

**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 District Wide Hearing
Stream 15 - Open
Space and Recreation

**SECTION 42A REPORT OF CHRISTINE MELISSA EDGLEY
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

CHAPTER 38 OPEN SPACE AND RECREATION – TEXT AND MAPPING

23 July 2018

 **Simpson Grierson**
Barristers & Solicitors

S J Scott / C J McCallum
Telephone: +64-3-968 4018
Facsimile: +64-3-379 5023
Email: sarah.scott@simpsongrierson.com
PO Box 874
SOLICITORS
CHRISTCHURCH 8140

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Appendix 1: Recommended Open Space and Recreation Chapter 38

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1. INTRODUCTION

- 1.1 My full name is Christine Melissa Edgley. I hold the position of Senior Policy Planner at Queenstown Lakes District Council (**the Council or QLDC**). I have been in this position since April 2018.
- 1.2 I hold a Bachelor of Laws and Bachelor of Arts (Geography) from Victoria University of Wellington. I am an Associate member of the New Zealand Planning Institute and I am a barrister and solicitor of the High Court of New Zealand.
- 1.3 I have been employed by local authorities since 2014, primarily in a consents planner position. I am not the author of the notified PDP Chapter 38 Open Space and Recreation.
- 1.4 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. The Council, as my employer, has authorised that I give this evidence on its behalf.
- 1.5 In this section 42A report, I provide recommendations to the Hearings Panel on the submissions and further submissions to the text of the Open Space and Recreation Zone notified in the Proposed District Plan (**PDP**). I then make recommendations on those submissions seeking a rezoning to an Open Space and Recreation zone.
- 1.6 I refer to and rely on the evidence of Ms Jeannie Galavazi, Acting Parks Planning Manager;
- 1.7 The key documents I have used, or referred to, in forming my view while preparing this section 42A report are:
- (a) Chapter 38 Open Space and Recreation Section 32 evaluation September 2017 (**S32**);

- (b) Queenstown Lakes Proposed District Plan Stage 1 Decision Version 7 May 2018 (**PDP**);
- (c) The Resource Management Act 1991 (**RMA**);
- (d) The Operative 1998 Regional Policy Statement for Otago (**ORPS**); and
- (e) The Proposed 2015 Regional Policy Statement for Otago (**PRPS**).

1.8 Throughout my evidence I refer to the following versions of the PDP text, as follows:

- (a) **Provision 38.X.X:** to refer to the notified version of a provision (i.e. Objective 38.2.1); and
- (b) **S42A Provision 38.X.X:** to refer to the recommended version of a provision as included in Appendix 1. (i.e. S42A Objective 38.2.1)

1.9 When referring to the Stage 1 PDP provisions, I am referring to the Council's Decisions Version notified on 7 May 2018 (i.e. Decisions Objective 38.2.1).

1.10 I attach the following Appendices:

- (a) **Appendix 1:** recommended Open Space and Recreation Chapter 38
- (b) **Appendix 2:** Summary of submissions;
- (c) **Appendix 3:** Section 32 evaluation report; and
- (d) **Appendix 4:** Section 32AA evaluation.

2. SCOPE

2.1 My evidence addresses:

- (a) The submissions made in Stage 1 that have been transferred to this hearing because they are deemed to be on Chapter 38 Open Space and Recreation:

- (i) Chapter 6 Landscape (from Hearing Stream 01B);
and
 - (ii) Rezoning requests transferred from Stage 1.
- (b) The submissions made in Stage 2 on Chapter 38 Open Space and Recreation, and the variations made to the following Stage 1 Chapters:
- (i) Chapter 6 Landscapes.

2.2 While specific provisions from the following Stage 1 chapters were varied as part of Chapter 38, no submissions were received on them and therefore I do not address them:

- (a) Chapter 2 Definitions;
- (b) Chapter 27 Subdivision and Development;
- (c) Chapter 35 Temporary Activities and Relocated Buildings;
and
- (d) Chapter 36 Noise.

3. EXECUTIVE SUMMARY

3.1 The framework, structure and majority of the provisions in the PDP Open Space and Recreation Chapter 38 should be retained as notified and are supported by the S32 assessment, which is attached as **Appendix 3** to this Report.

3.2 Several changes are appropriate, and these are shown in the revised chapter attached as Appendix 1 (**Recommended Chapter**). I have also recommended a number of minor changes, or wording changes that provide better expression. The more significant recommended amendments include:

- (a) A new objective and three policies specific to the Ben Lomond Sub-Zone;
- (b) A new objective, policy and rule to address reverse sensitive effects in relation to noise effects from Queenstown Airport;
- (c) A new policy and rule to address fire safety matters;

- (d) A new definition of 'Recreation facility';
- (e) A new policy in Chapter 6 applying the landscape classifications to land zoned Open Space and Recreation; and
- (f) Accepting rezoning requests relating to Warren Park, the corner of Stanley Street and Gorge Road, Larchwood Reservoir, and Coronet Forest.

3.3 I consider that the recommended amendments to Chapter 38 are more effective and efficient than the equivalent provisions within notified Chapter 38. In addition, I consider that the amendments are more effective and efficient than the existing Operative District Plan (**ODP**) and better meet the purpose of the RMA.

4. STRATEGIC OVERVIEW

4.1 On 7 May 2018 the Council publicly notified its decisions on submissions on Stage 1 of the PDP. The Stage 1 PDP includes a Strategic Directions chapter (Chapter 3) which sets out the overarching strategic direction for the Queenstown Lakes District (**District**). The objectives and policies of Chapter 3 are further elaborated on in the remaining strategic chapters (Chapter 4 Urban Development, Chapter 5 Tangata Whenua, and Chapter 6 Landscapes). Chapters 3 to 6 provide direction for the remaining chapters of the PDP. The strategic provisions of particular relevance to the Open Space and Recreation Chapter include:

- (a) Strategic Objective 3.2.2 - Urban growth is managed in a strategic and integrated manner and related Objective 3.2.2.1 - Urban development occurs in a logical manner so as to:
 - ...
 - c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;
 - ...
 - g. contain a high quality network of open spaces and community facilities;
- (b) Strategic Objective 3.2.5 – The retention of the District's distinctive landscapes, and related Objectives 3.2.5.1 and 3.2.5.2 and Policies 3.3.29 to 3.3.32;

- (c) Objective 4.2.2.2 - Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to:
 - h. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;
- (d) Objective 4.2.2.4 - Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks;
- (e) Policy 5.4.2.1 - Collaborate with Ngāi Tahu in the design of the build environment including planting, public spaces, use of Ngāi Tahu place names and interpretive material.

4.2 There is no Open Space and Recreation Chapter, or zone, in the ODP. A detailed explanation of the existing planning framework can be found in the S32 report and Ms Galavazi's evidence, but for completeness I will summarise it here also.

4.3 There are over 200 designations in the ODP for a number of reserve purposes (such as Recreation Reserve, Cemetery Reserve etc.). The Council is the requiring authority for these designations. The designations enable the Council, as the requiring authority, to undertake works in accordance with the designated purpose and any conditions of the designation.

4.4 In the ODP this Council-administered open space in the District is generally zoned Rural General or according to the adjacent surrounding zones. In the PDP in Stage 1, this same land was generally notified in the same way.

4.5 Any use of the designated space by parties other than the requiring authority (for example, sports clubs or campground operators) must comply with the rules of the District Plan, including any zone-specific rules. Under the ODP regime, the situation has arisen where activities that may be in accordance with the purpose of the reserves (as

designated) are required to be assessed against the provisions of the underlying zone, which in most instances is the Rural General Zone.

4.6 There are also frequent instances where the Council need to submit an outline plan of works application for routine activities. These issues have led to a review of the existing provisions in order to better manage the variety of activities that occur on the reserves, recreation and open spaces within the District. The review produced the proposed Open Space and Recreation Zone Chapter, which focuses on:

- (a) Providing a framework of objectives, policies, zones and rules that support the provision of a network of open space and recreation facilities;
- (b) Managing the use and development and providing for changing recreational needs; and
- (c) Providing for the conservation and enhancement of the qualities of the natural environment, waterbodies and their margins.

4.7 The Open Space and Recreation chapter comprises five open space zones and four sub-zones and includes a series of consequential variations to Stage 1 chapters. Following the release of the decisions on Stage 1, the policies of Chapter 6 are no longer applicable to zones other than the Rural Zone and any zones particularly specified in the policies (this is addressed in detail below). Therefore, it is also necessary to ensure that the provisions of Chapter 38 provide for section 6(b) and section 7(c) matters under the RMA in their own right.

5. BACKGROUND – STATUTORY AND NON-STATUTORY DOCUMENTS

5.1 The S32 analysis (attached as **Appendix 3**) provides an overview of the higher order planning documents considered in the preparation of Chapter 38:

Resource Management Act 1991

5.2 The purpose and principles of the RMA are set out in Part 2 of the Act and emphasise the requirement to sustainably manage the use,

develop and protect natural and physical resources for current and future generations, taking into account the 'four well beings' (social, economic, cultural and environmental wellbeing).

- 5.3** The Open Space and Recreation zones include land that is within either an Outstanding Natural Feature (**ONF**) or Outstanding Natural Landscape (**ONL**). Development within and adjacent to ONL/ONFs has the potential to degrade the important quality, character and visual amenity values of these features, and QLDC is required to protect these from inappropriate use, subdivision and development as a matter of national importance.
- 5.4** Consistent with the Stage 1 Hearings Panel's recommendations and the Council's subsequent decisions on Chapters 3 and 6¹ of the PDP, where land that is identified as an ONF or ONL (section 6) is located within a zone other than the Rural Zone, there should be objectives or provisions that manage the respective section 6 landscape values. The Open Space and Recreation Chapter has objectives, policies and rules that manage the landscape resource in terms of sections 6 (a), (b) and section 7(c) of the RMA².
- 5.5** Also of particular relevance to the Open Space and Recreation Chapter, section 74(2)(b)(i) of the RMA requires territorial authorities to have regard to management plans and strategies prepared under other Acts during the preparation of its district plan.

Iwi Management Plans

- 5.6** When preparing or changing a district plan, Section 74(2A) of the RMA states that the Council must "*take into account*" any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource

1 Report 3 Report and Recommendations of Independent Commissioners Regarding Chapter 3, Chapter 4 and Chapter 6.
2 In particular, Policies 38.2.1.1, 38.2.1.4, 38.2.1.5, 38.2.2.4, 38.2.2.5 and Rule 38.15 (Landscape Assessment Matters).

management issues of the district. Two iwi management plans are relevant:

- (a) *The Cry of the People, Te Tangi a Tauria*: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (**MNRMP 2008**); and
- (b) *Kāi Tahu ki Otago* Natural Resource Management Plan 2005 (**KTKO NRMP 2005**).

5.7 Policies 1 to 14 of Part 3.4.8 of the MNRMP 2008 contain policies that are relevant to Access and Tourism. Of particular relevance are Policy 2 addressing development within areas of high landscape significance and Policy 5 encouraging consent and concession authorities to consider appropriate locations for activities involving tourism, recreation and access to the high country.

5.8 Part 10: Clutha/Mata-au Catchments Te Riu o Mata-au of the KTKO NRMP 2005 outlines the issues and policies for the Clutha/Mata-au Catchments. Generic issues, objectives and policies for all catchments across the Otago Region are recorded in Chapter 5: Otago Region. Of particular relevance to Chapter 38 are the policies relating Cultural Landscapes under 5.6.4, where Policies 1 and 3 seek to identify and protect landscape features and control visitor and recreational activities that impact on them.

5.9 Overall I consider that proposed Chapter 38 has taken into account these documents.

National Policy Statement for Freshwater Management 2014 (NPSFM)

5.10 The NPSFM sets out objectives and policies for freshwater management under the RMA. This NPSFM provides a National Objectives Framework to assist regional councils and communities to more consistently and transparently plan for freshwater management. From the perspective and function of the Council, the management of activities that could generate sediment or nutrient runoff are primarily controlled through Chapter 25 Earthworks. Submissions on Chapter 25 are part of Hearing Stream 15.

National Environmental Standard for Plantation Forestry 2017 (NES-PF)

- 5.11** The NES-PF came into effect on 1 May 2018 and permits core forestry activities provided there are no significant adverse environmental effects. The regulations apply to any forest larger than one hectare that has been planted specifically for commercial purposes and harvest. Regulation 6 allows plan rules to be more stringent than the NES-PF only where the rule gives effect to particular national instruments, recognises and provides for the protection of outstanding natural landscapes, features or significant natural areas, or if it manages a unique and sensitive environment.
- 5.12** The Open Space and Recreation Chapter contains a number of rules to manage forestry, however these either fall within the scope of Regulation 6, or manage the effects of forestry activities that do not fall within the definition of Plantation Forestry in the NES-PF. They are therefore not in conflict with the standard.

Operative Otago Regional Policy Statement (Operative ORPS)

- 5.13** Section 75(3) of the RMA requires that a district plan must "give effect to" any regional policy statement. The Operative RPS contains a number of objectives and policies that are of relevance to Chapter 38:
- (a) Objectives 5.4.1 to 5.4.4 and related policies (5.5.1, 5.5.4, 5.5.6 and 5.5.7) of Chapter 5 (Land) of the Operative ORPS promote the sustainable management of Otago's land resource;
 - (b) Objectives 9.4.1 and 9.4.3 and the related policies (9.5.4, 9.5.5 and 9.5.6) are relevant as they seek to avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources, and promote the sustainable management of infrastructure; and
 - (c) Objective 10.4.3 and related policies (10.5.1 and 10.5.2), of Chapter 10 (Biota) seek to maintain and enhance the natural character of areas with significant indigenous vegetation and habitats of indigenous fauna, trout and salmon.

5.14 Overall, I consider that the relevant provisions of the operative ORPS usefully highlight a number of key natural and physical resource issues that must be addressed through the Open Space and Recreation chapter, but in my assessment they do not provide any strong and clear direction for how that management should be undertaken. The notified version of Chapter 38, as well as my recommended amendments (attached at **Appendix 1**) in my view nevertheless gives appropriate effect to the broad direction of the relevant provisions of the Operative RPS.

Proposed Otago Regional Policy Statement (pORPS)

5.15 Section 74(2) of the RMA requires that a district plan prepared by a territorial authority shall "have regard to" any proposed Regional Policy Statement. The PRPS was notified for public submissions on 23 May 2015 and decisions on submissions were released on 1 October 2016. The majority of the provisions of the Decisions Version have been appealed and mediation has been taking place. In July a number of consent orders were issued by the Environment Court in relation to the proposed Regional Policy Statement. At the time of writing this report, I understand the Court has three consent memoranda sitting with it, and one more is likely to be filed, and two decisions are to be issued. I am also conscious that the operative Regional Policy Statement predates all of the National Policy Statements potentially relevant to the PDP (refer paragraph 46(d) of Report 1). The following provisions, which reflect issued consent orders, are therefore of direct relevance:³

- (a) Objective 1.2 and Policy 1.1.2, broadly seek to recognise and provide for the integrated management of natural and physical resources to support the social and cultural wellbeing of people and communities in Otago;
- (b) Objective 2.2, and related policies 2.2.2, 2.2.3, and 2.2.4, broadly seek to recognise and provide for the protection of the interests and values of Kāi Tahu in the Otago Region;

³ <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-2/14-wakatipu-basin-mapping-2/>
<https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-2/Stream-14-Evidence-Presented/01-Monday-9-July-2018/QLDC-T14-Scott-S-Exhibit-14.1.pdf>
<https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-2/Stream-14-Evidence-Presented/01-Monday-9-July-2018/QLDC-T14-Scott-S-Exhibit-14.2.pdf>

- (c) Objectives 3.1 and 3.2, and related policies 3.1.2, 3.1.9, 3.1.10, 3.1.12, 3.2.2, 3.2.4, 3.2.6 and 3.2.16, broadly seek to recognise, protect, maintain or enhance Otago's natural resources, particularly those that are deemed to be significant or highly valued;
- (d) Objective 4.5 and related policies 4.5.1, 4.5.3, and 4.5.6, broadly seek to ensure urban growth and development is provided for while being well designed using good urban design principles and integrated effectively with adjoining urban and rural environments; and
- (e) Objectives 5.1 and 5.2, and associated policies 5.1.1, 5.2.1 and 5.2.3, broadly seek to provide and enhance public access to areas of value, and recognise historic heritage⁴.

5.16 My overall assessment is that (similar to the operative ORPS) the relevant provisions of the pORPS provide only broad direction on the resource management issues that relate to the Open Space and Recreation chapter, and as is detailed in the adopted S32 evaluation, the provisions as amended by my recommendations give appropriate regard to this direction. However, given the likelihood that the Panel will have to, under s75(3), ensure Council's decisions give effect to many of these provisions my analysis below will revisit relevant provisions of the PRPS in further detail where it is appropriate to do so.

The Local Government Act 2002 (LGA)

5.17 Section 14 of the LGA sets out the principles relating to local authority decision making. Subsections 14(c), (g) and (h) emphasise a strong intergenerational approach, considering not only current environments, communities and residents but also those of the future. They demand a future focused policy approach, balanced with considering current needs and interests. Like the RMA, the provisions also emphasise the need to take into account social, economic and cultural matters in addition to environmental ones.

⁴ The provisions referenced relate to the numbering in the consent orders, with the exception of Chapter 3 (Natural Resources) which at the time of writing had not been finalised.

Reserves Act 1977

5.18 The Reserves Act 1977 provides for the vested reserves to be classified according to the purpose or reason that they were vested. The classification then enables the administration of each reserve to be undertaken according to that classification (for example; controlled, managed, developed, used, maintained or preserved). In addition to the general administration provisions of the Reserves Act, more detailed and longer term administration of a reserve can be achieved through the development of a Recreation Management Plan (**RMP**).

Parks and Open Space Strategy 2017

5.19 The Parks and Open Space Strategy 2017 was adopted in May 2017⁵. It sets out guidelines for providing an open space network of existing and new reserves that meets the open space and recreation needs of existing and future communities of the District. The Strategy identifies the role of the District Plan as:

- (a) Providing for new open spaces areas within greenfield developments through the development plan and subdivision provisions; and
- (b) Protecting both open space and adjoining land from inappropriate development and protecting amenity values of adjoining and nearby residential area from activities within the open space area.

5.20 The relationship between the Strategy and the PDP is further discussed at Section 7 below.

6. ANALYSIS OF SUBMISSIONS

6.1 A total of 575 points of submission (301 original submissions and 274 further submissions) were received on Chapter 38 and its associated variations. A total of 21 submissions from Stage 1 were transferred to

⁵ <https://www.qldc.govt.nz/assets/Uploads/Council-Documents/Strategies-and-Publications/QLDC-Parks-Strategy-FINAL.pdf>

this stream. My recommendations on these submissions are attached at **Appendix 2**.

- 6.2** Of these submissions, a total of 55 were made on the provisions affected by the variation to Chapter 6 Landscapes (15 in Stage 1, and 40 in Stage 2). Although these specific variations to Chapter 6 were included within the document that showed the proposed Chapter 38, the variation to Chapter 6 and the submissions on those specific provisions have also been discussed as part of the submissions on Chapter 24 Wakatipu Basin. I understand that the Hearing Stream 14 Panel will make internal recommendations to the Hearing Stream 15 Panel, as far as the variation affects the Wakatipu Basin chapter. The recommendations on these points can be found in Appendix 5 to the s42A report for that chapter, but for completeness I have also included them in Appendix 2 to this report. I have largely adopted Mr Barr's evidence on this matter, but do consider those same submissions, as they relate to the Open Space and Recreation chapter.
- 6.3** I respond to the submissions generally in the order the provision appears in the notified chapter and have addressed the key issues that have been raised in the submissions first. Some submissions contain more than one issue, and their individual points will be addressed where they are most relevant within this evidence.
- 6.4** Further submitters are identified in the summary of submissions and recommendations attached at Appendix 2, where a recommendation is made on whether to accept, accept in part or reject the respective further submission, based on my overall recommendation on the primary submission.
- 6.5** Requests for zoning changes have been addressed at the end of the report.

7. GENERAL SUBMISSIONS IN SUPPORT OF THE CHAPTER

- 7.1** Kawarau Jet Services Holdings Limited (2290) supports the Open Space and Recreation Zone on Council foreshore reserves as shown on planning maps 35, 37 and 31a, and notes the new zones are more consistent with the relevant designations that apply in the areas subject

to the open space zones, and more efficient than the operative regime of relying on generic underlying zonings.

7.2 Heritage New Zealand (2446) has submitted that it supports the historic heritage related provisions in Chapter 38 as they acknowledge and generally provide for heritage resources to be managed appropriately.

7.3 Ngāi Tahu Property Limited and Ngāi Tahu Justice Holdings Limited (2335) has submitted that they support the Open Space and Recreation Chapter with the exception of the zoning of Section 10 Block XVIII, Stanley Street as identified on PDP Map 36 (which I return to).

7.4 Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Te Rūnanga o Waihōpai, Te Rūnanga o Awarua and Te Rūnanga o Ōraka-Aparima (Kāi Tahu) (2329) (**Kāi Tahu**) generally supports the Open Space and Recreation provisions that seek to recognise and protect the ancestral relationship Kāi Tahu, and their culture and traditions, have with their lands, water, culturally significant sites, wāhi tapu and other taonga, and the willingness of QLDC to incorporate these matters in the PDP. The following particular amendments are sought by Kāi Tahu:

- (a) That the provisions recognise and address the effects of landfills, cemeteries and crematoriums on tangata whenua values;
- (b) That areas of wāhi tūpuna are mapped;
- (c) Kāi Tahu values need to be visible throughout the document including cross referencing with the Tangata Whenua Chapter; and
- (d) Tangata Whenua values should be recognised throughout the PDP, similar to references to landscape and ecological values.

7.5 Provisions under 38.15 (Landscape Assessment Matters for Discretionary and Non-Complying Activities) has the only direct references to effects on tangata whenua values, although under 38.8

(Other Provisions and Rules) Chapter 5 Tangata Whenua is listed among the district wide chapters to which attention is drawn.

- 7.6** I consider that the various rules and policies that manage adverse effects would also address these concerns. For instance, Rule 38.9.1 requires a non-complying activity resource consent for any activity not specified, which would include the likes of a crematorium, while notified Rule 25.4.4 in the Earthworks Chapter requires a resource consent for a landfill as a discretionary activity. Cemeteries require a resource consent in all zones except the Community Purpose Sub-Zone (Cemeteries), which relates only to existing cemeteries and does not identify any new areas. While I do not recommend any specific modifications to Chapter 38 in response to the Kāi Tahu submission, I consider the submission is accepted in part. I also note that mapping of wāhi tūpuna is a matter that has been considered in the decisions on Stage 1 and I understand the Council have undertaken to advance this through a further stage of the PDP review.
- 7.7** Young Changemakers - Wakatipu Youth Trust Advisory Group (2495) supports the chapter and requests that different uses of parks, reserves and open spaces should be undertaken, which would benefit locals and create community, including the planting of fruit trees and natives, installation of sunscreen dispensers and water fountains, and increased recreational activities. The submitter's support and general request that the PDP provisions enable a wide range of potential uses in parks reserves and open spaces is noted. However, some of the matters raised (including management and specific facilities and amenities) would need to be dealt with on a park-by-park basis and would be better addressed in developing or revising a Reserve Management Plan rather than through the PDP provisions.
- 7.8** Active Transport Wanaka (2078) has submitted that it supports the PDP in general but seeks to work with the Council to plan and implement an Active Transport Wanaka Masterplan with the aim of ensuring the PDP provisions are in line with the Active Transport Wanaka Masterplan and other objectives, policies or rules relevant to cycling or walking access within the District.

- 7.9** In addition to the above, Active Transport Wanaka particularly supports 'district wide'⁶ Policy 38.2.1.1 (c) which provides for public access connections to walking and cycling networks, but seeks that Active Transport Plans with corresponding maps be established to achieve this policy.
- 7.10** The submitter's support for the chapter is noted, however the PDP is not the best method for implementation of a transport oriented Masterplan for Wanaka or an Active Transport Plan and it is not clear from the submission how such plans would be incorporated into the framework of Chapter 38. There are a number of other documents that either already consider this type of matter (such as Transport Strategies or the Parks and Open Space Strategy) or are a more appropriate place for this information to be located and promoted. Ms Galavazi notes in her evidence that the Parks and Open Space Strategy 2017 has guidelines that inform the provision of open space through the subdivision process, with more detailed guidance set out in the Land Development and Subdivision Code of Practice 2018. I agree with her that this type of information does not need to be duplicated in the PDP.
- 7.11** I consider that the importance of the provision of cycle ways and walkways has been given appropriate weight in Policies 38.2.1.1(c) and 38.4.1.6 and the associated rules, including 38.9.27 which lists Recreation Trails as a permitted activity in all Open Space and Recreation Zones. I also note that the importance of identifying reserve land and planning for integrated alternative transport options are contained in the policies relating to Subdivision (Chapter 27), in particular provisions 27.2.2.3, 27.2.2.4, 27.2.5.5 and 27.2.5.3. Ms Galavazi notes in her evidence that the Parks and Open Spaces Strategy provides additional guidance on the matters covered by Policy 38.2.1.1(c). While the establishment of an Active Transport Wanaka Masterplan has definite merit, I consider that the PDP can incorporate objectives and policies from such a strategy where they relate to RMA matters, but Chapter 38 is not well-suited for implementing such a strategy that involves many matters outside of any likely consent

⁶ The term 'District Wide' is used in Chapter 38 to describe those provisions located under 38.2, however the more correct description would be "All Open Space and Recreation Zones". These objectives and policies apply to the five zones and four sub-zones of the Open Space and Recreation Chapter.

processes in these areas. I recommend that this part of Active Transport Wanaka's submission is rejected.

8. GENERAL SUBMISSIONS OPPOSING THE CHAPTER

- 8.1** Submissions lodged by Real Journeys Limited (2466), Go Orange Limited (2581) and Te Anau Developments Limited (2494) seek near identical changes where they relate to the provisions of Chapter 38. These submissions are referred to collectively as Real Journeys et. al.
- 8.2** Real Journeys et. al. has submitted that the Open Space and Recreation Chapter be deleted or significantly amended (including the deletion of the objectives and policies other than the District Wide provisions) to create a simpler framework that recognises and provides for the benefits of commercial recreation and transport activities and permits or controls the on-going use of maintenance and upgrading of infrastructure within the open space zones.
- 8.3** While the submissions requested the deletion of the chapter as a whole, or alternatively the deletion of entire parts of the chapter (for example, all objectives and policies other than the District Wide ones), no replacement zone is identified nor is it clear whether the ODP or PDP Stage 1 zoning of this land is sought. None of the submission points specify locations on the Planning Maps.
- 8.4** The submissions seek deletion of the purpose statements, objectives and policies of the Nature Conservation Zone, Informal Recreation Zone, Active Sport and Recreation Zone, Civic Spaces Zone and the Community Purposes Zone.
- 8.5** The submitters raise concerns about the "unnecessarily prescriptive" level of regulation of the District's reserves, noting the Reserve Management Plan provisions apply in addition to any District Plan requirements. As explained in the S32 report and Ms Galavazi's evidence, the notified proposal aims to replace the ODP's existing regime where reserve zoning could vary from Rural to High Density Residential depending on its location within the District. This led to the

potential for the same activity on the same type of reserve (for example, a sportsground) to be governed by very different rules.

- 8.6** The notified provisions are generally more enabling for third party users of reserves (when compared to the Rural General zoning which affected the majority of reserve land under the ODP) than the ODP provisions, and provides for more consistency between reserves. As Ms Galavazi notes in her evidence, Reserve Management Plans set the management objectives and policies for individual reserves, but they do not set out such detail as building height and setbacks for future activities and without any district plan provisions there would be considerable uncertainty to outside users.
- 8.7** Due to the lack of specificity in these submissions I have no means to assess the costs and benefits of these general points in opposition as required by section 32. For this and the above reasons, I recommend rejecting the submissions to delete the chapter. The large number of requested amendments sought to the provisions are discussed below at Section 14.
- 8.8** Kingston Holiday Park Limited (2103), Bridesdale Farm Developments (2391), Kirimoko No. 2 Limited Partnership (2405), and Glen Dene Ltd and Sarah Burdon (2407) have submitted that the aspects of Chapter 38 that limit the Open Space and Recreation zoning to Council or public land are rejected and that the zoning should also apply to privately owned land. These submissions are further discussed below under the general issue of the application of the zones to land.
- 8.9** Remarkables Park Limited (2468) and Queenstown Park Limited (2462) have submitted that they oppose the protection of established activities that are contrary to the proposed framework and state that some historic uses of reserves may not be appropriate. As noted in the S32 report and Ms Galavazi's evidence, one of the purposes of the new chapter is to better provide for those activities that have historically operated from within Council-administered reserves, both by leaseholders and by Council itself. I would also note that the district plan provisions cannot be applied retrospectively; the provisions of section 10 of the Resource Management Act protects the existing use

rights of those activities. For these reasons, I recommend that these submissions be rejected.

- 8.10** Loris King (2076) has questioned the relationship between the Open Space and Recreation Chapter and other parks planning documents such as the Parks and Open Space Strategy and the Reserve Management Plans. She has requested that open space not be built upon unless a whole park is solely dedicated to organised sports and the buildings are associated with organised sports.
- 8.11** Ms Galavazi sets out in her evidence at Section 5 the difference between the planning processes involved in administering reserves. I agree with her that this submission is a matter that is more appropriately dealt with under a Reserve Management Plan, on a site-specific basis.
- 8.12** Georgina Ralston (2546) has submitted that the chapter be strategic in its approach to open space and landscape planning to future proof areas of land in the way that the Queenstown Gardens was set aside in the nineteenth century for that purpose. Similarly, Lake Hayes and Shotover Country Community Association (2401) submits that the provisions that apply to the reserves in and around Lake Hayes State and Shotover Country are either deleted or amended to ensure that the reserves are managed strategically to meet the present and future needs of the community. Remarkables Park Limited (2468) submits that it is unclear how Chapter 38 is providing open spaces and recreation zones within new or expanding urban areas.
- 8.13** Ms Galavazi notes in her evidence that the Parks and Open Space Strategy 2017 includes guidelines that inform the provision of open space through the subdivision process. At the strategic level Chapter 4 Urban Development contains clear objectives (Objectives 4.2.2.2 and 4.2.2.4) addressing the need for a strategic approach to the provision of Open Space as a key part of planning urban development. Chapter 27 Subdivision and Development of the PDP contains objectives and policies that require the design of development to provide for the amenity of communities, including the location open spaces and reserves (particularly Objective 27.2.2 and Policy 27.2.2.3).

8.14 I consider that these are these are the appropriate location for strategic direction on these matters, and agree with Ms Galavazi that this is not what the Open Space and Recreation Chapter seeks to manage. I recommend that the submissions be rejected.

9. ISSUE 1 – APPLICATION OF THE ZONING

9.1 A number of submitters⁷ have requested that the wording in the purpose of the chapter stating that the zones apply to Council administered reserves be removed, or that privately-owned land be rezoned one of the Open Space and Recreation zones or sub-zones.

9.2 As set out in the S32 report and discussed by Ms Galavazi in her evidence, the land that has been identified in Stage 2 as an Open Space and Recreation zone is limited to land administered by the Council for reserve purposes.

9.3 One of the primary reasons that the zones only apply to Council-administrated land is that a number of the zones (such as the Community Purposes – Campground or Golf) are significantly more enabling than the Rural General zoning (which the majority of reserve land was zoned) under the ODP. As noted by Ms Galavazi, with the Council as owner or administrator there is an inherent ability to control the development on these sites. If the provisions were applied to privately owned land, detailed consideration of the adequacy of the framework to balance development aspirations with the need to manage and in some case protect the resources of such areas would be required. The provisions of the Rural Zone have been specifically designed for this purpose and in my view will generally be more appropriate than reworking the Chapter 38 provisions. In instances where the proposed PDP framework is an imperfect fit, I consider that bespoke district plan provisions are generally less efficient than allowing for a consent process to address these particular situations.

9.4 As at the time of writing, the Council has requested that a number of submissions be struck out as not being “on” Stage 2. The Chair of the

7 Submissions 2103, 2391, 2405, 2407, 2457, and 2485

Panel has set a table for responses from relevant submitters. Those submissions are:

- (a) Glen Dene Ltd and Sarah Burdon (2407.2) have submitted that they oppose the zoning of Lots 1 and 2 DP 418972 as Rural, and instead seek that the zoning for Lot 1 DP 418972 be amended to 'Community Purpose – Campground' (the part of the submission related to Lot 2 DP 418972 is not sought to be struck out);
- (b) Kingston Holiday Park (2103) - part of the submission seeking that the Kingston Holiday Park be zoned Community Purposes Zone;
- (c) Kirimoko No.2 Limited Partnership (2405) - the part of the submission seeking that certain land zoned Rural in Stage 1 be rezoned Nature Conservation and Informal Recreation Zones, and
- (d) Remarkables Park Limited (2468) – the part of the submission seeking to zone Part Section 131 Block III Shotover Survey District as Community Purposes Zone with amended bulk and location requirements.

9.5 I note in relation to Remarkables Park, I note that Queenstown Park Limited (2462) have lodged an identical submission on this point, and in my view it falls into the same category.

9.6 If these submission points are not struck out, I understand I will need to file supplementary evidence and recommendations addressing them.

10. ISSUE 2 – VARIATION TO STAGE 1 CHAPTER 6 LANDSCAPES

10.1 As part of Chapter 38 Open Space and Recreation, the PDP Stage 1 Chapter 6 Landscapes was varied as follows (underlined text for additions and strike through text for deletions):

Part 6.2 Values - Last paragraph: Delete.

~~Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and~~

~~Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.~~

Part 6.4 Rules - Amend:

~~6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.~~

~~6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:~~

- ~~a. Ski Area Activities within the Ski Area Sub Zones.~~
- ~~b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.~~
- ~~c. The Gibbston Character Zone.~~
- ~~d. The Rural Lifestyle Zone.~~
- ~~e. The Rural Residential Zone.~~

10.2 This variation was made prior to the Panel's Stage 1 recommendation reports being released and the Council making its decision on Stage 1. I note that submissions on the variation to Chapter 6 were also considered by Mr Barr for the Council as part of the submissions on Chapter 24 Wakatipu Basin in Hearing Stream 14, as nearly all of the submissions were made with reference to the Rural Zones of the PDP⁸, rather than Chapter 38.

10.3 Some of the land that the Council proposed to notify to one of the Open Space and Recreation zones was notified on the Stage 1 plan maps as ONL or ONF. I understand that the Stage 2 variation to Part 6.2 Values and provision 6.4.1.2 of the PDP Stage 1 was to remove text

⁸ Being the Stage 1 zones Chapter 21 Rural, Chapter 22 Rural Residential and Rural Lifestyle, Chapter 23 Gibbston Character Zone and the Stage 2 Chapter 24 Wakatipu Basin.

that said that the landscape categories (ONL, ONF and Rural Landscape Classification) apply only to the Rural Zone.

- 10.4** As a result of the introduction of the variation of relevant land to one of the Open Space and Recreation zone, s6(b) ONL/ONF land and section 7(c) visual amenity land is now not always zoned Rural Zone on the PDP maps.
- 10.5** I have discussed below the Chapter 38 text that manages s6(b) and 7(c) landscapes within the Open Space and Recreation zones. However as notified in Stage 1, identification as to whether the land is an ONL/ONF or RCL landscape was made through identification of the landscape category by way of reference to the planning maps. While I understand that this was considered by the Council to be a reasonably practicable and efficient method at that time, the result of the decisions on Stage 1 is that Policy 6.3.1 set out that the three landscape categories apply only to Rural Zoned land.
- 10.6** As discussed below, while I am satisfied that the provisions of Chapter 38 sufficiently manage s6(b) and s7(c) resources in the context of their use as recreation reserves (in broad terms), the consequence of Policy 6.3.1 has removed the ability to identify what particular landscape category the Open Space and Recreation zoned land falls within, and therefore, creates uncertainty in terms of the application of the objectives, policies and provisions, and in particular the landscape assessment matters at Part 38.15 provisions, as they relate to landscape management. In saying this, the ability to identify land zoned Open Space and Recreation, as an ONL/ONF, will not trigger the application of the landscape assessment matters located in the Rural Zone of the PDP. Chapter 38 has its own version of these in Rule 38.15.
- 10.7** The management of landscapes within the Open Space and Recreation zone also has some similarities to the likes of Jacks Point, which is not a Rural Zone, but it is agreed that part of the Jacks Point is a section 6 ONL landscape, and very careful consideration has been given to the extent of development provided for in that part of the zone.

I also note that Planning Map 13 Decisions Version includes the ONL and RCL line over the Jacks Point Zone.

10.8 Based on the outcome of the decision version of Chapter 6, I consider that Policies 6.3.1 to 6.3.3 have overtaken the Stage 1 text that has been varied, and I generally do not support the retention of this text in either the varied form notified in Stage 2 or as sought by submitters. To retain this text would be inefficient as it would either duplicate or conflict with Policies 6.3.1 to 6.3.3.

10.9 I remain of the view, however, that the most appropriate way to identify whether Open Space and Recreation zoned land falls within an ONL, ONF or RCL landscape is to rely on the planning maps and the landscape classifications as they were notified in Stage 1 and previously applied to the Rural Zoned land. Legal Counsel has also advised me that as this land was notified in Stage 1 with the ONL or ONF annotation, the land has clearly been ONL/ONF in the PDP since notification. I have considered alternative options such as:

- (a) specifying the landscape classification of each Open Space and Recreation zoned land in a schedule within Chapter 38;
- (b) identifying a bespoke landscape classification on the planning maps as they relate to the Open Space and Recreation zones, but still relying on the location of various landscape classifications; and
- (c) identifying the respective landscape classifications in a separate set of maps, likely to be located as a schedule within Chapter 38.

10.10 I consider these options to be inefficient compared to the overall intent of the notified Open Space and Recreation Chapter and variation to the Chapter 6 Landscape text that would have provided for the landscape classifications to apply to Open Space and Recreation zoned land.

10.11 I do not recommend including reference to the Open Space and Recreation zones to the PDP Decisions Policies 6.3.1, 6.3.2 or 6.3.3 because Policies 6.3.2 and 6.3.3 require that the landscape categories and the policies be excluded from the identified zones. In this case the

intent of the variation, as explained above, was to include the Open Space and Recreation zones as subject to the three landscape categories, but not the policies of Chapter 6.

- 10.12** For the same reasons identified by Mr Barr in his discussion on the relationship between the Wakatipu Basin Zone and the decision version of Chapter 6, I do not support recommending any amendments to policies that are subject to appeals and will be before the Environment Court. I recommend the following stand-alone policy be added to the 'Rural Landscapes Classification' part of the decisions version of Chapter 6:

6.3.XB Classify the Open Space and Recreation zoned land located outside the Urban Growth Boundary as ONL, ONF or RCL, and provide a separate regulatory framework for the Open Space and Recreation Zones within which the remaining policies of this chapter do not apply.

- 10.13** The policy will enable the application of the three landscape classifications to the Open Space and Recreation zones. I do not consider that any other policies of Chapter 6 should be made applicable to the Open Space and Recreation zones.

- 10.14** I consider this approach to be consistent with Policy 6.3.3 where it provides a separate planning framework for zones other than Rural, and that the policies of Chapter 6 do not apply unless otherwise stated (albeit in those instances there are relevant policies located in Chapter 6). I also consider that this approach is broadly consistent with that applied to the Jacks Point Zone where the ONL and RCL land is managed through the provisions of Chapter 41 Jacks Point. There is a difference in that the Jacks Point Chapter identifies the respective landscape management areas through a Structure Plan. Due to the distribution of the Open Space and Recreation zones across the District, it is more efficient to identify the landscape management areas through the district wide planning maps.

- 10.15** I also consider that there is scope to recommend this change without needing to rely on submissions, due to the intent and breadth of the variation to the PDP notified 2015 Chapter 6 Landscapes, and the

outcome of decisions on submissions that now form the PDP 2018 Decisions version.

Submissions on the variation to Chapter 6

10.16 Submitters in Stage 2⁹ essentially sought that the varied text of Chapter 6 be retained but that it be modified to state that the Wakatipu Basin Zone is not subject to the landscape assessment matters (located in the Rural Zone Chapter 21) or the landscape Chapter 6 objectives and policies. As set out above, the decision on submissions version of Chapter 6 accord with the relief sought by submitters, and I also consider Policies 6.3.1 to 6.3.3 have materially overtaken the variation as it relates to PDP notified 2015 provisions 6.2 and 6.4.1.3. I refer to and rely on the reasoning of Mr Barr, at paragraphs 37.1 to 37.21 of his section 42A report for the Wakatipu Basin hearing.

11. ISSUE 3 – BEN LOMOND RESERVE

11.1 The new Open Space regime includes a new sub-zone covering the Ben Lomond Reserve in Queenstown. This was partially a response to Skyline Enterprises Limited submission in Stage 1 (574) where it sought a 'Commercial Tourism and Recreation Sub-Zone' of the Rural Zone. As set out in Ms Galavazi's evidence, the new sub-zone recognises the existing commercialisation of this particular reserve and its importance in terms of proximity to central Queenstown and the high visitor numbers. This submission (and others) remains live in Stage 2 as it is deemed to be on the variation.

11.2 Four parties, all existing leaseholders of commercial operations within the sub-zone, submitted on the provisions relating to the Ben Lomond Sub-Zone (**the BLSZ**) in Stage 2. Three of the submitters also raised mapping requests; these are discussed below. The four submissions are addressed below.

Queenstown Commercial Parapenters Limited (2461) ('QCP')

⁹ Including Crown Investment Trust (2307), Brustad (2577) et. al, Stoneridge Estate et. al, Mount Rosa Wines Ltd (2231), Gibbston Highway Limited (2227), Treble Cone Investments Ltd (2373), Darby Planning LP (2376), Lake Hayes Ltd (2377), Henley Downs Farm Holdings Ltd and Henley Downs Land Holdings Ltd (2381), Glendhu Bay Trustees Ltd (2382), Mt Christina Ltd (2383) and Paterson Pitts (Wanaka) (2465). Refer to Appendices 4 and 5 for the full list of submissions.

