.24** The relief (submission point 266.1) sought by submitter 226 is therefore rejected.
- 13.25** Submitter 266 also requests that the Arrowtown South area be used to enhance the entrance to Arrowtown and to ensure that development in this area is sympathetic with the Arrowtown Area.
- 13.26** The matter of development to the south of Arrowtown's existing UGB has been addressed in my response to the specific relief sought by submitters 2299 and 2511 at section 9 of this report.
- 13.27** This relief (submission point 266.2) is accepted in part in so far as it relates to my recommendation in response to submitter 2299.

Submitter 752

- 13.28** As part of their relief, Submitter 752 requested that development in the Arrowtown area should be restricted to medium and high density 'hamlets' with buffer zones of at least 3 km between Arrowtown's UGB.
- 13.29** The provision of MDRZ and HDRZ land outside of an identified UGB would be inconsistent with the relevant higher order objectives and policies contained within Chapter 3 (Strategic Direction) and Chapter 4 (Urban Development).

⁷⁴ PDP Stage 1 Decision Report 11 at paragraphs 1056 to 1061
<https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-11-Stream-8-Chapters-12-13-14-15-16-17.pdf>

13.30 As such, the relief requested by submitter 752 is rejected.

Submitters 190,199, 204, 319, 341, 648, 752 and 132

13.31 Submitters 190, 199, 204, 319, 341, 648, 752 oppose the MDRZ on the basis that other parts of the District should provide additional residential housing capacity.

13.32 Submitter 132 requests that 'other options' be perused to provide urban development other than a MDRZ in Arrowtown.

13.33 To exclude the delivery of MDRZ type urban development in Arrowtown would not be consistent with those higher order Chapter 3 (Strategic Direction) and Chapter 4 (Urban Development) objectives and policies which direct the provision of infill intensification and a mix of housing typologies within existing urban settlements, including Arrowtown (Policy 4.2.2.20).

13.34 Consequently, I reject these submissions and their opposition to the MDRZ.

Submitters 99, 204, 264

13.35 Submitters oppose the MDRZ on the basis that additional housing density would place pressure on existing limited educational facilities within Arrowtown.

13.36 This matter was addressed by Ms Leith in her Section 42A report on Chapter 8 MDRZ at paragraph 13.61.

13.37 I therefore reject these submissions..

Submitter 752

13.38 Submitter 752 opposes the proposed MDRZ on the basis that the economic impacts of the zone on Arrowtown's residents has not been undertaken.

13.39 The costs and benefits of the MDRZ provisions was undertaken in accordance with Section 32 of the RMA and is contained within Ms Leith's reports for Chapter 8⁷⁵ and within the Panel's recommending report for Chapter 8.⁷⁶

13.40 I therefore reject this submission.

Submitter 560

13.41 Submitter 560 requests that the properties located to the south of Arrow Lane, specifically the land bound by Berkshire Street, Arrow Lane and Wiltshire Street, are contained in the new Arrow Lane Arrowtown Town Centre Transition Overlay (**ATCTO**).

13.42 The ATCTO provisions sit within Chapter 10 (Arrowtown Residential Historic Management Zone).

13.43 The purpose of the ATCTO is to provide for the limited expansion of commercial activities within an identified location adjoining the ARHMZ in a way that formalises the existing creep of town centre activities⁷⁷ and to ensure the viability of the town centre zone is not diminished.⁷⁸ Decisions version Map 27 shows that this ATCTO has been applied in a single discrete location along Buckingham Street and Merioneth Street. This location is well suited to the purpose of the ATCTO given its strong association with the Arrowtown Town Centre Zone (**ATCZ**) and current land use characteristics.

13.44 It do not consider that the area subject to submission 560 is comparable to the Buckingham Street/Merioneth Street ATCTO in terms of its association with the ATCZ or land use characteristics. In particular, this area of land, while accessible from Buckingham Street, is not closely associated with this core part of Arrowtown's Town Centre. Further, while the Montessori School operates in this location, it is clear that residential activities are the predominant land use and

⁷⁵ Ms Leith's Section 32 and Section 42a reports for the MDRZ

⁷⁶ Report 9A, Report and Recommendations of Independent Commissioners Regarding Chapter 7, Chapter 8, Chapter 9, Chapter 10 and Chapter 11

⁷⁷ Section 32 Evaluation Report, Arrowtown Residential Historic Management Zone.

⁷⁸ Section 42A Hearing Report, Chapter 10 Arrowtown Residential Historic Management Zone, 14 September 2016

town center uses are not present in the same way that they are in the Buckingham Street/Merioneth Street ATCTO.

- 13.45** Therefore, I do not considered that the ATCTO should apply in the area subject to this submission and recommend that the submission be rejected.

Submitter 852

- 13.46** Submitter 852 requested that Lot 1 DP 22733 (located just outside of Arrowtown's UGB as shown on Map 27) be rezoned from Rural Lifestyle to Industrial B Zone. While it is accepted that the notified Rural Lifestyle zoning is not the most appropriate given the existing industrial use of the site and surrounding area, the zoning of land for industrial purposes is subject to Stage 3 of the PDP review process.

- 13.47** Given this, I consider that a new special zone in this location is not appropriate, nor would it be appropriate to include the land within the Industrial A or B zone without a full review of this zone, which the submitter has not provided. Therefore there is no justification for bringing the Industrial A or B zone into the PDP by way of submission. This land could possible be subject to further investigation through Stage 3 of the PDP review.

- 13.48** I therefore reject the submission and the relief sought.

Submitter 651

- 13.49** Submitters 651 and 752 request that Arrowtown's existing boundaries be re-affirmed.

- 13.50** I reject this submission on the basis of those matters outlined at section 10 of this report.

Submitter 88

- 13.51** Submitter 88 (QLCHT submission from stage 1) expressed support for the MDRZ across the District, including at Arrowtown, and requested

that the land at Lot 2 DP 300390 be included within the UGB and that Chapter 4 be amended to enable the use of the site.

- 13.52** This submission and the relief it requests has been superseded by the QLCHT's submission (2299) on Stage 2 of the PDP which has been addressed at section 11 of this report.

A handwritten signature in blue ink, consisting of a stylized, cursive 'L' followed by a horizontal line extending to the right.

Luke Place
30 May 2018

APPENDIX 1

Recommendations on submissions addressed in this evidence

[filed separately, see webpage]

APPENDIX 2

Notified Stage 1 Plan Maps 27 and 28

[filed separately, see webpage]

APPENDIX 3

**Recommended provisions to be inserted into Stage 1 PDP Chapter 8, Lower Density
Suburban Residential Zone**

[filed separately, see webpage]