- 11.3** QCP operates its parapenting activities from Bob's Peak and is within the BLSZ within the Informal Recreation Zone.
- 11.4** The submission raised uncertainty as to whether the Building Restriction Area applied to QCP's lease area, and the submitter was concerned about the prohibited activity status for buildings in the Building Restriction Area and implications for QCP's operations.
- 11.5** Since the submission was lodged the submitter has confirmed via email with the Council¹⁰ that their leased area is not subject to the Building Restriction Area. As such the submitter's request to remove the Building Restriction Area from its site is recommended to be rejected, as it does not apply. The submitter's request to have the site included in the BLSZ is recommended to be accepted, as this maintains the notified approach.
- 11.6** QCP also seeks all necessary amendments to the provisions to provide for permitted commercial recreation activities, buildings and retail activity on the submitter's site where these activities are ancillary to commercial recreation activities. The BLSZ provides for all of the listed activities and buildings as restricted discretionary activities (Rules 38.11.1 and 38.11.3). This is considered appropriate in order to appropriately assess and manage the potentially wide ranging effects of these activities that Council seeks to retain discretion over. I therefore recommend that this submission point be rejected.

ZJV (NZ) Limited (2485) ('ZJV')

- 11.7** ZJV operates the zipline tourism venture on Bob's Peak. The extent of their activities are shown in Figure 1 of their submission and appear to be partially within the BLSZ Bob's Peak and Corridor Area within the notified Informal Recreation Zone.

¹⁰ Email from Jaylene Hodgson of Anderson Lloyd dated 1 May 2018

Zone Purpose

- 11.8** ZJV seeks a minor amendment to the purpose statement to include the word 'operations' after 'Zipline' to reflect that the zipline business includes a series of ziplines as well as base facilities. I agree with this point, and recommend that the purpose statement be amended as sought.

Objectives and Policies

- 11.9** ZJV has requested that Policy 38.2.1.1 be amended to streamline the policy and reduce the number of words. I have assessed this in Section 16 and have recommended a consolidation of the policy.

Activities and Standards

- 11.10** ZJV has sought a number of amendments to the rules specific to the BLSZ. In relation to the first five dot points requested to be included as matters of discretion for Rule 38.11.1, I consider these matters are covered by the notified matters of discretion, as well as the policy direction for the BLSZ. With regard to the last dot point; 'the maintenance and enhancement of biodiversity and ecological values', I question to what extent a building can maintain and enhance these values, and therefore do not support its inclusion as a matter of discretion.
- 11.11** A 20 metre height limit for 'treehouse structures and other buildings associated with zipline operations' is requested to be included in Rule 38.11.7 as a restricted discretionary activity. No assessment of visual or dominance effects of a structure of this height within the sub-zone has been provided, and the submitter does not offer any restriction as to where these buildings may occur, only that they be in relation to their own activities. Given that there is no evidence to support doubling the permitted height limit for buildings in the Bob's Peak area, I do not support the inclusion of this standard.
- 11.12** ZJV seeks additional matters of discretion to be included for Rules 38.11.3 and 38.11.4, which focus on the appropriateness in the context

of the reserve. It is considered these matters are covered by reserve management/reserve planning. In relation to the changes sought to 38.11.3 I consider that the additional matters raised by ZJV, including the nature of the activity and sensitivity to natural and open space values, are already covered by the notified matters of discretion (intensity and scale on recreation use and amenity values; noise; other occupiers). Similarly, for 38.11.4 and that the notified matters of control collectively address effects on existing recreation activities and reserve users.

- 11.13** Finally, ZJV seeks the initiation of a structure planning exercise and the adoption of a structure plan and associated suite of policies and rules. While I acknowledge there may have been benefit in such an exercise prior to the notification of Chapter 38, I consider that this has been overtaken by the inclusion of the sub-zone and its provisions, including the new policies recommended below.

Skyline Enterprises Limited (2493) ('Skyline')

- 11.14** Skyline operates the gondola, restaurant and associated commercial and commercial recreation activities on Bob's Peak, which forms part of the BLSZ within the Informal Recreation Zone.
- 11.15** As noted above, Skyline submitted on Stage 1 of the PDP seeking a Commercial Tourism and Recreation Sub-Zone of the Rural Zone. Prior to decisions being released on Stage 1, the PDP Stage 2 variation introducing the Open Space and Recreation zones was notified. In their Stage 2 submission Skyline is largely supportive of the BLSZ extent and notified provisions (and the Informal Recreation Zone as they apply to its site), with some exceptions as discussed below.
- 11.16** As noted in their submission, Skyline has begun the process of the redevelopment and upgrade of their existing facilities within the Ben Lomond Reserve. The resource consent applications for the upgraded gondola and expanded upper terminal facilities, and the lower terminal redevelopment, including new car park, has been directly referred to

the Environment Court¹¹. A full decision on those applications has not yet been made.

Zone Purpose

11.17 Skyline have sought the zone purpose be amended. I have addressed this at Section 15 below.

Objectives and Policies

11.18 Skyline have sought that a new objective and six new policies be included in the Open Space and Recreation chapter that are specific to the BLSZ and the Skyline operations in particular. Skyline explains that these proposed amendments are sought in recognition of the importance of the sub-zone and the special provisions it requires.

11.19 I agree that there is merit in the policy framework proposed by the submitter and consider that the notified rules for the BLSZ could benefit from stronger policy support, recognising that this area differs significantly from the majority of the Informal Recreation Zone with respect to the nature and scale of activities. I consider some amendments to Skyline's proposed objectives and policies are necessary, to make the policies more succinct and aligned with the notified rules, focusing where these rules differ from the balance of the Informal Recreation Zone. My suggested approach is to retain the notified Objective 38.4.1 and include additional policies under the sub-heading 'Within the Ben Lomond Sub Zone' as follows:

- (a) Include proposed policies 38.4.2.1 and 38.4.2.2, which relate to controlling the visual and landscape effects of buildings and activities, as per the wording in the submission, for the reasons set out in Skyline's submission;
- (b) Consolidate Skyline's Policy 38.4.2.3 and 38.4.2.4 to avoid duplication, and set out the revegetation approach, to read:

38.4.X.X Require landscape rehabilitation following the removal of exotic conifers to mitigate effects on

11 Resource consent applications RM160647 and RM171172

landscape and visual amenity, including revegetation with indigenous species and provision for the ongoing control of conifer regrowth.

- 11.20** This aligns with Dr Read's expert opinion provided during the Stage 1 mapping hearing¹².
- 11.21** I discuss the provision for informal airports within the sub-zone sought by the submitter below. As I do not support the restricted discretionary status for informal airports in the zone, I do not support the inclusion of proposed Policy 38.4.2.5.
- 11.22** Finally, with respect to proposed Policy 38.4.2.6, which focuses on controlling the effects of commercial and commercial recreation activities, it is considered that this matter is adequately addressed by notified Policies 38.4.1.2 and 38.4.1.5 as these two policies already address the effects of activities on the amenity and landscape values of the Informal Recreation Zone. As such, I do not consider a separate policy to be necessary.

Activities and Standards

- 11.23** Skyline has sought a number of amendments to the notified rules for the BLSZ. The first is the inclusion of stormwater disposal in the matters of discretion for buildings (notified Rule 38.11.1). I agree that this is a valid consideration and should be included for the reasons set out in the Skyline submission.
- 11.24** The submitter has also sought to remove transportation network effects from Rule 38.11.1, explaining that it is not necessary due to the controls in the notified Chapter 29 Transport. Similarly, the submitter has sought that the same matter of discretion be removed from Rule 38.11.3 for commercial and commercial recreation activities. I note that in relation to transport effects over and above what would typically be expected, the provisions of the Transport Chapter will apply. This includes the high traffic generator rule, which will apply where 50 or more car parking spaces are proposed or required, or where traffic

12 Landscape Evidence of Dr Marion Read for Queenstown Mapping Hearing 24 May 2017 paragraph 8.10

generation of greater than 400 additional vehicle trips per day or 50 additional trips during the commuter peak hour occurs. However, given the unique nature of activities that occur on Ben Lomond, the potential for increased visitor numbers not associated with an increase to a building, and the potential cumulative effects, I consider that transportation network effects should be retained as a matter of discretion. I note that other transport related considerations are included as matters of discretion for other similar rules in other zones, and within this chapter. For example, Rule 38.10.2 which reserves discretion over pedestrian and vehicle access, and Table 38.5.

11.25 I agree that an integrated transport assessment will not always be necessary, for example for relocations or alterations to buildings which may not result in any increased patronage of activities within the sub-zone. For larger scale new activities or buildings, or expansion to existing activities and buildings in the sub-zone, the Transport Chapter provisions will apply. These allow the Council to require a robust assessment of transport effects, including if the activity is a high traffic generator. I therefore consider that the information requirement for an integrated traffic assessment can be removed.

11.26 With regard to Rule 38.11.3, the submitter contends that this should be amended to recognise the existing level of commercial activities on Bob's Peak. As it is drafted, the rule is intended to ensure that commercial activities or retail activities are associated with or ancillary to the commercial recreation activity in order to achieve restricted discretionary activity status. The submitter's proposed amendments make all commercial activities restricted discretionary. Given the wide definition of commercial activities and potential for adverse effects, I do not support the proposed restricted discretionary activity status because of the difficulty in ensuring all matters are provided for. The new sub-zone provisions will not affect the ongoing use of existing consented activities. I consider it appropriate for commercial activities to remain associated with the recreation activities, rather than establish independently without a robust assessment. With respect to commercial recreation activities, I note that they are provided for in bold text, and the Stage 1 definition of commercial recreation activities does not limit the number of people. I therefore do not consider any further

change necessary for commercial recreation activities to achieve the submitter's relief.

- 11.27** I agree with the submitter the rule heading should be amended to include both commercial activities and commercial recreation activities as there are controls for both within 38.11.3.
- 11.28** The submitter has sought that parking within the Lower Terminal Area of the BLSZ be permitted, rather than controlled, citing that parking is fully anticipated in this area and is also managed by the Transport chapter. I agree that the Transport chapter will cover most of the matters of control listed, including access, parking layout and design, pedestrian and vehicle access, and traffic generation for parking over 50 car parks as a high traffic generator (Table 29.6 in the Transport Chapter). This leaves traffic generation for under 50 car parks, and landscaping. While landscaping will be assessed if a parking building is proposed under Rule 38.11.1, this would not be the case if it was at grade car park with no building. Therefore, I consider that controlled activity status should be retained with landscaping as a matter of control. In terms of traffic generation, given that the threshold is set at 50 car parks by the Transport Chapter (Table 29.6), traffic generation is considered to be less of an issue. I therefore recommend retaining the controlled activity rule, with landscaping as the only matter of control.
- 11.29** Skyline has sought an increase in maximum building height for buildings in the Lower Terminal Area (Rule 38.11.7 (c)) from 17 metres to 20 metres. The submission states that this would reflect the height sought for a new car park building. I note that this car parking building is subject to a resource consent application at present, which will determine an appropriate height for this particular building, and a specific standard is not necessarily required to accommodate that particular building. The building height for this area was considered by Dr Read during Stage 1¹³. While the rule proposed by Skyline at that stage was for buildings up to 17.5 metres as a restricted discretionary activity, Dr Read concluded that the 17.5 metre height limit could be appropriately absorbed in this area. In the absence of any visual

13 Paragraph 8.9, Landscape Evidence of Dr Marion Read for Queenstown Mapping Hearing 24 May 2017.

assessment on the increase to 20 metres requested in the Stage 2 submission, I do not support the proposed height increase. At this point I recommend amending Rule 38.11.7(c) from 17 metres to 17.5 metres only.

- 11.30** Turning to informal airports, Skyline sought that these be restricted discretionary in the BLSZ (as opposed to discretionary in the Informal Recreation Zone as per notified Rule 38.9.37). The submitter contends that this is appropriate given the proposed expansion to the sub-zone and the history of helicopter activity at Bob's Peak. I note that while the submission states that its proposed sub-zone expansion is for the purpose of a helipad, the relief as sought would enable it anywhere within the BLSZ. The proposed rule does not restrict applications from being made elsewhere in the BLSZ, or for multiple applications to be made by Skyline or other users which may result in cumulative effects. For these reasons I consider the notified status of discretionary to be more appropriate.
- 11.31** The submitter has proposed a non-complying activity status for buildings within the Gondola Corridor Area. I agree that this is reasonable given that the Gondola Corridor Area does not anticipate buildings.
- 11.32** Turning to forestry (notified Rule 38.9.30), the submitter considers the activity status for forestry within the Informal Recreation Zone should be changed from discretionary to controlled. It is noted that forestry within the BLSZ is provided for as a controlled activity. I understand this is to reflect the lease and existing forestry activities and control of wilding conifers on Bob's Peak. With regard to the Informal Recreation Zone, I consider the approach should be consistent with other open space zones and the Rural Zone, which are the only Stage 1 zones that provide for forestry as less than a non-complying activity. I note that the other open space zones specify discretionary status, as does the Rural Chapter. I also understand that the discretionary activity status is due to the importance of the ONF/ONL located throughout the District. For consistency reasons, my preference is to retain

discretionary status in the Informal Recreation Zone. I also note that the submitter has not proposed any matters of control.

11.33 Finally, Skyline have sought that the non-notification Rule 38.12.2 be deleted, contending that there is no certainty for parties seeking consent under controlled activity provisions.

11.34 Controlled activities in the BLSZ include passenger lift systems in parts of the sub-zone; harvesting and management of existing forestry; and parking in the Lower Terminal Area. In listing these activities as controlled, the Council is signalling that they are appropriate and that consent will be granted. I do not consider that a limited notification process for these activities is likely to be required, and therefore recommend that Rule 38.12.2 should be deleted. As controlled activities any adverse effects on neighbours should be able to be addressed through conditions of consent, without the need for notification. This approach is also in line with the RMA amendments on notification that came into effect last year.

Kiwi Birdlife Park Limited (2569) ('KBP')

11.35 KBP operates a wildlife park from 51 Brecon Street which is located within the BLSZ. KBP generally opposes Chapter 38 and seeks a number of amendments to provisions that would affect its operations, as discussed below.

Amendments to the provisions

11.36 KBP seeks that Objective 38.4.1 and related policies, and any District Wide objectives and policies be amended to provide direct support for commercial activities that enhance wildlife and nature conservation values. The submitter also seeks that Policy 38.4.1.2 be amended to encourage commercial activity, and that the activity table be amended to provide for commercial, retail and restaurant/café activity ancillary to the KBP operation as permitted activities. No amended objectives or policies have been provided in the submission.

- 11.37** In my opinion direct support or encouragement for commercial activities, and allowing for commercial retail and restaurant/café activity is inconsistent with the overall intent of the BLSZ which seeks to provide for a range of activities, while ensuring that these activities are sensitive to the unique environment in which they are located, and that this be achieved via a resource consent process. While commercial activities are present in the zone, these have been established through the resource consent process and subject to careful consideration. I consider this approach should continue under the BLSZ and therefore do not support the more enabling policy direction sought by KBP.
- 11.38** The submitter seeks that the height standard be amended to enable 10 metre buildings, to allow for bird aviaries to be constructed. Under the notified provisions, the maximum height for the Informal Recreation Zone is 6 metres. Increasing the maximum height has the potential to result in adverse effects on character and amenity, shading, dominance and visual effects. No analysis has been provided in the submission as to whether this increased scale is appropriate on the site. I recommend that this submission point be rejected.
- 11.39** Similarly, KBP has sought that the fencing rules be amended to allow fences over the height restriction for wildlife protection. I note that fences on the zone boundary are limited to 1.2 metres with 50% permeability. KBP has not specified what height of fence they require, which makes assessment difficult. However, fences exceeding the maximum height requirement have the potential to adversely affect neighbouring properties and the general character and amenity of the locality. For wildlife fences adverse effects could potentially be mitigated by keeping the fence setback from the boundary and providing a landscaping buffer. Based on the limited information provided in the submission I do not support provision for higher wildlife protection fences without resource consent.
- 11.40** KBP also seeks amendments to increase the gross retail floor space where it is ancillary to permitted activities. No detail has been provided regarding how much of an increase is sought. I note that the notified provisions provide for 100m² or 10% of the GFA of the building supporting the recreation and leisure activities, whichever is less.

Without knowing how much the submitter proposes, a reasonable assessment cannot be made as to whether an increase would be appropriate. I therefore do not support this submission point.

- 11.41** Finally, the submitter has requested amendments to the provisions to further protect the interface between KBP and the Skyline Lower Terminal. No detail has been provided as to what these amendments should be. As a potentially affected neighbour, I note that effects on KBP would be considered as part of any resource consent application. I also consider that the objectives and policies, as well as rules and standards will provide an opportunity for effects on KBP to be mitigated. I therefore do not consider that any amendments to the provisions relating to the interface between the two operations is required.

12. SPECIFIC ISSUE – FIRE AND EMERGENCY NEW ZEALAND (2660)

- 12.1** The submission from Fire and Emergency New Zealand (**FENZ**) seeks the introduction for new provisions recognising the role of this organisation and requiring compliance with the New Zealand Firefighting Water Supplies Code of Practice 2008 – SNZ PAS 4509:2008 (Code of Practice). FENZ state the relief sought in this submission is consistent with, and builds on, the relief sought in their Stage 1 submission and their evidence presented at the Stage 1 PDP hearings (at that point in time the submitter was known as the New Zealand Fire Service¹⁴).

- 12.2** FENZ have submitted that policy 38.2.1.5 be amended as follows:

38.2.1.5 Avoid activities that do not have a practical, operational or functional need (including enabling and protecting the health and safety and wellbeing of the community) to be located within Open Space and Recreation Zones...

- 12.3** The proposed amendment would give policy support to the wider changes that that the submitter seeks to the open space provisions to enable fire stations within the open space zones. The key difference to me between a “functional” need and “practical” need is that function

14 Submission 438.

relates to purpose, whereas “practical” relates to the methods used to achieve the purpose. Similarly, “operational” relates to the actions undertaken in the course of achieving the purpose. If the proposal can demonstrate that it has a functional need (i.e. the protection of the community’s health and safety from the risk of fire) to locate within an open space zone, then it is not required to be avoided in accordance with the policy. The addition of “operational” is superfluous in my view.

12.4 Likewise, the specification of a particular purpose (enabling and protecting the health and safety and wellbeing of the community) adds unnecessary words to the policy without any clear advantage. I recommend that the changes to Policy 38.2.1.5 be rejected.

12.5 The submission by FENZ (under a heading “Chapter 38”) appears to also seek new provisions under 38.9 Rules – Activities and associated matters of discretion under 38.14, however in the submission the provisions proposed by the submitter refer to Chapter 24 (Wakatipu Basin). Due to the reference to provisions 24.1 and 24.4 in both the relief sought and the reasoning for this submission point, the point has understandably been addressed in the section 42A report for Chapter 24 Wakatipu Basin. In the event that the reference to Chapter 24 in the proposed provisions is a typographical error, in the interests of fairness I will also address this point as if it were seeking the same provisions in Chapter 38.

12.6 The submission proposes to insert a new rule in Table 38.1 listing “Emergency service facilities” as a restricted discretionary activity, and consequentially amending 38.14 (Matters of Discretion) to include the following matters:

- (a) vehicle manoeuvring, parking and access, safety and efficiency;
- (b) location, design and external appearance of buildings;
- (c) locational, functional and operational requirements;
- (d) community safety and resilience;
- (e) screening and landscaping; and
- (f) privacy and sunlight access.

- 12.7** FENZ also seeks that standards 38.10.1 (building height), 38.10.2 (ground floor area of buildings) and 38.10.4 (setbacks) are amended to include an exemption for emergency service facilities.
- 12.8** In Stage 1 of the PDP review New Zealand Fire Service (**NZFS**) sought a new definition of “Emergency service facilities” in Chapter 2, while simultaneously supporting the retention of the definition of Community Activity (which would otherwise cover fire stations). In the Panel’s Decision (through Recommendation Report 9A) the definition of “Emergency service facilities” was rejected on the basis that both the Council’s planner and NZFS’s planner considered it unnecessary¹⁵. At this time therefore there is no plan specific definition for emergency service facilities, which means the ordinary meaning of the words apply. Fire stations are therefore to be considered as Community Activity.
- 12.9** Community Activity is not listed within Table 38.1 therefore fire stations are a non-complying activity under Rule 38.1 as notified. It is important to note that some activities that would otherwise fall under the definition of Community Activity (such as community centres and halls, day care facilities and libraries) have been specifically included in Table 38.1. I support this approach and also agree with the evidence of Mr Barr on this matter in relation to Chapter 24, where he notes a number of clear advantages with locating such facilities in urban areas where they are enabled under the PDP.
- 12.10** It is clear from this that consideration has already been given to the range of activities that fall within the umbrella of Community Activity and the ones that may be appropriate in an open space zone identified. The exclusion of fire stations suggests that it is an activity that could generate adverse effects that are incompatible with the values of the zones.
- 12.11** The submitter sought similar changes to zone standards considered in Stage 1 of the PDP review, including the Lower Density Suburban Residential Zone and the Rural Zone, to those requested for 38.10.1,

15 Paragraph 668, Hearing of Submissions on Proposed District Plan Report 09A, Report and recommendations of Independent Hearing Commissioners Regarding Chapter 7, Chapter 8, Chapter 9, Chapter 10 and Chapter 11, 29 March 2018

38.10.2 and 38.10.4. The decisions on those parts of NZFS's submission in Stage 1 were that the adverse effects that the requested exemptions would enable (for example, a hose drying tower up to 15 metres in height) were not appropriate in the zones under consideration. A resource consent application was considered to be the appropriate method to assess these effects on a site-by-site basis.

12.12 I consider that the same reasoning applies to the Open Space and Recreation chapter, particularly considering that the zones are spread throughout the District and have the potential for a wide variety of land uses within the zone. The nature of the land covered by the open space zones also means that there is the potential for the land to have high landscape values, in which a height of 15 metres are likely to have significant adverse effects. It may seem unlikely that FENZ would wish to establish a fire station on reserve land in the first place, but accepting that this is a possibility I consider that the existing activity status of non-complying in the open space zones is appropriate. It indicates that such an activity is unlikely to be consistent with the objectives and policies of the zones other than in exceptional circumstances such as where an activity has no more than minor effects. For these reasons I recommend that this part of the submission be rejected.

12.13 The submission also requests that a new standard be added under 38.10 to require a water supply and access for firefighting, although again it is assumed that the provision numbering within the relief sought is a typographical error. The proposed provision reads:

24.7.x Water supply and access for firefighting

24.7.x.1 New buildings (excluding accessory buildings that are not habitable) shall have sufficient water supply for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS4509:2008.

24.7.x.2 Where a building is located more than 135m from the nearest road that has reticulated water supply (including hydrants) access shall have a minimum formed width of 4m, a height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8).

- 12.14** The proposal was located under the heading “New Standard 38.10.X”, in the submission but did not include an activity status in the event of non-compliance.
- 12.15** This point is again similar to points raised by NZFS on the zones in Stage 1. In Stage 1 the Council recognised that the provision of a fire fighting water supply was an important matter, and the decisions on Stage 1 included the requirement to provide firefighting water supply and access in a number of zones including the Rural, Rural Residential/Rural Lifestyle and Waterfall Park Zones. The same matter was also raised by the submitter for the Chapter 24 Wakatipu Basin in Stage 2.
- 12.16** One of the concerns with the proposed provisions raised in Stage 1 and again in the section 42A report for Chapter 24 was the effect of incorporating an outside standard (the Code of Practice) within the text of the PDP. This would mean that in order to determine whether a proposal was a permitted activity, a reader would be required to go outside the PDP and in the event that FENZ updated the Code of Practice, the Council would need to undertake a plan change to the PDP (otherwise the old standard would remain the version that had effect). Permitted activity status would also be subject to interpretation of the Code of Practice and I consider this could create uncertainty with the application and administration of the rule.
- 12.17** For these reasons, the chapters in Stage 1 that required a firefighting water supply, specified the firefighting requirements within the rules, rather than referring to the Code of Practice.
- 12.18** In contrast to a number of other zones, the land notified as an Open Space and Recreation zone is identified on a site-by-site basis in accordance with the designations rather than by such means as landscape values or topographical characteristics, for instance. This means that it tends to be isolated from water supplies and other open space zoned land and is scattered across the district. The introduction of any rule specifying the standards of firefighting water supply and access would need to be broad enough to address the issue across all zones.

- 12.19** A preferable approach would be to change the activity status of new buildings and additions to existing buildings so that the matter of firefighting water supply and access can be assessed on a case-by-case basis. As notified, new builds and additions to existing buildings are currently permitted (subject to standards) where they are associated with permitted activities in all zones except Community Purposes – Camping Ground. If they were to be a controlled activity, for example, and consequential changes were made to the matters of control under 38.13, this need for infrastructure would be able to be assessed. Similarly, a matter for control could also ensure that the visual effects of any infrastructure installation such as tanks is suitably mitigated. This would however remove one of the clear benefits of the notified provisions to make everyday additions to existing buildings and the replacement of buildings on Council owned reserves a permitted activity.
- 12.20** No submissions were received on Rules 38.9.24 or 38.9.25 which relate to new builds and additions to existing buildings, and therefore I have no scope to recommend such changes. The best alternative, as I still consider that this submission has merit, is to draft a rule that requires firefighting water supply and access in a manner that will be suitable as a minimum standard in all open space zones.
- 12.21** As a result of the reference to the Code of Practice, the rule proposed by the submitter applies to buildings in all areas, regardless of whether the area was serviced with a reticulated water supply or not (the Code of Practice covers both reticulated and non-reticulated areas). Given that the location of land zoned open space can range from town centre to rural, it is practical (and in line with other chapters) to only require a firefighting water supply in non-reticulated areas.
- 12.22** Chapter 21 Rural applies its firefighting water standard to buildings other than Farm Buildings. This would presumably include buildings constructed for Community or Commercial Activity purposes, for example, as well as residences. In its Memorandum of Counsel dated 7 June 2016, NZFS supported using a 45,000 litre minimum

standard¹⁶. Depending on the building proposed, this may be less than the minimum volumes required by the Code of Practice for classifications FW3 and above (that is, anything other than a residence), as these are calculated based on fire cells. In the current circumstances, and given the support of this volume by the NZFS in Stage 1, it is the most certain.

12.23 In order to ensure that the firefighting water supply is practical and that the cost in relation to benefit is not too onerous, I consider it appropriate to include a building minimum floor area in the application of the rule. This will enable the Council and other reserve users to construct small buildings for storage or other use without triggering the requirement to install a water supply. I recommend the use of 20 square metres in area as the trigger, as this is the largest structure that can be built without the need for building consent¹⁷. The requirement for buildings over that size to obtain a building consent will help ensure that the rule is able to be appropriately monitored.

12.24 I recommend that the part of the submission 2660 requesting a new rule under 38.10 be accepted in part. I recommend the following wording as providing the most clarity and certainty while minimising fire risk and costs to users:

Table 38.2	Standards for Activities in the Open Space and Recreation Zones	Non-Compliance Status
<u>38.10.X</u>	<u>Water supply and access for firefighting</u> <u>All new buildings over 20m² in area that are not connected to the reticulated water supply must make the following provision for firefighting:</u> <u>38.10.X.1 A water supply of 45,000 litres; and</u> <u>38.10.X.2 A hardstand area adjacent to the firefighting water supply connection of a minimum width of 4.5 metres and a minimum length of 11 metres; and</u> <u>38.10.X.3 A firefighting water connection located more than 6 metres but not less than 90 metres away from the building; and</u>	<u>RD</u>

16 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Memorandums/S0438-NZFS-Commission-T02-memorandum-of-counsel.pdf>

17 Schedule 1, Building Act 2004

	<p><u>38.10.X.4 Access from the property boundary to the firefighting water connection of a minimum width of 4.5 metres.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>the extent of compliance with any national standards for firefighting water supply;</u> b. <u>the accessibility of the firefighting water connection</u> c. <u>point for fire service vehicles;</u> d. <u>whether and the extent to which the building is</u> e. <u>assessed as a low fire risk.</u> f. <u>any advice that may have been received from Fire and Emergency New Zealand.</u> 	
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12.25 There may be some effect on landscape values as a result of the requirement for firefighting water supply. However, as the rules enable buildings of a reasonable size to be constructed as a permitted activity in a limited number of circumstances, I consider that the potential visual effects or effects on landscape and open space values from the infrastructure required for firefighting will be within the range of effects that the permitted activity status of some buildings enable.

12.26 As noted in the section 42A report for Chapter 24 Wakatipu Basin¹⁸, the Code of Practice allows for some discretion to be applied when determining whether a firefighting water supply is compliant. This is one of the reasons that the incorporation of the Code of Practice in the rules of the district plan would be problematic, however I consider that a restricted discretionary status would appropriately enable resource consents to be considered where a variation to the volume or configuration of supply may be necessary.

12.27 As I am recommending that provision be made for this matter, it is appropriate that a policy be included. In accordance with the legal advice from Meredith Connell to the Panel dated 9 August 2016 and

18 Section 42A Report, Chapter 24 Wakatipu Basin, paragraph 13.6

relied on by the Panel¹⁹, I consider that there is scope within the FENZ submission for this consequential amendment.

12.28 I recommend the following policy be inserted under Objective 38.2.1:

38.2.1.X Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

13. SPECIFIC ISSUE – QUEENSTOWN AIRPORT CORPORATION

13.1 Queenstown Airport Corporation have requested a number of changes and additions to the provisions of the Open Space and Recreation chapter to protect its airport operations in accordance with the now operative provisions of what were previously described as the Plan Change 35 provisions. Plan Change 35 (**PC 35**) amended the existing airport air noise boundaries and the associated ODP provisions to allow for projected airport growth through to 2037. The Plan Change became fully operative on 28 June 2018. The particular amendments and additions sought are addressed below.

13.2 Queenstown Airport Corporation have submitted that Policy 38.2.2.2 be amended as follows:

38.2.2.2 *Limit activities, buildings and structures to those that are:*
a. compatible with the role and function of the zone; ~~and are~~
b. compatible with the sensitivity of the surrounding environment and zone; ~~and are necessary to maintain or enhance the anticipated use or values of the zone.~~

13.3 Real Journeys et. al. also submitted on Policy 38.2.2.2, and the recommendation on the changes they requested (which do not materially affect the relief requested by Queenstown Airport Corporation) can be found below.

19 Paragraph 55 Report 5 Report and Recommendations of Independent Commissioners Regarding Chapter 26 – Historic Heritage

- 13.4** The submission also seeks that the following new zone wide objective, policy and method from PC 35 be added to the chapter:

Objective 38.2.5 Queenstown Airport is protected from the reverse sensitivity effects of Activities Sensitive to Aircraft Noise.

Policy 38.2.5.1 To prohibit the location of any new Activity Sensitive to Aircraft Noise on Open Space and Recreation zoned land within the Air Noise Boundary or Outer Control Boundary for Queenstown Airport.

Rule 38.9.38 Activities Sensitive to Aircraft Noise within the Air Noise Boundary or Outer Control Boundary at Queenstown Airport: PR (in all zones).

- 13.5** Strategic Policies 3.3.5, 4.2.2.16, 4.2.2.17 and 4.2.2.18 recognise the contribution Queenstown Airport makes to the District's economy and the conflict between aircraft noise effects and the need to provide for the operation of the airport. The request for recognition of reverse sensitivity issues in the Open Space and Recreation chapter policies is reasonable given the specific directive in Strategic Policy 4.2.2.17 to protect the airport via a range of zoning methods.
- 13.6** The issue of conflicting uses is raised in the notified objectives and policies of Chapter 38, although these primarily relate to the managing conflicting uses within the open spaces rather than managing reverse sensitivity between open space zones and adjoining activities. The District Wide Objective 38.2.1 and related Policy 38.2.1.1 are also relevant in that they seek that the needs of the District's residents and visitors are met and provide that Open Space and Recreation Zones be functional and fit for purpose.
- 13.7** I accept the requested amendment to Policy 38.2.2.2, with some changes for grammatical preference. The recommended version of this policy is covered below, where it incorporates both this change and addresses the amendments requested by Real Journeys et. al.
- 13.8** There is significant potential for aircraft noise within the Air Noise Boundary (**ANB**) and Outer Control Boundary (**OCB**) to reduce amenity for users of open space in areas around airports in the District.

In Stage 1 of the PDP, this issue was dealt with on a chapter by chapter basis, with different levels of protection being applied in different areas. For example, in the Rural Zone new Activities Sensitive to Aircraft Noise (**ASAN**) are prohibited, whereas in the Lower Density Suburban Residential Zone the issue is managed through requiring acoustic insulation and mechanical ventilation.

13.9 ASAN is defined in Chapter 2 as (among other things) any community activity and day care facility activity as defined in the District Plan. Within Table 38.1 as notified, the activities that would fall within that definition are: Community centres and halls; Day Care facilities; Education and research facilities directly related to the open space area; Art galleries, arts and cultural centres; Camping Grounds; and Libraries. In accordance with the objectives and policies, the provisions of the chapter should support these activities to be fit for purpose (in accordance with Objective 38.2.1 and Policy 38.2.1.1(b)) by managing the effects of noise on them and preventing reverse sensitivity effects arising. While the wording proposed in the submission is in accordance with the Rural Zone provisions relating to airport noise, the Rural Zone has been deliberately replaced with the open space zones because the Rural Zone provisions do not adequately provide for the types of land uses that are considered generally acceptable in open spaces.

13.10 For this reason, I disagree with the proposed wording put forward by the submitter. It seeks to prohibit the activity and in my view the effects should be able to be managed appropriately in many instances following some minor changes to the requested new provisions. I accept the general point that some activities, such as outdoor recreation activities, may conflict with the operation of a busy airport in some locations and that this reverse sensitivity effect cannot be mitigated through design. I therefore recommend that a new objective, policy and associated standard be included as follows:

38.2.X Objective – Activities sensitive to aircraft noise within the Queenstown Airport Air Noise Boundary or Outer Control Boundary are avoided or managed to mitigate noise and reverse sensitivity effects.

38.2.X.X Require buildings that contain an Activity Sensitive to Aircraft Noise and are located within the Queenstown Airport Air Noise Boundary

or Outer Control Boundary to be designed and built to achieve an internal design sound level of 40 dB Ldn.

Table 38.2	Standards for Activities in the Open Space and Recreation Zones	Non-Compliance Status
38.10.XX	<p><u>Activities Sensitive to Aircraft Noise</u></p> <p><u>New buildings or additions to existing buildings containing Activities Sensitive to Aircraft Noise located within the Queenstown Airport Air Noise Boundary or Outer Control Boundary shall be designed to achieve an Indoor Design Sound Level of 40dB within any Critical Listening Environment (based on the 2037 Noise Contours) and ventilated in accordance with Rule 36.6.2.</u></p>	NC

13.11 The above provisions reflect the outcomes of PC 35 and appropriately address the effects of airport noise within the context of the Open Space and Recreation zones. The above provisions will also give effect to Strategic Policies 3.3.5, 4.2.2.16, 4.2.2.17 and 4.2.2.18 in that the airport is protected from reverse sensitivity issues.

Definitions

13.12 Queenstown Airport Corporation requests that Chapter 2 Definitions be amended to add definitions for informal recreation, public amenities, parks maintenance, recreation facilities, organised sport and recreation and recreational trails; and that an opportunity for further submissions be provided for these changes. The submission states that these are new terms introduced into the PDP, and the absence of definitions means it is difficult to interpret the meaning and intents of the provisions.

13.13 The terms referred to in the submission are listed as activities in Table 38.1.

- 13.14** The submission raised concerns with six activities. Informal recreation is listed as permitted in all zones. While the PDP does not define informal recreation, it does define Recreation, and Recreational Activity. I consider that a reasonable person’s interpretation of informal recreation would be Recreation or Recreational Activity, as defined in the PDP, but undertaken on an ad-hoc basis. I do not believe a definition is necessary. For the same reason, I also consider that the term organised sport and recreation does not require a definition.
- 13.15** The terms public amenities and parks maintenance have their ordinary meanings. I consider that a definition for either is unnecessary. The Reserves Act 1977 refers to both terms²⁰ (and consequently so do some Reserve Management Plans) but does not define the term. I also note that in relation to the request for a definition of parks maintenance, presumably the definition would mostly relate to the word maintenance rather than parks. The PDP includes the word “maintenance” in a number of existing definitions. To set out what would be deemed “maintenance” in a parks context could change these existing definitions in a way that was not intended.
- 13.16** Recreation facilities is the subject of a standalone rule (Rule 38.9.6) but is also included within the definition of Commercial Recreation Activity in Chapter 2. Commercial Recreation Activity is also the subject of a rule in Table 38.1. In order to ensure that it is clear to plan users what aspects of Commercial Recreation Activity may be permitted by Rule 38.9.6, I recommend the inclusion of the following definition in Chapter 2, consequential to the relief sought:

<u>Recreation facility</u>	<u>A facility where the primary purpose is to provide for sport and recreation activities and includes recreation centres, swimming pools, fitness centres and indoor sports centres but excludes activities otherwise defined as Commercial Recreation Activities.</u>
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²⁰ For example, s19 refers to amenities available to the public and s16 refers to maintenance.

- 13.17** A problem arises with the activity “Recreation trails” in Rule 38.9.27. The term “Trail” is already defined in Chapter 2 and explicitly excludes public access routes over any reserve administered by the Council, the Crown or any of its entities. I recommend the amendment of Rule 38.9.27 to refer to recreational tracks rather than trails. The ordinary meaning of track would apply; there is in my view no need to include a separate definition.

Advice note

- 13.18** Queenstown Airport Corporation further seeks that the following new advice note be added to 38.8.2.11:

38.8.2.11 Activities, buildings and structures proposed to be established within the vicinity of Queenstown Airport are referred to Figures 1 and 2 of the Planning Maps which identify the Airport Approach and Protection Measures, and Airport Protection Inner Horizontal and Conical Surfaces for Queenstown Airport. Land use restrictions associated within these areas are further described in Chapter 37: Designations, Part D.3. Persons who wish to undertake activities or develop buildings or structures which enter into these surfaces are advised to consult with the relevant requiring authority and the Civil Aviation Authority.

- 13.19** Alternatively, it requests a new standard relating to height limits within the Community Purpose Zone at the Queenstown Event Centre.

- 13.20** I consider that site-specific rules increase complexity and should be avoided where possible. For the same reason, duplication of provisions should also be avoided. As the submitter acknowledges, its designation should be sufficient to protect its interests in relation to building height and the chapter as notified lists Chapter 37 as a district-wide chapter for consideration under 38.8.1. A number of infrastructure activities are singled out for additional guidance under 38.8.2 so an additional advice note in relation to the airport would be consistent with the existing provisions.

13.21 If an additional provision on this issue is necessary to protect the airport in accordance with the Strategic policies 3.3.5, 4.2.2.16, 4.2.2.17 and 4.2.2.18, an advice note is preferred to a site-specific rule. I recommend that the submission seeking an advice note is accepted (although with corrected and consequential numbering) and the alternative relief should be rejected.

Setback

13.22 Queenstown Airport Corporation also submits that Rule 38.10.4 (Setback from Internal and Road Boundaries) be amended to require buildings and structures to be setback 1.5m where it adjoins the Airport Zone. As notified, Rule 38.10.4.1 reads:

Table 38.2	Standards for Activities in the Open Space and Recreation Zones	Non-Compliance Status
38.10.4	<p>Setback from Internal and Road Boundaries</p> <p>Setback from internal boundaries</p> <p>38.10.4.1 Where a site adjoins another zone, buildings shall be setback from the boundary the same distance as required by the set back from internal boundaries of the adjoining zone.</p> <p>...</p>	RD

13.23 In accordance with this rule, the internal boundary setback where an open space zone adjoins the Airport Zone is found in Rule 17.5.2.2. This rule states that the setback for buildings adjoining a zone other than the Residential Zone or a public road shall be three metres. The provision as notified gives greater relief than that sought by the submitter, and I therefore recommend that this part of the submission be rejected.

14. SPECIFIC ISSUE – REAL JOURNEYS LIMITED (2466), GO ORANGE LIMITED (2581) AND TE ANAU DEVELOPMENTS LIMITED (2494)

- 14.1** As noted above, Real Journeys et. al. submitted near identical submissions seeking the deletion of the chapter or wide-ranging changes to the notified provisions in the alternative. While the deletion of the chapter has been discussed above, given the volume of amendments requested, I have considered the alternative relief sought by Real Journeys et. al. together, rather than addressing each of them where they are raised in the provisions.
- 14.2** Real Journeys et. al. request that the text relating to the responsibility of the Council to provide open space and recreation opportunities and to manage the effects of activities be removed. This text relates to Council's functions under section 31 of the RMA, which states that every territorial authority shall have as a function the control of any actual or potential effects of the use, development or protection of land. It is in line with Section 11A of the Local Government Act 2002 which requires a local authority to have particular regard to core services when performing its role, including libraries, museums, reserves, and other recreational facilities and community amenities. However, I accept that the requirements of the Acts will apply regardless of whether they are spelt out in the text of the PDP, and therefore recommend accepting their removal from the text.
- 14.3** Real Journeys et. al. has proposed a raft of changes to the District Wide objectives and policies in the event that their primary relief sought, the deletion of the chapter, is rejected. These are addressed below.

Objectives and Policies

- 14.4** Objective 38.2.1 as notified reads:
- 38.2.1** *The open space and recreation needs of the District's residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities.*
- 14.5** The submissions propose to replace the word "met" with "supported". No reasoning for this change was provided. I consider that "met" is appropriate in this case, as being an objective the provision should be clear about its intended outcome.

14.6 Policy 38.2.1.3 as notified reads:

38.2.1.3 *Protect and enhance ecological values, including habitats for indigenous fauna.*

14.7 Real Journeys et. al. seek to add “significant” before ecological values, and delete the reference to habitats for indigenous fauna. Again, no reasoning was given for this change. I consider that the addition of “significant” as a qualifier to ecological values is not helpful, as it restricts the policy to values and habitats that qualify as significant as a section 6 matter of national importance, which is already specifically addressed in Chapters 3, 21, and 33 of the PDP. Noting that this policy will apply to Council owned land, I consider that there is nothing unreasonable about policy promoting a broader aspiration for ecological values in Council’s reserves in achieving the “quality” component of the objective.

14.8 As notified, Policy 38.2.1.4 states:

38.2.1.4 *Protect open space, recreation and amenity values by managing the adverse effects of, and conflicts between, different types of recreation activities.*

14.9 Real Journeys et. al. seeks the following change for grammatical preference:

38.2.1.4 *Protect open space, recreation and amenity values by managing the adverse effects of, ~~and conflicts between,~~ different types of recreation activities, including conflicts between them.*

14.10 In its reasoning, the submitter seeks clarification on how conflicts between different types of recreation activities will be managed, presuming the conflicts to be managed as between users.

14.11 Contrary to the submitter, I understand the policy to be protecting open space, recreation and amenity values from conflict arising between, for example, the more passive informal recreation uses and the commercial recreation activity that may be more enabled in some

zones. Conflicts between users, such as trade competition effects, is an example of a conflict that should not be taken into account in the district plan provisions.

14.12 Accordingly, I recommend that Policy 38.2.1.4 be retained as notified.

14.13 As notified, Policy 38.2.1.5 states:

38.2.1.5 *Avoid activities that do not have a practical or functional need to be located within Open Space and Recreation Zones, unless a particular activity:*

a. is compatible with and does not affect the continued operation of established activities;

b. does not preclude the development of new open space and recreation activities; and

c. maintains and/or enhances the recreation and amenity values.

14.14 Real Journeys et. al. requests the deletion of “does not affect” in limb (a), and the complete deletion of limbs (b) and (c) of the policy. No reasoning is given for the deletion of the words in limb (a). The submitters state that limb (b) is not practical as “any development arguably precludes another development” and (c) is duplicating Objective 38.2.2.

14.15 I do not agree that the words in limb (a) should be deleted, and the submissions did not give a reason for the deletion. While arguably the words “does not affect” are relatively wide, I consider that the words following it, “the continued operation”, limit the effects to those that would prevent or hinder the established activity from continuing as it had.

14.16 I do not agree with the request to delete limb (b). An ordinary reading of “preclude” would be “prevent from happening”. Contrary to the reasoning in the submission, there are numerous instances of developments co-existing together in open space reserves. The policy directs that only those that would prevent others from being located there be avoided.

- 14.17** The final request relating to Policy 38.2.1.5 is to remove the final limb as it duplicates Objective 38.2.2, which reads:

38.2.2 *Recreation activities are undertaken and facilities constructed in a way that maintains or enhances the values of open space areas and the recreation opportunities available within the District.*

- 14.18** This objective (and therefore its related policies) refers specifically to recreation activities. Objective 38.2.1 does not limit itself to a particular type of activity. I therefore think it is not duplication to have a reference to recreation and amenity values in a policy that relates to Objective 38.2.1 and that it should remain. I would however recommend that it is amended for grammatical preference to read “maintain or enhance” rather than “and/or”.

- 14.19** The submission contained comments on Policy 38.2.1.6 but it was not clear from the submission what relief it sought. The policy reads:

38.2.1.6 *Provide a District Plan framework that establishes the roles, functions and activities for each Open Space and Recreation Zones, within which the outcome of public participation into the design, development, management and enhancement of reserves can be implemented through processes other than through the Act, such as reserve management plans.*

- 14.20** Real Journeys et. al. commented that the policy was not appropriate for achieving any objective, and that the need for creating a separate and additional process to the Reserves Act has not been sufficiently justified.

- 14.21** The policy is directed at the Council rather than at third party users of reserves. The policy sets out that the PDP process is not replacing the Reserve Management Plan process under the Reserves Act 1977, which will continue to operate within the new Open Space zones. I disagree with the submitter that it is not appropriate for achieving an objective; it links back to Objective 38.2.1 and meets the needs of the District’s residents and visitors through public participation in the reserve management process.

14.22 Real Journeys et. al seeks the deletion of both Policies 38.2.2.1 and 38.2.2.2. The policies read:

38.2.2.1 *Ensure activities are undertaken, and buildings and infrastructure are located and constructed in a manner that maintains or enhances the amenity values of the relevant reserve and surrounding environment, including natural, scenic and heritage values.*

38.2.2.2 *Limit activities, buildings and structures to those compatible with the role and function of the zone and are necessary to maintain or enhance the anticipated use or values of the zone.*

14.23 The submission states that Policy 38.2.2.1 overlaps with Policy 38.2.2.4 and that Policy 38.2.2.2 is too onerous. I agree that there is a slight overlap between Policies 38.2.2.1 and 38.2.2.4 in that they both refer to the effects from buildings and structures on the amenity values of the zone. However, this can be remedied without the deletion of the whole policy, and instead removing the reference to buildings and structures within Policy 38.2.2.1 so that it only refers to activities, and leaving Policy 38.2.2.4 to address the effects of buildings. I recommend Policy 38.2.2.1 be amended to read:

38.2.2.1 *Ensure activities are undertaken, ~~and buildings and infrastructure are located and constructed~~ in a manner that maintains or enhances the amenity values of the relevant reserve and surrounding environment, including natural, scenic and heritage values.*

14.24 The submissions do not give a reason why they consider Policy 38.2.2.2 to be too onerous, however I recommend the following amendment (including the amendments requested by Queenstown Airport Corporation as introduced above):

38.2.2.2 *Limit activities, buildings and structures to those compatible with the role and function of the zone, the sensitivity of the surrounding environment and ~~are necessary~~ to maintain or enhance the anticipated use or values of the zone.*

14.25 The deletion of these words removes a threshold that nearly all recreation development would fail to meet and therefore is more likely to achieve the objective.

14.26 Policy 38.2.2.3 reads:

***38.2.2.3** Require areas surrounding buildings, structures, outdoor storage and parking areas to be screened and landscaped to mitigate visual impacts and maintain or enhance amenity values.*

14.27 Journeys et. al. request that the reference to screening is deleted. The submission states that it is not always practical or appropriate to screen buildings, storage and parking. While I agree that it should be deleted, it is not for the reason set out in the submission. The definition of landscaping in Chapter 2 already includes screening, so this wording is superfluous. I recommend the submission be accepted in part.

14.28 Journeys et. al. seek the addition of the word “significantly” into Policy 38.2.2.5 (e) so that it reads:

***38.2.2.5** Ensure that any buildings or structures located within, adjoining or nearby to an Outstanding Natural Feature or Landscape, protect, maintain or enhance those values by:*

...

e. ensuring trails, access and carparking areas (including associated earthworks) do not significantly degrade visual amenity values or disrupt the natural character or landforms.

14.29 The submitters argue that it is extremely difficult or even impossible to undertake development that does not degrade visual amenity values. A high level of protection of the values of ONF/ONL is supported by the policies of Chapters 3 and 6.

14.30 This policy is unambiguous in that development in ONF/ONL should be enabled only in extraordinary cases. I recommend that this aspect of the submission and the dilution of the policy in the manner sought would be contrary to the plan’s consistent strategy for managing section 6 features and landscapes and should be rejected.

14.31 Real Journeys et. al. want specific reference to adjoining water bodies in Policy 38.2.2.6, which provides that the use of the open space zones does not detract from a safe and efficient network for the movement of people and goods. The policy wording as notified does not exclude adjoining water bodies, therefore it is unnecessary to include specific reference to it as this would only add bulk to the policy.

14.32 Real Journeys et. al. seek amendments to Objective 38.2.3 and related policies 38.2.3.2 and 38.2.3.3 to be more enabling of commercial activity by reducing the level of environmental protection. They seek to amend the provisions as follows:

38.2.3 *Commercial activities are generally only limited to those that have a functional requirement to locate within Open Space and Recreation Zones and are compatible with do not significantly degrade existing open space and recreation values.*

38.2.3.2 *Ensure that commercial activities do not significantly degrade the quality, amenity values and landscape values of open spaces.*

38.2.3.3 *Provide for commercial recreation activities that do not significantly detract from the quality of the experience of people partaking in other commercial recreation activities and other passive and active informal recreation activities, having particular regard to the scale, intensity and cumulative effects of commercial recreation activities.*

14.33 The proposed qualifiers introduced in Objective 38.2.3 do not clarify the outcome to be achieved by the objective, rather they confuse it in my view. While I accept that the use of a qualifier such as “materially” can prevent a policy requiring an unintended or impossible standard of protection, words such as “generally” or “significantly” are undefined and subjective, and fetter the ability for the policy to implement Chapter 3 Strategic Directions. I also note that there also seems to be a conjunction missing in the proposed wording so that the second half of the sentence does not make sense.

14.34 I recommend that both Objective 38.2.3 and Policy 38.2.3.2 are amended to remove the reference to degradation and retain the same

level of protection, but frame the provisions in the active. I recommend the following:

38.2.3 *Commercial activities are limited to those that have a functional requirement to locate within Open Space and Recreation Zones and ~~do not degrade~~ maintain open space and recreation values.*

38.2.3.2 *Ensure that commercial activities ~~do not degrade~~ maintain the quality, amenity values and landscape values of open spaces.*

14.35 The use of the word “detract” in Policy 38.2.3.3 is a slightly different case as it relates to the quality of the reserve user’s experience rather than, say, the effects of the activity on amenity (although the two are inevitably intertwined). In this context, the use of the word degrade is preferable, as it is appropriate for a policy to seek to ensure that user experience should not be reduced by the introduction of a new commercial activity in an open space. I recommend this policy be retained as notified.

14.36 Objective 38.2.4 reads:

38.2.4 *The interface between activities within the Open Space and Recreation Zones are managed to protect, maintain or enhance the natural character of waterbodies and their margins.*

14.37 Real Journeys et. al. seek an addition to the objective to also require the protection of the health and safety of people, to ensure commercial or recreation surface water activities are not impacted. They seek a new policy ensuring the same. I consider that Policies 38.2.2.5(a) and 3.2.2.6 sufficiently cover the effects of activities near waterbodies. Health and safety matters I consider to be sufficiently covered through other legislation.

14.38 The submission proposes Policy 38.2.4.1 be amended by replacing “preserves” with “supports the preservation” as it relates to the natural character and nature conservation values of lakes rivers and their margins. I recommend the amendment be accepted. The wording as notified reads more like an objective than a policy, and the proposed amendment will rectify this.

Provisions

14.39 Real Journeys et al. have requested that the advice notes be located to the end of the chapter. The submission did not include reasoning for the proposed change. To accept this part of the submission would result in the Open Space and Recreation chapter being inconsistent in formatting to Stage 1 decision chapters. In the interests of making the PDP as consistent and user-friendly as possible, I recommend this aspect of the submission be rejected.

14.40 Journeys et al. request that the non-compliance status with Rule 38.10.1 (building height) and Rule 38.10.3 (recession planes) be amended from a discretionary activity to a restricted discretionary activity with specific matters of discretion.

14.41 This rule as notified can be linked back to the following district wide policy in Chapter 38:

38.2.2.4 *Ensure the scale and location of buildings including associated structures, trails and accesses, and noise and lighting associated with recreation activities is consistent with the level of amenity anticipated in the zone and in the surrounding environment, having particular regard to the following where new buildings, structures or lighting are proposed:*

a. the purpose, number, size and location of new buildings, structures and lighting are appropriate, in terms of their function and the sensitivity of the environment;

b. that building design and appearance positively contributes to amenity, cultural, ecological and landscape values;

...

14.42 This policy identifies that restrictions are anticipated (38.2.1.4), and guide the assessment of resource consent applications where those restrictions may be breached (38.2.2.4). The listing of the two height standards as discretionary is therefore in line with these policies. As well as bringing the above helpful policies into play, discretionary activity status allows for unfettered consideration of other relevant documents such as reserve management plans, iwi management plans and open space strategy documents or even community plans.

This approach is considered preferable to developing large numbers of assessment matters to address the wide range of development scenarios and relevant considerations that could well arise. I recommend that the submission be rejected.

14.43 Real Journeys et al. have submitted that they request that Rules 38.10.2, 38.10.4, 38.10.8, 38.10.10, 38.11.1 and 38.11.3 (which are all restricted discretionary activities) are amended to ensure the matters of discretion include benefits of the proposal. I recommend the submission be rejected, as the positive effects of proposals are inherently considered as part of the resource consent process.

14.44 To summarise, I recommend the following as it relates to Journeys et al.'s submission:

- (a) Reject the proposed changes to the text under 38.1 – Purpose, Objectives 38.2.1 and 38.2.4, Policies 38.2.1.3, 38.2.1.4, 38.2.1.5, 38.2.2.5, 38.2.2.6, 38.2.3.3, 38.2.4.1, the introduction of a new policy, the relocation of the advice notes, the activity status of height rules and the matters of discretion; and
- (b) Accept in Part the proposed change to Objective 38.2.3 and Policies 38.2.2.1, 38.2.2.2, 38.2.2.3 and 38.2.3.2.

SUBMISSIONS ON THE TEXT OF THE OPEN SPACE AND RECREATION CHAPTER

15. 38.1 PURPOSE

15.1 Tonnie and Erna Spijkerbosch (2133) have submitted that open spaces should not be occupied by freedom campers and that this use should not be allowed to impact on the environment, or lives or impose costs on ratepayers. Sara Roy (2212) has submitted that the camping activity should not be allowed in Council Reserve areas and should be treated as a Visitor Accommodation Activity and allowed in areas suitable for Visitor Accommodation.

15.2 Both these submissions appear to relate to freedom camping activity rather than managed campground activities. Freedom camping is

managed through the Freedom Camping Bylaw (noted as an advice note under 38.8.2) rather than the district plan. I recommend that these submissions are rejected for this reason.

- 15.3** Skyline Enterprises Limited (2493) submits that the purpose statement be amended to identify four sub-zones rather than three. I recommend that the submission and further submissions on this matter be accepted. The revised text reflects the correct number of zones, provides clarity for readers and is therefore more efficient.

16. 38.2 OBJECTIVES AND POLICIES – DISTRICT WIDE

- 16.1** The district wide objectives (38.2.1-38.2.4) and their related policies apply to all Open Space and Recreation zones, with additional specific objectives and associated policies applying to each of the five Open Space and Recreation Zones.

- 16.2** Kawarau Jet Services Holdings Limited (2290) and ZJV (2485) have submitted requesting that Policy 38.2.1.1 be amended as follows:

38.2.1.1 The design, development, management and maintenance of Open Space and Recreation Zones shall provide for:

...

b. the effective and efficient use of resources to ensure that Open Space and Recreation Zones are ~~multi-functional and fit for purpose~~ and safe for users,

...

d. ~~the functional use of Open Space and Recreation Zones, while ensuring they are safe and attractive to all users.~~

- 16.3** Public Health South (2040) has sought to retain policy 38.2.1.1 (d) but amend it to provide for a universal design that is accessible to all users:

d. the functional use of Open Space and Recreation Zones, while ensuring they are safe and attractive to ~~all~~-users, including different physical capacities and ages, as appropriate.

- 16.4** Kawarau Jet Services Holdings Limited and ZJV note that the requested changes will reduce repetition and wordage, given that

Policy 38.2.1.2 directly addresses multiple use and a number of other provisions address the attractiveness or amenity of open spaces.

16.5 With regards to Public Health South's requested amendment to limb (d) of the policy, I consider the notified wording of "all users" covers those of differing ages and capabilities already and should be retained. I consider that the additional wording would be superfluous, and find the use of the term "as appropriate" to be uncertain and unhelpful.

16.6 I consider that the combining of limbs (b) and (d) of Policy 38.2.1.1 is a more efficient method of achieving Objective 3.2.1 than the two separate limbs in the notified provisions. I recommend that the policy be amended to read (with consequential renumbering):

38.2.1.1 The design, development, management and maintenance of Open Space and Recreation Zones shall provide for:

...

b. the effective and efficient use of resources so as to ensure that Open Space and Recreation Zones are multi-functional and fit for purpose and safe for all users;

...

d. the functional use of Open Space and Recreation Zones, while ensuring that they are safe and attractive to users;

16.7 Consequently, I also recommend that the relevant submission points of Kawarau Jet Services Holdings Limited and ZJV be accepted, and the submission of Public Health South be rejected.

16.8 In addition to the above point, Public Health South has also submitted that it seeks to add two more limbs to policy 38.2.1.1:

g. cycling and walking linkages within and between the zones, which are supported with appropriate infrastructure such as secure bicycle parking and water fountains.

h. open spaces and recreation zones are designated smoke free.

16.9 Public Health South expands on this in its submission, stating that all OSR zones should support active transport, cycling and walking to the same extent that policy 38.4.1.6 does for the Informal Recreation Zone.

- 16.10** Walking and cycling linkages are addressed in Policy 38.2.1.1 in limb (c) which states:

3.2.1.1 The design, development, management and maintenance of Open Space and Recreation Zones shall provide for:

...

- c. The maintenance and enhancement of integrated public access connections to walking and cycling networks throughout the District, including along lake and river margins.*

- 16.11** Public Health South's submission makes explicit that linkages should be supported with appropriate infrastructure. I consider that the policy as notified anticipates infrastructure upgrades by providing for the "maintenance and enhancement" of these connections. I consider that the policy proposed by Public Health South is already covered by policy 3.2.1.1(c) and I recommend that the submission requesting the addition of limb (g) to Policy 3.2.1.1 be rejected in the interests of avoiding duplication.

- 16.12** Public Health South did not put forward any methods of implementation for its proposal for a smoke-free policy and there would be considerable monitoring and enforcement issues if such a rule was included. I consider that to incorporate this as a policy without a rule or other method to support it is not appropriate, and that there are other options available (such as a general smoke-free policy or bylaw, or a Reserve Management Plan) that would be better able to achieve smoke-free parks and reserves. I recommend that this submission be rejected.

- 16.13** Queenstown Park Limited (2462) and Remarkables Park Limited (2468) have submitted that they seek that the references 'do not degrade' and 'do not detract' are removed from 38.2.3 and 38.2.3.2 respectively. The same point has already been addressed as part of Journeys et. al.'s submissions above and I recommend the submissions of Queenstown Park Limited and Remarkables Park Limited be accepted in part for the same reasons.

17. 38.3 OBJECTIVES AND POLICIES – NATURE CONSERVATION ZONE

17.1 Aside from the general submissions by Real Journeys et. al. requesting the entire chapter be deleted, the only submitter on the objectives and policies of the Nature Conservation Zone was Otago Fish and Game (2455). Otago Fish and Game accepts 38.3.1.1(d) in part, but request that the word 'indigenous' is removed from 'indigenous biodiversity'.

17.2 I consider deleting the reference to 'indigenous' broadens the application of the criteria and that these changes would better achieve the intent of the rule. I recommend this submission is accepted. The submitter makes the same request to the matters of discretion under Rule 38.10.5 and I recommend those changes for the same reasons.

18. 38.5 OBJECTIVE AND POLICIES- ACTIVE SPORT AND RECREATION ZONE

18.1 Active Transport Wanaka has sought implementation of the following policy for the Active Sport and Recreation Zone (**ASRZ**) to increase awareness of active transport:

Opportunities are taken to enhance recreational trail networks, cycling and walking linkages within the zone and other zones, to create a contiguous network to assist residents and visitors to move through and around neighbourhoods, and to other destinations, thereby providing an alternative and sustainable mode of transport.

18.2 I recommend rejecting the submitter's request to have a dedicated policy for trail networks within the ASRZ. The land zoned ASRZ is identified as being primarily used for organised sports, is relatively small and tends to be scattered throughout the District. The District-Wide policy 38.1.1.1(c) addresses the matter of provision of walk and cycle ways which I consider gives effect to Strategic policies 3.2.2.1 and 4.2.2.2. I consider that further specific inclusion within the ASRZ to be duplication.

19. 38.7 OBJECTIVE AND POLICIES- COMMUNITY PURPOSE ZONE

- 19.1 Other than general submissions in support, the only submitter on these provisions is Glen Dene Ltd and Sarah Burdon (2407), who has submitted that they would request that the Community Purpose Zone be amended so that the purpose of the Community Purpose-Campground not be restricted to land owned by QLDC. This has already been discussed above.

20. 38.8 OTHER PROVISIONS AND RULES

- 20.1 Two submitters requested amendments to advice note 38.8.2.8, which as notified reads:

38.8.2.8 *The following activities are managed in Chapter 30 Energy and Utilities:*

- a. Earthworks undertaken within the National Grid Yard;*
- b. Earthworks for the placement of underground electricity cables or lines;*
- and*
- c. Earthworks in the Electricity Distribution Corridor.*

- 20.2 Transpower New Zealand Limited (2442) has submitted that that limb (a) be amended to include buildings, structures and National Grid sensitive activities as well as earthworks, while Aurora Energy Limited (2508) has submitted that 38.8.2.8 should be amended to make it clear that it is not only earthworks in the National Grid Yard that should direct users to Chapter 30.

- 20.3 The wide application of the Open Space and Recreation zones across the District means that it is likely that some land zoned as such will fall within the National Grid. There is no clear reason to limit the application of the advice notes to earthworks and therefore I recommend that both the submissions be accepted in part and the advice note reworded as follows:

38.8.2.8 *The following Land use activities within the National Grid Yard or Electricity Distribution Corridor are managed in Chapter 30 Energy and Utilities:*

- ~~a. Earthworks undertaken within the National Grid Yard;~~*
- ~~b. Earthworks for the placement of underground electricity cables or lines;~~*
- ~~and~~*

21. 38.9 RULES - ACTIVITIES

- 21.1** Ngāi Tahu Property Limited (2336) has requested that two additional rules be included in Table 38.1 making bus shelters and bicycle parking a restricted discretionary and permitted activity respectively in the Informal Recreation and Active Sports and Recreation Zones.
- 21.2** Bus shelters and bicycle parking are identified in Chapter 29 Transport as permitted activities (notified Rule 29.4.4). I note that notified general rule 39.3.3.6 also states that activities on zoned land outside of roads are also subject to the zone-specific provisions, but that the provisions relating to activities outside of roads in that chapter do not override zone-specific provisions. In terms of the Chapter 38 provisions, I consider that those activities fall within the scope of 'Public amenities' in Rule 38.9.3. Although this term is not defined in Chapter 2, I consider that a reasonable person would interpret it to mean facilities made available to the general public without charge. Public amenities and buildings associated with them are currently listed as permitted in both the Informal Recreation and Active Sports and Recreation Zones, subject to standards. Although I support the submission's intent I recommend that the submission be rejected as it is already provided for.
- 21.3** Queenstown Park Limited (2462) and Remarkables Park Limited (2468) oppose the non-complying status of activities not listed in Table 38.1. Journeys et. al. also seeks this, and additionally proposed that all non-complying statuses listed in the Table be amended to discretionary. The PDP differs in a significant way from the ODP in that it has reversed the activity status for activities not specifically listed in the plan. Under the ODP activities not listed have a permitted activity status, provided they comply with any relevant site and zones standards. The structure of the PDP, including Chapter 38, generally provides for activities not covered by rules to have a non-complying status.

- 21.4** It is appropriate that those activities that have not been expressly considered and provided for to require resource consent as a non-complying activity. This indicates to plan users that such activities are unlikely to be appropriate in this zone and therefore provides greater certainty about possible outcomes. Those activities that fall between defined activities, or may have been overlooked during the drafting of the provisions, still have the option of applying for consent. The Council is not precluded from granting such a consent, provided the section 104D test is met but have an onus on them to show their effects on the environment will be minor, or that the activity will not be contrary to relevant objectives and policies. I consider that a fairly broad range of anticipated activities are provided for in the various zones and that the non-complying approach is well suited to other sorts of issues that can arise across the Open Space and Recreation zones and I recommend the submissions be rejected.
- 21.5** Lake Hayes and Shotover Country Community Association (2401) have submitted opposing the Discretionary Activity status for any campgrounds within and adjacent to Lake Hayes Estate and Shotover Country. The submission opposes any suggestion that reserve areas in the Lake Hayes State and Shotover Country area could become potential campgrounds.
- 21.6** The reserve areas within the Lake Hayes Estate and Shotover Country are all zoned Informal Recreation, where camping grounds are listed as a discretionary activity. As noted in the Purpose text for this zone, the Informal Recreation Zone covers a range of reserves, including but not limited to neighbourhood playgrounds, waterfront access and passive use areas. Given the range of areas covered, I consider that a discretionary activity status is appropriate. This status indicates to plan users that the effects of the activity may be able to be supported in some locations, but this will need to be decided on a case-by-case basis through the resource consent process. Discretionary activity status also allows for such an application to be publicly notified and for the objectives and policies of the zone to be considered along with any other relevant matters such as reserve management plans and effects on residential amenity and other important values.

- 21.7** Two submitters, Kirimoko No. 2 Limited Partnership (2405) and TJ Investments Pty Ltd (2564), seek a more stringent non-compliance status for commercial and recreational activities in the Informal Recreation Zone. Both of these submissions relate to rezoning requests for specific areas: Sticky Forest (where there is a question of scope) and Coronet Forest respectively.
- 21.8** These rules can be linked to the Informal Recreation zone-specific Policy 38.4.1.2 which states:
- 38.4.1.2 Encourage commercial recreation activities and related commercial activities to complement and enhance other uses and experiences in the Informal Recreation Zone while at the same time maintaining or enhancing the landscape and amenity values of the zone.*
- 21.9** This policy was supported by Queenstown Park Limited (2462) and Remarkables Park Limited (2468), and opposed by Kiwi Birdlife Park Limited (2569) who seek that the policy be amended to be more permissive. There are no submissions requesting the policy be more restrictive of commercial recreation and related commercial activities. The rules referenced by the submissions of Kirimoko No. 2 Limited Partnership and TJ Investments Pty Ltd range from permitted to restricted discretionary. Given the associated policy seeks to encourage commercial recreation and related commercial activities, these activity statuses are considered appropriate.
- 21.10** Bridesdale Farm Developments (2391) has requested the amendment of Rule 38.9.20 so that the status of Commercial Recreation Activities in the Active Sport and Recreation Zone be amended from discretionary to either restricted discretionary or controlled. This is linked to its rezoning request where it seeks Active Sport and Recreation zoning for land located to the south and west of the Bridesdale housing area to provide for a tennis academy. I have considered the amendment to the rule's activity status independently of the submitter's rezoning request.
- 21.11** The notified objective and policies for the Active Sport and Recreation Zone received no submissions. The relevant policy for the purpose of Rule 38.9.20 is Policy 38.5.1.1 which lists a number of activities that

should be provided for within the zone. Commercial Recreation was not included in that list. The District Wide objectives and policies are therefore the guiding provisions. These provisions limit commercial activity in general (Policies 38.2.3.1 and 38.2.3.2), while providing for some commercial recreational activity in a managed way (Policy 38.2.3.3). The exclusion of commercial recreation in Policy 38.5.1.1 indicates that this activity is not anticipated in this zone, while Policy 38.2.3.3 provides for commercial recreation activity only where it does not detract from other uses. Based on these provisions, I consider that the discretionary activity status is most appropriate as it allows for a full assessment through the resource consent process and I therefore recommend that the submission be rejected.

- 21.12** Wanaka Golf Club (2277) also seeks the amendment of Rule 38.9.20. The submission states that Rule 38.9.21 should be amended so that Commercial Recreation activities and buildings associated with commercial recreation activities are permitted activities. It is clear from the submission that the reference to Rule 38.9.21 (Commercial Activities) is a typographical error, and that the submitter meant to refer to Rule 38.9.20 (Commercial Recreation activities).
- 21.13** The submitter identifies that Commercial Recreation Activity is defined in Chapter 2 Definitions of the PDP as “Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity, excluding ski area activities.”
- 21.14** Wanaka Golf Club’s concern is that a contracted golf professional, who would appear to meet the definition of a Commercial Recreation Activity, would require a resource consent. I agree that to require a resource consent in order to hire a golf professional in the Community Purposes Sub-Zone – Golf would make a mockery of the zoning. However, I consider that the activity that the submission describes would more appropriately be described as Organised sport and recreation (38.9.14) which is a permitted activity in the Community Purposes Sub-Zone – Golf.

21.15 The activity “organised sport and recreation” is a new activity introduced in the Open Space and Recreation chapter. I agree that if this activity had not existed, or if the same activity was proposed in another zone, the proposal would fall under the definition of Commercial Recreation. However, in an Open Space and Recreation zone, the specification of this activity suggests that activities related to sports, including training or practice or the payment of money to conduct the sports activity, were intended to be captured within Rule 38.9.14 rather than under Commercial Recreation Activity.

21.16 I recommend that the request to amend Rule 38.9.20 to make Commercial Recreation Activities permitted is rejected.

21.17 Wanaka Yacht Club (2232) has submitted a request that an additional activity be inserted:

“The parking or placing of any motor vehicle, boat, caravan, trailer, material or equipment associated with a permitted activity is permitted in the Active Sport and Recreation Zone.”

21.18 In accordance Rule 29.4.3 of notified Chapter 29 Transport, parking for activities listed in Table 29.5 (Minimum Parking Requirements) is permitted and Rules 38.9.28 and 38.9.29 provide for the construction of access and parking for permitted activities. Storage facilities have a set of effects that are different to parking and are already addressed by the controls on buildings. I recommend that the submission be rejected.

22. 38.10 RULES - STANDARDS

22.1 Bridesdale Farm Developments (2391) has sought the amendment of Rule 38.10.1.3 so that the height limit for buildings in the proposed Active Sports and Recreation Zone be increased from 10 metres to 12 metres.

22.2 No reasoning was given for the increase in height in the submission, but, like its submission on the activity status of Commercial Recreation Activity, it is likely related to its proposed tennis facility.

22.3 Along with the Community Purposes Zone, the Active Sport and Recreation Zone has the highest permitted height of any of the Open Space and Recreation zones. Policy 38.5.1.2 guides development in this zone. It states:

***38.5.1.2** Active sport and recreation and associated buildings, structures (including additions) and car parking, are designed, located and operated to be compatible with the surrounding environment in which they are located, particularly within or adjacent to residential environments, and to avoid or mitigate any adverse effects of the activities (such as noise, hours and frequency) and of buildings, including visual dominance, outlook from adjoining or nearby sites and buildings, and shading.*

22.4 In addition to the above policy, the purpose section of the Active Sport and Recreation Zone is also useful as it notes this land is likely to be in the main urban centres and will have provisions that recognise the intensive use made of these areas. While there may be more intensive use surrounding the land zoned Active Sport and Recreation than in some other open spaces, the use is likely to be more strictly controlled. For example, while there is a higher maximum height limit in the Queenstown Town Centre Zone (decisions version), all buildings require resource consent with matters of discretion including external appearance and impacts on the surrounding area.

22.5 By contrast, buildings for some purposes (e.g. clubrooms) are permitted as of right. Provided they comply with the standards, no assessment of the design or effects on the surrounding area is required. For this reason, I recommend rejecting an increase in height limits for this zone. If necessary, applications for resource consent can be made where an increase in height is required.

22.6 Wanaka Golf Club (2277) has submitted that the following rules should be amended:

- (a) Rule 38.10.2.6, to increase the total floor area allowed for buildings in the Community Purposes Zone - Golf to greater than 600 square metres;
- (b) Rule 38.10.6.1, so that screening should be “from public places beyond the parameters of the golf course...”; and

(c) Rule 38.10.9, so that the standard is 200 square metres in the Community Purpose - Golf Zone.

22.7 I note that non-compliance with Rule 38.10.2.6 is a restricted discretionary activity, which seems reasonable. It indicates that larger floor areas may be appropriate in some instances and where assessed through a resource consent process. The submission explains the existing and approved floor area for their particular course and while at over 1000m² this is significantly over the proposed limit in the rule it will be protected by existing use rights. I recommend that the submission be rejected.

22.8 Wanaka Golf Club has pointed out that, due to the requirement to screen outdoor storage, storage of waste and recycling from public places, Rule 38.10.6.1 as currently written requires screening of these items from every potential vantage point because public place is defined in Chapter 2 of the PDP as including all reserve land to which the public has access. I agree with the submitter that this rule is impractical in its notified form.

22.9 I recommend that the rule be amended as follows:

***38.10.6.1** Outdoor storage ~~and storage of waste and recycling shall be screened~~ that are visible from public places roads and/or adjoining zones shall be landscaped with ~~by either~~ planting, solid walls, solid fences, or any combination of these, to a minimum of 2m in height along the length of the outdoor storage area. Where such ~~screening~~ landscaping is by way of planting it shall be for a minimum depth of 3m as well as 2m high.*

22.10 Outdoor storage is defined in Chapter 2 and includes the storage of waste so there is no need to specifically include this in the rule. The additions requiring landscaping where the storage is visible from roads or adjoining zones is in response to the removal of the termed 'screened', which is included in the term 'Landscaping' as defined by Chapter 2 and to give clarity to the application of the rule by limiting it to those outdoor storage areas that are visible from the places identified. While the submitter's proposed amendment is not practical as it relates only to golf courses, I consider the submission accepted in part.

22.11 I note that Rule 38.10.9, which limits retail floor space to 100m², is constraining but this may be necessary and appropriate in some locations. It is also in line with Objective 38.2.3 and Policies 38.2.3.1 and 38.2.3.2 which limit Commercial Activity, and is in accordance with the limit in the Rural General Zone of the ODP (although that zoning required a resource consent in all circumstances). In the absence of any clear justification for doubling the limit I recommend that the submission be rejected.

23. 38.13 MATTERS OF CONTROL FOR CONTROLLED ACTIVITIES

23.1 I note that there is a typographical error at 38.13.3 where Rule 38.9.16 is duplicated ahead of Rule 38.9.28 (to which 38.13.3 relates). It is recommended that the following change be made to Rule 38.13.3 for clarity:

38.13.3 ~~Rule 38.9.16: Restaurants and cafes that are accessory to a permitted activity and are located further than 50m from a Residential Zone in the Civic Spaces Zone, Informal Recreation Zone, Active Sports and Recreation Zone, CPZ, CPZ (Golf), CPZ (Camping Ground):~~

24. 38.14 MATTERS OF DISCRETION FOR RESTRICTED DISCRETIONARY ACTIVITIES

24.1 There were no submissions on these provisions, however I note that a rule listed as restricted discretionary in Table 38.1 has been left out of the provisions listed under 38.14 in error, which means there are no matters of discretion for the restricted discretionary rule, organised sport and recreation.

24.2 I understand Council has addressed this issue in Stage 1, where a rule with restricted discretionary status was notified with no matters of discretion. Council's legal reply was that the notified rule did not meet the description of a restricted discretionary activity under section 77A(3) of the RMA, and the appropriate status is fully discretionary (rather than the activity status creating scope to add new matters of discretion). The Panel then held that there was no scope to add in

matters of discretion, but didn't change the activity status from RD to fully Discretionary. I have made that change to fully discretionary, in **Appendix 1**, as I understand that is how the rule would need to be interpreted.

25. 38.15 LANDSCAPE ASSESSMENT MATTERS FOR DISCRETIONARY AND NON-COMPLYING ACTIVITIES

25.1 These provisions set out the landscape matters that the Council shall be satisfied of when considering applications for discretionary and non-complying activities on Open Space and Recreation zoned land. The landscape assessment matters are structured as those that apply to ONF/ONLs, those that apply to RCLs, and those that are applicable to all landscape categories.

25.2 Real Journeys et. al request the deletion of the landscape assessment matters. The submission does not include specific reasoning for the striking out of this text, although within the body of the individual submissions of Real Journeys Limited (2466) and Te Anau Developments Limited (2494) they state *“Much of the Council’s Reserve land is not afforded protection under s.6 of the RMA. Unlike the Districts Lakes and Rivers, which QLDC supports a Rural Zoning, most of the land subject to the proposed open space chapter is not recognised as being ONL.”*²¹

25.3 I have set out above under Issue 2 the circumstances of the variation to Stage 1 Chapter 6 Landscapes and its applicability to Chapter 38. Various land in the District, varied to Open Space and Recreation zone in Stage 2, was clearly notified as ONL/ONF in Stage 1 and that was not removed through the variation. I have recommended the inclusion of a new policy to apply the landscape classifications, but not the policies, of Chapter 6 to land notified as an Open Space and Recreation zone.

25.4 As the policies of Chapter 6 do not apply, the provisions of Chapter 38 must give effect to sections 6(b) and 7(c) of the RMA and the operative ORPS, and (at the time of writing) have regard to the pORPS (as

21 Paragraph 24 of Submission 2494 and Paragraph 47 of Submission 2466.

amended by various consent orders). The following policies are the most relevant to these sections of the RMA (noting that Chapter 3 Natural Resources of the pORPS has not been issued yet):

38.2.1.1 *The design, development, management and maintenance of Open Space and Recreation Zones shall provide for:*

...(e) *the location within which Open Space and Recreation Zones are situated, responding to recognised natural character, landscape and heritage values.;*

38.2.1.4 *Protect open space, recreation and amenity values by managing the adverse effects of, and conflicts between, different types of recreation activities;*

38.2.1.5 *Avoid activities that do not have a practical or functional need to be located within Open Space and Recreation Zones, unless a particular activity:*

- a. *is compatible with and does not affect the continued operation of established activities;*
- b. *does not preclude the development of new open space and recreation activities; and*
- c. *maintains ~~and~~/or enhances the recreation and amenity values*

38.2.2.4 *Ensure the scale and location of buildings including associated structures, trails and accesses, and noise and lighting associated with recreation activities is consistent with the level of amenity anticipated in the zone and in the surrounding environment, having particular regard to the following where new buildings, structures or lighting are proposed:*

- a. *the purpose, number, size and location of new buildings, structures and lighting are appropriate, in terms of their function and the sensitivity of the environment;*
- b. *that building design and appearance positively contributes to amenity, cultural, ecological and landscape values;*
- c. *that buildings or structures do not unduly preclude or limit public access, particularly along the margins of the District's lakes and rivers;*

- d. *that cumulative adverse effects of buildings and activities are taken into account; and*
- e. *the provision for and standard of lighting, including:*
 - i. *its siting and location, in particular, how it contributes to public safety; and*
 - ii. *minimising upward light spill on the night sky.*

38.2.2.5 *Ensure that any buildings or structures located within, adjoining or nearby to an Outstanding Natural Feature or Landscape, protect, maintain or enhance those values by:*

- a. *limiting development and activities in the vicinity of water bodies to the land based components of community recreation water based activities, which have a practical and functional need to be located within these areas;*
- b. *preserving the natural character of the margins of waterbodies;*
- c. *ensuring buildings are located in areas that are least sensitive to change and have capacity to absorb development;*
- d. *requiring buildings to be designed and finished so they:*
 - i. *avoid visual dominance; and*
 - ii. *mitigate or remedy adverse effects on the values of the Outstanding Natural Feature or Landscape; and*
- e. *ensuring trails, access and carparking areas (including associated earthworks) do not degrade visual amenity values or disrupt the natural character or landforms.*

25.5 In addition to the above particular policies, the following are also relevant to the management of landscapes:

- (a) All the policies within 38.2.3 (commercial activities);
- (b) All the policies within 38.2.4 (interface between activities);
- (c) All the policies within 38.3 (Nature Conservation Zone);
- (d) All the policies within 38.4 (Informal Recreation Zone); and
- (e) The assessment matters for discretionary or non-complying activities in part 38.15.

- 25.6** The policies within 38.2.4 specifically address section 6 matters (as lakes and rivers are ONLs), while the remaining provisions address both section 6(b) and section 7(c).
- 25.7** I consider that the above provisions, together with the recommended S42A Provision 6.3.XB, satisfactorily provide for section 6 and section 7 matters. Following the recommendation of the addition of S42A Provision 6.3.XB, the landscape classifications will apply to Open Space and Recreation zoned land, particularly that zoned Informal Recreation or Nature Conservation, therefore I do not support the deletion of the landscape assessment matters as requested by Journeys et. al and recommend that their submission be rejected.
- 25.8** I note that the assessment matters refer to the notified Stage 1 wording of Rural Landscapes Classification (RLC). I recommend that these references be amended under clause 16(2) to reflect the Stage 1 decision wording of Rural Character Landscapes (RCL) for consistency.

26. REZONING SUBMISSIONS

- 26.1** In Stage 1 the Hearings Panel set out its conclusions on the 'zoning principles' in the Queenstown rezoning recommendation report. Those matters are²²:
- (a) whether the change implements the purpose of the PDP Strategic Direction, Urban Development and Landscape and Rural Character 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

²² Paragraph 132, Report of the Hearing Panel Report 17-1 Regarding Queenstown (other than Wakatipu Basin) Planning Maps

- (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 (e.g. the existing and consented environment, existing buildings, significant features and infrastructure);
 - (g) zone changes are not consistent 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.

26.2 I have taken these zoning principles into account, in consideration of the rezoning submissions considered in the following section of my evidence.

CENTRAL QUEENSTOWN

27. ZJV (NZ) LIMITED (2485), SKYLINE ENTERPRISES LIMITED (574), (2493)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	<p>Submission 574.5 FS1370 - ZJV (NZ) Limited – oppose FS1063 – Peter Fleming and Others - oppose</p> <p>Submission 2485.2 FS2777 – Skyline Enterprises Limited – oppose</p> <p>Submission 2493.1</p>

	FS2756 – Kiwi Birdlife Park Limited - oppose
Land area/request referred to as	Section 1 SO Plan 24832 and Section 1 SO Plan 22971 (574) BLSZ - Bob's Peak (2485, 2493) BLSZ – Corridor Area (2485)
Stage 1: PDP Zone and mapping annotation notified	Rural (replaced) ONL Designation 221
Stage 1: Zone and mapping annotations requested	Commercial Tourism and Recreation Sub-Zone (574)
Stage 2: PDP Zone and mapping annotations	Informal Recreation Zone BSLZ BSLZ – Bob's Peak BSLZ – Corridor Area BSLZ – Building Restriction Area Rural (2493)
Stage 2: Zone and mapping annotations requested	BLSZ – Bob's Peak (2493) Rural (2485)
Supporting technical Information or reports	None
Legal Description	Section 1 SO 24832, Pt Section 110 Block XX Shotover SD (2461, 2485, 2493) Section 77 Block XX Shotover SD (2493)
Area	Approximately 2645m ² (2461) (QLDC GIS)
QLDC Property ID	6758 (2491, 2485, 2493)
QLDC Hazard Register	Active Schist Debris Landslides

- 27.2** Skyline submitted on Stage 1 of the PDP review (574), seeking the rezoning of the Ben Lomond reserve area from Rural Zone (at that time) to a new 'Commercial Tourism and Recreation Sub-Zone'. Its submission included a suite of provisions for the new zone.
- 27.3** Prior to decisions being released on Stage 1, majority of the land referred to in Skyline's Stage 1 submission was notified as Informal Recreation Zone, with the BLSZ. The submission (as it applied to the varied land) was deemed to be on the variation, and was transferred to the Open Space and Recreation Chapter hearing for consideration.
- 27.4** Skyline also submitted on Stage 2, and I consider that its Stage 2 submission has effectively overtaken its Stage 1 submission as it relates to this land, as the Stage 1 submission was largely given effect to through the notification of the BLSZ in Chapter 38. Skyline notes in its Stage 2 submission that it is generally supportive of Chapter 38.
- 27.5** Part of Skyline's Stage 1 submission that was considered by the Hearings Panel in Stage 1 and subject to Stage 1 decisions was its request to rezone a portion of DOC-owned land immediately to the north of the land zoned BLSZ in Stage 2. The Hearings Panel decided that the most appropriate course would be to retain the existing Rural zoning to protect the landscape values of the site and assess any potential future development through a consent process.
- 27.6** Skyline has in its Stage 2 submission again sought rezoning of this area of land, and requests that the BLSZ be extended beyond the north-eastern boundary of their lease area into the Ben Lomond Scenic Reserve, to include a possible future site for a helicopter landing area. In addition, Skyline seek that the BLSZ Bob's Peak Area be extended immediately west of their lease area to encompass existing vehicle tracks, submitting that this is the most logical area for further development from a landscape perspective.
- 27.7** The Hearings Panel's minute of 16 April 2018 confirms at paragraphs 15 – 16 that this residual area cannot be considered in isolation and

should be considered as a consequential and incidental extension that is 'on' Stage 2.

- 27.8** I understand from Ms Galavazi's evidence that the extensions in the Stage 1 Skyline submission were considered during the preparation of the Open Space and Recreation chapter, and that with no lease and no specific plans for activities in these areas there was no operational need for the extension.
- 27.9** Figure 1 above shows the extent of the notified sub-zone, while Figures 2, 3 and 4 below show the extent of the new areas sought by Skyline in their submission and the existing lease areas on Ben Lomond.
- 27.10** As shown on the map, the notified BLSZ follows property boundaries and Council controlled land. Extending the BLSZ to the north, as sought by Skyline would mean the BLSZ extends over land controlled by the Department of Conservation (**DOC**) and not land that is subject to a Skyline lease. The submission does not identify whether consultation has been undertaken with DOC regarding the proposed expansion to the BLSZ. Prior to notifying the Open Space and Recreation chapter and the Stage 2 maps, I understand the Council consulted with DOC (along with other agencies) and DOC did not seek for any of its land to be included in the Open Space and Recreation zones.

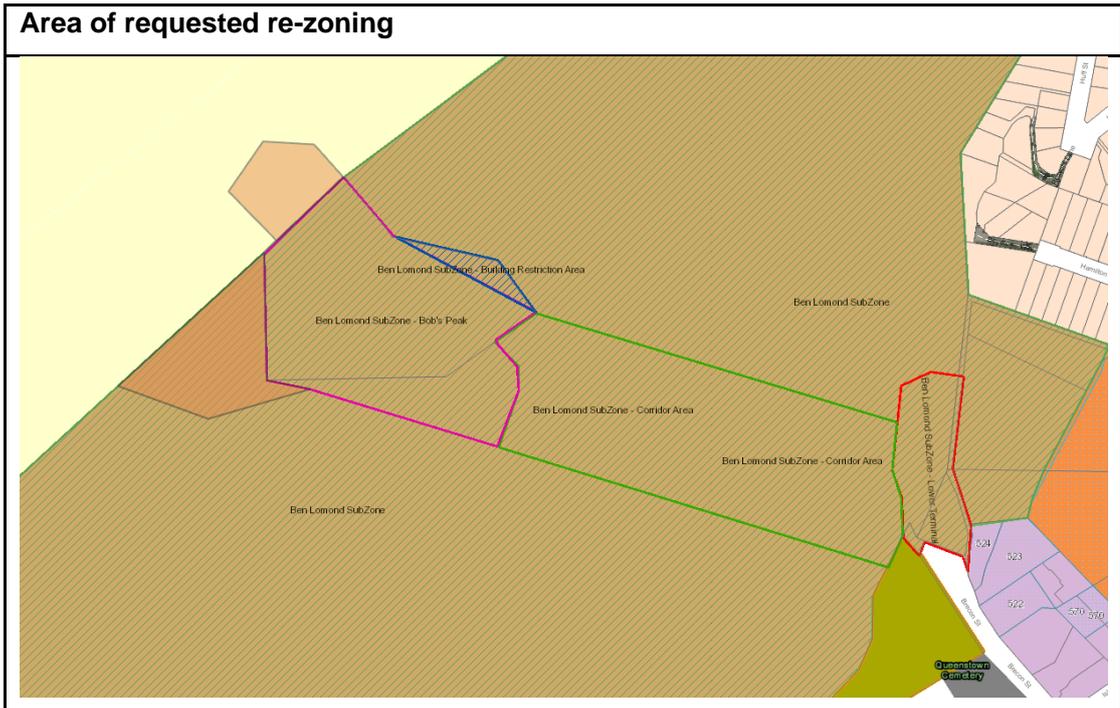


Figure. 3 Showing current extent of BLSZ and requested increase in BLSZ area to the north into land currently zoned Rural and administered by DOC, and the extension to the west of the Bob's Peak overlay (orange).

Aerial showing existing lease areas

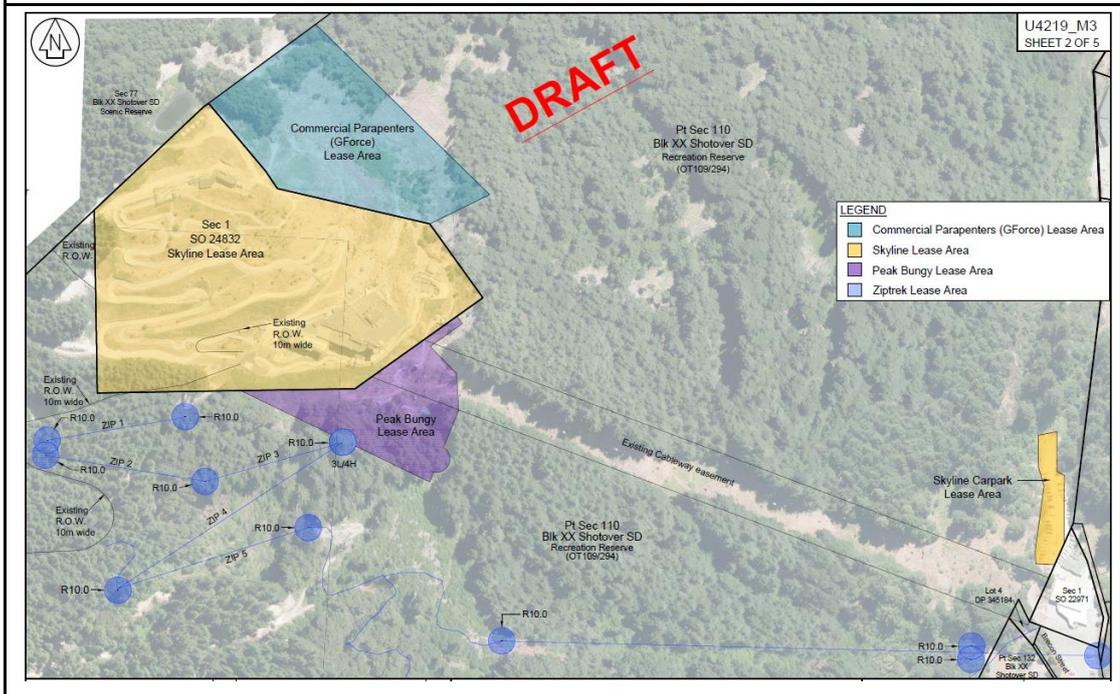


Figure. 4 Showing extent of lease areas as at 10 July 2018.

27.11 While I acknowledge that the land is sought to be included to provide for the submitter's future plans for a helicopter landing area, I note that this is still subject to planning and seeking the necessary approvals from DOC. Chapter 21 Rural includes provisions for informal airports,

and the non-compliance status is discretionary. This is the same as under the Informal Recreation Zone as notified, so the consenting pathway is similar under both zones. However, I note that Skyline have sought a reduced activity status for informal airports which I have discussed above and recommend declining.

27.12 Another consideration for the merits of the rezoning is landscape and visual effects. During the Stage 1 Queenstown Mapping hearing, when the “Commercial Tourism and Recreation Sub-Zone” was proposed by the submitter, Dr Read assessed this submission for the Council. Dr Read concluded that the proposed sub-zone had merit, and that some aspects of the relief sought should be granted, including the spatial extent of the sub-zone²³. It is therefore considered, based on the previous assessment of Dr Read, that the extent of the sub-zone sought in the Stage 2 submission may be acceptable from a visual and landscape perspective. The exception is the small further extension sought by Skyline, which has not yet been assessed by a landscape architect. I am not qualified to comment on the 3 metre further extension except to note that the land is part of an ONL.

27.13 With regard to the extension to the west, this is within an area of BLSZ, and Skyline area seeking that the Bob’s Peak provisions apply in the extension. The effect of this would be that buildings would have a maximum height of 10 metres, as opposed to six metres in the sub-zone generally, and that the 15% building coverage rule would apply. No landscape or visual evidence has been provided regarding the effect of this additional height in the new area, however I note that Dr Read considered the height in the Bob’s Peak area in her evidence in Stage 1 and considered 10 metres to be appropriate as a restricted discretionary activity within the Bob’s Peak area of the Skyline Stage 1 submission, and that 15% building coverage was appropriate. Ms Galavazi states in her evidence that she does not support the inclusion of this land, as there has been no change in operations or lease area since the maps as notified were released.

27.14 On balance, taking into the account the potential effects of development in the additional areas sought by Skyline, and the overall

23 Paragraph 8.12, Landscape Evidence of Dr Marion Read for Queenstown Mapping Hearing 24 May 2017

approach of the Council in determining what parts of the District should be subject to the Open Space and Recreation zones, I recommend that the additional area sought by Skyline to the west and the extension of the zone and sub-zone to the north be rejected. This ensures a consistent approach across the PDP of the zones only applying to Council owned and controlled land.

27.15 ZJV opposes the southern and western boundaries of the Ben Lomond Sub Zone – Bob’s Peak and Corridor Areas and seeks a smaller area. The submission seeks the reduction of the BLSZ in this area to reduce potential impacts on their operations. No reduced sub-zone extent has been provided with the submission.

27.16 The provisions associated with the BLSZ have been drafted in recognition of the range of activities currently occurring on Bob’s Peak, including the zipline operations, with objectives and policies which focus on ensuring different activities can occur together within the BLSZ, for example Policy 38.4.1.3. I therefore consider the spatial extent of the sub-zone and associated provisions to be appropriate in terms of providing for multiple users within the sub-zone.

27.17 I recommend that Skyline and ZJV’s submissions be rejected.

28. QUEENSTOWN LAKES DISTRICT COUNCIL (790)

Overall Recommendation	
Recommendation	Accept

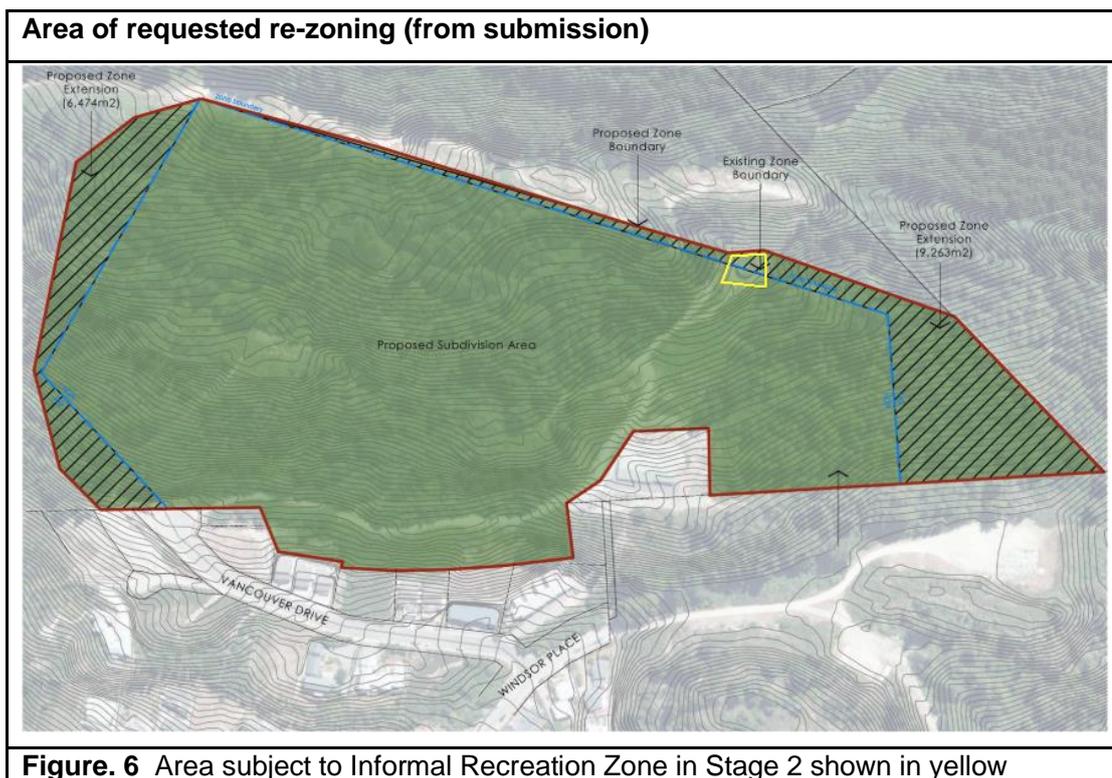
Property and submission information	
Further Submitters	None
Land area/request referred to as	Commonage Reserve, Section 1 SO 23185
Stage 1: PDP Zone and mapping annotation notified	Rural/MDR (replaced) ONL UGB Designation 79

Stage 1: Zone and mapping annotations requested	MDR
Stage 2: PDP Zone and mapping annotations	Informal Recreation
Stage 2: Zone and mapping annotations requested	N/A
Supporting technical Information or reports	None
Legal Description	Section 1 SO 23185
Area	423m ²
QLDC Property ID	51630
QLDC Hazard Register	Liquefaction – Nil to Low Risk (Tonkin & Taylor 2012)

Aerial photograph of the site



Figure. 5 Aerial photo – site subject to submission outlined in red

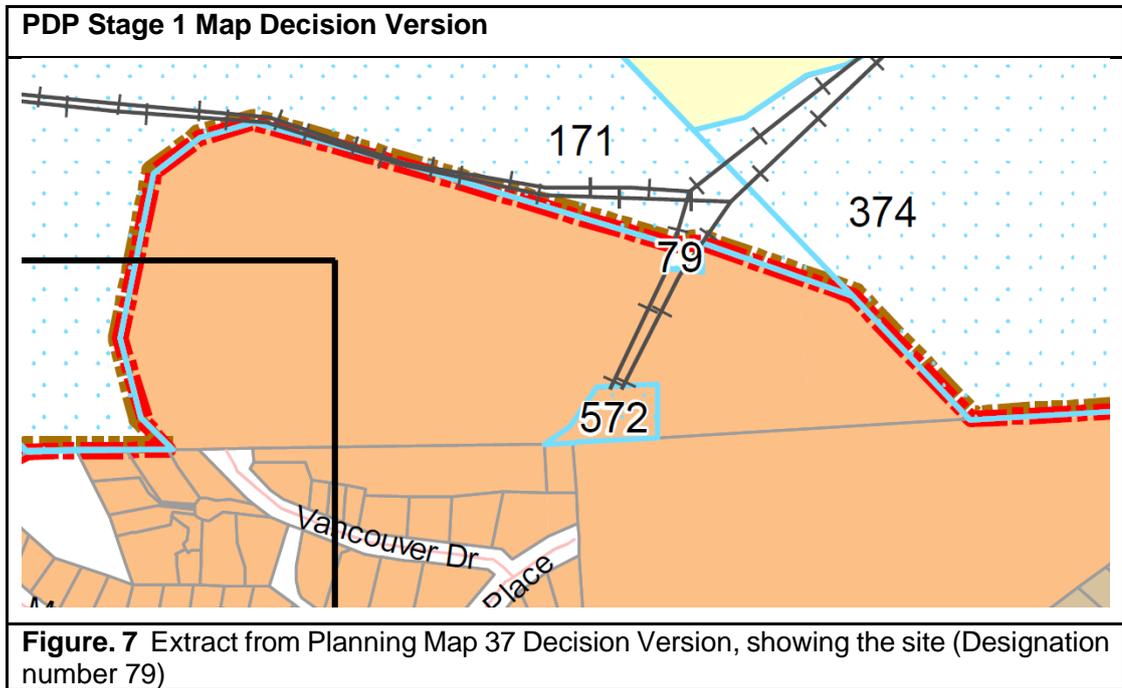


28.1 The submitter has requested that the small parcel of land currently designated for Larchwood Reservoir Purposes (Designation 79, confirmed in Stage 1) be included in rezoning of the larger area of land known as 'The Commonage' to Medium Density Residential Zone (**MDRZ**). The larger area of land, located within the wider Queenstown Hill Recreation Reserve, was considered under the Stage 1 hearings and in Report 17-2 the Hearings Panel accepted the proposed rezoning of this land to MDR. The consideration of the area of land subject to Designation 79 was transferred to Stage 2, because it was varied to Informal Recreation in Stage 2.

28.2 The Stage 1 submission asking for MDRZ was considered by both the Council's landscape expert Dr Marion Read and s42A report writer Ms Devlin in Stage 1. Dr Read considered that the inclusion of the additional areas within the MDR would not result in any adverse effects above and beyond those already facilitated by the existing zoning as notified²⁴. Following the release of decisions on Stage 1 of the PDP review this 423 square metre parcel is located within the UGB and

²⁴ Paragraph 7.14, Statement of Evidence of Marion Read for Queenstown Mapping Hearing 24 May 2017

surrounded by MDRZ to the east, west and south. The adjoining land to the north is zoned Informal Recreation.



28.3 Ms Galavazi states in her evidence that the use of land is not required for an open space and recreation purpose and that she supports the rezoning request. I rely on the evidence of Ms Galavazi and the landscape evidence of Ms Read in Stage 1, and recommend that the submission to rezone this land to MDRZ be accepted.

29. NGĀI TAHU PROPERTY LIMITED (2336)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Further Submitters	None
Land area/request referred to as	Warren Park
Stage 1: PDP Zone and mapping annotation notified	High Density Residential Zone (ODP – land was withdrawn from Stage 1) (replaced) Designation 226

Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Active Sport and Recreation Zone
Stage 2: Zone and mapping annotations requested	Informal Recreation Zone
Supporting technical Information or reports	None
Legal Description	Pt Lot 48 DP 8591
Area	2.4725Ha (QLDC GIS)
QLDC Property ID	6658
QLDC Hazard Register	Liquefaction – Probably Low Risk (Tonkin & Taylor Sept 2012) Brewery Creek Alluvial Fan (Otago Alluvial Fans High Hazard Fan Investigation June 2011) Potentially Contaminated (Former Warren Park Landfill)

Aerial photograph of the site



Figure.8 Aerial photo – site subject to submission outlined in red

- 29.1** The submission seeks that Warren Park be included within the Informal Recreation Zone rather than the Active Sport and Recreation Zone. The site is adjacent to the former high school site, and is flat and grassed. It is not currently used for sporting activity.
- 29.2** The site is surrounded by the ODP High Density Residential Zone (this area of Gorge Road is not currently included in the PDP and is likely to be subject to Stage 3 of the PDP review) and Business Mixed Use and MDRZ of the PDP. This area surrounding Gorge Road is sandwiched from the east and west by Queenstown Hill Recreation Reserve and Ben Lomond Recreation Reserve. Both of these areas are zoned Informal Recreation Zone, are relatively steep, and are utilised by existing commercial recreation leaseholders and well as more passive recreation such as walk and cycle tracks.
- 29.3** Ms Galavazi states in her evidence that with the nearby Queenstown Recreation Ground there is sufficient provision sport and active recreations facilities in the surrounding area for and Council Parks do not require Warren Park as a sports ground in the long-term. The zoning of Warren Park to Informal Recreation would provide a flat passive recreation space to serve the adjoining residential areas, and its proximity to Queenstown Town Centre means that it is more likely to be appropriate for commercial recreation activities (subject to a resource consent process) to be enabled here than in other areas in accordance with the policies of this zone.
- 29.4** I rely on Ms Galavazi's evidence and I recommend that the rezoning request be accepted.

30. NGĀI TAHU PROPERTY LIMITED AND NGĀI TAHU JUSTICE HOLDINGS LIMITED (2335)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Further Submitters	None

Land area/request referred to as	Section 10 Block XVIII, Stanley Street
Stage 1: PDP Zone and mapping annotation notified	Queenstown Town Centre (replaced) Town Centre Transition Sub-Zone (replaced) Designation 561
Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Informal Recreation
Stage 2: Zone and mapping annotations requested	Queenstown Town Centre
Supporting technical Information or reports	None
Legal Description	Section 10 BLK XVIII TN of Queenstown
Area	681m ² (QLDC GIS)
QLDC Property ID	6770
QLDC Hazard Register	Liquefaction - Possibly Moderate Risk (Tonkin & Taylor Sept 2012) Alluvial fan less recently active (GNS 2008)

Aerial photograph of the site



Figure. 9 Aerial photo – site subject to submission outlined in red

Area of requested re-zoning (from submission)



Figure. 10 The submission site as shown in submission 2335

- 30.1** Ngāi Tahu Property Limited and Ngāi Tahu Justice Holdings Limited have submitted that they oppose the proposed Informal Recreation zoning of Section 10 Block XVIII, Stanley Street as identified on PDP Map 36. The submission identifies that this site is included in the

redevelopment plans in the Queenstown Town Centre Masterplan as part of the 'Community Heart' precinct and is part of the preferred location for a combined Council office. The submission states that the zoning as notified would constrain the development potential of the overall block and that a zoning of Queenstown Town Centre will provide more options for development.

- 30.2** The site is located on the corner of Gorge Road and Stanley Street and is grassed with some bench seating and a number of mature trees. It was zoned Queenstown Town Centre Zone in Stage 1 of the PDP review, and its designation was confirmed in Stage 1 of the PDP review.
- 30.3** Ms Galavazi states that the site is not required for an open space function and that it is a freehold parcel that is not vested as Council reserve.
- 30.4** I rely on Ms Galavazi's evidence and recommend that the submission be accepted. The lack of vested reserve status means that zoning this property something other than an Open Space and Recreation zone is not inconsistent with the application of these zones, and there will be no change from the Stage 1 zoning of this land.

MILLBROOK

31. MILLBROOK COUNTRY CLUB (2295)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	<p>Submission 2295.14</p> <p>FS2710 McGuinness Pa Limited – support</p> <p>FS2745 Juie QT Limited – oppose</p> <p>FS2720 Boundary Trust – oppose</p> <p>FS2723 Spruce Grove Trust – Malaghans Road – oppose</p> <p>FS2724 Spruce Grove Trust – Butel Road – oppose</p>

Land area/request referred to as	Millbrook Park
Stage 1: PDP Zone and mapping annotation notified	Millbrook Special Zone (replaced) Designation 545
Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Active Sport and Recreation Zone
Stage 2: Zone and mapping annotations requested	Millbrook Special Zone
Supporting technical Information or reports	None
Legal Description	Section 8 SO 434963
Area	3.0211Ha (QLDC GIS)
QLDC Property ID	27763
QLDC Hazard Register	Liquefaction – Probably Low Risk (Tonkin & Taylor Sept 2012)

Aerial photograph of the site



Figure. 11 Aerial photo – site subject to submission outlined in red

- 31.1** Millbrook Country Club seeks that the proposed Active Sport and Recreation zoning at Millbrook Park is inappropriate and unnecessary and requests that the site be zoned Millbrook Resort Zone.
- 31.2** The subject site contains a cricket field with a clubroom, practice nets and small carpark located on the western boundary. Millbrook Country Club describes this reserve as a “community sports field” in its submission. This land was zoned Millbrook Special Zone and was subject to a Structure Plan in Chapter 43 prior to being included in Stage 2 of the PDP review.
- 31.3** In its submission Millbrook Country Club raises concerns about compliance with its Stakeholders Deed that it has with the Council and the application of the Reserve Management Plan. I would only note here that the Stakeholders Deed is a legal document that sits completely separate from the PDP, and any issues with compliance with that document are a legal matter. Ms Galavazi notes in her evidence that the Reserve Management Plan for this reserve will

continue to apply. The Reserve Management Plan contains a Millbrook Park-specific policy that states:

15.1 *The land shall be used only for sporting activities, either organised or informal sport/recreation.*²⁵

31.4 The notified provisions of the Active Sport and Recreation Zone would generally require a resource consent application to be made for an activity that falls outside of the activities listed in the Reserve Management Plan. As discussed above and in Ms Galavazi's evidence, the purpose of the new open space zones is to have a consistent planning framework across Council-administered reserves. To allow site-specific exceptions to this zoning would be inefficient and confusing.

31.5 I recommend that the submission be rejected.

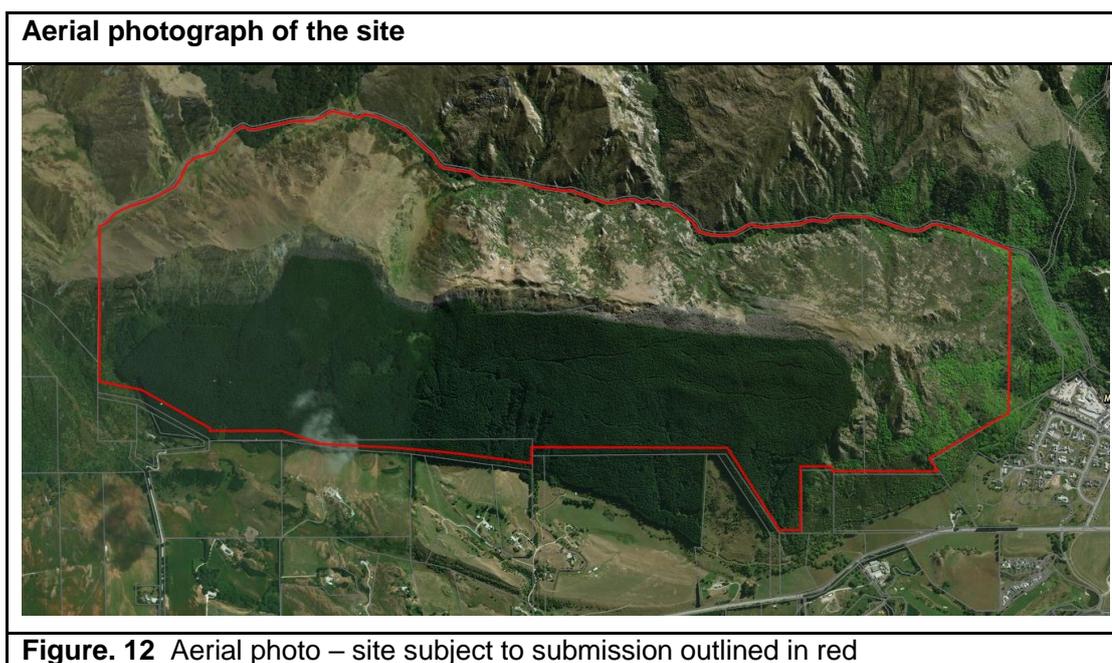
32. MILLBROOK COUNTRY CLUB (2295), TJ INVESTMENTS PTE LIMITED (2564), C DAGG (2586), KIM FAM (2589)

Overall Recommendation	
Recommendation	Accept (2295), Accept in Part (2564, 2586, 2589)

Property and submission information	
Further Submitters	Submission 2295.14 FS2710 McGuinness Pa Limited – support FS2745 Juie QT Limited – oppose FS2720 Boundary Trust – oppose FS2723 Spruce Grove Trust – Malaghans Road – oppose FS2724 Spruce Grove Trust – Butel Road – oppose
Land area/request referred to as	Coronet Forest
Stage 1: PDP Zone and mapping annotation notified	Rural Zone (replaced) ONL Designation 375

25 Policy 15, Arrowtown-Lake Hayes Reserve Management Plan 2013

Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Informal Recreation Zone
Stage 2: Zone and mapping annotations requested	Nature Conservation Zone (2295) Not specified (2564), (2586), (2589)
Supporting technical Information or reports	None
Legal Description	Sections 23-24 Block XVII Shotover SD, Lot 1 DP 21922
Area	412.82Ha (QLDC GIS)
QLDC Property ID	2420
QLDC Hazard Register	Schist Debris Landslides (Opus 2002) Existing Landslide Features (Cunningham 1994)



32.1 Millbrook Country Club opposes the inclusion of Coronet Forest as Informal Recreation Zone, and proposes instead that it be included within the Nature Conservation Zone. Submitters TJ Investments Pte Limited, C Dagg, and Kim Fam all had very similar submissions to one another that opposed the Informal Recreation zoning for landscape reasons but did not propose a replacement zone.

- 32.2** The southern face of the feature is currently planted out in Douglas Fir pine forest. The site is subject to a designation for Forestry Operations purposes, and a portion of land on the northern boundary is a Significant Natural Area for its olearia odorata–matagouri shrubland and mountain beech forest.
- 32.3** Ms Galavazi notes in her evidence that Council Parks intend to harvest the existing forest (at the time of writing an application for Outline Plan is being prepared for this purpose) and build on the existing horse trails with a number of biking and walking trails. The area is then likely to be replanted with a mix of indigenous vegetation and exotics.
- 32.4** Both the Informal Recreation Zone and the Nature Conservation Zone would allow for the future activities anticipated by the Council as a permitted activity. There is a difference in the objectives and policies of these two zones however; the Informal Recreation Zone is considerably more encouraging of development, subject to maintaining the values of the zone, whereas the Nature Conservation Zone seeks to limit development to that directly related to its natural values.
- 32.5** In her evidence Ms Galavazi agrees with Millbrook Country Club that Nature Conservation Zone is the most appropriate zone for Coronet Forest. I rely on her evidence in supporting that the submission be accepted. The submissions of TJ Investments Pte Limited, C Dagg, and Kim Fam are accepted in part.

JACKS POINT

33. HENLEY DOWNS FARM HOLDINGS LTD AND HENLEY DOWNS LAND HOLDINGS LTD (2381)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	None
Land area/request referred to as	Jacks Point Zone Open Space Amenity Activity Area

Stage 1: PDP Zone and mapping annotation notified	Jacks Point Zone (replaced) Designation 537
Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Informal Recreation
Stage 2: Zone and mapping annotations requested	Jacks Point Zone
Supporting technical Information or reports	None
Legal Description	Lot 13 DP 364700
Area	5.417Ha (QLDC GIS)
QLDC Property ID	22574
QLDC Hazard Register	Liquefaction – Possibly Moderate Risk (Tonkin & Taylor 2012) Liquefaction – Possibly Low Risk (Tonkin & Taylor 2012) Alluvial Fan - Floodwater-dominated active

Aerial photograph of the site



Figure. 13 Aerial photo – site subject to submission outlined in red

- 33.1** The submission seeks that Map 41 be amended so that the area of Informal Recreation Zone is rezoned and retained as Jacks Point Zone.
- 33.2** This property was included in the notification of Stage 1 as Jacks Point Zone, with designation 537 (Recreation Reserve), and subsequently varied as part of Stage 2 of the PDP review. This had the effect that this area of land will no longer be subject to the Jacks Point Zone provisions, but is still included on the Jacks Point Structure Plan in Chapter 41 as an 'Open Space Residential Activity Area'.
- 33.3** The site contains a playground, a cricket/soccer field, tennis courts and associated car park. The site is primarily flat, but with a bund surrounding the sports field.
- 33.4** The submission raised concerns about the integration of the reserve land with the wider Jacks Point Zone and the potential for the Structure Plan to be compromised. As noted above the zoning of the land Informal Recreation means the provisions of the Structure Plan in Chapter 41 no longer apply, so there is no conflict. The provisions of

the Informal Recreation Zone would enable similar low-level development for recreation activity, although I note that a number of appeals on the provisions of Chapter 41 have been received so the outcome of these provisions are not yet settled.

- 33.5** While it is potentially a little untidy to have this parcel identified as an activity area within the Structure Plan, it does not prevent the application of Chapter 38. I agree with Ms Galavazi that to allow the relief sought would undermine the approach that the Open Space and Recreation chapter is trying to achieve. I recommend that the submission be rejected.

SHOTOVER DELTA

34. BRIDESDALE FARM DEVELOPMENTS LTD (655) (2391)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	<p>Submission 655.1 FS1064.1 – Martin MacDonald – oppose FS1071.2 – LHECA – oppose FS1340.129 – Queenstown Airport Corporation – oppose</p> <p>Submission 2391.2 FS2759 - Queenstown Airport Corporation – oppose</p>
Land area/request referred to as	<p>Bridesdale Farm, Lake Hayes (655) The balance of the Bridesdale Special Housing Area being the lower lying flood plain that sits above the Kawarau River (2391)</p>
Stage 1: PDP Zone and mapping annotation notified	<p>Rural (replaced) ONL Designation 365 and 465 on Lot 321 DP 379403 (2391) Transpower Pylons (655) Transmission Corridor (655)</p>

Stage 1: Zone and mapping annotations requested	Medium Density Residential
Stage 2: PDP Zone and mapping annotations	Informal Recreation
Stage 2: Zone and mapping annotations requested	Active Sport and Recreation
Supporting technical Information or reports	None
Legal Description	Lots 301, 304, 307 and 308 DP 505513 (655) Lot 400 DP 44523 and Lot 321 DP 379403 (2391)
Area	Approximately 29Ha (655) (QLDC GIS) Approximately 18Ha (2391) (QLDC GIS)
QLDC Property ID	58370, 59660 and 58370 (655) 24647 (2391)
QLDC Hazard Register	Liquefaction - Susceptible (Opus 2002)

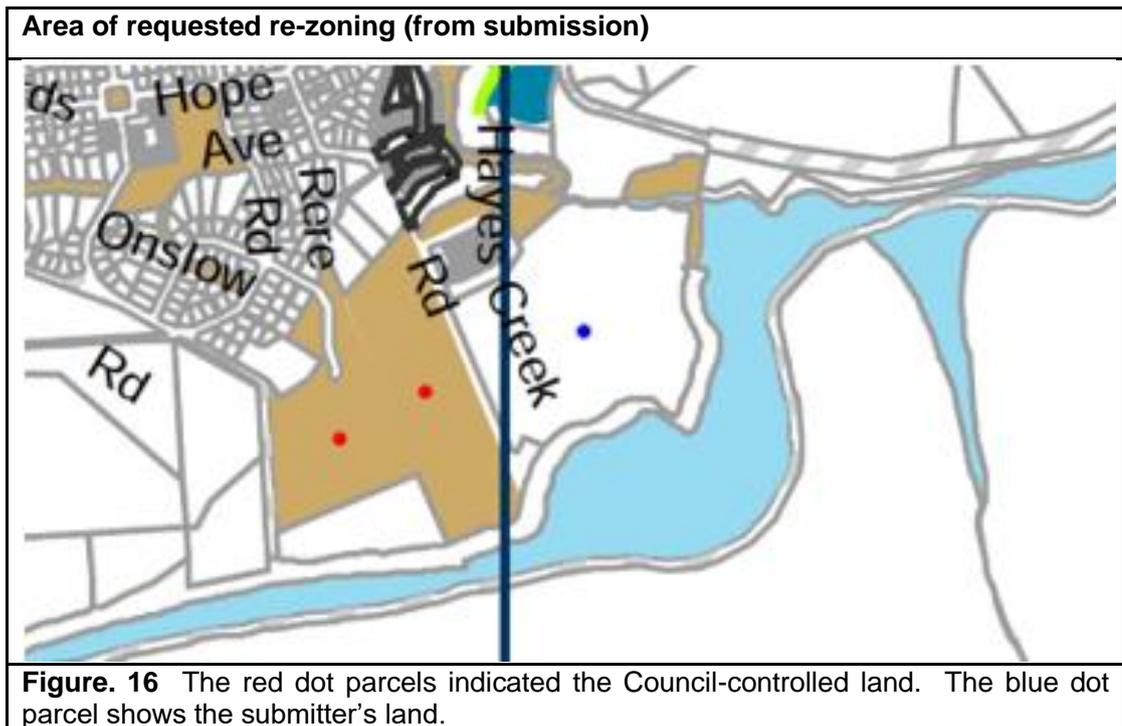
Aerial photograph of the site



Figure. 14 Aerial photo – site subject to submission 655 outlined in red and showing land parcels rezoned to Informal Recreation in Stage 2



Figure. 15 Aerial photo – Council-owned parcels subject to submission 2391 outlined in red.



- 34.1** Bridesdale Farm Developments Limited (2391) has submitted that the two Council owned parcels be zoned Active Sport and Recreation rather than Informal Recreation. The submission also seeks the rezoning of its privately-owned parcel to the east to Informal Recreation. I consider that this submission point is not within scope, as it is land that was not notified as part of Stage 2. If the Panel were to determine that it was within scope, I would still recommend that it be rejected for the reasons that Ms Galavazi sets out in her evidence, in relation to her opposition to the application of the Open Space and Recreation zones to private land.
- 34.2** The submitter also made a submission in Stage 1 (655), seeking the rezoning of Bridesdale land to MDRZ. This submission point has been addressed in Hearing Stream 14.
- 34.3** The wider Bridesdale site has been significantly developed since the submitter's Stage 1 submission, and parts of that wider area of land includes land that is now vested in Council for reserve purposes and has therefore been zoned Informal Recreation in Stage 2. The part of submission 655 that relates to the land now notified Informal Recreation therefore falls to be considered under Stage 2.

- 34.4** The two Council parcels referred to in submission 2391, Lot 400 DP 44523 and Lot 321 DP 379403, are currently vacant and in grazing or scrub, located just north of the Shotover River. They are both located within the ONL as notified in Stage 1. The Queenstown Trail runs adjacent to the Shotover River south of the site.
- 34.5** In her evidence Ms Galavazi notes that Council Parks have yet to determine whether the area can accommodate Active Sport and Recreation Activities. The potential consequences if the rezoning was allowed include a clubroom building up to 10 metres high and 400m² in area as a permitted activity. Given the location of these parcels within the ONL, I consider that the ability to assess effects on landscape values through the consent process is appropriate and in line with the strategic direction on landscape values in Chapter 3.
- 34.6** I note that the location of the ONL in this wider area has been submitted on in Stage 1 and those submissions are being heard as part of the Wakatipu Basin Variation at the time of writing. In the absence of any evidence from the submitter to support the level of development that would be enabled by the Active Sport and Recreation Zone in an ONL, I recommend that the submission be rejected.
- 34.7** Bridesdale Farm Developments Limited did not comment on the identification of the land in submission 655 that has been zoned as Informal Recreation in their Stage 2 submission. In the absence of any opposition, I recommend that the Stage 1 request to rezone these parcels to MDRZ be rejected, and the Stage 2 notified zoning of Informal Recreation be confirmed.

35. QUEENSTOWN AIRPORT CORPORATION (2618)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	Submission 2618.23 FS2754 - Remarkables Park Limited – Oppose FS2755 - Queenstown Park Limited – Oppose

Land area/request referred to as	The Informal Recreation zoning over the Lower Shotover Delta at the end of the Runway End Safety Area.
Stage 1: PDP Zone and mapping annotation notified	Rural Zone (replaced) ONL Designation 46 Queenstown Airport Noise Boundary Queenstown Airport Outer Control Boundary
Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Informal Recreation Zone
Stage 2: Zone and mapping annotations requested	Rural Zone OR alternatively create a new "Shotover Delta Sub Zone" and restrict activities within the sub- zone.
Supporting technical Information or reports	None
Legal Description	Lots 2-3 DP 422388 and Sections 143, 144 and 153 Block I Shotover SD, Section 4 SO 409393
Area	Approximately 43Ha (QLDC GIS)
QLDC Property ID	26328, 26330, 26332
QLDC Hazard Register	Liquefaction – Susceptible (Opus 2002) Liquefaction – Probably Low Risk (Tonkin & Taylor 2012) Fault Line Flood due to Rainfall (Queenstown-Lakes District Floodplain Report 1999) Alluvial Fan – debris-dominated, active

Aerial photograph of the site



Figure. 17 Aerial photo – site subject to submission outlined in red

PDP Stage 2 Map Notified Version

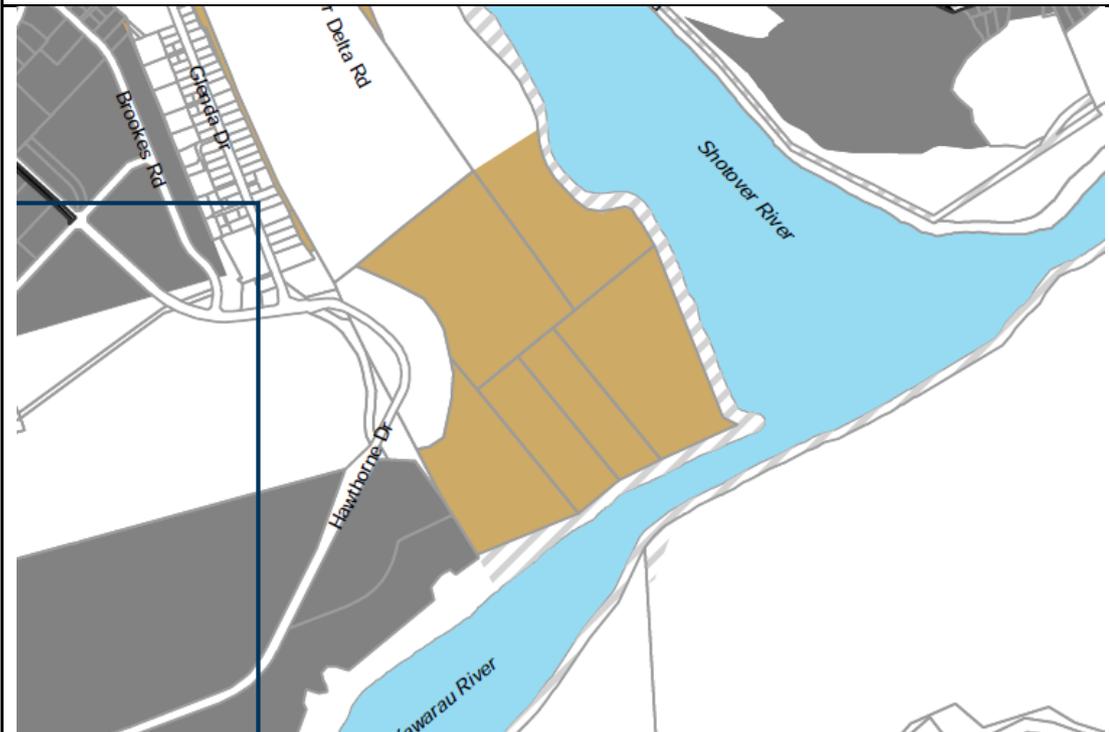


Figure. 18 Extract from Planning Map 31a showing proposed area of Informal Recreation Zone on the Shotover Delta

35.1 The submission seeks that the Informal Recreation Zone over the Lower Shotover Delta, at the end of the Runway End Safety area retain

the Stage 1 zoning of Rural, or alternatively create a new “Shotover Delta Sub-Zone” and restrict activities within it to the following:

- (a) Informal recreation (Rule 38.9.2);
- (b) Public amenities (Rule 38.9.3);
- (c) Parks maintenance (Rule 38.9.5);
- (d) New buildings associated with a permitted activity, not otherwise listed in Table 38.1 (Rule 38.9.24);
- (e) Recreation Trails (walking, horse and cycling trails) (Rule 38.9.27);
- (f) Construction of vehicle access and car parking areas, accessory to permitted activities, up to 200m² (Rule 38.9.29);
and
- (g) All other activities should be a non-complying activity, except for ASAN, the parking or placing of any motor vehicle, boat, caravan, trailer or material for the purposes of sale or lease, or mining activities which should all be a prohibited activity.

35.2 The land as notified is located between the Shotover River and Hawthorne Drive, east of Queenstown Airport runway. It is made up of a number of legal parcels and is currently undeveloped but utilised for passive recreation. The Queenstown Trail’s Twin Rivers ride runs through the subject site.

35.3 Ms Galavazi has advised in her evidence that the inclusion of part of Section 4 SO 409393 as Informal Recreation Zone is an error, and that parcel should be zoned entirely Rural. It is not land administered by the Council and is the notification causes a split zone. The recommended zoning for this area is shown below in Figure 19. It will correct the issue of split zoning of the land parcel and correct the mapping error discussed above.

35.4 With regards to the request for Rural zoning, Ms Galavazi sets out in her evidence the purpose for the open space zoning and its application to Council-administered land. To leave this land Rural Zone as requested would be inconsistent with this purpose. I would also point out that a number of activities that the Informal Recreation Zone give effect to are also enabled in the Rural Zone, such as Recreational

Activity, and buildings in some circumstances. Commercial recreation activities involving less than 12 people are permitted in the Rural Zone, whereas in the Informal Recreation Zone they are discretionary regardless of the number of people.

As noted above, Queenstown Airport has designations to protect their operational requirements and I have already recommended the introduction of an objective, policy and rule to prevent reverse sensitivity effects from arising. Given all of the above, I consider that the airport operations are as sufficiently protected by the Informal Recreation Zone as they would be by the Rural Zone. I recommend that the submission requesting the Rural Zone be retained over this area of land be rejected, with the exception of Section 4 SO 409393 to correct a mapping error.

35.5 With regards to the request for a bespoke zone, in her evidence Ms Galavazi sets out the rationale behind the number of zones and sub-zones as notified. At Section 4 of her evidence, she explains that sub-zones have only been used in Chapter 38 for a specific function, such as golf courses or cemeteries, to allow for their operational needs but otherwise avoided with the exception of the unusual circumstances of Ben Lomond. I agree with Ms Galavazi's evidence and concur this area is not of a sufficient uniqueness to warrant a sub-zone and that site-specific rules should be avoided wherever possible to improve the administration of the PDP and reduce its complexity.

35.6 Ms Galavazi also notes that the development of a Reserve Management Plan will enable more site-specific management of this area of land if necessary. I consider that a Reserve Management Plan and the resource consent process are the more appropriate way to manage activities that the submitter has an interest in, than providing a bespoke sub-zone in the PDP. I recommend that the relief for a "Shotover Delta Sub-Zone" be rejected. I consider that the Informal Recreation zoning will give effect to the strategic direction in Chapters 3 and 4 through the introduction of the aircraft noise related provisions recommended above.

Recommended Zoning



Figure. 19 Recommended zoning to correct a mapping error.

FRANKTON

36. FRANKTON COMMUNITY ASSOCIATION (2369)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	None
Land area/request referred to as	8 and 10 Stewart Street, Frankton.
Stage 1: PDP Zone and mapping annotation notified	Low Density Residential Zone (replaced) Queenstown Airport Outer Control Boundary Designation 154
Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Community Purposes Zone – Camping Ground

Stage 2: Zone and mapping annotations requested	Low Density Residential Zone
Supporting technical Information or reports	None
Legal Description	Sections 8-9 and 16-17 Block XXIV Town of Frankton
Area	1164m ²
QLDC Property ID	4729
QLDC Hazard Register	Liquefaction – Probably Low Risk (Tonkin & Taylor 2012) Alluvial Fan – active, composite

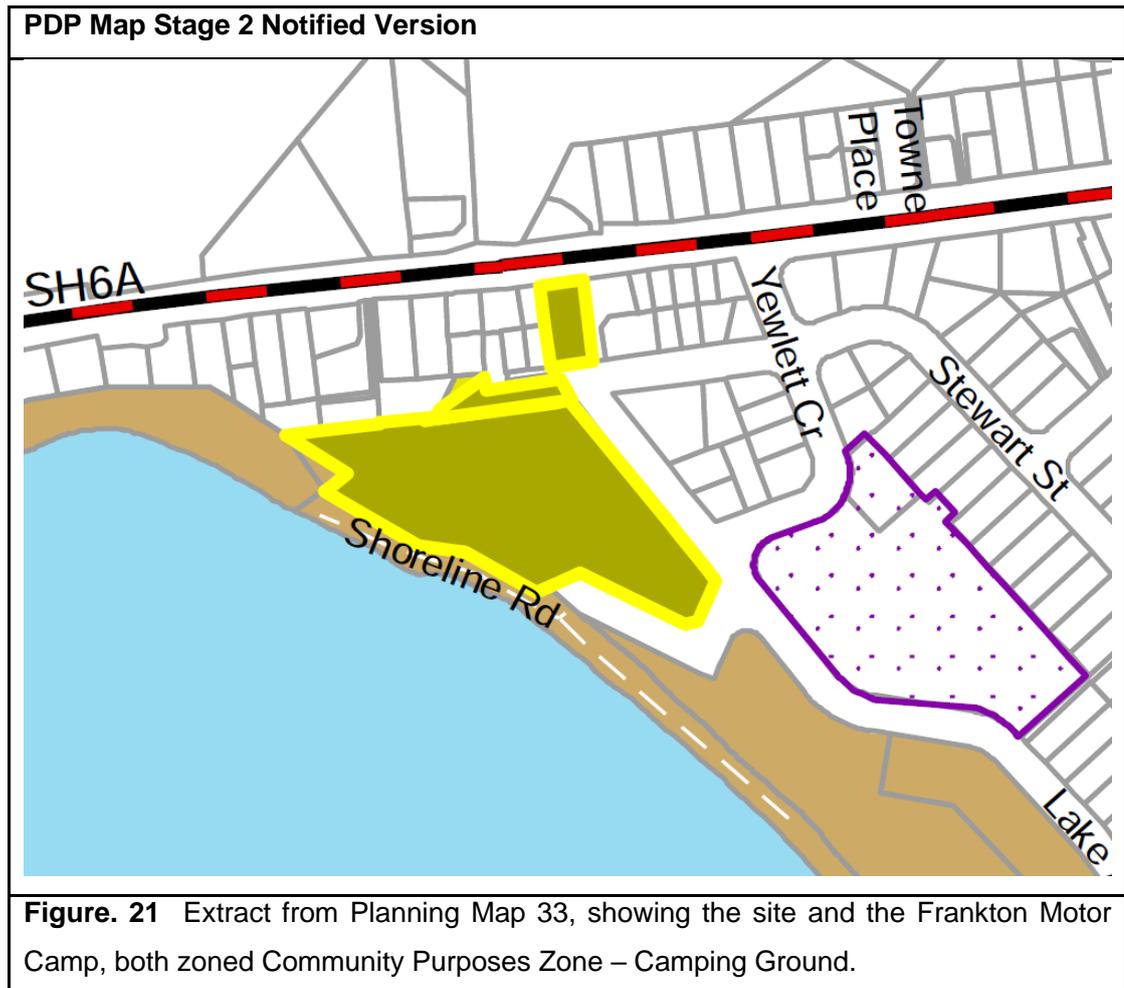
Aerial photograph of the site



Figure. 20 Aerial photo – site subject to submission outlined in red

- 36.1** The submitter requests that the proposed Community Purposes Zone - Campground for the properties at 8 and 10 Stewart Street, Frankton, be rejected and replaced with Low Density Residential Zone (now known as Lower Density Suburban Residential Zone (**LDSRZ**) since the release of decisions on Stage 1).

36.2 The properties are located between Frankton Road and Stewart Street. There is a residential unit on 10 Stewart Street. Number 8 is vacant but used in conjunction with number 10. Ms Galavazi states that the properties are currently being used as part of the adjacent motor camp (see the Figure below). She did not identify an interest from Council Parks in disposing of the land.



36.3 The LDSRZ provides primarily for residential activity. This is not an activity that the Council undertakes on the land that it administers. If the Council was to revoke the reserve status and withdraw the designation and dispose of the land, I would agree that the LDSRZ would be the appropriate zoning. However, given that Ms Galavazi has not indicated an intention by Council to do this, I recommend that the submission be rejected and that the land remain Community Purposes Zone – Campground.

WANAKA

37. WANAKA YACHT CLUB (2232)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	None
Land area/request referred to as	Land around the Wanaka Yacht Club and the Wanaka Marina
Stage 1: PDP Zone and mapping annotation notified	Rural Zone (replaced) ONL Designation 89
Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Informal Recreation Zone
Stage 2: Zone and mapping annotations requested	Active Sport and Recreation Zone
Supporting technical Information or reports	None
Legal Description	Sections 6, 9 and 14 Block XV Town of Wanaka
Area	Approximately 9360m ² (QLDC GIS)
QLDC Property ID	852, 853
QLDC Hazard Register	Liquefaction – Low Risk (Tonkin & Taylor 2012) Landslide Area - Piping potential in the Artesian Zone of the Wanaka Aquifer (Tonkin & Taylor) Potentially Contaminated Site

Aerial photograph of the site



Figure. 22 Aerial photo – site subject to submission outlined in red

- 37.1** Wanaka Yacht Club has submitted that the zoning of land around Wanaka Marina be amended from Informal Recreation to Active Sport and Recreation Zone.
- 37.2** The submission did not include a reason for the requested change in zone. The current use of this land includes boat ramps, large areas of parking (both sealed and unsealed) for vehicles and boats, and a small toilet block. Wanaka Yacht Club clubhouse is located towards the northern end of the site.
- 37.3** The Informal Recreation Zone has been applied to the shores of Lake Wanaka and reflects that the land is highly visible, has high use by the public and is generally used for passive activities such as walking, picnicking, and admiring the view. Some activity that has a direct relation to the water may be located in these areas, for example, Wanaka Yacht Club and the proposed new Wanaka Watersports Facility. District wide objective 38.2.4 and its related policies recognise the special natural character of waterbodies and their margins and seek to manage the interface between them.
- 37.4** Ms Galavazi notes in her evidence that the Active Sport and Recreation Zone is more permissive in terms of building bulk and location standards than the Informal Recreation Zone. Her opinion is that these

standards are not appropriate for the Wanaka waterfront due to its proximity to Lake Wanaka.

37.5 While there are similarities between the existing activity on the site and the purpose of the Active Sport and Recreation Zone, I agree with Ms Galavazi that the consequences if the zoning was allowed (as noted above, potentially a clubroom building up to 10 metres high and 400m² in area as a permitted activity) are not appropriate in this location. The proposed Informal Recreation Zone will enable the existing activities located here to carry on, but require a resource consent for new activities or intensification of the existing ones. Given the proximity to Lake Wanaka and the location of the land within the ONL, I consider that the ability to assess effects on landscape values through the consent process is appropriate and necessary. To allow the type of development permitted by the Active Sport and Recreation Zone would be contrary to the landscape provisions in Chapter 3 and the policies that govern landscape matters in Chapter 38.

37.6 I recommend that the submission be rejected.

38. DAVID GRAY (2155)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Further Submitters	None
Land area/request referred to as	Pembroke Park
Stage 1: PDP Zone and mapping annotation notified	Rural (replaced) Designations 98 and 272
Stage 1: Zone and mapping annotations requested	N/A
Stage 2: PDP Zone and mapping annotations	Community Purposes Zone
Stage 2: Zone and mapping annotations requested	Appears to seek that ODP be reverted to.

Supporting technical Information or reports	None
Legal Description	Section 1 Block L Town of Wanaka
Area	10.52Ha
QLDC Property ID	1369
QLDC Hazard Register	Liquefaction – Probably Low Risk (Tonkin & Taylor 2013) Flood due to Rainfall (Clutha River Catchment November 1999 Flood Report) Flood due to Damburst (Contact Energy)

Aerial photograph of the site



Figure. 23 Aerial photo – site subject to submission outlined in red.

38.1 David Gray has requested that Pembroke Park be excluded from consideration under the PDP. He raised concerns about the types of activities that have permitted, controlled or discretionary status because of the proposed Community Purposes zoning. An alternative zoning was not proposed, although the submitter requested that the current Pembroke Park Management Plan be abided by.

38.2 Of the particular activities singled out for concern in the submission, some are discretionary (38.9.7 and 37.9.8) which would require a resource consent and others (38.9.16, 38.9.18, 38.9.24 and 38.9.28) are controlled or permitted but are all activities that are associated with permitted activities in the zone.

38.3 I recommend that the submission be rejected. The submission appears to seek a return to the ODP rural zoning which is not considered the most effective zoning for the reasons previously discussed in both this report and the S32. The Reserve Management Plan for this land will continue to apply as requested in the submission.

39. MISCELLANEOUS

Remarkables Park Limited (2468)

39.1 Remarkables Park Limited (2468) seeks the zoning of the land at the southern end of Riverside Road that is shown as unformed road on Map 31a to be zoned Informal Recreation Zone. In accordance with Chapter 29 Transport and the associated variation to Chapter 37 Designations, roads do not have a zoning. The end of Riverside Road would therefore need to be stopped under the Public Works Act 1981 before a zone could be applied. The resultant rules that would apply would then be determined in accordance with the provisions of the Transport Chapter, before a plan change would then be required to apply a zone to that land on the plan maps. I recommend that the rezoning request be rejected.

Felzar Properties Limited (229)

39.2 Felzar Properties Limited (229) submitted in Stage 1 of the PDP review for the rezoning of land at the southern end of Lake Hayes change from Rural to Rural Residential.

39.3 This land was subsequently varied in Stage 2 and was largely heard as part of Stream 14 Wakatipu Basin. However, one parcel of that area of land was subsequently notified as Informal Recreation in Stage 2 of

the review, so that part of the land (Part Section 57 Block IX Shotover SD) therefore falls to be considered here.

- 39.4** The submitter did not make another submission in Stage 2 of the PDP review, therefore in the absence of evidence to assess the rezoning request I recommend that the submission be rejected as it relates to Part Section 57 Block IX Shotover SD. The Informal Recreation Zone should apply.

David Crawford (2325)

- 39.5** David Crawford (2325) seeks to rezone land along Anderson Road in Wanaka to MDRZ. I understand that Council has applied to strike out the majority of the submission as not being within scope, but the submission as it relates to that land notified Informal Recreation Zone in Stage 2 can be considered.

- 39.6** The land zoned Informal Recreation in the vicinity of Anderson Road is designated for a mixture of Local Purpose Reserve and Recreation Reserve purposes, with the larger area known as Domini Park. It is not clear from the submission if this land was intended to be included in the rezoning request, but with these areas currently operating as recreation and open spaces and no supporting evidence in the submission for the rezoning I recommend that it be rejected.



Christine Melissa Edgley

23 July 2018

APPENDIX 1

Recommended Open Space and Recreation Chapter 38

Appendix 1

S42A Recommended Chapter

Key:

Recommended changes to notified chapter are shown in red underlined text for additions and ~~red strike through~~ text for deletions.

Any black underlined or ~~strike through~~ text reflects the variation.

38 Open Space and Recreation Zones

38.1 Purpose

The purpose of the Open Space and Recreation Zones is to enable recreation activities and provide for associated infrastructure while protecting, maintaining and enhancing landscape values, nature conservation values, ecosystem services and amenity. The zones apply to Council administered reserves, and do not apply to water bodies (including surface of water), Conservation Land (including lakes and rivers) or private open space. In general, the zones do not apply to Crown Land (including lakes and rivers), other than for discrete situations (such as Queenstown Gardens, where the Crown Land reserve is integral and indistinguishable from the Council reserve land surrounding it). Where a reserve adjoins a water body, the reserve is zoned to recognise, and provide for, the interrelationship between the water activities and the land based component of those activities.

Open Space is a significant resource to the District and Region. This resource requires protection from inappropriate activities that could degrade its qualities, character and values. ~~The Council has a responsibility to provide open space and recreation opportunities and to manage the effects of activities within the zone and on the surrounding environment:~~

Commented [CE1]: 2466 et. al.

Commercial recreation and tourism operators are located within some of the zones and a wide range of commercial recreation and tourism activities utilise the resources available within the zones. Some of these operators have substantial assets associated with the activity established within the zones. The desire for the maintenance and development of existing activities and development of further new opportunities for these activities needs to be provided for on the basis commercial activities are carefully managed to maintain and enhance the valued qualities of the zones and established operations.

The Open Space and Recreation Zones can be grouped according to the following features and uses:

- a. visual amenity (such as gardens and tree plantings, areas of indigenous vegetation and landscape values);
- b. children's play (such as playground equipment and neighbourhood parks);
- c. active sports (such as team sports, golf, and tennis);
- d. passive use of open space (such as areas for walking, running, cycling, picnicking, or enjoying a particular landscape);
- e. waterfront access (such as lakeside and riverside walkways and beaches, access to lakes and rivers for fishing and water-based sports);
- f. linkages (such as walking tracks and cycle ways);
- g. built facilities (such as halls, gymnasiums, clubrooms, swimming pools and libraries);
- h. heritage sites and heritage features;
- i. nature conservation (such as water margins, wetlands and indigenous vegetation); and

- j. commercial opportunities (such as gondolas, ziplines, events and guided walks).

The District provides a wide range of recreation opportunities. Its outstanding natural environment which includes lakes, rivers, mountains and basins provide an ideal setting for a variety of outdoor recreation activities. Together, the activities and the environments that they occur within are internationally recognised as the basis for the District's importance as a visitor destination, are crucial to the tourism industry and economy, as well as encouraging residents to settle within the District. The climate is conducive to outdoor recreation and its proximity to Mt Aspiring and Fiordland National Parks provides further opportunities for outdoor recreation.

Within the town centres, urban areas and townships, there are opportunities for indoor recreation and community activities, such as libraries, swimming pools and community halls, as well as outdoor venues for more formal sporting activities.

Open space is an important recreation and community resource. It can provide visual relief and amenity amongst the developed residential and commercial environments, opportunities for education concerning the natural environment, as well as active use (such as walking and cycling) and passive use (such as children's play, or picnicking, sitting and contemplation) for both residents and visitors.

Five zones and ~~three~~four sub-zones are used to manage activities on land zoned Open Space and Recreation within the District, these are:

- Nature Conservation Zone;
- Informal Recreation Zone, ~~which includes the Ben Lomond Sub-Zone;~~
- Active Sport and Recreation Zone;
- Civic Spaces Zone; and
- Community Purpose Zone which includes ~~three sub-zones to manage cemeteries, golf and camping activities~~the Community Purposes – Cemeteries, Community Purposes – Golf and Community Purposes – Camping Ground Sub-Zones.

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~~Pursuant to Section 86B (3) of the Act, Rule 38.10.5 Setback of buildings from water bodies has immediate legal effect.~~

Commented [CE3]: Note this is not new text, but was red in the notified chapter.

38.2 Objectives and Policies – District Wide

38.2.1 Objective - The open space and recreation needs of the District's residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities.

Policies

38.2.1.1 The design, development, management and maintenance of Open Space and Recreation Zones shall provide for:

- a. the needs of the community in the area in which the zones are located, and the needs of the wider community and visitors to the District;
- b. the effective and efficient use of resources so as to ensure that Open Space and Recreation Zones are ~~multi-functional and~~ fit for purpose ~~and safe for all users;~~
- c. the maintenance and enhancement of integrated public access connections to walking and cycling networks throughout the District, including along lake and river margins;
- ~~d. the functional use of Open Space and Recreation Zones, while ensuring that they are safe and attractive to users;~~
- ~~e.~~ the location within which Open Space and Recreation Zones are situated, responding to recognised natural character, landscape and heritage values; and
- ~~f.~~ the provision of infrastructure necessary to service Open Spaces and Recreation Zones, including recreation facilities and amenities.

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38.2.1.2 Encourage multiple use of Open Space and Recreation Zones wherever possible and practicable.

38.2.1.3 Protect and enhance ecological values, including habitats for indigenous fauna.

38.2.1.4 Protect open space, recreation and amenity values by managing the adverse effects of, and conflicts between, different types of recreation activities.

38.2.1.5 Avoid activities that do not have a practical or functional need to be located within Open Space and Recreation Zones, unless a particular activity:

- a. is compatible with and does not affect the continued operation of established activities;
- b. does not preclude the development of new open space and recreation activities; and
- c. maintains and/or enhances the recreation and amenity values.

Commented [CE6]: Cl 16(2)

38.2.1.6 Provide a District Plan framework that establishes the roles, functions and activities for each Open Space and Recreation Zones, within which the outcome of public participation into the design, development, management and enhancement of reserves can be implemented through processes other than through the Act, such as reserve management plans.

38.2.1.7 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

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38.2.2 **Objective - Recreation activities are undertaken and facilities constructed in a way that maintains or enhances the values of open space areas and the recreation opportunities available within the District.**

Policies

38.2.2.1 Ensure activities are undertaken, and buildings and infrastructure are located and constructed in a manner that maintains or enhances the amenity values of the relevant reserve and surrounding environment, including natural, scenic and heritage values.

Commented [CE8]: 2466 et. al.

38.2.2.2 Limit activities, buildings and structures to those compatible with the role and function of the zone, the sensitivity of the surrounding environment and are necessary to maintain or enhance the anticipated use or values of the zone.

Commented [CE9]: 2466 et. al, 2618

38.2.2.3 Require areas surrounding buildings, structures, outdoor storage and parking areas to be screened and landscaped to mitigate visual impacts and maintain or enhance amenity values.

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38.2.2.4 Ensure the scale and location of buildings including associated structures, trails and accesses, and noise and lighting associated with recreation activities is consistent with the level of amenity anticipated in the zone and in the surrounding environment, having particular regard to the following where new buildings, structures or lighting are proposed:

- a. the purpose, number, size and location of new buildings, structures and lighting are appropriate, in terms of their function and the sensitivity of the environment;
- b. that building design and appearance positively contributes to amenity, cultural, ecological and landscape values;
- c. that buildings or structures do not unduly preclude or limit public access, particularly along the margins of the District's lakes and rivers;
- d. that cumulative adverse effects of buildings and activities are taken into account; and
- e. the provision for and standard of lighting, including:
 - i. its siting and location, in particular, how it contributes to public safety; and
 - ii. minimising upward light spill on the night sky.

- 38.2.2.5** Ensure that any buildings or structures located within, adjoining or nearby to an Outstanding Natural Feature or Landscape, protect, maintain or enhance those values by:
- a. limiting development and activities in the vicinity of water bodies to the land based components of community recreation water based activities, which have a practical and functional need to be located within these areas; (refer also to Objective 38.2.4)
 - b. preserving the natural character of the margins of waterbodies; (refer also to Objective 38.2.4)
 - c. ensuring buildings are located in areas that are least sensitive to change and have capacity to absorb development;
 - d. requiring buildings to be designed and finished so they:
 - i. avoid visual dominance; and
 - ii. mitigate or remedy adverse effects on the values of the Outstanding Natural Feature or Landscape; and
 - e. ensuring trails, access and carparking areas (including associated earthworks) do not degrade visual amenity values or disrupt the natural character or landforms.
- 38.2.2.6** Ensure the development and use of Open Space and Recreation Zones does not detract from a safe and efficient network for the movement of people and goods, or the amenity values of adjoining roads that are enjoyed by residents and visitors (such as walking, communal meeting, viewshafts).
- 38.2.3** **Objective – Commercial activities are limited to those that have a functional requirement to locate within Open Space and Recreation Zones and ~~do not degrade~~ maintain open space and recreation values.**

Commented [CE11]: 2466 et. al., 2462, 2468

Policies

- 38.2.3.1** Ensure that commercial activities have a genuine link with the open space and recreation resource.
- 38.2.3.2** Ensure that commercial activities ~~do not degrade~~ maintain the quality, amenity values and landscape values of open spaces.
- 38.2.3.3** Provide for commercial recreation activities that do not detract from the quality of the experience of people partaking in other commercial recreation activities and other passive and active informal recreation activities, having particular regard to the scale, intensity and cumulative effects of commercial recreation activities.
- 38.2.4** **Objective – The interface between activities within the Open Space and Recreation Zones are managed to protect, maintain or enhance the natural character of waterbodies and their margins (refer also to Policies 38.2.2.5 a and b).**

Commented [CE12]: 2466 et. al., 2462, 2468

Policies

- 38.2.4.1** Provide recreation, commercial and public transport opportunities within Open Space and Recreation Zones in a manner that ~~preserves~~ supports the preservation of the natural character and nature conservation values of lakes, rivers and their margins from inappropriate activities.
- 38.2.4.2** Recognise and provide for the maintenance and enhancement of public access to, and enjoyment of, the margins of lakes and rivers, particularly where access and enjoyment is compatible with protecting the natural character and nature conservation values of those lakes and rivers.
- 38.2.4.3** Enable people to have access to a wide range of community recreational experiences on the margins of waterbodies, including the limited provision of commercial recreation

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activities that maintain landscape, amenity and nature conservation values, especially where they integrate with recreation activities on and under the surface of the waterbody.

38.2.5 Objective – Activities sensitive to aircraft noise within the Queenstown Airport Air Noise Boundary or Outer Control Boundary are avoided or managed to mitigate noise and reverse sensitivity effects.

Policy

38.2.5.1 Require buildings that contain an Activity Sensitive to Aircraft Noise and are located within the Queenstown Airport Air Noise Boundary or Outer Control Boundary to be designed and built to achieve an internal design sound level of 40 dB Ldn.

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38.3 Objectives and Policies – Nature Conservation Zone

Purpose

The Nature Conservation Zone primarily applies to open space and recreation areas that border lakes and rivers, or are recognised for their natural, ecological, and landscape values. The Nature Conservation Zone provides for informal recreation and access to the District’s unique landscapes. These areas offer diverse recreation opportunities such as biking, walking and water activities, together with providing connections with nature.

To protect the values of the Nature Conservation Zone, recreation activities and development are limited in scale and intensity. Infrastructure, buildings, structures, and activities provided for within this zone relate specifically to conservation, recreation, and visitor information.

38.3.1 Objective - Use and development complements and protects the nature conservation values and natural qualities of the Nature Conservation Zone.

Policies

38.3.1.1 Provide for appropriate use and development by:

- a. limiting activities, buildings and structures to those necessary to maintain or enhance the use or values of the zone and only allowing these where they cannot be located on other adjoining or nearby land for the same purpose;
- b. locating and designing new buildings, structures, additions and parking areas to protect and maintain the character and values of the zone;
- c. mitigating the visual impacts of buildings, structures and parking areas through appropriate landscaping and design responses; and
- d. identifying opportunities to enhance indigenous biodiversity and providing for these opportunities to be realised as part of the mitigation of the adverse effects of subdivision of adjoining land and use and development within the zone.

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38.4 Objectives and Policies – Informal Recreation Zone

Purpose

The Informal Recreation Zone applies to open space and recreation areas that are primarily easily accessible for the immediate community and visitors or within easy walking distance for residents within the area. It provides a basic informal recreation experience, including play opportunities (such as flat, kick-around space) and offers areas for respite and relaxation. In addition, the Informal Recreation Zone is intended to provide physical links to other areas (such as by cycle ways or pedestrian access ways).

The Informal Recreation Zone encompasses both small local parks and neighbourhood reserves, through to large open areas fronting the District’s Lakes. It also encompasses small reserves that

provide visual relief from the built environment. While some civic activities may take place on these reserves, it is anticipated that larger and more formal civic events will occur within the Civic Spaces Zones.

The Informal Recreation Zone accommodates a number of facilities, including public toilets, children's playgrounds, public barbecues, public art, car parks, tracks and general park furniture.

The foreshore reserves such as those along Roys Bay in Wanaka and Queenstown Bay also contain the majority of the lake-related commercial leases and concessions.

Buildings and structures located on the Informal Recreation Zone are generally limited to those that support informal recreation and are typically small-scale community buildings and structures.

Much of the Informal Recreation Zone is readily accessible, and are located within and adjacent to areas of high interest, landscape and amenity values. A range of commercial recreation and tourism activities exist in the zone and there is a desire to develop existing and new activities. The scale and intensity of these activities and associated buildings and infrastructure need to be carefully managed.

The Informal Recreation Ben Lomond Sub Zone recognises and manages the existence and extent of commercial and informal recreation activities in the Ben Lomond Recreation Reserve. This site is of particular importance because of its close proximity to the Queenstown Town Centre and its popularity with visitors and residents. The Ben Lomond Recreation Reserve is also unique in terms of the breadth of activities present, which include a gondola and restaurant, luge, [Zipline operations](#), helicopter flights, parasailing, management of forestry, wildlife park and trails used for both commercial and informal recreation. Further development is contemplated where it is undertaken in a manner that is sensitive to other occupiers and users, and where it will maintain the overall landscape values, visual amenity values and recreation experiences of users of the sub zone.

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38.4.1 Objective – Use and development for informal recreation maintains and enhances the environment

Policies

- 38.4.1.1** Enable a variety of informal recreation activities, including small-scale community uses and accessory activities.
- 38.4.1.2** Encourage commercial recreation activities and related commercial activities to complement and enhance other uses and experiences in the Informal Recreation Zone while at the same time maintaining or enhancing the landscape and amenity values of the zone.
- 38.4.1.3** Provide for multiple recreation activities while managing conflicts between multiple uses, and ensuring public safety and public access to informal recreational opportunities are maintained and enhanced.
- 38.4.1.4** Ensure that buildings and activities that exclude or restrict public access are limited so as to encourage public use and maintain open space for informal recreation, recognising that the existing facilities that have been established within this zone are appropriate to remain and in some instances, may be extended or redeveloped.
- 38.4.1.5** Limit the intensity of activities to minimise adverse effects such as noise, glare and traffic on amenity values, peace and enjoyment of the Informal Recreation Zones and surrounding environment.
- 38.4.1.6** Opportunities are taken to enhance recreational trail networks, cycling and walking linkages within the zone, and to other zones, to create a contiguous network to assist residents and visitors to move through and around neighbourhoods, and to other destinations, thereby providing an alternative and sustainable mode of transport.

Within the Ben Lomond Sub-Zone

38.4.1.7 Control the visual impact of buildings, passenger lift systems, earthworks and infrastructure associated with commercial and commercial recreation activities.

38.4.1.8 Ensure that buildings, passenger lift systems and infrastructure associated with commercial and commercial recreation activities are not highly prominent on the skyline and remain subservient to the view of Walter Peak when viewed from the north east (Malaghans Road / Gorge Road).

38.4.1.9 Require landscape rehabilitation following the removal of exotic conifers to mitigate effects on landscape and visual amenity, including revegetation with indigenous species and provision for the ongoing control of conifer regrowth.

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38.5 Objectives and Policies – Active Sport and Recreation Zone

Purpose

The Active Sport and Recreation Zone includes larger parks and reserves that are primarily used for organised sport and events, usually with associated buildings and structures. The zone primarily applies to open space that is easily accessible, used for indoor and outdoor organised sports, active recreation and community activities.

The Active Sport and Recreation Zone areas are designed and used for organised sport and recreation with toilets, changing facilities, car parking and turf or playing surfaces formally maintained to an appropriate standard for the relevant sports code. These include sports fields, hard-court areas, club facilities as well as associated infrastructure such as car parking and changing rooms.

Commercial activities accessory to sport and active recreation activities, such as those that provide food or beverage services to support recreational use, may be undertaken in appropriate locations within this zone.

The Active Sport and Recreation Zone applies in the main urban centres and contain provisions that recognise the intensive use made of these areas, and the need to provide sufficient facilities to support these uses, while at the same time, providing for the open space and amenity values of a park or reserve within this zone, as well as avoiding or mitigating adverse effects on the surrounding areas.

38.5.1 Objective - Active sport and recreation activities are provided for in appropriate locations, while managing adverse effects on surrounding areas and communities.

Policies

38.5.1.1 Provide for indoor and outdoor organised sports, active recreation, recreation facilities, community activities, accessory activities and associated buildings and structures.

38.5.1.2 Active sport and recreation and associated buildings, structures (including additions) and car parking, are designed, located and operated to be compatible with the surrounding environment in which they are located, particularly within or adjacent to residential environments, and to avoid or mitigate any adverse effects of the activities (such as noise, hours and frequency) and of buildings, including visual dominance, outlook from adjoining or nearby sites and buildings, and shading.

38.6 Objectives and Policies – Civic Spaces Zone

Purpose

The Civic Spaces Zone provides for civic activities.

Civic spaces contribute to the character of centres and urban areas and provide opportunities for informal recreation, social interaction and community gatherings and events. They also support local character and provide a sense of identity.

The Civic Spaces Zone receives a high level of use and the zone and facilities shall be designed, operated and maintained with a high level of service. Events are often held within civic spaces, such as festivals and markets. They are places that help to establish communities and a sense of place. These areas are typically subject to higher demand from public and commercial use and are important civic spaces that directly support the District's tourism industry.

38.6.1 Objective – Civic spaces are the community focal points for civic and community functions, events and informal recreation of benefit to both the community and the District.

Policies

38.6.1.1 Manage and promote passive recreation activities, while providing for commercial and community activities of a temporary nature that are of public benefit.

38.6.1.2 Limit buildings and structures to those that are necessary to support civic activities, and where this is demonstrated, ensure that buildings and structures enhance the amenity values, functionality and use of the zone.

38.6.1.3 Enable public amenities and the installation of artworks and interpretive signs, that enhance the use and enjoyment of civic spaces.

38.7 Objectives and Policies – Community Purposes Zone

Purpose

The Community Purposes Zone primarily accommodates open space areas that play a significant community function, including libraries, halls and recreation centres. It also provides specifically for cemeteries, golf courses, campgrounds and areas that have a significant passive recreation function that are not otherwise encapsulated in other zones, such as the Queenstown Gardens. Community buildings and associated activities are generally provided within the Community Purposes Zone.

Community Purposes Zones located within the townships and outlying settlements often have multiple activities that host a variety of passive and active activities and associated infrastructure.

Where the Community Purposes Zone is for a specific function, the zone has been broken into sub-zones for the purposes of better articulating management outcomes for each sub-zone. The three sub-zones are:

Community Purposes Zone (Cemeteries);
Community Purposes Zone (Golf); and
Community Purpose Zone (Camping Ground).

Both the Community Purposes Zone (Golf) and the Community Purposes Zone (Camping Ground), comprise the District's golf courses and campground facilities that are owned by the Council, but are leased to private interests. These two sub-zones include provisions that recognise the specialised use of these open space areas. Accordingly, the Community Purposes Zone allows for greater flexibility in the scale and nature of development of these spaces, while at the same time ensuring that development of these spaces is sympathetic to adjoining areas. As an example, this includes where a Community

Purposes Zone (Camping Ground) may border one of the District's lakes or Outstanding Natural Landscapes.

38.7.1 Objective – Community activities that meet the current and future social, cultural, recreation, health and community needs of both local communities and visitors to the District are provided for within a diverse range of open spaces.

Policies

38.7.1.1 Enable community activities and associated buildings and structures (including indoor and outdoor organised sports, active recreation and recreation facilities) that contribute to the function of the zone as focal points for District and Regional activities, while ensuring that the location and design of new buildings and structures, additions to existing buildings and structures and parking areas, maintain the character and values of each Community Purposes Zone.

38.7.1.2 Enable the continued operation of the District's existing cemeteries while maintaining public access, the open space amenity, and any historic heritage values of these community spaces.

38.7.1.3 Buildings, structures and activities associated with the community activities themselves are designed and located so that any adverse effects including noise, lighting and traffic effects, are managed to maintain the level of amenity value of the surrounding environment within which they are located.

38.7.1.4 Ensure that the development of golf courses and camping ground areas continue to provide for a mixture of restricted and full public use, as well as the open space visual amenity enjoyed by the wider public.

38.7.1.5 Ensure that the development of golf courses and camping grounds maintains and enhances the landscape and amenity values of the surrounding environment.

38.8 Other Provisions and Rules

38.8.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

38.8.2 Clarification - Advice Notes

- 38.8.2.1** A permitted activity must comply with all of the rules listed in the Rules - Activities (Table 38.1) and Rules - Standards (Table 38.2) for the Open Space and Recreation Zones and Table 38.3 for the Informal Recreation Ben Lomond Sub Zone, and any relevant district wide rules.
- 38.8.2.2** Where an activity does not comply with a standard listed in the Rules - Standards for the Open Space and Recreation Zone tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the activity.
- 38.8.2.3** The Ben Lomond Sub-Zone and the 3 Community Purpose Sub-Zones, being sub-zones of the Informal Recreation Zone and Community Purpose Zone, require that all rules applicable to the Zone apply. Where specific rules are identified for the sub-zone, these shall prevail over the rules of the Informal Recreation Zone or Community Purpose Zone.
- 38.8.2.4** Freedom camping in the District is controlled by the Council's Freedom Camping Control Bylaw.
- 38.8.2.5** The surface of lakes and rivers are zoned Rural, unless otherwise stated in the District Plan or identified on the Planning Maps.
- 38.8.2.6** Resource consent may be required for activities associated with telecommunications under the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016. In these instances, this NES applies instead of the District Plan provisions.
- 38.8.2.7** Resource consent may be required for activities associated with electricity transmission under the Resource Management (National Environmental Standards for Electricity Transmission Activities) regulations 2009. In these instances, this NES applies instead of the District Plan provisions.
- 38.8.2.8** ~~The following Land use activities within the National Grid Yard or Electricity Distribution Corridor are managed in Chapter 30 Energy and Utilities:~~
- ~~a. Earthworks undertaken within the National Grid Yard;~~
 - ~~b. Earthworks for the placement of underground electricity cables or lines; and~~
 - ~~c. Earthworks in the Electricity Distribution Corridor.~~
- 38.8.2.9** ~~Activities, buildings and structures proposed to be established within the vicinity of Queenstown Airport are referred to Figures 1 and 2 of the Planning Maps which identify the Airport Approach and Protection Measures, and Airport Protection Inner Horizontal and Conical Surfaces for Queenstown Airport. Land use restrictions associated within these areas are further described in Chapter 37: Designations, Part D.3. Persons who wish to undertake activities or develop buildings or structures which enter into these surfaces are advised to consult with the relevant requiring authority and the Civil Aviation Authority.~~
- 38.8.2.910** Table 38.1 specifies the activity status of land use activities in the Open Space and Recreation Zones, pursuant to section 9(3) of the Resource Management Act 1991. Notwithstanding the following rules, the Reserves Act 1977 applies to land vested under section 14 of the Reserves Act 1977. Reserves and land controlled by Council or the Department of Conservation may be subject to further controls under the Reserves Act 1977 or through Reserve Management Plans. Discussion should be held with these agencies as to the existence and nature of these controls.
- 38.8.2.4011** These abbreviations are used in the Rules – Activities (Section 38.9) and Rules - Standards for the Open Space and Recreation Zone (Section 38.10) tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non-Complying	PR	Prohibited

38.8.2.4412 The following abbreviations are used within this chapter.

CPZ	Community Purpose Zone
CPZ (Golf)	Community Purpose Sub Zone (Golf)
CPZ (Camping Ground)	Community Purpose Sub Zone (Camping Ground)
CPZ (Cemeteries)	Community Purpose Sub Zone (Cemeteries)

38.9 Rules – Activities

Table 38.1: Activities Open Space and Recreation Zones.

a. For the activities identified in Table 38.1 as controlled activities, the Council will reserve its control to the matters in Part 38.13.

b. For the activities identified in Table 38.1 as restricted discretionary activities, the Council will restrict its discretion to the matters in Part 38.14.

Rule	Activities	Nature Conservation Zone	Informal Recreation Zone	Active Sports/ Recreation Zone	Civic Spaces Zone	CPZ	CPZ (Golf)	CPZ (Camping Ground)	CPZ (Cemeteries)
38.9.1	Any activity not listed in Table 38.1	NC	NC	NC	NC	NC	NC	NC	NC
38.9.2	Informal recreation	P	P	P	P	P	P	P	P
38.9.3	Public amenities	P	P	P	P	P	P	P	P
38.9.4	Gardens, including botanic and community gardens	P	P	P	P	P	P	P	P
38.9.5	Parks Maintenance	P	P	P	P	P	P	P	P
38.9.6	Recreation facilities	NC	D	P	D	P	P	P	P
38.9.7	Community centres and halls	NC	D	D	D	D	NC	NC	NC
38.9.8	Day Care Facilities including buildings	NC	NC	D	NC	D	NC	NC	NC
38.9.9	Education and research facilities directly related to the open space area	P	P	P	P	P	D	D	NC
38.9.10	Art galleries, arts and cultural centres including buildings	NC	D	D	D	D	NC	NC	NC
38.9.11	Clubrooms including buildings	NC	D	P	NC	D	P	D	NC
38.9.12	Libraries including buildings	NC	NC	NC	NC	P	NC	NC	NC
38.9.13	Grandstands	NC	NC	D	NC	D	NC	NC	NC
38.9.14	Organised sport and recreation	D	RDD	P	D	P	P	D	NC
38.9.15	Camping grounds	D	D	NC	NC	NC	NC	P	NC
38.9.16	Restaurants and cafes that are accessory to a permitted activity and are located further than 50m from a Residential Zone including buildings	NC	C	C	C	C	C	C	NC

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Rule	Activities	Nature Conservation Zone	Informal Recreation Zone	Active Sports/ Recreation Zone	Civic Spaces Zone	CPZ	CPZ (Golf)	CPZ (Camping Ground)	CPZ (Cemeteries)
38.9.17	Restaurants and cafes that are accessory to a permitted activity and are located within 50m of a Residential Zone including buildings	NC	RD	RD	RD	RD	RD	RD	NC
38.9.18	Retail accessory to a permitted activity that complies with the floor area standards for retail activities (Rule 38.10.9)	D	P	P	P	P	P	P	NC
38.9.19	Retail not otherwise provided for in Table 38.1	NC	D	D	D	D	D	D	NC
38.9.20	Commercial Recreation Activities and buildings associated with Commercial Recreation Activities	D	D	D	RD	RD	RD	RD	NC
38.9.21	Commercial Activities and buildings associated with, and located on the same site as recreation activities	D	D	D	RD	RD	RD	RD	NC
38.9.22	Artworks	P	P	P	P	P	P	P	P
38.9.23	Demolition of buildings (which is not a listed as a protected feature)	P	P	P	P	P	P	P	P
38.9.24	New buildings associated with a permitted activity, not otherwise listed in Table 38.1	P	P	P	P	P	P	C	P
38.9.25	Construction, addition or alteration to existing buildings	P	P	P	P	P	P	C	P

Rule	Activities	Nature Conservation Zone	Informal Recreation Zone	Active Sports/ Recreation Zone	Civic Spaces Zone	CPZ	CPZ (Golf)	CPZ (Camping Ground)	CPZ (Cemeteries)
38.9.26	Conservation Planting, species protection and conservation management works, including associated trapping, restoration and re-vegetation work, noxious plant and pest control and scientific research	P	P	P	P	P	P	P	P
38.9.27	Recreation Trail tracks (walking, horse and cycling trail tracks)	P	P	P	P	P	P	P	P
38.9.28	Construction of vehicle access and car parking areas accessory to permitted activities, up to 200m ²	C	C	P	P	P	P	P	P
38.9.29	Construction of vehicle access and car parking areas accessory to permitted activities exceeding 200m ²	D	RD	RD	RD	RD	RD	RD	RD
38.9.30	Harvesting and management of existing Forestry within the Outstanding Natural Features or Landscapes	D	D	D	D	D	D	D	D
38.9.31	Planting of new Forestry within the Outstanding Natural Features or Landscapes	NC	D	D	NC	NC	NC	NC	NC
38.9.32	Farming including grazing of stock	RD	P	RD	RD	RD	RD	RD	RD
38.9.33	Cemeteries	D	NC	NC	NC	NC	NC	NC	P
38.9.34	The parking or placing of any motor vehicle, boat, caravan, trailer, or material for the purposes of sale or lease	PR	PR	PR	PR	PR	PR	PR	PR
38.9.35	Mining Activity	PR	PR	PR	PR	PR	PR	PR	PR
38.9.36	Boat Ramps, Jetties and Marinas	D	D	D	D	D	D	D	NC

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Rule	Activities	Nature Conservation Zone	Informal Recreation Zone	Active Sports/ Recreation Zone	Civic Spaces Zone	CPZ	CPZ (Golf)	CPZ (Camping Ground)	CPZ (Cemeteries)
38.9.37	Informal Airports	D	D	D	D	D	D	D	D

38.10 Rules - Standards for Open Space and Recreation Zones

	Table 38.2: Standards for Activities in the Open Space and Recreation Zones	Non-compliance Status
38.10.1	<p>Building Height</p> <p>The maximum height in the following zones shall be:</p> <p>38.10.1.1 Nature Conservation Zone: 4m.</p> <p>38.10.1.2 Informal Recreation Zone: 6m.</p> <p>38.10.1.3 Active Sports and Recreation Zone: 10m.</p> <p>38.10.1.4 Civic Spaces Zone: 8m.</p> <p>38.10.1.5 CPZ: 10m.</p> <p>38.10.1.6 CPZ (Golf): 8m.</p> <p>38.10.1.7 CPZ (Camping Ground): 8m.</p> <p>38.10.1.8 CPZ (Cemeteries): 8m.</p>	D

	Table 38.2: Standards for Activities in the Open Space and Recreation Zones	Non-compliance Status																								
38.10.2	<p>Ground Floor Area of Buildings</p> <p>The total maximum ground floor area of buildings per site in the following zones is:</p> <table border="0"> <tr> <td>38.10.2.1</td> <td>Nature Conservation Zone:</td> <td>50m².</td> </tr> <tr> <td>38.10.2.2</td> <td>Informal Recreation Zone:</td> <td>100m².</td> </tr> <tr> <td>38.10.2.3</td> <td>Active Sports and Recreation Zone:</td> <td>400m².</td> </tr> <tr> <td>38.10.2.4</td> <td>Civic Spaces Zone:</td> <td>100m².</td> </tr> <tr> <td>38.10.2.5</td> <td>CPZ:</td> <td>300m².</td> </tr> <tr> <td>38.10.2.6</td> <td>CPZ (Golf):</td> <td>600m².</td> </tr> <tr> <td>38.10.2.7</td> <td>CPZ (Camping Ground):</td> <td>600m².</td> </tr> <tr> <td>38.10.2.8</td> <td>CPZ (Cemeteries):</td> <td>50m².</td> </tr> </table> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Building dominance; • Effects on visual amenity and landscape character values and in particular views of significance; • The size, design and location of buildings relative to the public realm and adjoining properties; • Consistency with the character of the locality and the role and function of the open space; • Pedestrian and vehicle access; • Functional needs; • Scale and intensity; • Cumulative effect of buildings; and • Design and integration of landscaping. 	38.10.2.1	Nature Conservation Zone:	50m ² .	38.10.2.2	Informal Recreation Zone:	100m ² .	38.10.2.3	Active Sports and Recreation Zone:	400m ² .	38.10.2.4	Civic Spaces Zone:	100m ² .	38.10.2.5	CPZ:	300m ² .	38.10.2.6	CPZ (Golf):	600m ² .	38.10.2.7	CPZ (Camping Ground):	600m ² .	38.10.2.8	CPZ (Cemeteries):	50m ² .	RD
38.10.2.1	Nature Conservation Zone:	50m ² .																								
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38.10.2.8	CPZ (Cemeteries):	50m ² .																								

	Table 38.2: Standards for Activities in the Open Space and Recreation Zones	Non-compliance Status
38.10.3	<p>Recession Plane</p> <p>38.10.3.1 Where a building is proposed on a site that adjoins another zone, the building shall comply with the recession plane standard for the adjoining zone, applied at the zone boundary.</p> <p>38.10.3.2 In the CPZ (Camping Ground) the following standards shall apply:</p> <ul style="list-style-type: none"> a. On boundaries adjoining a site zoned Low and Medium Density Residential Zones, buildings shall not project beyond a building envelope constructed by a recession line inclined towards the site at the following angles: <ul style="list-style-type: none"> i. Northern Boundary: 2.5m and 55 degrees; ii. Western and Eastern Boundaries: 2.5m and 45 degrees; and iii. Southern Boundary: 2.5m and 35 degrees. b. On boundaries adjoining a site zoned High Density Residential Zone, buildings shall not project beyond a building envelope constructed by a recession line inclined towards the site at the following angles: <ul style="list-style-type: none"> i. Northern Boundary: 2.5m and 55 degrees; and ii. All other boundaries: 2.5m and 45 degrees. 	D

	Table 38.2: Standards for Activities in the Open Space and Recreation Zones	Non-compliance Status
38.10.4	<p>Setback from Internal and Road Boundaries</p> <p>Setback from internal boundaries</p> <p>38.10.4.1 Where a site adjoins another zone, buildings shall be setback from the boundary the same distance as required by the set back from internal boundaries of the adjoining zone.</p> <p>Setback from roads</p> <p>38.10.4.2 The minimum road boundary setbacks that apply to the open space and recreation zones, shall be the standards that apply in the adjoining zone.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Building dominance; • Privacy effects on adjoining properties; • Access to sunlight and impacts on shading; • Effects on visual amenity; • The size, design and location of buildings relative to the public realm and adjoining properties; • Consistency with the character of the locality; and • The historic heritage value of any adjacent heritage item and or feature. 	RD
38.10.5	<p>Setback of buildings from water bodies</p> <p>The minimum setback of any building from the bed of a river or lake or wetland shall be 10m.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Indigenous biodiversity values; • Public access; • Effects on visual amenity and landscape character values; • Open space • The functional and locational need and interaction of the development with the water body; • Landscaping; • Environmental protection measures (including landscaping and stormwater management); and • Natural hazards. 	RD

	Table 38.2: Standards for Activities in the Open Space and Recreation Zones	Non-compliance Status
38.10.6	<p>Outdoor Storage</p> <p>38.10.6.1 Outdoor storage and storage of waste and recycling shall be screened that is visible from public places roads or and adjoining zones shall be landscaped with by either planting, solid walls, solid fences, or any combination of these, to 2m in height along the length of the outdoor storage area. Where such screening-landscaping is by way of planting it shall be for a minimum depth of 3m as well as 2m high.</p> <p>38.10.6.2 Any outdoor storage area shall not be located within the minimum setbacks specified in Rule 38.10.4 and 38.10.5.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Visual amenity; • The location relative to the public realm and adjoining residential properties; • Consistency with the character of the locality; • Landscaping; • Practical and functional constraints; and • Pedestrian and vehicle access. 	RD
38.10.7	<p>Fencing</p> <p>38.10.7.1 Fences erected on the boundary of any Open Space and Recreation Zone shall be at least 50% visually permeable.</p> <p>38.10.7.2 The maximum height of any fences erected on the boundary of any Open Space and Recreation Zone shall be 1.2m.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Visual amenity values; • Opportunities for passive surveillance; • Consistency with any established fencing; and • Functional constraints, including the use of land, security, and wind shelter. 	RD

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	Table 38.2: Standards for Activities in the Open Space and Recreation Zones	Non-compliance Status
38.10.8	<p>Lighting and Glare</p> <p>38.10.8.1 No activity on a Nature Conservation Zone, CPZ, CPZ (Golf), CPZ (Camping Ground) and CPZ (Cemeteries) shall result in a greater than 2.5 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site (when measured or calculated 2.0m inside the boundary of the adjoining property).</p> <p>38.10.8.2 No activity on an Informal Recreation Zone, Active Sports and Recreation Zone and Civic Spaces Zone shall result in a greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site (when measured 2.0m inside the boundary of the adjoining property).</p>	D
38.10.9	<p>Maximum gross retail floor space</p> <p>Within the Informal Recreation Zone, Active Sports and Recreation Zone, CPZ, CPZ (Golf), and CPZ (Camping Ground) the maximum gross retail floor space associated to recreation activities permitted within these zones shall be 100m² or no more than 10% of the gross floor area (whichever is the lessor) of the building supporting the recreation and leisure activities.</p>	D
38.10.10	<p>Building Colours Within the Nature Conservation, Informal Recreation and Community Purposes (Camping Ground) Zones</p> <p>38.10.10.1 All exterior surfaces, including fences, shall be coloured in the range of browns, greens, greys or black (except soffits), with a maximum reflective value of 35%.</p> <p>38.10.10.2 All roofs shall have a maximum reflective value of 20%.</p> <p>38.10.10.3 All other surface finishes shall have a maximum reflective value of 30%.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • External appearance; • Visual prominence from both public places and private locations; and • Effects on visual amenity and landscape character values and in particular views of significance. 	RD

	Table 38.2: Standards for Activities in the Open Space and Recreation Zones	Non-compliance Status
38.10.11	<p>Water supply and access for firefighting</p> <p>All new buildings over 20m² in area that are not connected to the reticulated water supply must make the following provision for firefighting:</p> <p>38.10.11.1 A water supply of 45,000 litres; and</p> <p>38.10.11.2 A hardstand area adjacent to the firefighting water supply connection of a minimum width of 4.5 metres and a minimum length of 11 metres; and</p> <p>38.10.11.3 A firefighting water connection located more than 6 metres but not less than 90 metres away from the building; and</p> <p>38.10.11.4 Access from the property boundary to the firefighting water connection of a minimum width of 4.5 metres.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> the extent of compliance with any national standards for firefighting water supply; the accessibility of the firefighting water connection point for fire service vehicles; whether and the extent to which the building is assessed as a low fire risk; any advice that may have been received from Fire and Emergency New Zealand. 	RD
38.10.12	<p>Activities Sensitive to Aircraft Noise</p> <p>New buildings or additions to existing buildings containing Activities Sensitive to Aircraft Noise located within the Queenstown Airport Air Noise Boundary or Outer Control Boundary shall be designed to achieve an Indoor Design Sound Level of 40dB within any Critical Listening Environment (based on the 2037 Noise Contours) and ventilated in accordance with Rule 36.6.2.</p>	NC

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38.11 Informal Recreation Zone: Ben Lomond Sub Zone

Table 38.3: Activities and Standards for Activities in the Ben Lomond Sub Zone		Activity or Non-compliance Status
	Activity	Activity Status
38.11.1	<p>Buildings</p> <p>Construction, relocation, addition or alteration of any building.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Landscape and visual amenity values; • Scale, intensity and cumulative effects; • Associated earthworks and landscaping; • Lighting; • Provision of water supply, sewerage treatment and disposal, <u>storm water disposal</u>, electricity and communication services; • Natural Hazards; and • Effects on the transportation network. <p>Information requirements associated with the effects on the transportation network shall include an integrated transport assessment, including but not limited to:</p> <ul style="list-style-type: none"> • Travel, access and parking plans; • Any capacity or safety improvements to the road network, if the scale and intensity of the activity requires this; • The enhancement of pedestrian connections and networks to the Queenstown Town Centre Zone; • Measures to encourage reduced use of car travel by employees and customers; and • Requirements for the provision of dedicated car parks. 	RD

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	Table 38.3: Activities and Standards for Activities in the Ben Lomond Sub Zone	Activity or Non-compliance Status
38.11.2	<p>Passenger Lift Systems</p> <p>Passenger Lift Systems within the 'Bob's Peak' area and the 'Gondola Corridor' area of the Ben Lomond Sub Zone.</p> <p>Control is reserved to the following:</p> <ul style="list-style-type: none"> • Location, external appearance and alignment; • Other occupiers or users; • Night lighting; • Height; • Associated earthworks; and • Natural Hazards. 	C
38.11.3	<p>Commercial recreation activity and related Commercial activity</p> <p>38.11.3.1 Commercial recreation activity</p> <p>38.11.3.2 Commercial activity only where including:</p> <p>a. the commercial activities is associated with, and located on, the same site as the commercial recreation activities; and or</p> <p>b. the commercial activity is retail ancillary to at the commercial recreation activity</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Intensity and scale of the activity on recreation use and amenity values; • Noise; • Public access to, and use of the open space; • Other occupiers or users of the site or adjoining sites; • Infrastructure; • Access and parking; and • Effects on the transportation network (if not previously or concurrently addressed by an integrated transport assessment in Rule 38.11.1); 	RD

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	Table 38.3: Activities and Standards for Activities in the Ben Lomond Sub Zone	Activity or Non-compliance Status						
38.11.4	Harvesting and management of existing Forestry Control is reserved to the following: <ul style="list-style-type: none"> • Hours of operation; • Noise; • Health and safety; • Traffic generation; • Earthworks; • Soil erosion, sediment generation and run-off; and • Landscape rehabilitation. 	C						
38.11.5	Parking within the Lower Terminal area of the Ben Lomond Sub Zone. Control is reserved to the following: <ul style="list-style-type: none"> • Traffic generation, access, parking layout and design; • Consistency with any integrated traffic assessment required by Rules 38.11.1 and 38.11.3; • Pedestrian and vehicle access; and • Landscaping. 	C						
38.11.6	Building within the Building Restriction Area: Bob's Peak Area Any building within the Building Restriction Area, excluding retaining walls.	PR						
38.11.7	Building within the Gondola Corridor Area Any building within the Gondola Corridor Area excluding passenger lift systems.	NC						
	Standards	Non-Compliance Status						
38.11.78	Building Height The maximum height of buildings and structures as specified shall be: <table border="0"> <tr> <td>a. Buildings within the Bob's Peak Area:</td> <td>10m.</td> </tr> <tr> <td>b. Passenger Lift Systems within the Bob's Peak Area:</td> <td>12m.</td> </tr> <tr> <td>c. Buildings within the Lower Terminal Area:</td> <td>17m.</td> </tr> </table>	a. Buildings within the Bob's Peak Area:	10m.	b. Passenger Lift Systems within the Bob's Peak Area:	12m.	c. Buildings within the Lower Terminal Area:	17m.	D
a. Buildings within the Bob's Peak Area:	10m.							
b. Passenger Lift Systems within the Bob's Peak Area:	12m.							
c. Buildings within the Lower Terminal Area:	17m.							
38.11.89	Building Coverage The maximum building coverage within the Bob's Peak Area shall be 15%	D						

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38.12 Rules - Non-notification of Applications

All applications for controlled and restricted discretionary activities shall not require the written approval of other persons and shall not be notified or limited-notified, except for the following:

38.12.1 Restricted discretionary activities within the Informal Recreation Ben Lomond Sub-Zone, and

38.12.2 ~~Controlled activities within the Informal Recreation Ben Lomond Sub Zone shall not be publicly notified but may require the written approval of affected persons or give limited notification to affected persons.~~

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38.13 Matters of control for Controlled Activities identified in Table 38.1

The Council will reserve its control to the following matters when assessing a controlled activity resource consent application.

Table 38.4: Matters of Control for Activities in the Open Space and Recreation Zones	
38.13.1	<p>Rule 38.9.16: Restaurants and cafes that are accessory to a permitted activity and are located further than 50m from a Residential Zone in the Civic Spaces Zone, Informal Recreation Zone, Active Sports and Recreation Zone, CPZ, CPZ (Golf), CPZ (Camping Ground):</p> <ul style="list-style-type: none"> • Scale and intensity of the activity on recreation use and amenity values; • Public access to, and use of the open space; • Traffic generation, access and parking; and • Infrastructure and servicing, including the provision of storage and loading/service areas.
38.13.2	<p>Rules 38.9.24 and 38.9.25: Construction and alteration of buildings in the Community Purpose Camping Ground Zone:</p> <ul style="list-style-type: none"> • Building location, character, scale and form. • External appearance including materials and colours. • Infrastructure and servicing, access and parking. • Natural hazards.
38.13.3	<p>Rule 38.9.16: Restaurants and cafes that are accessory to a permitted activity and are located further than 50m from a Residential Zone in the Civic Spaces Zone, Informal Recreation Zone, Active Sports and Recreation Zone, CPZ, CPZ (Golf), CPZ (Camping Ground);</p> <p>Rule 38.9.28: Construction of vehicle access and car parking areas accessory to permitted activities up to 200m²:</p> <ul style="list-style-type: none"> • Traffic generation, access and parking; • Public access to, and use of, the open space; • Pedestrian and vehicle access; and • Landscaping.

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38.14 Matters of discretion for Restricted Discretionary Activities identified in Table 38.1

The Council will restrict its discretion over the following matters when assessing a restricted discretionary activity resource consent application.

Table 38.5: Matters of Discretion for Activities in the Open Space and Recreation Zones	
38.14.1	<p>Rule 38.9.17: Restaurants and cafes that are accessory to a permitted activity and are located within 50m of a Residential Zone in the Civic Spaces Zone, Informal Recreation Zone, Active Sports and Recreation Zone, CPZ, CPZ (Golf), CPZ (Camping Grounds):</p> <ul style="list-style-type: none"> • Intensity and scale of the activity on recreation use and amenity values; • Public access to, and use of, the open space; • Location, in particular distance from adjoining properties; • Traffic generation, access and parking; • Noise; and • Infrastructure and servicing, including the provision of storage and loading/service areas.
38.14.2	<p>Rules 38.9.20 and 38.9.21: Commercial recreation activity including commercial activities associated with and located on the same site as recreation activities, including buildings in the Civic Spaces Zone, CPZ, CPZ (Golf), CPZ (Camping Grounds):</p> <ul style="list-style-type: none"> • Intensity and scale of the activity on recreation use and amenity values; • Public access to, and use of the open space; • Other occupiers or users of the site or adjoining sites; • Traffic generation, access and parking.
38.14.3	<p>Rule 38.9.29: Construction of vehicle access and car parking areas accessory to permitted activities exceeding 200m² in respect of all Open Space and Recreation Zones (except the Nature Conservation Zone):</p> <p>Location of facility and access;</p> <ul style="list-style-type: none"> • Number, design and layout of car parks and associated manoeuvring areas; • Surface treatment of parking facility and access; • Landscaping; and • Cumulative effect of the number of car parking facilities within the Zone.

Table 38.5: Matters of Discretion for Activities in the Open Space and Recreation Zones	
38.14.45	<p>Rule 38.9.32: Farming including grazing of stock</p> <ul style="list-style-type: none"> • Intensity and duration; • Public access to, and use of the open space; • Pest and wilding pine control; • Maintenance of landscape values; and • Restriction of areas to protect or restore indigenous biodiversity values.

38.15 Landscape Assessment Matters for Discretionary and Non-Complying Activities

Table 38.6: Landscape Assessment Matters for Discretionary and Non-Complying Activities in the Open Space and Recreation Zones	
38.15.1	<p>Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL).</p> <p>38.15.1.1 Effects on landscape quality and character</p> <p>In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural Features and Landscapes, the Council shall be satisfied of the extent to which the proposed development will affect landscape quality and character, taking into account the following elements:</p> <p>a. Physical attributes:</p> <ul style="list-style-type: none"> • Geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character; • Vegetation (exotic and indigenous); • The presence of waterbodies including lakes, rivers, streams, wetlands. <p>b. Visual attributes:</p> <ul style="list-style-type: none"> • Legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes; • Aesthetic values including memorability and naturalness; • Transient values including values at certain times of the day or year; • Human influence and management – settlements, land management patterns, buildings, roads. <p>c. Appreciation and cultural attributes:</p> <ul style="list-style-type: none"> • Whether the elements identified in (a) and (b) are shared and recognised; • Cultural and spiritual values for Tangata whenua; • Historical and heritage associations. <p>The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.</p>

Table 38.6: Landscape Assessment Matters for Discretionary and Non-Complying Activities in the Open Space and Recreation Zones	
	<p>d. In the context of (a) to (c) above, the degree to which the proposed activity or development will affect the existing landscape quality and character, including whether the proposed activity or development accords with or degrades landscape quality and character, and to what degree.</p> <p>38.15.1.2 Effects on visual amenity</p> <p>In considering whether the potential visibility of the proposed activity or development will maintain and enhance visual amenity, values the Council shall be satisfied that:</p> <p>a. the extent to which the proposed activity or development detracts from visual amenity values as viewed from public roads and other public places;</p> <p>b. the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural Features and Landscapes;</p> <p>c. the proposal will be appropriately integrated, screened or hidden from view by elements that are in keeping with the character of the landscape;</p> <p>d. the proposed activity or development will not reduce the visual amenity values of the wider landscape (not just the immediate landscape);</p> <p>e. structures will not be located where they will break the line and form of any ridges, hills and slopes;</p> <ul style="list-style-type: none"> • any carparking, access, lighting, earthworks and landscaping will not reduce the visual amenity of the landscape.
38.15.2	<p><u>Rural Landscape Classification (RLC)-Rural Character Landscapes (RCL)</u></p> <p>38.15.2.1 Effects on landscape quality and character</p> <p>The following shall be taken into account:</p> <p>a. where the site is adjacent to or nearby an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;</p> <p>b. whether and the extent to which the scale and nature of the proposed activity or development will degrade the quality and character of the Open Space Zone or the surrounding Rural <u>Character</u> Landscape;</p> <p>c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Open Space Zone or the Rural <u>Character</u> Landscape.</p> <p>38.15.2.2 Effects on visual amenity:</p> <p>Whether the activity or development will result in a loss of the visual amenity of the Open Space Zone or the Rural <u>Character</u> Landscape, having regard to whether and the extent to which:</p> <p>a. the visual prominence of the proposed development from any public places will reduce visual amenity;</p>

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Table 38.6: Landscape Assessment Matters for Discretionary and Non-Complying Activities in the Open Space and Recreation Zones	
	<p>b. the proposed development is likely to be visually prominent such that it detracts from private views;</p> <p>c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Character Landscape from both public and private locations;</p> <p>d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;</p> <p>e. any proposed carparking, planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;</p> <p>38.15.2.3 Tangata Whenua, biodiversity and geological values:</p> <p>a. whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features will have.</p> <p>The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.</p>
38.15.3	<p>Other factors and positive effects, applicable in all the landscape categories</p> <p>38.15.3.1 The extent to which the proposed activity or development detracts from, or enhances the amenity of the Open Space Zone and wider natural or rural environment with particular regard to the experience of remoteness or wildness.</p> <p>38.15.3.2 The extent to which cumulative effects of activities will adversely affect landscape quality, character or visual amenity values.</p> <p>38.15.3.3 In considering whether there are any positive effects, or opportunities for remedying or mitigating the continuing adverse effects of activities, the Council shall take the following matters into account:</p> <p>a. whether the proposed activity would enhance the character of the landscape, or assists with the protection and enhancement of indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;</p> <p>b. any positive effects including environmental compensation, enhanced public access such as the creation or improvement of walking, cycling or bridleways or access to lakes, rivers or conservation areas;</p> <p>c. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation.</p>

Variation to Stage 1 PDP Chapter 2 Definitions:

Underlined text for additions and ~~strike through~~ text for deletions.

Camping Ground	Means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, <u>or permanent tourist cabins</u> , by 2 or more families or parties (whether consisting of 1 or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment; and includes any area of land used as a camping ground immediately before the commencement of the Camping Ground Regulations 1985.
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New Stage 2 PDP Definitions:

Ground Floor Area	<u>Means any areas covered by a building or parts of a building, and includes overhanging or cantilevered parts, but does not include pergolas (unroofed), projections not greater than 800mm including eaves, bay or box windows, and uncovered terraces or decks that are less than 1.0 m above ground level.</u>
Visually Permeable	<u>In reference to a wall, gate, door or fence: Means a continuous vertical or horizontal gaps of at least 50mm width occupying not less than one third of its face in aggregate of the entire surface or where narrower than 50mm, occupying at least one half of the face in aggregate.</u>
Recreation facility	<u>A facility where the primary purpose is to provide for sport and recreation activities and includes recreation centres, swimming pools, fitness centres and indoor sports centres but excludes activities otherwise defined as Commercial Recreation Activities.</u>

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Variation to Stage 1 Landscapes Chapter 6:

Underlined text for additions and ~~strike through~~ text for deletions.

Part 6.2 Values - Last paragraph: Delete.

~~Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.~~

6.3.XB Classify the Open Space and Recreation zoned land located outside the Urban Growth Boundary as ONL, ONF or RCL, and provide a separate regulatory framework for the Open Space and Recreation Zones within which the remaining policies of this chapter do not apply.

Part 6.4 Rules - Amend:

~~6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.~~

6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:

- a. Ski Area Activities within the Ski Area Sub Zones.
- b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.
- c. ~~The Gibbston Character Zone.~~
- d. ~~The Rural Lifestyle Zone.~~
- e. ~~The Rural Residential Zone.~~

Variation to Stage 1 Subdivision and Development Chapter 27:

Underlined text for additions and ~~strike through~~ text for deletions.

27.5 Rules – Standards for Subdivision Activities

Zone	Minimum Lot Area
<u>Open Space and Recreation Zones</u>	<u>No minimum</u>

Variation to Stage 1 Temporary Activities and Relocated Buildings Chapter 35:

Underlined text for additions and ~~strike-through~~ text for deletions.

35.4 Rules - Activities

35.4.7	<p>Temporary Events held <u>within the Open Space and Recreation Zones or any other</u> en-Council-owned public recreation land, provided that:</p> <ul style="list-style-type: none">Noise Events do not occur during hours in which the night-time noise limits of the relevant Zone(s) are in effect, except for New Year's Eve. <p>For the purpose of this rule the relevant noise standards of the Zone shall not apply.</p>	P
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Variation to Stage 1 Noise Chapter 36:

Underlined text for additions and ~~strike through~~ text for deletions.

36.5 Rules – Standards

Table 2: General Standards

	Standard				Non-compliance status
	Zones sound is received in	Assessment location	Time	Noise limits	
36.5.4	<u>Open Space and Recreation Zones</u>	Any point within any site	0800h to 2000h	50 dB L _{Aeq} (15 min)	NC
			2000h to 0800h	40 dB L _{Aeq} (15 min) 75 dB L _{AFmax}	NC

APPENDIX 2
Summary of submissions

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2019.8			Jonathan Holmes	5-Chapter 38 - Open Space and Recreation	Support	Supports Chapter 38 Open Space.	Accept	
2019.9			Jonathan Holmes	5-Chapter 38 - Open Space and Recreation	Other	That Council should work with the lease holder PACT of the Snow Farm Council to provide a year round sports and recreation facility.	Reject	
2076.6			Loris King	5-Chapter 38 - Open Space and Recreation	Oppose	That open spaces should not be built on unless a whole park is solely dedicated to organized sports and the buildings are associated with the sport activities.	Reject	
2076.6	FS2754.27		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submission is opposed.	Accept	
2076.6	FS2755.26		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submission is opposed.	Accept	
2078.12		Active Transport Wanaka	Active Transport Wanaka	5-Chapter 38 - Open Space and Recreation	Other	Active Transport Wanaka is seeking to work with QLDC to plan and implement an Active Transport Wanaka Masterplan. Through, and part of that approach, we seek to ensure the District Plan provisions are in line with this objective and any other objectives, policies or rules relevant to cycling and walking access within the district.	Reject	
2103.2			Kingston Holiday Park Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That Chapter 38 is amended to remove all references to only being applicable to campground facilities that are owned by the Council, but are leased to private interests.	Reject	
2212.2			Sara Roy	5-Chapter 38 - Open Space and Recreation	Other	That camping is removed from being allowed in any council reserve.	Reject	
2262.1			Chris Paul	5-Chapter 38 - Open Space and Recreation	Oppose	That Lismore Park, Wanaka be irrigated.	Reject	
2329.2		Aukaha	Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, Hokonui Runanga, Te Runanga o Waihopai, Te Runanga o Awarua and Te Runanga o Oraka-Aparima (Kai Tahu)	5-Chapter 38 - Open Space and Recreation	Oppose	The Open Space and Recreation Chapter is generally supported, however the following relief is sought: a) Objectives, policies and rules are required to recognise and address the effects of landfills, cemeteries and crematoriums on tangata whenua values throughout the District; b) Objectives, policies and rules are required to recognise and address the effects of activities on the values of mapped wahi tupuna areas and that activities identified as threats to the values of mapped wahi tupuna areas should be discretionary, requiring notification to tangata whenua; c) References to Kai Tahu values in the PDP policies lack detail and the linkages to the Tangata Whenua Chapter and mapped wahi tupuna areas are lacking; d) There needs to be consistent cross referencing to the Tangata Whenua Chapter and mapped wahi tupuna areas and provisions throughout the PDP chapters; e) Tangata whenua values should be specifically referenced as a matter of consideration to raise the visibility of tangata whenua values and ensure they are specifically addressed, pursuant to section 6e of the Resource Management Act; and f) Any consequential amendments necessary to give effect to the above relief.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2329.6		Aukaha	Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, Hokonui Runanga, Te Runanga o Waihopai, Te Runanga o Awarua and Te Runanga o Oraka-Aparima (Kai Tahu)	5-Chapter 38 - Open Space and Recreation	Oppose	That there should be specific reference to the effects of landfills, cemeteries and crematoriums on tangata whenua values throughout the District; and rules and assessment criteria should trigger consultation with tangata whenua where there are potential adverse effects on tangata whenua values from these activities, and where any activity may result in adverse effects on wahi tupuna mapped areas.	Accept in Part	
2335.14		Southern Planning Group	Ngai Tahu Property Limited Ngai Tahu Justice Holdings Limited	5-Chapter 38 - Open Space and Recreation	Oppose	Supports in part Chapter 38 - Open Space and Recreation.	Accept	
2357.7			Christine Byrch	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter as a whole needs to be written more clearly	Reject	
2357.7	FS2735.8	Southern Planning Group	Matakauri Lodge Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submission is opposed and that the notified definition of 'visitor accommodation' is supported.	FS does not appear to relate to Chapter 38.	
2357.7	FS2736.8	Southern Planning Group	Pounamu Holdings 2014 Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submission is opposed and that the definition of 'visitor accommodation' as notified is supported.	FS does not appear to relate to Chapter 38.	
2391.1		JEA	BDFL	5-Chapter 38 - Open Space and Recreation	Other	That the aspects of Chapter 38 that limit the Open Space & Recreation zoning to Council and/or public land are rejected and that the zoning can apply to privately owned land.	Reject	
2392.1			BOBS COVE DEVELOPMENTS LIMITED	5-Chapter 38 - Open Space and Recreation	Oppose	That in the Variation to Section 6, Rural Landscape Assessment Matters be removed from application to Rural Residential Zones.	Accept in Part	
2401.1			Lake Hayes Estate and Shotover Country Community Association	5-Chapter 38 - Open Space and Recreation	Oppose	The submitter opposes the Discretionary activity status to any campgrounds within and adjacent to Lake Hayes Estate and Shotover Country. Further, the submitter opposes any suggestion that reserve areas in the Lake Hayes Estate and Shotover Country could become potential campgrounds.	Reject	
2401.2			Lake Hayes Estate and Shotover Country Community Association	5-Chapter 38 - Open Space and Recreation	Oppose	The submitter requests that the provisions that apply to the reserves in and around Lake Hayes Estate and Shotover Country are either deleted or reconsidered and amended to ensure that the reserves are managed strategically to meet the present and future needs of the community.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2405.1		Southern Ventures	Kirimoko No.2 Limited Partnership	5-Chapter 38 - Open Space and Recreation	Oppose	The submitter opposes the Rural zoning of a number of lots, and requests that these be replaced with the Informal Recreation zone. This is sought for the following lots: <ul style="list-style-type: none"> •Lot 9 DP 300734 •Lots 1 and 2 DP 304817 •Lots 6 and 7 DP 300734 •Lot 30 DP 502229 •Lots 1 and 2 DP 507076 The submitter also seeks a split zone, which is proposed to consist of the Nature Conservation zone within the ONL, and Informal Recreation zone outside of the ONL for the following section: <ul style="list-style-type: none"> •Sec 2 Section 5 BLK XIV Lower Wanaka SD 	Out of Scope	
2405.4		Southern Ventures	Kirimoko No.2 Limited Partnership	5-Chapter 38 - Open Space and Recreation	Oppose	The submitter also seeks the addition of a new rule which pertains to the Informal Recreation zone providing for and permitting existing residential activities on Lot 2 DP 304817.	Reject	
2405.5		Southern Ventures	Kirimoko No.2 Limited Partnership	5-Chapter 38 - Open Space and Recreation	Oppose	The submitter seeks that the reference regarding the zone not applying to private open space being removed from the Open Space and Recreation Chapter.	Reject	
2407.1		Paterson Pitts Group	Glen Dene Ltd and Sarah Burdon	5-Chapter 38 - Open Space and Recreation	Support	The submitter supports the proposed zoning of Section 2 BLK II Lower Hawea SD as Community Purpose - Campground, and seek that this zoning be retained over the existing campground. The submitter also seeks that Rule 38.7 (Community Purposes Zone) be amended so that the purpose of the Community Purpose - Campground is not only related to land owned by QLDC.	Accept in Part	
2407.2		Paterson Pitts Group	Glen Dene Ltd and Sarah Burdon	5-Chapter 38 - Open Space and Recreation	Oppose	The submitter opposes the zoning of Lot 1 and Lot 2 DP 418972 as Rural, and seek that the zoning of Lot 1 DP 418972 be amended to Community Purpose - Campground.	Out of Scope	
2446.3			Heritage New Zealand	5-Chapter 38 - Open Space and Recreation	Support	Submitter supports historic heritage related provisions in Chapter 38	Accept	
2462.14		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation	Oppose	submitter opposes the protection of established activities that are contrary to the proposed policy framework	Reject	
2462.14	FS2752.8	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Accept	
2462.14	FS2800.63	Anderson Lloyd	Cardrona Alpine Resort Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submission is opposed.	Accept	
2462.14	FS2753.317	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Accept	
2462.14	FS2760.465	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Accept	
2466.5		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter is deleted or significantly amended to create a simpler framework.	Reject	
2466.5	FS2753.7	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.6		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter recognises and provides for the benefits of commercial recreation.	Reject	
2466.6	FS2753.8	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.6	FS2754.28		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation	Support	That the submission is supported.	Reject	
2466.6	FS2755.27		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation	Support	That the submission is supported.	Reject	
2466.7		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter is amended to permit or control the on-going use of, maintenance and upgrading of infrastructure within the open space zones.	Reject	
2466.7	FS2753.9	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2468.19		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation	Other	submitter opposes the protection of established activities that are contrary to the proposed framework. states some historic uses of reserves are may not be appropriate	Reject	
2468.19	FS2760.462	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Accept	
2485.1		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation	Oppose	The Open Space and Recreation Zone and the Ben Lomond Sub Zone identified in Planning Maps 34 and 35 are rejected in their entirety unless the alternative relief set out in the ZJV (2485) submission is accepted.	Accept in Part	
2485.1	FS2777.1	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the whole submission be disallowed.	Reject	
2494.3		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter is deleted or significantly amended to create a simpler framework.	Reject	
2494.3	FS2760.323	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought is supported.	Reject	
2494.4		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter recognises and provides for the benefits of commercial recreation.	Reject	
2494.4	FS2760.324	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought is supported.	Reject	
2494.5		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter is amended to permit or control the on-going use of, maintenance and upgrading of infrastructure within the open space zones.	Reject	
2494.5	FS2760.325	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought is supported.	Reject	
2495.7			Young Changemakers - Wakatipu Youth Trust Advisory Group	5-Chapter 38 - Open Space and Recreation	Support	The Chapter is confirmed.	Accept in Part	
2495.13			Young Changemakers - Wakatipu Youth Trust Advisory Group	5-Chapter 38 - Open Space and Recreation	Oppose	That different uses of parks, reserves and open spaces are undertaken that would benefit locals and create community.	Accept in Part	
2546.1			Georgina Ralston	5-Chapter 38 - Open Space and Recreation	Not Stated	That Chapter 38 contain further provision for parks and recreation that keeps pace with the rapid urbanisation around Queenstown.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2564.6			TJ Investments Pte Limited	5-Chapter 38 - Open Space and Recreation	Oppose	Opposes rule 38.9.16	Reject	
2569.1		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the Proposed Chapter 38 is rejected.	Reject	
2569.10		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation	Other	That provisions are amended to further protect the interface between KBP and Skyline Lower Terminal.	Reject	
2569.10	FS2777.12	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the submission be disallowed.	Accept	
2569.11		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation	Other	That the provisions are amended to provide for and support KBP activities.	Reject	
2581.5		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter is deleted or significantly amended to create a simpler framework.	Reject	
2581.5	FS2753.162	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.6		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter recognises and provides for the benefits of commercial recreation.	Reject	
2581.6	FS2753.163	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.7		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation	Oppose	That the Open Space Chapter is amended to permit or control the on-going use of, maintenance and upgrading of infrastructure within the open space zones.	Reject	
2581.7	FS2753.164	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2133.3			Tonnie & Erna Spijkerbosch	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	Ensure freedom camping does not impact on the environment.	Reject	
2133.3	FS2760.504	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	That the submission is supported.	Reject	
2457.28			Paterson Pitts (Wanaka)	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Other	submitter seeks to identify conservation land, QEII covenant areas on planning maps	Reject	
2466.119		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Oppose	Remove text relating to the responsibility of the Council to provide open space and recreation opportunities and to manage the effects of activities.	Reject	
2466.119	FS2753.119	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2493.2		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Oppose	That the Purpose statement is amended to identify four sub zones.	Accept	
2493.2	FS2767.2	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Accept	
2493.2	FS2778.2	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	That the submission is supported.	Accept	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.117		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Oppose	Remove text relating to the responsibility of the Council to provide open space and recreation opportunities and to manage the effects of activities.	Reject	
2494.117	FS2760.417	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	That the relief sought is supported.	Reject	
2540.59			Federated Farmers of New Zealand	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	That the purpose is accepted.	Accept	
2581.119		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Oppose	Remove text relating to the responsibility of the Council to provide open space and recreation opportunities and to manage the effects of activities.	Reject	
2581.119	FS2753.274	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.1-38.1 - Purpose	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2455.29			Otago Fish and Game Council	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Support	submitter accepts objectives 38.2.1-38.4.1 and the relating policies	Accept in Part	
2575.17		John Edmonds + Associates Ltd	Queenstown Trails Trust	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Support	Supports policy 38.2.1.1(c).	Accept	
2618.17		Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Not Stated	That new zone wide objectives policies and methods from PC 35 be added to the chapter: <u>Objective 38.2.5 Queenstown Airport is protected from the reverse sensitivity effects of Activities Sensitive to Aircraft Noise.</u> <u>Policy 38.2.5.1 To prohibit the location of any new Activity Sensitive to Aircraft Noise on Open Space and Recreation zoned land within the Air Noise Boundary or Outer Control Boundary for Queenstown Airport.</u> <u>Rule 38.9.38 Activities Sensitive to Aircraft Noise within the Air Noise Boundary or Outer Control Boundary at Queenstown Airport: PR (in all zones)</u>	Accept in Part	
2618.17	FS2754.29		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Accept in Part	
2618.17	FS2754.51		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Accept in Part	
2618.17	FS2755.28		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2618.17	FS2755.50		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Accept in Part	
2618.18		Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Not Stated	That Policy 38.2.2.2 be amended to limit activities, buildings and structures to those that are " <u>compatible with the sensitivity of the surrounding environment and zones</u> "	Accept in Part	
2618.18	FS2754.30		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Reject	
2618.18	FS2754.52		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Reject	
2618.18	FS2755.29		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Reject	
2618.18	FS2755.51		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Oppose	That the submission is opposed.	Reject	
2618.18	FS2778.20	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide	Support	That the submission is supported.	Accept in Part	
2040.16			Public Health South	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.1(d) be amended to recognise and provide for users of all ages and different physical capacities.	Accept in Part	
2040.17			Public Health South	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That a policy be added as 38.2.1.1(g) in relation to functional and secure cycle and walking linkages.	Reject	
2040.18			Public Health South	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That a policy be added as 38.2.1.1(h) to ensure that open space and recreation zones are designated as smoke free.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2078.7		Active Transport Wanaka	Active Transport Wanaka	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	Supports proposed objective 38.2.1.1.c ...Zones shall provide for... the maintenance and enhancement of integrated public access connections to walking and cycling networks throughout the District, including along lake and river margins	Accept	
2078.8		Active Transport Wanaka	Active Transport Wanaka	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That having separate reserve management plans is supported, however this creates challenges for planning for an active transport network that crosses many different reserves. Seeks that Active Transport Plans with corresponding maps are established, which are referred to within each of the reserve plans, as a method to assist with achieving objective 38.2.1.1.c.	Reject	
2151.14		Beca Ltd	Ministry of Education	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	Retain Objective 38.2.1 as notified 'The open space and recreation needs of the District's residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities'.	Accept	
2151.15		Beca Ltd	Ministry of Education	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	Retain Policy 38.2.1.2 as notified 'Encourage multiple use of Open Space and Recreation Zones wherever possible and practicable'.	Accept	
2290.1		Brown & Company Planning Group	KAWARAU JET SERVICES HOLDINGS LIMITED	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.1 part b. be changed to read: the effective and efficient use of resources to ensure that Open Space and Recreation Zones are fit for purpose and safe for users. And that part d. be deleted.	Accept in Part	
2290.1	FS2752.14	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to amend provisions of chapter 38 are supported.	Accept in Part	
2290.1	FS2760.194	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought is supported.	Accept in Part	
2462.12		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	submitter supports 38.2.1.1	Accept in Part	
2462.12	FS2752.6	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2462.12	FS2753.315	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Accept in Part	
2466.120		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Objective 38.2.1 is amended to replace 'met' with 'supported'.	Reject	
2466.120	FS2753.120	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.121		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.3 is amended to refer to only significant ecological values.	Reject	
2466.121	FS2753.121	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.122		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.3 is amended for grammatical preference.	Reject	
2466.122	FS2753.122	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.123		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.5 is amended to remove limbs (b) and (c).	Reject	
2466.123	FS2778.21	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That the submission is opposed.	Accept	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.123	FS2753.123	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2468.16		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	submitter supports policy 38.2.1.1	Accept in Part	
2468.18		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	submitter supports objective 38.2.1, and states that it is unclear how how chapter 38 is providing open spaces and recreation zones within urban areas.	Accept in Part	
2485.3		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	Amend Policy 38.2.1.1 (b) to remove reference to multi functional use, and add 'safe for users'.	Accept in Part	
2485.3	FS2777.3	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That the whole submission be disallowed.	Reject	
2485.4		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	Amend Policy 38.2.1.1 by deleting limb (d) of the policy.	Accept	
2485.4	FS2777.4	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That the whole submission be disallowed.	Reject	
2494.118		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Objective 38.2.1 is amended to replace 'met' with 'supported'.	Reject	
2494.118	FS2760.418	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought is supported.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.119		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.3 is amended to refer to only significant ecological values.	Reject	
2494.119	FS2760.419	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought is supported.	Reject	
2494.120		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.3 is amended for grammatical preference.	Reject	
2494.120	FS2760.420	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought is supported.	Reject	
2494.121		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Not Stated	That Policy 38.2.1.5 is amended to remove limbs (b) and (c).	Reject	
2494.121	FS2760.421	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought is supported.	Reject	
2538.105			NZ Transport Agency	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That Policy 38.2.1.1.c is accepted.	Accept	
2538.105	FS2760.106	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the submission is supported generally.	Accept	
2581.120		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Objective 38.2.1 is amended to replace 'met' with 'supported'.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.120	FS2753.275	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.121		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.3 is amended to refer to only significant ecological values.	Reject	
2581.121	FS2753.276	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.122		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.3 is amended for grammatical preference.	Reject	
2581.122	FS2753.277	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.123		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.5 is amended to remove limbs (b) and (c).	Reject	
2581.123	FS2778.22	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That the submission is opposed.	Accept	
2581.123	FS2753.278	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2660.18		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.1-38.2.1 - Objective 1	Oppose	That Policy 38.2.1.5 is amended to provide for fire stations in the Open Space and Recreation Zone.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.124		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.1.	Accept in Part	
2466.124	FS2778.23	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	
2466.124	FS2753.124	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept in Part	
2466.125		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.1.	Accept in Part	
2466.125	FS2753.125	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept in Part	
2466.126		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.2.	Accept in Part	
2466.126	FS2778.24	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	
2466.126	FS2753.126	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept in Part	
2466.127		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.3 to remove reference to screening structures, outdoor storage and parking.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.127	FS2778.25	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	
2466.127	FS2753.127	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept in Part	
2466.128		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.5 to reduce the level of environmental protection.	Reject	
2466.128	FS2778.26	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept	
2466.128	FS2753.128	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.129		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.6 to provide for safe and efficient movement of people on adjoining waterbodies.	Reject	
2466.129	FS2753.129	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2494.122		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.1.	Accept in Part	
2494.122	FS2778.27	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.122	FS2760.422	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought is supported.	Accept in Part	
2494.123		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.1.	Accept in Part	
2494.123	FS2760.423	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought is supported.	Accept in Part	
2494.124		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.2.	Accept in Part	
2494.124	FS2778.28	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	
2494.124	FS2760.424	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought is supported.	Accept in Part	
2494.125		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.3 to remove reference to screening structures, outdoor storage and parking.	Accept in Part	
2494.125	FS2778.29	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	
2494.125	FS2760.425	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought is supported.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.126		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.5 to reduce the level of environmental protection.	Reject	
2494.126	FS2778.30	Brookfields Lawyers	ZIV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept	
2494.126	FS2760.426	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought is supported.	Reject	
2494.127		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.6 to provide for safe and efficient movement of people on adjoining waterbodies.	Reject	
2494.127	FS2760.427	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought is supported.	Reject	
2538.106			NZ Transport Agency	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That Policy 38.2.2.6 is accepted.	Accept	
2538.106	FS2760.107	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the submission is supported generally.	Accept	
2581.124		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.1.	Accept in Part	
2581.124	FS2778.31	Brookfields Lawyers	ZIV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.124	FS2753.279	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept in Part	
2581.125		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.1.	Accept in Part	
2581.125	FS2778.32	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	
2581.125	FS2753.280	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept in Part	
2581.126		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Delete Policy 38.2.2.2.	Accept in Part	
2581.126	FS2778.33	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	
2581.126	FS2753.281	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept in Part	
2581.127		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.3 to remove reference to screening structures, outdoor storage and parking.	Accept in Part	
2581.127	FS2778.34	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.127	FS2753.282	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept in Part	
2581.128		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.5 to reduce the level of environmental protection.	Reject	
2581.128	FS2778.35	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	That the submission is opposed.	Accept	
2581.128	FS2753.283	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.129		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Oppose	Amend Policy 38.2.2.6 to provide for safe and efficient movement of people on adjoining waterbodies.	Reject	
2581.129	FS2753.284	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.2-38.2.2 - Objective 2	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2462.15		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	submitter seeks that the references to 'do not degrade' and 'do not detract' are removed from 38.2.3	Accept in Part	
2462.15	FS2752.9	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Reject	
2462.15	FS2753.318	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Reject	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.130		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Objective 38.2.3 to make it easier for commercial activities to locate within the Open Space and Recreation Zones.	Accept in Part	
2466.130	FS2753.130	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept in Part	
2466.131		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Policy 38.2.3.2 so that activities can generate adverse effects on resources and values, providing they are not significant effects.	Accept in Part	
2466.131	FS2753.131	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept in Part	
2466.132		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Policy 38.2.3.3 so that activities can generate adverse effects on resources and values, providing they are not significant effects.	Reject	
2466.132	FS2753.132	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2468.20		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Not Stated	submitter wishes for an amendment to 38.2.3 and its policies for clarification of the references 'do not degrade' and 'do not detract'	Accept in Part	
2494.128		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Objective 38.2.3 to make it easier for commercial activities to locate within the Open Space and Recreation Zones.	Accept in Part	
2494.128	FS2760.428	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought is supported.	Accept in Part	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.129		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Policy 38.2.3.2 so that activities can generate adverse effects on resources and values, providing they are not significant effects.	Accept in Part	
2494.129	FS2760.429	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought is supported.	Accept in Part	
2494.130		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Policy 38.2.3.3 so that activities can generate adverse effects on resources and values, providing they are not significant effects.	Reject	
2494.130	FS2760.430	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought is supported.	Reject	
2581.130		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Objective 38.2.3 to make it easier for commercial activities to locate within the Open Space and Recreation Zones.	Accept in Part	
2581.130	FS2753.285	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept in Part	
2581.131		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Policy 38.2.3.2 so that activities can generate adverse effects on resources and values, providing they are not significant effects.	Accept in Part	
2581.131	FS2753.286	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept in Part	
2581.132		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Oppose	Amend Policy 38.2.3.3 so that activities can generate adverse effects on resources and values, providing they are not significant effects.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.132	FS2753.287	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.3-38.2.3 - Objective 3	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2462.13		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	submitter supports 38.2.4	Accept	
2462.13	FS2752.7	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Reject	
2462.13	FS2753.316	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Reject	
2462.16		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	submitter supports 38.4.1.6	Accept	
2462.16	FS2752.10	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Reject	
2462.16	FS2753.319	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Reject	
2462.17		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	submitter supports 38.4.1.2	Accept	
2462.17	FS2752.11	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2462.17	FS2753.320	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Reject	
2462.18		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	submitter supports 38.4.1.3 and 38.4.1.4	Accept	
2462.18	FS2752.12	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Reject	
2462.18	FS2753.321	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Reject	
2466.133		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	Amend Objective 38.2.4 to provide for the health and safety of people.	Reject	
2466.133	FS2753.133	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.134		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	Amend Policy 38.2.4.1 by adding 'supports' the preservation.	Accept	
2466.134	FS2753.134	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept	
2468.17		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	submitter supports objective 38.2.4	Accept	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.131		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	Amend Objective 38.2.4 to provide for the health and safety of people.	Reject	
2494.131	FS2760.431	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	That the relief sought is supported.	Reject	
2494.132		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	Amend Policy 38.2.1.4 by adding 'supports' the preservation.	Accept	
2494.132	FS2760.432	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	That the relief sought is supported.	Accept	
2581.133		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	Amend Objective 38.2.4 to provide for the health and safety of people.	Reject	
2581.133	FS2753.288	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.134		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Oppose	Amend Policy 38.2.1.4 by adding 'supports' the preservation.	Accept	
2581.134	FS2753.289	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.2-38.2 - Objectives and Policies - District Wide > 5.2.4-38.2.4 - Objective 4	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.135		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.3-38.3 - Objectives and Policies - Nature Conservation Zone	Oppose	Delete Entire Parts 38.3 - Nature Conservation Zone, 38.4 - Informal Recreation Zone, 38.5 - Active Sport and Recreation Zone, 38.6 - Civic Spaces Zone, 38.7 - Community Purposes Zone, including Purpose statement, objectives and policies. Note: The submitter has not identified a replacement zone on the planning maps. No submissions have been recorded against the planning maps. Note: The submitter has requested amendments to the rules in these zones, but not that they be deleted outright (refer Table 38.1).	Reject	
2466.135	FS2753.135	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.3-38.3 - Objectives and Policies - Nature Conservation Zone	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2494.133		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.3-38.3 - Objectives and Policies - Nature Conservation Zone	Oppose	Delete Entire Parts 38.3 - Nature Conservation Zone, 38.4 - Informal Recreation Zone, 38.5 - Active Sport and Recreation Zone, 38.6 - Civic Spaces Zone, 38.7 - Community Purposes Zone, including Purpose statement, objectives and policies. Note: The submitter has not identified a replacement zone on the planning maps. No submissions have been recorded against the planning maps. Note: The submitter has requested amendments to the rules in these zones, but not that they be deleted outright (refer Table 38.1).	Reject	
2494.133	FS2760.433	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.3-38.3 - Objectives and Policies - Nature Conservation Zone	Support	That the relief sought is supported.	Reject	
2581.135		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.3-38.3 - Objectives and Policies - Nature Conservation Zone	Oppose	Delete Entire Parts 38.3 - Nature Conservation Zone, 38.4 - Informal Recreation Zone, 38.5 - Active Sport and Recreation Zone, 38.6 - Civic Spaces Zone, 38.7 - Community Purposes Zone, including Purpose statement, objectives and policies. Note: The submitter has not identified a replacement zone on the planning maps. No submissions have been recorded against the planning maps. Note: The submitter has requested amendments to the rules in these zones, but not that they be deleted outright (refer Table 38.1).	Reject	
2581.135	FS2753.290	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.3-38.3 - Objectives and Policies - Nature Conservation Zone	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2455.28			Otago Fish and Game Council	5-Chapter 38 - Open Space and Recreation > 5.3-38.3 - Objectives and Policies - Nature Conservation Zone > 5.3.1-38.3.1 - Objective 5	Oppose	submitter accepts 38.3.1.1(d) in part and wishes for the removal of the reference 'indigenous'	Accept	
2078.9		Active Transport Wanaka	Active Transport Wanaka	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	Supports the Informal Recreation Zone objective insofar as it provides for active transport networks, however seeks that an active transport strategy and network masterplan are established.	Accept in Part	
2290.2		Brown & Company Planning Group	KAWARAU JET SERVICES HOLDINGS LIMITED	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Support	That the objectives and policies of the Informal Recreation Zone are generally supported.	Accept	
2290.2	FS2752.15	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Support	That the relief sought to amend provisions of chapter 38 are supported.	Accept	
2290.2	FS2760.195	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Support	That the relief sought is supported.	Accept	
2295.15		JEA	Millbrook Country Club	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That Coronet Forest be excluded from the Open Space and Recreation Zone and included within the proposed Nature Conservation Zone	Accept	
2295.15	FS2710.44	John Edmonds + Associates Ltd	McGuinness Pa Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Support	That the submission is supported insofar as it seeks to discourage new development on land near 493 Speargrass Flat Road zoned Rural General under the Operative District Plan.	Accept in Part	
2295.15	FS2745.15	Anderson Lloyd	Juie QT Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the part of the submission that references the further submitter's land and requests that it retain a WBRA zoning is opposed.	FS does not appear to relate to Chapter 38.	
2295.15	FS2720.127	Southern Planning Group	Boundary Trust	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the submission be rejected in its entirety.	Reject	
2295.15	FS2723.127	Southern Planning Group	Spruce Grove Trust - Malaghans Road	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the submission be rejected in its entirety.	Reject	
2295.15	FS2724.127	Southern Planning Group	Spruce Grove Trust - Butel Road	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the submission be rejected in its entirety.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2485.5		Brookfields Lawyers	ZIV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	Amend 38.4 Purpose statement of the Informal Recreation Zone by adding reference to zipline 'operations'.	Accept	
2485.5	FS2777.5	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the whole submission be disallowed.	Reject	
2493.3		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	Add a new Objective and six new policies applicable to the Ben Lomond Sub Zone.	Accept in Part	
2493.3	FS2756.2	Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the proposed amendments to the map to include a new area for a helipad and the 'informal airports' rule is opposed. The further submitter's opposition can be addressed by amending the proposed provisions to limit flights over the further submitter to the following: - 4 flights on any day, with only two flights within any fifteen minute period (on five occasions per annum, when larger pre-booked groups are flown to the helicopter landing area there may be up to three flights in any fifteen minute period provided that the operator shall advise KBPL at least 48 hours in advance of the date and time during which the multiple flights will occur). - The operation of all helicopters at the helipad shall be managed in accordance with a Helicopter Management Plan. - All flights will occur between the hours of 10am and 7pm.	Accept in Part	
2493.3	FS2767.3	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Accept in Part	
2493.3	FS2778.3	Brookfields Lawyers	ZIV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That a bespoke objective and set of policies to apply to the sub-zone to support the purpose and rules of the sub-zone is supported in principle. Seek the following amendments to the proposed Objective: 38.4.2 Objective – The future growth, development and use of the Ben Lomond Sub-Zone as an <u>iconic destination</u> Icon Destination for residents, as well as domestic and international tourists is enabled subject to maintaining and enhancing the landscape and amenity values of the surrounding ONL. That the proposed policies applying in lieu of Policies 38.4.1.1-38.4.1.5 are not supported.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2569.2		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Support	That the purpose of the Informal Recreation Zone is accepted.	Accept	
2618.19		Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Not Stated	That Objective 38.4.1 and Policy 38.4.1.5 be retained as notified	Accept	
2618.19	FS2754.53		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the submission is opposed.	Reject	
2618.19	FS2755.52		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone	Oppose	That the submission is opposed.	Reject	
2357.1			Christine Byrch	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Support	Supports Policy 38.4.1.3.	Accept	
2357.1	FS2735.2	Southern Planning Group	Matakauri Lodge Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Oppose	That the submission is opposed and that the notified definition of 'visitor accommodation' is supported.	FS does not appear to relate to Chapter 38.	
2357.1	FS2736.2	Southern Planning Group	Pounamu Holdings 2014 Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Oppose	That the submission is opposed and that the definition of 'visitor accommodation' as notified is supported.	FS does not appear to relate to Chapter 38.	
2468.21		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Support	submitter supports policy 38.4.1.6	Accept	
2468.22		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Support	submitter supports policy 38.4.1.2	Accept	
2468.23		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Support	submitter accepts policies 38.4.1.3 and 38.4.1.4	Accept	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2569.3		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Support	That Policy 38.4.1.5 is accepted.	Accept	
2569.4		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Oppose	That Objective 38.4.1 related policies and any associated District Wide objectives and policies are amended to provide direct support for commercial activities that enhance wildlife and nature conservation values.	Reject	
2569.4	FS2759.16	Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Oppose	That the submission is opposed to the extent that such activities should not be undertaken within the take off and approach paths.	Accept	
2569.5		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.4-38.4 - Objectives and Policies - Informal Recreation Zone > 5.4.1-38.4.1 - Objective 6	Oppose	That Policy 38.4.1.2 is amended to encourage commercial activity not only commercial recreation activity.	Reject	
2078.10		Active Transport Wanaka	Active Transport Wanaka	5-Chapter 38 - Open Space and Recreation > 5.5-38.5 - Objectives and Policies - Active Sport and Recreation Zone	Oppose	Seeks the implementation of the following policy to increase awareness of supporting active transport: <i>"Opportunities are taken to enhance recreational trail networks, cycling and walking linkages within the zone, and to other zones, to create a contiguous network to assist residents and visitors to move through and around neighborhoods, and to other destinations, thereby providing an alternative and sustainable mode of transport."</i>	Reject	
2295.14		JEA	Millbrook Country Club	5-Chapter 38 - Open Space and Recreation > 5.5-38.5 - Objectives and Policies - Active Sport and Recreation Zone	Not Stated	That the proposed Active Sport and Recreation zoning for Millbrook Country Club be rejected	Reject	
2295.14	FS2710.43	John Edmonds + Associates Ltd	McGuinness Pa Limited	5-Chapter 38 - Open Space and Recreation > 5.5-38.5 - Objectives and Policies - Active Sport and Recreation Zone	Support	That the submission is supported insofar as it seeks to discourage new development on land near 493 Speargrass Flat Road zoned Rural General under the Operative District Plan.	Reject	
2295.14	FS2745.14	Anderson Lloyd	Juie QT Limited	5-Chapter 38 - Open Space and Recreation > 5.5-38.5 - Objectives and Policies - Active Sport and Recreation Zone	Oppose	That the part of the submission that references the further submitter's land and requests that it retain a WBRA zoning is opposed.	FS does not appear to relate to Chapter 38.	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2295.14	FS2720.126	Southern Planning Group	Boundary Trust	5-Chapter 38 - Open Space and Recreation > 5.5-38.5 - Objectives and Policies - Active Sport and Recreation Zone	Oppose	That the submission be rejected in its entirety.	Accept	
2295.14	FS2723.126	Southern Planning Group	Spruce Grove Trust - Malaghans Road	5-Chapter 38 - Open Space and Recreation > 5.5-38.5 - Objectives and Policies - Active Sport and Recreation Zone	Oppose	That the submission be rejected in its entirety.	Accept	
2295.14	FS2724.126	Southern Planning Group	Spruce Grove Trust - Butel Road	5-Chapter 38 - Open Space and Recreation > 5.5-38.5 - Objectives and Policies - Active Sport and Recreation Zone	Oppose	That the submission be rejected in its entirety.	Accept	
2076.5			Loris King	5-Chapter 38 - Open Space and Recreation > 5.7-38.7 - Objectives and Policies - Community Purposes Zone	Oppose	That the purpose of the Community Purposes Zone is made clearer and aligns with the 2016 Parks and Open Space Strategy, particularly regarding the strategic approach to whether the construction of buildings is appropriate.	Reject	
2660.19		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.7-38.7 - Objectives and Policies - Community Purposes Zone > 5.7.1-38.7.1 - Objective 9	Support	That Objective 38.7.1 is accepted.	Accept	
2660.20		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.7-38.7 - Objectives and Policies - Community Purposes Zone > 5.7.1-38.7.1 - Objective 9	Support	That Policy 38.7.1.1 is accepted.	Accept	
2660.21		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.7-38.7 - Objectives and Policies - Community Purposes Zone > 5.7.1-38.7.1 - Objective 9	Support	That Policy 38.7.1.3 is accepted.	Accept	
2508.10			Aurora Energy Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules	Oppose	That rule 38.8.2.8 be retained	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2618.20		Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules	Not Stated	That a new advice note be added to 38.5.2.11 " <u>Activities, buildings and structures proposed to be established within the vicinity of Queenstown Airport are referred to Figures 1 and 2 of the Planning Maps which identify the Airport Approach and Protection Measures, and Airport Protection Inner Horizontal and Conical Surfaces for Queenstown Airport. Land use restrictions associated within these areas are further described in Chapter 37: Designations, Part D.3. Persons who wish to undertake activities or develop buildings or structures which enter into these surfaces are advised to consult with the relevant requiring authority and the Civil Aviation Authority</u> ", or insert new height limits for structures in the QECCPZ.	Accept in Part	
2618.20	FS2754.31		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules	Oppose	That the submission is opposed.	Accept in Part	
2618.20	FS2754.54		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules	Oppose	That the submission is opposed.	Accept in Part	
2618.20	FS2755.30		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules	Oppose	That the submission is opposed.	Accept in Part	
2618.20	FS2755.53		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules	Oppose	That the submission is opposed.	Accept in Part	
2442.15		Beca Limited	Transpower New Zealand Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules > 5.8.2-38.8.2 - Clarification - Advice Notes	Oppose	Amend 38.8.2.8 (a) to make it clear that it is not only earthworks in the National Grid Yard that should direct users to Chapter 30 Energy and Utilities.	Accept in Part	
2466.136		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules > 5.8.2-38.8.2 - Clarification - Advice Notes	Oppose	That the advice notes are relocated to the end of the Chapter.	Reject	
2466.136	FS2753.136	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules > 5.8.2-38.8.2 - Clarification - Advice Notes	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2494.134		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules > 5.8.2-38.8.2 - Clarification - Advice Notes	Oppose	That the advice notes are relocated to the end of the Chapter.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.134	FS2760.434	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules > 5.8.2-38.8.2 - Clarification - Advice Notes	Support	That the relief sought is supported.	Reject	
2581.136		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules > 5.8.2-38.8.2 - Clarification - Advice Notes	Oppose	That the advice notes are relocated to the end of the Chapter.	Reject	
2581.136	FS2753.291	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.8-38.8 - Other Provisions and Rules > 5.8.2-38.8.2 - Clarification - Advice Notes	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2078.11		Active Transport Wanaka	Active Transport Wanaka	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	Supports permitted activity status of Recreation Trails in all Open Space and Recreation Zones.	Accept	
2232.1			Wanaka Yacht Club	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That an additional permitted activity be included to make provision for parking associated with permitted activities.	Reject	
2290.3		Brown & Company Planning Group	KAWARAU JET SERVICES HOLDINGS LIMITED	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	That the provisions in Activity Table 38.1 are supported for the Open Space and Recreation Zones	Accept	
2290.3	FS2752.16	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	That the relief sought to amend provisions of chapter 38 are supported.	Accept	
2290.3	FS2760.196	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	That the relief sought is supported.	Accept	
2336.33		Southern Planning Group	Ngai Tahu Property Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That two additional rules be included in Table 38.1 relating to bus shelters and bicycle parking.	Reject	
2391.3		JEA	BDFL	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That Rule 38.9.20 is amended so that Commercial Recreation Activities in the Active Sports/Recreation Zone be either restricted discretionary or controlled.	Reject	
2405.2		Southern Ventures	Kirimoko No.2 Limited Partnership	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	The submitter seeks both Rule 38.9.16 and 38.9.17 to be amended to a Non-Complying status, in the Informal Recreation zone.	Reject	
2405.3		Southern Ventures	Kirimoko No.2 Limited Partnership	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	The submitter seeks that the permitted activity status for retail activities under Rule 38.9.18 in the Informal Recreation zone be amended to a Discretionary activity status.	Reject	
2462.20		Remarkables Park Ltd	Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	submitter opposes the non-complying status of activities not listed in table 38.1 as per 38.9.1	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2462.20	FS2752.13	Anderson Lloyd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That the submitters' position on established activities within open space and recreation zones is disagreed with.	Accept	
2462.20	FS2753.322	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That the submitter's position on established activities within open space and recreation zones is disagreed with.	Accept	
2466.137		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That all rules in Table 38.1 for Non-Complying activities are amended to Discretionary activities.	Reject	
2466.137	FS2753.137	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2468.26		Remarkables Park Ltd	Remarkables Park Ltd	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	submitter opposes the non-compliance status of 38.9.1	Reject	
2494.135		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That all rules in Table 38.1 for Non-Complying activities are amended to Discretionary activities.	Reject	
2494.135	FS2760.435	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	That the relief sought is supported.	Reject	
2564.5			TJ Investments Pte Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	Generally opposes rule 38.9.9	Reject	
2564.7			TJ Investments Pte Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	Opposes rule 38.9.17	Reject	
2564.8			TJ Investments Pte Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	opposes rule 38.9.27	Reject	
2564.9			TJ Investments Pte Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	opposes rule 38.9.28	Reject	
2564.10			TJ Investments Pte Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	opposes rule 38.9.29	Reject	
2569.6		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That the activity table is amended to provide for commercial, retail and restaurant/cafe activity ancillary to the KBP operation as a permitted activity.	Reject	
2575.18		John Edmonds + Associates Ltd	Queenstown Trails Trust	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	Supports the permitted activity status of recreation trails through rule 38.9.27.	Accept	
2581.137		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Oppose	That all rules in Table 38.1 for Non-Complying activities are amended to Discretionary activities.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.137	FS2753.292	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.9-38.9 - Rules - Activities	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2277.1		Wanaka Golf Club Incorporated	Wanaka Golf Club Incorporated	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That rule 38.10.2.6 amended to allow for a total floor area greater than 600m2	Reject	
2277.2		Wanaka Golf Club Incorporated	Wanaka Golf Club Incorporated	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.9 is amended so that the standard is 200 square metres in the CPZ (Golf) zone.	Reject	
2277.3		Wanaka Golf Club Incorporated	Wanaka Golf Club Incorporated	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That rule 38.9.21 is amended so that Commercial recreation activities and buildings associated with commercial recreation activities are permitted activities.	Reject	
2277.4		Wanaka Golf Club Incorporated	Wanaka Golf Club Incorporated	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That rule 38.10.6.1 is amended so that screening should be 'from public places beyond the parameters of the golf course...'	Accept in Part	
2391.4		JEA	BDFL	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.1 is amended to increase the height limit from 10m to 12m.	Reject	
2455.27			Otago Fish and Game Council	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	submitter accepts provision 38.10.5 in part and wishes for: ...indigenous-biodiversity values...	Accept	
2466.138		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.2 (buildings) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2466.138	FS2753.138	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.139		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the matters of discretion in Rule 38.10.2 include the 'benefits of the proposal'.	Reject	
2466.139	FS2753.139	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.140		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.3 (recession planes) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2466.140	FS2753.140	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.141		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.4 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2466.141	FS2753.141	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.142		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.5 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2466.142	FS2753.142	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.143		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.6 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2466.143	FS2753.143	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.144		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.7 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2466.144	FS2753.144	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.145		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.8 (recession planes) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2466.145	FS2753.145	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.146		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.10 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2466.146	FS2753.146	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2494.136		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.1 (buildings) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2494.136	FS2760.436	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.137		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the matters of discretion in Rule 38.10.2 include the 'benefits of the proposal'.	Reject	
2494.137	FS2760.437	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.138		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.3 (recession planes) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2494.138	FS2760.438	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.139		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.4 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2494.139	FS2760.439	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.140		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.5 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2494.140	FS2760.440	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.141		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.6 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2494.141	FS2760.441	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.142		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.7 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2494.142	FS2760.442	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.143		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.8 (recession planes) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2494.143	FS2760.443	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2494.144		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.10 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2494.144	FS2760.444	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought is supported.	Reject	
2564.11			TJ Investments Pte Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	opposes rule 38.10.2.2	Reject	
2569.7		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the Rule 38.10.1.2 is amended to enable 10m high buildings.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2569.8		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.7.2 is amended to allow fences over the height restriction for wildlife protection.	Reject	
2569.9		Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.9 is amended to increase the maximum gross retail floor space where it is ancillary to permitted activities.	Reject	
2581.138		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.1 (buildings) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2581.138	FS2753.293	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.139		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the matters of discretion in Rule 38.10.2 include the 'benefits of the proposal'.	Reject	
2581.139	FS2753.294	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.140		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.3 (recession planes) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2581.140	FS2753.295	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.141		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.4 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2581.141	FS2753.296	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.142		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.5 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2581.142	FS2753.297	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.143		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.6 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2581.143	FS2753.298	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.144		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.7 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.144	FS2753.299	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.145		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That non compliance with Rule 38.10.8 (recession planes) is amended from Discretionary to be a restricted discretionary activity with matters of discretion.	Reject	
2581.145	FS2753.300	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.146		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.10 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2581.146	FS2753.301	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2618.21		Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Not Stated	That 38.10.4 Setback from Internal and Road Boundaries be amended to require buildings and structures to be setback 1.5m where it adjoins the Airport Zone	Reject	
2618.21	FS2754.32		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the submission is opposed.	Accept	
2618.21	FS2754.55		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the submission is opposed.	Accept	
2618.21	FS2755.31		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the submission is opposed.	Accept	
2618.21	FS2755.54		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the submission is opposed.	Accept	
2618.22		Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Not Stated	That rules 38.10.8.1 and 38.8.2 Lighting and Glare be retained as notified.	Accept	
2618.22	FS2754.33		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the submission is opposed.	Reject	
2618.22	FS2754.56		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the submission is opposed.	Reject	
2618.22	FS2755.32		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Support	That the submission is opposed.	Reject	
2618.22	FS2755.55		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That the submission is opposed.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2660.23		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.1 is amended to include an exemption for emergency service facilities.	Reject	
2660.24		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.2 is amended to include an exemption for emergency service facilities.	Reject	
2660.25		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Oppose	That Rule 38.10.4 is amended to include an exemption for emergency service facilities.	Reject	
2660.26		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Other	That a new standard is added for water supply for firefighting.	Accept in Part	
2660.27		Beca Limited	Fire and Emergency New Zealand	5-Chapter 38 - Open Space and Recreation > 5.10-38.10 - Rules - Standards	Other	That a new standard is added for access for firefighting.	Accept in Part	
2461.1		Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	submitter wishes for the removal of the building restriction area in the Ben Lomond Subzone to enable some development in the area	Reject	
2461.1	FS2778.4	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported in part.	Reject	
2461.2		Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Not Stated	submitter wishes the Ben Lomond Subzone to provide for permitted commercial recreation activities	Reject	
2461.2	FS2778.5	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the submission is opposed.	Accept	
2466.147		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That Rule 38.11.1 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2466.147	FS2778.6	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2466.147	FS2753.147	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2466.148		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That Rule 38.11.3 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.148	FS2778.7	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2466.148	FS2753.148	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2485.6		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend Rule 38.11.1 (Buildings) by adding additional matters of discretion including 'the location and external appearance of buildings', the spatial layout of buildings in public reserves and their relationship with open space and methods of access to activities and to the reserve, discretion to include the matter in which access is gained to ensure fair and reasonable access to the reserve is maintained for current and future operators, include 'effects of the building and related activities on nearby reserve users' and that biological and ecological values can be enhanced as part of development of reserve.	Reject	
2485.6	FS2756.5	Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2485.6	FS2777.6	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the whole submission be disallowed.	Accept	
2485.7		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend Rule 38.11.7 (Building height) to add a new standard, building height limit (e.g. up to 20m) and matters of discretion relating to 'tree house structures and other buildings associated with Zipline operations'.	Reject	
2485.7	FS2756.6	Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2485.7	FS2777.7	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the whole submission be disallowed.	Accept	
2485.8		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend Rule 38.11.3 (Commerical recreation activity) to add additional matters of discretion to ensure commercial recreational activties developed in the reserve are appropriate given the nature of the reserve and that it is rural rather than urban in nature.	Reject	
2485.8	FS2756.7	Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported insofar as this does not undermine the further specific relief sought in the further submitter's original submission.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2485.8	FS2777.8	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the whole submission be disallowed.	Accept	
2485.9		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend Rule 38.11.4 (Harvesting and management of Forestry) to add an additional matter of discretion to ensure any harvesting or forestry will not impact its operations (e.g. allowing tree hut structures to be built entirely within and supported by trees in the reserve) and harvesting trees should not impact other leisure activities that rely on the naturalness that forestry planting brings to the reserve.	Reject	
2485.9	FS2777.9	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the whole submission be disallowed.	Accept	
2485.10		Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That a structure plan approach is initiated within the Ben Lomond Sub Zone (Bob's Peak Area) that would identify the spatial layout of buildings, activities, open space, landscaping, access, helicopter location, and common public areas with rules potentially providing for buildings and activities as a controlled activity if in accordance with the structure plan, therefore providing greater certainty for all users.	Reject	
2485.10	FS2777.10	Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the whole submission be disallowed.	Accept	
2493.4		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend the matters of discretion in Rule 38.11.1 (Buildings): by adding storm water disposal, and deleting the matters regarding effects on the transportation network.	Accept in Part	
2493.4	FS2767.4	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Accept in Part	
2493.4	FS2778.8	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the submission to delete effects on transportation networks is opposed but support including stormwater disposal in matters of discretion.	Accept in Part	
2493.5		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend Rule 38.11.3 by making the rule applicable to commercial and commercial recreation activity, and providing for commercial recreation undertaken on land, outdoors and involving not more than 10 persons a restricted discretionary activity.	Accept in Part	
2493.5	FS2756.4	Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Accept in Part	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2493.5	FS2767.5	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Accept in Part	
2493.5	FS2778.9	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the submission is opposed.	Accept in Part	
2493.6		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend Rule 38.11.5 to make parking within the lower terminal area of the Ben Lomond Sub Zone a permitted activity, instead of controlled.	Accept in Part	
2493.6	FS2767.6	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Accept in Part	
2493.6	FS2778.10	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the submission is opposed to the extent that these provisions are not addressed through the Transportation Chapter.	Accept in Part	
2493.7		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Add a new rule (38.11.7) that provides for Informal Airports as a restricted discretionary activity with matters of discretion.	Reject	
2493.7	FS2756.3	Anderson Lloyd	Kiwi Birdlife Park Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the proposed amendments to the map to include a new area for a helipad and the 'informal airports' rule is opposed. The further submitter's opposition can be addressed by amending the proposed provisions to limit flights over the further submitter to the following: - 4 flights on any day, with only two flights within any fifteen minute period (on five occasions per annum, when larger pre-booked groups are flown to the helicopter landing area there may be up to three flights in any fifteen minute period provided that the operator shall advise KBPL at least 48 hours in advance of the date and time during which the multiple flights will occur). - The operation of all helicopters at the helipad shall be managed in accordance with a Helicopter Management Plan. - All flights will occur between the hours of 10am and 7pm.	Accept in Part	
2493.7	FS2767.7	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Reject	
2493.7	FS2778.11	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the provisions are supported to the extent that they apply for up to one Informal Airport in the reserve. The addition of assessment criterion: "Effects on other users of the Ben Lomond Reserve" is sought.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2493.8		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Add a new rule (38.11.8) that makes buildings within the Gondola Corridor area a Non-Complying Activity.	Accept	
2493.8	FS2767.8	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Accept	
2493.8	FS2778.12	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That the submission is opposed in part.	Reject	
2493.9		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	Amend Rule 38.11.7.c. to provide for a building height of 20 metres instead of 17 metres.	Accept in Part	
2493.9	FS2767.10	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Accept in Part	
2494.145		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That Rule 38.11.1 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2494.145	FS2778.13	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2494.145	FS2760.445	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the relief sought is supported.	Reject	
2494.146		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That Rule 38.11.3 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2494.146	FS2778.14	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2494.146	FS2760.446	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the relief sought is supported.	Reject	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.147		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That Rule 38.11.1 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2581.147	FS2778.15	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2581.147	FS2753.302	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2581.148		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Oppose	That Rule 38.11.3 is amended to ensure the matters of discretion include benefits of the proposal.	Reject	
2581.148	FS2778.16	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the submission is supported.	Reject	
2581.148	FS2753.303	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.11-38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2493.29		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.12-38.12 - Non-Notification of Applications	Oppose	That Rule 38.12.2 be deleted in its entirety.	Accept	
2493.29	FS2778.36	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.12-38.12 - Non-Notification of Applications	Oppose	That the submission is opposed.	Reject	
2493.10		Southern Planning Group	Skyline Enterprises Limited	5-Chapter 38 - Open Space and Recreation > 5.13-38.13 - Matters of control for controlled activities	Oppose	Add matters of control for harvesting of existing forestry in the ONL.	Reject	
2493.10	FS2767.9	Anderson Lloyd	Queenstown Commercial Parapenters	5-Chapter 38 - Open Space and Recreation > 5.13-38.13 - Matters of control for controlled activities	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Reject	
2493.10	FS2778.1	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.13-38.13 - Matters of control for controlled activities	Oppose	That the submission is opposed.	Accept	

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2466.149		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Oppose	That the entire suite of Landscape Assessment Matters are deleted.	Reject	
2466.149	FS2778.17	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Oppose	That the submission is opposed.	Accept	
2466.149	FS2753.149	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Reject	
2494.147		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Oppose	That the entire suite of Landscape Assessment Matters are deleted.	Reject	
2494.147	FS2778.18	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Oppose	That the submission is opposed.	Accept	
2494.147	FS2760.447	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Support	That the relief sought is supported.	Reject	
2581.149		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Oppose	That the entire suite of Landscape Assessment Matters are deleted.	Reject	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.149	FS2778.19	Brookfields Lawyers	ZJV (NZ) Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Oppose	That the submission is opposed.	Accept	
2581.149	FS2753.304	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.15-38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Reject	
2618.24		Mitchell Daysh Limited	Queenstown Airport Corporation	5-Chapter 38 - Open Space and Recreation > 5.16-Chapter 38: Variation to Stage 1 PDP Chapter 2: Definitions	Not Stated	That Chapter 2 Definitions be amended to add definitions for informal recreation, public amenities, parks maintenance, recreation facilities, organised sport and recreation and recreational trails; and an opportunity for further submissions be provided for these changes.	Accept in Part	
2618.24	FS2754.34		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.16-Chapter 38: Variation to Stage 1 PDP Chapter 2: Definitions	Oppose	That the submission is opposed.	Accept in Part	
2618.24	FS2754.58		Remarkables Park Limited	5-Chapter 38 - Open Space and Recreation > 5.16-Chapter 38: Variation to Stage 1 PDP Chapter 2: Definitions	Oppose	That the submission is opposed.	Accept in Part	
2618.24	FS2755.33		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.16-Chapter 38: Variation to Stage 1 PDP Chapter 2: Definitions	Support	That the submission is opposed.	Accept in Part	
2618.24	FS2755.57		Queenstown Park Limited	5-Chapter 38 - Open Space and Recreation > 5.16-Chapter 38: Variation to Stage 1 PDP Chapter 2: Definitions	Oppose	That the submission is opposed.	Accept in Part	
2223.1		Brown & Company Planning Group	MOUNT ROSA WINES LIMITED	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Opposes the removal of the exemption for the Gibbston Character Zone and other Zones from assessment under Rule 6.4.1.3 and seeks their reinstatement.	Accept in Part	Topic discussed in HS 14. Chapter 24.

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2223.1	FS2798.24		Nona James	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	The proposed changes to Visitor Accommodation be rejected in their entirety. Prior to implementing any rules designed to increase the long term housing supply, a task force should consider other methods to ensure that the businesses with staff who need subsidised accommodation are encouraged to seek solutions at their own expense.	FS does not appear to relate to Chapter 6	Topic discussed in HS 14. Chapter 24.
2227.1		Brown & Company Planning Group	GIBBSTON HIGHWAY LIMITED	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Opposes the removal of the exemption for the Gibbston Character Zone and other zones from assessment under Rule 6.4.1.3 and seeks their reinstatement.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2229.20		Brown & Company Planning Group	R & M DONALDSON	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That 6.4.1.3 be modified to read as follows: The landscape categories assessment matters do not apply to the following within the Rural Zones: a. Ski Area Activities within the Ski Area Sub Zones. b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps. c. The Gibbston Character Zone. <u>The Gibbston Character Zone</u> d. The Rural Lifestyle Zone. <u>The Rural Lifestyle Zone</u> e. The Rural Residential Zone. <u>The Rural Residential Zone</u> f. <u>The Wakatipu Basin Lifestyle Precinct</u>	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.1		Boffa Miskell Ltd	Treble Cone Investments Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That 6.2 Values be retained.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.1	FS2800.35	Anderson Lloyd	Cardrona Alpine Resort Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.1	FS2760.160	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the relief sought is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.2		Boffa Miskell Ltd	Treble Cone Investments Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That Rule 6.4.1.2 be amended to read 'The classification of landscapes of the District and related objectives policies for each classification within Chapter 6 apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue'.	Accept in Part	Topic discussed in HS 14. Chapter 24.

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2373.2	FS2800.36	Anderson Lloyd	Cardrona Alpine Resort Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.2	FS2760.161	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the relief sought is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.3		Boffa Miskell Ltd	Treble Cone Investments Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That Rule 6.4.1.3 be amended to read: 'The classification of landscapes of the District, the related objectives policies for each classification within Chapter 6 and the landscape assessment matters within provision 21.7 (Chapter 21), do not apply to the following within the Rural Zones: a. Ski Area Activities within the Ski Area Sub Zones b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps c. The Gibbston Character Zone. For the avoidance of doubt, the Rural Zone does not include the Wakatipu Basin Rural Amenity Zone (or Precincts) (Chapter 24), the Rural Lifestyle Zone or the Rural Residential Zone (Chapter 22)'.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.3	FS2800.37	Anderson Lloyd	Cardrona Alpine Resort Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2373.3	FS2760.162	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the relief sought is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2376.1		Boffa Miskell Ltd	Darby Planning LP	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That 6.2 Values be retained as detailed in Stage 1 of the Proposed District Plan.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2376.2		Boffa Miskell Ltd	Darby Planning LP	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That Rule 6.4.1.2 be amended to clarify that landscape categories and related objectives and policies only apply to the Rural Zone.	Accept in Part	Topic discussed in HS 14. Chapter 24.

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2376.3		Boffa Miskell Ltd	Darby Planning LP	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That Rule 6.4.1.3 be amended to focus the application of the rule to assessment matters.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2377.2		Boffa Miskell Ltd	Lake Hayes Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Retain the component of Part 6.2 that is sought to be removed.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2377.3		Boffa Miskell Ltd	Lake Hayes Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Amend Rule 6.4.1.2 to ensure the landscape categories apply only in the Rural Zone.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2377.4		Boffa Miskell Ltd	Lake Hayes Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Amend Rule 6.4.1.3 so that the landscape objectives and policies, assessment matters only apply in the Rural Zone and also exempt the Wakatipu Basin Zone.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2381.1		Boffa Miskell Ltd	Henley Downs Farm Holdings Ltd and Henley Downs Land Holdings Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the component of part 6.2 that is proposed to be removed is retained.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2381.2		Boffa Miskell Ltd	Henley Downs Farm Holdings Ltd and Henley Downs Land Holdings Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Rule 6.4.1.2 is amended so that the landscape areas apply only to the Rural Zone.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2381.3		Boffa Miskell Ltd	Henley Downs Farm Holdings Ltd and Henley Downs Land Holdings Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Amend Rule 6.4.1.3 to not include the Wakatipu Basin.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2382.2		Boffa Miskell Ltd	Glendhu Bay Trustees Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the component of part 6.2 that is proposed to be removed is retained.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2382.2	FS2771.2	Southern Adventures	John May	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the submission be rejected.	Accept in Part	Topic discussed in HS 14. Chapter 24.

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2382.3		Boffa Miskell Ltd	Glendhu Bay Trustees Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Rule 6.4.1.2 is amended so that the landscape areas apply only to the Rural Zone.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2382.3	FS2771.1	Southern Adventures	John May	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the submission be rejected.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2382.4		Boffa Miskell Ltd	Glendhu Bay Trustees Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Amend Rule 6.4.1.3 to not include the Wakatipu Basin.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2382.4	FS2771.3	Southern Adventures	John May	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the submission be rejected.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2383.1		Boffa Miskell Ltd	Mt Christina Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the component of part 6.2 that is proposed to be removed is retained.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2383.2		Boffa Miskell Ltd	Mt Christina Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Rule 6.4.1.2 is amended so that the landscape areas apply only to the Rural Zone.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2383.3		Boffa Miskell Ltd	Mt Christina Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Amend Rule 6.4.1.3 to not include the Wakatipu Basin.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.1		Boffa Miskell Ltd	Soho Ski Area Limited, Blackmans Creek No.1 LP	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the component of part 6.2 that is proposed to be removed is retained.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.1	FS2800.7	Anderson Lloyd	Cardrona Alpine Resort Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2384.1	FS2760.132	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported generally.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.2		Boffa Miskell Ltd	Soho Ski Area Limited, Blackmans Creek No.1 LP	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Rule 6.4.1.2 is amended so that the landscape areas apply only to the Rural Zone.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.2	FS2800.8	Anderson Lloyd	Cardrona Alpine Resort Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.2	FS2760.133	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported generally.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.3		Boffa Miskell Ltd	Soho Ski Area Limited, Blackmans Creek No.1 LP	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Amend Rule 6.4.1.3 to not include the Wakatipu Basin.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.3	FS2800.9	Anderson Lloyd	Cardrona Alpine Resort Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2384.3	FS2760.134	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission is supported generally.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2388.4		Brown & Company Planning Group	WATERFALL PARK DEVELOPMENTS LIMITED	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Amend 6.4.1.3 to exclude the other Rural Zones.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2388.4	FS2710.16	John Edmonds + Associates Ltd	McGuinness Pa Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the submission is opposed insofar as it seeks to support or promote subdivision and development on land which is currently zoned Rural General under the Operative District Plan.	Accept in Part	Topic discussed in HS 14. Chapter 24.

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2388.4	FS2772.14	Land Landscape Architects	R Hadley	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the land shown as Wakatipu Lifestyle Precinct on Attachment 1, PDP Stage 2 Notification Map 26 is rezoned as Wakatipu Basin Rural Amenity Zone.	FS does not appear to relate to Chapter 6.	Topic discussed in HS 14. Chapter 24.
2457.27			Paterson Pitts (Wanaka)	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	submitter opposes amendments to 6.4.1.2 and 6.4.1.3 and seeks and amendment	Accept in Part	Topic discussed in HS 14. Chapter 24.
2465.1		John Edmonds + Associates Ltd	RCL Henley Downs Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Not Stated	submitter states that consequential changes to chapter 6 as part of chapter 38 shall not be applicable for residential zones.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2466.150		John Edmonds + Associates Ltd	Real Journeys Ltd	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Rule 6.4.1.3 is amended to include the Gibbston Character, Rural Lifestyle and Rural Residential Zones.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2466.150	FS2753.150	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2471.1		Anderson Lloyd	Rock Supplies NZ Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	submitter amends the deletion of part 6.2 of chapter 6 - Landscapes	Accept in Part	Topic discussed in HS 14. Chapter 24.
2471.2		Anderson Lloyd	Rock Supplies NZ Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	submitter has recommended amendments to the variation to chapter 6 - landscapes, part 6.4 rules amend. submitter wishes for amendments to 6.4.1.2 and the deletion of 6.4.1.3	Accept in Part	Topic discussed in HS 14. Chapter 24.
2494.148		John Edmonds + Associates Ltd	Te Anau Developments Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Rule 6.4.1.3 is amended to include the Gibbston Character, Rural Lifestyle and Rural Residential Zones.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2494.148	FS2760.448	Anderson Lloyd	Real Journeys Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the relief sought is supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2519.4		John Edmonds + Associates Ltd	C & Y Guillot and Cook Adam Trustees Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the stage 1 variation to Landscapes Chapter 6 be refused	Accept in Part	Topic discussed in HS 14. Chapter 24.
2519.4	FS2725.4	Southern Planning Group	Guenther Raedler	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the submission be allowed as it relates to the following: - The WB – RAZ is inappropriate and that there is no sound basis for that proposed zoning; - That the land be zoned Rural Lifestyle.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2547.1		Town Planning Group	Gibbston Valley Station	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the proposed amendments to Chapter 6 [Landscapes] that are contained at the end of proposed Chapter 38 [Open Space] are rejected, particularly the deletion of the Gibbston Character Zone from the list of exceptions under 6.4.1.3.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2549.1		John Edmonds + Associates Ltd	Glentui Heights Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That Rule 6.4.1.3(e) be removed so that subdivision and development in the Rural Residential Zone (including the Bobs Cove Sub Zone) is not subject to the landscape assessment matters.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2551.2		John Edmonds + Associates Ltd	Graham Grant	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	That the proposed variation to Chapter 6 [Landscapes] contained within proposed Chapter 38 be rejected in its entirety.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2558.1		Anderson Lloyd	Gibbston Highway Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Opposes the deletion of the last paragraph of part 6.2. Instead, the submitter supports the paragraph being amended to resemble the paragraph outlined in the Gibbston Highway Limited submission (2558.1)	Accept in Part	Topic discussed in HS 14. Chapter 24.
2558.2		Anderson Lloyd	Gibbston Highway Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Opposes the proposed amendment to rule 6.4.1.2. The submitter has presented an alternative amendment for this rule. This is out lined in the Gibbston Highway Limited submission (2558.2). If this relief is not accepted, the submitter would like planning map 15 to be amended to exclude the Gibbston Character Zone from the Outstanding Natural Landscape classification	Accept in Part	Topic discussed in HS 14. Chapter 24.
2558.3		Anderson Lloyd	Gibbston Highway Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Opposes the proposed amendment to rule 6.4.1.3. Has presented an alternative amendment for this rule, outlined in the Gibbston Highway Limited submission (2558.3)	Accept in Part	Topic discussed in HS 14. Chapter 24.

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Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2581.150		John Edmonds + Associates Ltd	Go Orange Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Oppose	Rule 6.4.1.3 is amended to include the Gibbston Character, Rural Lifestyle and Rural Residential Zones.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2581.150	FS2753.305	John Edmonds & Associates Ltd	Queenstown Water Taxis Limited	5-Chapter 38 - Open Space and Recreation > 5.17-Chapter 38: Variation to Stage 1 PDP Chapter 6: Landscapes	Support	That the relief sought to the objectives, policies and rules of Chapters 29, 25, 31 and 38 are supported.	Accept in Part	Topic discussed in HS 14. Chapter 24.
2660.22		Beca Limited	Fire and Emergency New Zealand	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.4-24.4 - Rules – Activities	Oppose	That Rule 24.4.20 is amended so that the activity status of fire stations is amended to be restricted discretionary with matters of discretion.	Reject - NB: reference to Chapter 24 appears to be a typographical error	Matter also addressed in HS 14 in terms of Chapter 24
2310.1		Clark Fortune McDonald & Associates	Gibbston Vines Ltd	7-Planning Maps > 7.17-Stage 2 Map 15	Oppose	That the reference to Gibbston Valley floor being part of the wider Outstanding Natural Landscape classification be removed	Accept in Part	Transferred to Open Space from Visitor Accommodation
2485.2		Brookfields Lawyers	ZJV (NZ) Limited	7-Planning Maps > 7.14-Stage 2 Map 13	Oppose	Reduce the area of land contained within the Ben Lomond Sub Zone.	Reject	
2485.2	FS2777.2	Southern Planning Group	Skyline Enterprises Limited	7-Planning Maps > 7.14-Stage 2 Map 13	Oppose	That the whole submission be disallowed.	Accept	
2493.1		Southern Planning Group	Skyline Enterprises Limited	7-Planning Maps > 7.14-Stage 2 Map 13	Oppose	That the Informal Recreation Zone (Chapter 38) Ben Lomond Sub Zone is extended to the north to incorporate area for helicopter arrival and departures.	Reject	
2493.1	FS2756.1	Anderson Lloyd	Kiwi Birdlife Park Limited	7-Planning Maps > 7.14-Stage 2 Map 13	Oppose	That the proposed amendments to the map to include a new area for a helipad and the 'informal airports' rule is opposed. The further submitter's opposition can be addressed by amending the proposed provisions to limit flights over the further submitter to the following: - 4 flights on any day, with only two flights within any fifteen minute period (on five occasions per annum, when larger pre-booked groups are flown to the helicopter landing area there may be up to three flights in any fifteen minute period provided that the operator shall advise KBPL at least 48 hours in advance of the date and time during which the multiple flights will occur). - The operation of all helicopters at the helipad shall be managed in accordance with a Helicopter Management Plan. - All flights will occur between the hours of 10am and 7pm.	Accept in Part	
2493.1	FS2767.1	Anderson Lloyd	Queenstown Commercial Parapenters	7-Planning Maps > 7.14-Stage 2 Map 13	Support	That the submission is supported insofar as it does not undermine the relief sought in the further submitter's original submission.	Reject	
2564.12			TJ Investments Pte Limited	7-Planning Maps > 7.15-Stage 2 Map 13d	Oppose	That the Informal Recreation Zone at Coronet Forest is rejected.	Accept in Part	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2586.7		Town Planning Group	C Dagg	7-Planning Maps > 7.15-Stage 2 Map 13d	Oppose	Reject the Informal Recreation zone at Coronet Forest.	Accept in Part	
2589.1		Town Planning Group	Kim Fam	7-Planning Maps > 7.15-Stage 2 Map 13d	Oppose	Reject the informal recreation zone at Coronet Forrest.	Accept in Part	
2325.2			David Crawford	7-Planning Maps > 7.23-Stage 2 Map 20	Oppose	That Anderson Road should be zoned Medium Density Residential.	Reject	Transferred from Visitor Accommodation Variation
2155.1			David Gray	7-Planning Maps > 7.24-Stage 2 Map 21	Oppose	That Pembroke Park is not included as an Open Space and recreation Zone in Chapter 38 of the PDP.	Reject	
2232.2			Wanaka Yacht Club	7-Planning Maps > 7.24-Stage 2 Map 21	Oppose	That the zoning of land around the Wanaka Yacht Club and the Wanaka Marina (Section 9 Block XV Town of Wanaka (SO 12630), Section 6 Block XV Town of Wanaka (SO 14792) and Section 14 Block XV Town of Wanaka (SO 21827)) be amended from Informal Recreation to Active Sport and Recreation.	Reject	
2257.1			CCR Ltd	7-Planning Maps > 7.27-Stage 2 Map 24	Other	That the existing, low key character of the Albert Town Reserve is maintained.	Accept	
2391.2		JEA	BDFL	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	That Map 30 is amended to rezone the two QLDC parcels and adjacent Bridesdale parcel situated on the Bridesdale lower floodplain area Active Recreation Zone.	Reject	
2391.2	FS2759.6	Mitchell Daysh Limited	Queenstown Airport Corporation	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	That the submission is opposed to the extent that the Open Space Zone provisions are inconsistent with the recommendations set out in NZS6805.	Accept in Part	
2468.25		Remarkables Park Ltd	Remarkables Park Ltd	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	The submitter seeks amendment to map 30 so rezone Part Section 131 Block III Shotover Survey District Community Purposes Zone and have a maximum building height of 15m and the total ground floor area of the site be increased to 1500m2.	Out of Scope	
2468.25	FS2759.14	Mitchell Daysh Limited	Queenstown Airport Corporation	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	That the submission is opposed to the extent that the Open Space Zone provisions are inconsistent with the recommendations set out in NZS6805.	Out of Scope	
2468.25	FS2759.15	Mitchell Daysh Limited	Queenstown Airport Corporation	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	That the proposed use of land in the Shotover delta for Active Sport and Recreation is inappropriate and poses a potential safety risk.	Out of Scope	
2290.7		Brown & Company Planning Group	KAWARAU JET SERVICES HOLDINGS LIMITED	7-Planning Maps > 7.35-Stage 2 Map 31a	Support	That the Open Space and Recreation Zone be supported	Accept	
2290.7	FS2752.20	Anderson Lloyd	Go Orange Limited	7-Planning Maps > 7.35-Stage 2 Map 31a	Support	That the relief sought to amend provisions of chapter 38 are supported.	Accept	
2290.7	FS2760.200	Anderson Lloyd	Real Journeys Limited	7-Planning Maps > 7.35-Stage 2 Map 31a	Support	That the relief sought is supported.	Accept	
2462.19		Remarkables Park Ltd	Queenstown Park Limited	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	That Part Section 131 Block III Shotover Survey District be zoned CPZ and have height limits increased to 15m and total ground floor area of buildings increased to 1500m2 for the site.	Out of Scope	
2462.19	FS2759.8	Mitchell Daysh Limited	Queenstown Airport Corporation	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	That the submission is opposed to the extent that the Open Space Zone provisions are inconsistent with the recommendations set out in NZS6805.	Out of Scope	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
2462.19	FS2759.9	Mitchell Daysh Limited	Queenstown Airport Corporation	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	That the proposed use of land in the Shotover delta for Active Sport and Recreation is inappropriate and poses a potential safety risk.	Out of Scope	
2468.24		Remarkables Park Ltd	Remarkables Park Ltd	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	The submitter seeks the rezoning of the land at the southern end of Riverside Road on Map 31a to be zoned Informal Recreation.	Reject	
2618.23		Mitchell Daysh Limited	Queenstown Airport Corporation	7-Planning Maps > 7.35-Stage 2 Map 31a	Not Stated	That the Informal Recreation Zone over the Lower Shotover Delta, at the end of the Runway End Safety area be rezoned to Rural or create a new 'Shotover Delta Sub-Zone' and restrict activities within it.	Reject	
2618.23	FS2754.57		Remarkables Park Limited	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	That the submission is opposed.	Accept	
2618.23	FS2755.56		Queenstown Park Limited	7-Planning Maps > 7.35-Stage 2 Map 31a	Oppose	That the submission is opposed.	Accept	
2336.32		Southern Planning Group	Ngai Tahu Property Limited	7-Planning Maps > 7.36-Stage 2 Map 32	Oppose	That Warren Park be included within the Informal Recreation Zone.	Accept	
2369.3			Frankton Community Association	7-Planning Maps > 7.37-Stage 2 Map 33	Oppose	That the proposed Community Purposes Zone - Campground for the Frankton Campground be rejected.	Reject	
2369.5			Frankton Community Association	7-Planning Maps > 7.37-Stage 2 Map 33	Oppose	That Community Purpose Zone - Campground be rejected for the properties at 8 and 10 Stewart Street, Frankton.	Reject	
2290.5		Brown & Company Planning Group	KAWARAU JET SERVICES HOLDINGS LIMITED	7-Planning Maps > 7.39-Stage 2 Map 35	Support	That the Open Space and Recreation Zone be supported	Accept	
2290.5	FS2752.18	Anderson Lloyd	Go Orange Limited	7-Planning Maps > 7.39-Stage 2 Map 35	Support	That the relief sought to amend provisions of chapter 38 are supported.	Accept	
2290.5	FS2760.198	Anderson Lloyd	Real Journeys Limited	7-Planning Maps > 7.39-Stage 2 Map 35	Support	That the relief sought is supported.	Accept	
2335.15		Southern Planning Group	Ngai Tahu Property Limited Ngai Tahu Justice Holdings Limited	7-Planning Maps > 7.40-Stage 2 Map 36	Oppose	That the Informal Recreation Zone is rejected for the site at Section 10 Block XVIII, Stanley Street.	Accept	
2290.6		Brown & Company Planning Group	KAWARAU JET SERVICES HOLDINGS LIMITED	7-Planning Maps > 7.41-Stage 2 Map 37	Support	That the Open Space and Recreation Zone be supported	Accept	
2290.6	FS2752.19	Anderson Lloyd	Go Orange Limited	7-Planning Maps > 7.41-Stage 2 Map 37	Support	That the relief sought to amend provisions of chapter 38 are supported.	Accept	
2290.6	FS2760.199	Anderson Lloyd	Real Journeys Limited	7-Planning Maps > 7.41-Stage 2 Map 37	Support	That the relief sought is supported.	Accept	
2103.1			Kingston Holiday Park Limited	7-Planning Maps > 7.43-Stage 2 Map 39	Oppose	That Map 39b is amended so that the existing Kingston Holiday Park and two adjoining lots are rezoned to Community Purposes Zone (Camping Ground); or should the Community Purposes Zone (Camping Ground) not proceed or be deemed inappropriate for these sites, a visitor accommodation sub-zone be imposed over the land.	Out of Scope	
2381.35		Boffa Miskell Ltd	Henley Downs Farm Holdings Ltd and Henley Downs Land Holdings Ltd	7-Planning Maps > 7.44-Stage 2 Map 41	Oppose	That Map 41 is amended so that the area of Informal Recreation Zone is rezoned and retained as Jacks Point Zone.	Reject	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
Submissions allocated from Stage 1								
443.8		Brown & Company Planning Group Ltd	Trojan Helmet Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Not Stated	Opposes Rule 6.4.1.2 and seeks that it is amended as follows: <i>6.4.1.2 The landscape categories <u>and the provisions of this chapter</u> apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.</i>	Accept in Part	
452.8		Brown & Company Planning Group Ltd	Trojan Helmet Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Oppose	Opposes Rule 6.4.1.2 and seeks that it is amended as follows: <i>6.4.1.2 The landscape categories <u>and the provisions of this chapter</u> apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.</i> Consequential amendments to the objectives and policies in Chapter 6 may be required to clarify they do not apply to the Rural Lifestyle zone.	Accept in Part	
669.9		John Edmonds + Associates Ltd	Cook Adam Trustees Limited, C & M Burgess	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Other	Clarify that landscape classification objectives and policies do not apply to zones such as the Rural Lifestyle Zone.	Accept in Part	
694.21		John Edmonds + Associates Ltd	Glentui Heights Ltd	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Other	Clarify that landscape classification objectives and policies do not apply to zones such as the Rural Residential Zone.	Accept in Part	
696.15		John Edmonds + Associates Ltd	Millbrook Country Club Ltd	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Not Stated	Amend to clarify whether landscape classification objectives and policies apply to zones such as the Millbrook Zone.	Accept in Part	
712.11		John Edmonds + Associates Ltd	Bobs Cove Developments Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Other	Clarify that landscape classification objectives and policies do not apply to zones such as the Rural Residential Zone.	Accept in Part	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
836.19		Anderson Lloyd	Arcadian Triangle Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Not Stated	<p>Rule 6.4.1.2 Issue: (a) Rule 6.4.1.2 is awkwardly worded, and arguably inconsistent. It also refers to the Strategic Directions Chapter 3 which is unnecessary because Chapter 3 obviously informs the entire District Plan. Relief Requested: (b) Reword Rule 6.4.1.2 and the beginning of Rule 6.4.1.3 as follows: "6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter 6 and Strategic Direction Chapter 3 objectives and policies are relevant and applicable in all zones where landscape values are at issue, <u>except where specified in Rule 6.4.1.3.</u> 6.4.1.3 The landscape categories <u>apply only to the Rural Zones, but do not apply to the following areas</u> within the Rural Zones: [(a) (e)]'</p>	Accept in Part	
836.19	FS1085.6		Contact Energy Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 134-6.4.1.2	Support	Support amendment insofar that landscape categories apply only to the Rural Zone.	Accept in Part	
407.4		Brown & Company Planning Group Ltd	Mount Cardrona Station Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Oppose	<p>(a) MCS OPPOSES Rule 6.4.1.3(a) and seeks the following modification: <i>6.4.1.3 The landscape categories do not apply to the following within the Rural Zones:</i> <i>a. Ski Area Activities within the Ski Area Sub Zones.</i></p>	Accept in Part	
407.4	FS1097.265		Queenstown Park Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Support	Landscape categories should not apply to gondola corridor linking Remarkables Park to the Remarkables ski field	Accept in Part	
580.4			Contact Energy Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Other	Amend rule 6.4.1.3 to exclude the Hydro Generation zone from the three landscape classifications.	Accept in Part	
580.4	FS1040.28		Forest and Bird	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Oppose	Oppose	Accept in Part	
608.54		Boffa Miskell Ltd	Darby Planning LP	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Support	Retain Rule 6.4.1.3	Accept in Part	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
608.54	FS1085.5		Contact Energy Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Support	Significant investments in infrastructure, development, the overall wellbeing of the community and the sustainable management of the land should be exempt from the landscape categories. The exemption should be for broader categories than just the activities cited by DPL.	Accept in Part	
608.54	FS1034.212		Upper Clutha Environmental Society (Inc.)	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Oppose	The Society stands by its Primary Submissions. It follows from this by default that the Society seeks that that the vast majority, if not all, of the detailed changes to the PDP requested in the submission should be disallowed.	Accept in Part	
631.3		Webb Farry Lawyers	Cassidy Trust	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Support	The Cassidy Trust supports Rule 6.4.1.3	Accept in Part	
671.3			Queenstown Trails Trust	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Other	Alternatively Amend Rule 6.4.1.3 by adding (f): Any trail and associated works that are undertaken by the Queenstown Trail or Upper Clutha Tracks Trusts The Landscape Chapter of the District Plan establishes a very high threshold for any activities in the rural parts of the district, and it is important that the trail network and associated infrastructure is excluded from those matters, in much the same way that important economic contributors such as ski fields have been excluded. Such exclusion will continue to allow the trails network to grow and develop for the benefit of the wider community, without unnecessary consent and assessment processes.	Accept in Part	
806.94			Queenstown Park Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Other	Amend. Recognise that as the proposed Queenstown Park Special Zone is a special zone, not rural zone, it is exempt from the landscape categories. 6.4.1.3 The landscape categories do not apply to the following within the Rural Zones: a. Ski Area Activities within the Ski Area Sub Zones b. the Remarkables Alpine Recreation Area	Accept in Part	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
836.20		Anderson Lloyd	Arcadian Triangle Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Not Stated	<p>Rule 6.4.1.2 Issue: (a) Rule 6.4.1.2 is awkwardly worded, and arguably inconsistent. It also refers to the Strategic Directions Chapter 3 which is unnecessary because Chapter 3 obviously informs the entire District Plan. Relief Requested: (b) Reword Rule 6.4.1.2 and the beginning of Rule 6.4.1.3 as follows: "6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter 6 and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue, <u>except where specified in Rule 6.4.1.3.</u> 6.4.1.3 The landscape categories apply only to the Rural Zones, but do not apply to the following <u>areas</u> within the Rural Zones: [(a) (e)]'</p>	Accept in Part	
836.21		Anderson Lloyd	Arcadian Triangle Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Not Stated	<p>Rule 6.4.1.3 Landscape Category - Ski Area Sub Zones Issue: (a) The Operative District Plan excludes Ski Area Sub Zones from the landscape categories. Rule 6.4.1.3 carries that exemption forward but amends it to read "Ski Area Activities within the Ski Area Sub Zones". This amendment effectively means that the landscape categories apply to some activities within Ski Area Sub Zones but not to other activities within Ski Area Sub Zones. That is a nonsense. (b) All of the other exclusions in Rule 6.4.1.3 apply to identified areas of land, not to activities. That is logical and understandable, because a landscape category applies to land, not to activities. The same should apply within the Ski Area Sub Zones. Relief Requested: (c) Amend Rule 6.4.1.3.a as follows: "Ski Area Activities within the <u>The</u> Ski Area Sub Zones".</p>	Accept in Part	
836.21	FS1229.33	C/- Southern Planning Group	NZSki Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Support	<p>NZSki Ltd support the submitters proposed re-wording of Rule 6.4.1.3 which carries the exemption of Ski Area Sub-Zones from the landscape chapter forward. NZSki Limited request that this submission be accepted by QLDC.</p>	Accept in Part	
836.21	FS1097.726		Queenstown Park Limited	81-6 Landscape > 131-6.4 Rules > 132-6.4.1 Application of the landscape provisions > 135-6.4.1.3	Support	<p>Support the intent of the submission for the reasons provided in QPL's original submission.</p>	Accept in Part	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
282.3			Sarah Burdon	7-Part Seven - Maps > 7.18-Map 17 - Hawea	Other	Currently the zoning of the camp and surrounding land – approximately 23 hectares is zoned Rural General. We support that this area, including underlying the campground designation 175, be rezoned to Rural Visitor Zone and that the area be planned for future development which can be done in stages. That the classification ONL be removed from the Lake Hawea Holiday Park (shown on Proposed Planning Map 17) and surrounding area ~23 ha. This area should be considered as being within the Rural Landscape Classification. Would like to see Designation 175 extended to cover campground operations and facilities which extend over both Pt Sec 2 Block II Lower Hawea Survey District parcel so that the whole campground (15.7 hectares) is designated for Motor Park not just Part.	Accept in Part	
384.2			Glen Dene Ltd	7-Part Seven - Maps > 7.18-Map 17 - Hawea	Other	We submit that the Hawea Campground, including underlying the campground designation 175, be rezoned to Rural Visitor Zone.	Accept in Part	
229.1		Clark Fortune McDonald Attn: Emma Dixon	Felzar Properties Ltd	7-Part Seven - Maps > 7.32-Map 30 - Lake Hayes	Other	Change the zoning of the submitters land located at the southern end of Lake Hayes (Part Sections 115 and 210R Blk III Shotover SD) from rural to rural residential at the southern end of Lake Hayes located on planning map 30.	Reject	
229.1	FS1092.2		NZ Transport Agency	7-Part Seven - Maps > 7.32-Map 30 - Lake Hayes	Oppose	That submission 229.1 be disallowed.	Reject	
229.1	FS1340.66	Mitchell Partnerships	Queenstown Airport Corporation	7-Part Seven - Maps > 7.32-Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Reject	
574.5		Southern Planning Group	Skyline Enterprises Limited	7-Part Seven - Maps > 7.37-Map 34 - Fernhill and Sunshine Bay	Other	That a new Commercial Tourism and Recreation Sub-Zone and associated provisions as outlined in this submission and attachments to this submission are adopted into the PDP.	Accept in Part	
574.5	FS1370.1	Brookfields Lawyers	ZJV (NZ) Limited	7-Part Seven - Maps > 7.37-Map 34 - Fernhill and Sunshine Bay	Oppose	The liberal controls promoted within the proposed "Commercial Tourism & Recreation Sub-Zone" are inappropriate in ONL setting. The proposed "Commercial Tourism & Recreation Sub-Zone" is not supported by an adequate examination of alternatives, costs and benefits under section 32 of the RMA 1991. The existing designation enables a range of activities that are appropriate for the location and in inconsistent with a recent Environment Court Decision.	Accept in Part	
574.5	FS1063.23		Peter Fleming and Others	7-Part Seven - Maps > 7.37-Map 34 - Fernhill and Sunshine Bay	Oppose	Oppose all	Accept in Part	

Appendix 2 to the Section 42A Report - Chapter 38 Open Space and Recreation

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation	Transferred
790.2			Queenstown Lakes District Council	771-21Rural Zone	Oppose	Rezoning the land known as the Commonage Sports Reserve legally identified as Section 1 Survey Office Plan 23185 and Section 2 Survey Office Plan 433650 from Rural to Medium Density Residential and modification of the urban growth boundary.	Accept	
655.1			Bridesdale Farm Developments Limited	Map 30 - Lake Hayes	Oppose	Requests that Lot 3 Deposited Plan 392823, Lot 4 Deposited Plan 447906, Lot 1 Deposited Plan 26719, Lot 1 Deposited Plan 21087 and Lot 3 Deposited Plan 337268 be zoned Medium Density Residential, remove the urban growth boundaries ("UGB") or reposition the urban growth boundary to include the site and relocate the ONL line to the south of the site along the true left bank of the Kawarau River.	Reject. Part of the submission that relates to land subject to the Wakatipu Basin Variation addressed in Hearing Stream 14.	
655.1	FS1064.1		Martin MacDonald	Map 30 - Lake Hayes	Oppose	I seek that the whole of the submission be disallowed as per the reasons given in my original submissions reference numbers 451 and 454. I consider Medium Density zoning as inappropriate in this area, and that shifting of the outstanding natural landscape line and urban growth boundary line will result in significant adverse effects on the environment (both east and west of Hayes Creek) which is contrary to the principles of sustainable management.	Reject. Part of the submission that relates to land subject to the Wakatipu Basin Variation addressed in Hearing Stream 14.	
655.1	FS1071.2		Lake Hayes Estate Community Association	Map 30 - Lake Hayes	Oppose	That the entire submission is disallowed and the existing zoning remains in place	Reject. Part of the submission that relates to land subject to the Wakatipu Basin Variation addressed in Hearing Stream 14.	
655.1	FS1340.129		Queenstown Airport Corporation	Map 30 - Lake Hayes	Oppose	QAC is concerned rezoning requests that will result in the intensification of ASAN establishing within close proximity to Queenstown Airport. The proposed rezoning is a significant departure from the nature, scale and intensity of ASAN development currently anticipated at this site and may potentially result in adverse effects on QAC over the longer term. The proposed rezoning request should not be accepted.	Reject. Part of the submission that relates to land subject to the Wakatipu Basin Variation addressed in Hearing Stream 14.	

APPENDIX 3
Section 32 evaluation report



Queenstown Lakes District Proposed District Plan

Section 32 Evaluation

Stage 2 Components October 2017

For:

Open Space and Recreation Zones

And consequential Variations to Proposed District Plan 26 August 2015:

Chapter 2 Definitions

Chapter 6 Landscapes

Chapter 27 Subdivision and Development

Chapter 36 Noise

Report dated: 14 September 2017

File Reference: PDP Stage 2: Open Space and Recreation Zones

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1 Introduction

The importance of open space and recreation to the overall well-being of residents and visitors to the District, as well as the environment itself is well recognised in a variety of documents including the following:

- a) District Wide Issues - 4.4 Open Space and Recreation¹;
- b) Strategic Directions²; and
- c) Parks and Open Space Strategy 2017³.

In summary, these documents highlight that the provision of existing and new open space areas and the recreation facilities within them will be under continuing pressure from the increasing numbers of visitor and resident populations to the District (including urban intensification). In addition, there is increasing competing demands for different uses of open space (some of them commercial) and higher expectations as to the quality of recreational facilities provided therein. Added to that, those open space areas that serve an environmental function (such as riparian streams and lake edges) are subject to an increasing expectation that through enhancement, they will deliver better environmental outcomes (such as improved water quality and/or habitat).

The Parks and Open Space Strategy 2017 was adopted in May 2017. Its purpose is to set out how to provide an open space network of existing and new reserves to meet the open space and recreation needs of the existing and future communities. It sets out that there are a range of plans, policies, other strategies, guidelines, actions, and other tools that will be required to implement the Parks and Open Space Strategy 2017. Within that mix, the Parks and Open Space Strategy 2017 identifies the role of the District Plan as:

- a) Providing for new open space areas within greenfield developments through the development plan and subdivision provisions; and
- b) Protecting both open space and adjoining land from inappropriate development and protecting amenity values of adjoining and nearby residential areas from activities within the open space area.

Within the Proposed District Plan and Operative District Plan, Council administered open space, parks and reserves in the District are generally zoned Rural Zone (as is the case in Queenstown and Wanaka town centres) or according to the adjacent and surrounding neighbourhood zones. This is due to these parcels being part of the land that was once privately owned and vested as part of an urban subdivision. Notably, all reserves are designated for a variety of related purposes under the Operative District Plan (including, but not limited to; Recreation Reserve, Cemetery Reserve, or Historic Reserve), which enables the Council to undertake works in accordance with that purpose.

¹ District Wide Issues, Queenstown Lakes District Council – Operative District Plan (July 2016)

² Objectives 3.2.3.1, 3.2.4.7 and 3.2.6.3 and Policies 3.2.3.1.2, 3.2.4.7.1, 3.2.6.3.1 and 3.2.6.3.2 Proposed Queenstown Lakes District Plan, Chapter 3 Strategic Directions

³ 'Introduction'; 'Why Do We Need A Parks And Open Space Strategy?'; and 'Why Is Open Space So Important', Parks and Open Space Strategy 2017, Queenstown Lakes District Council

However, this approach creates issues for external organisations such as sports clubs or campground operators as they are not the requiring authority responsible for the work. This means that any existing reserve users will need to obtain resource consent in accordance with the underlying zone. This can make it extremely difficult for these users to progress community and recreational benefits in accordance with the purpose of reserves as they are being assessed against rural objectives, policies and assessment matters, for example. Some designations have specific conditions, others are subject to more general conditions and some do not have conditions associated with them at all. In total, there are over 200 designations for reserve purposes in the Operative District Plan. In addition, the Council's reserves network is also managed through the Reserves Act 1977, while the creation of any new reserves is managed through the subdivision process guided by Chapter 27 – *Subdivision* of the Proposed District Plan and Chapter 15 – *Subdivision and Development* of the Operative District Plan.

Due to the number of overlapping management tools and legislation, the management, use and development of reserves in the District results in a complex planning framework, particularly for third parties who wish to undertake activities on reserve land. In this regard, any proposed activities which generally provide for recreation, are often incompatible with the underlying zoning. Given the types of activities that are anticipated in these areas, a consistent zoning that seeks to protect open space values and enable appropriate activities and development, is desired.

Further, given the demand for these areas to be provided for the community, Council initiated a review of the existing provisions to manage the variety of activities that occur on reserves, recreation and open spaces within the District. The review has included the preparation of the proposed Open Space and Recreation Zone chapter within Stage 2 of the Proposed District Plan. The scope of the proposed Open Space and Recreation Zone chapter is to:

- a) Provide a framework of objectives, policies, zones and rules that support the provision of a network of open space and recreation facilities;
- b) Manage use and development and provide for changing recreational needs; and
- c) Provide for the conservation and enhancement of the qualities of the natural environment, waterbodies and their margins.

It is noted, for completeness, that the proposed Open Space and Recreation Zone chapter is to be considered a variation to several chapters that were notified in Stage 1 of the Proposed District Plan. This is because the proposed Open Space and Recreation Zone chapter proposes to rezone all Council administered open space and recreation areas to five zones and three sub-zones. Finally, all existing designations associated with open space and recreation areas in the District are to be retained until such time as Council undertakes a review to determine whether the designations are still fit for purpose. It is understood that this will not occur until the Proposed District Plan is operative in full.

The Open Space and Recreation Zones Chapter 38 applies to all land identified as Stage 1 and Stage 2 land on the Planning Maps attached to the Stage 2 notification bundle.

The Open Space and Recreation Zones apply to all land identified as such within the Planning Maps attached to the Stage 2 notification bundle.

The majority of the land covered by the Open Space and Recreation Zones was notified in Stage 1 as Rural Zone or Low Density Residential Zone, reflecting the historical nature of zoning. However, the Open Space and Recreation Zone also includes additional ‘new’ Stage 2 land which up to the present has been in Volume B of the PDP, for instance McMurdo Park located amidst the Township Zoned at Albert Town, Wanaka. The notification of the Open Space and Recreation Zones is therefore, in part, a variation to the Stage 1 Planning Maps, whereas the ‘new’ land forms part of Stage 2 of the Proposed District Plan. The Open Space and Recreation Zones chapter 38 itself, also forms part of Stage 2 of the Proposed District Plan.

The Strategic chapters, and a number of District Wide annotations and District Wide chapters⁴ were notified for submissions in Stage 1 and they therefore already apply to all land notified in Stage 1 including the majority of the Open Space and Recreation Zones. Through Stage 2, some additional zone specific District Wide provisions are being notified that apply specifically to the Open Space and Recreation Zones, for example new standards for subdivision, noise and also new definitions. In addition, the Strategic, and District Wide chapters and annotations now also apply to the additional ‘new’ Stage 2 land that has been notified as Open Space and Recreation Zone, in Stage 2, for instance at McMurdo Park located amidst the Township Zoned at Albert Town, Wanaka.

For clarity, Table 1 below identifies the land area (generally described by way of zone) and various components of the PDP that together comprise Volume A of the District Plan at Stage 2 of the District Plan review as it relates to the Open Space and Recreation Zones. All other land within the District continues to fall into Volume B of the District Plan.

Table 1. District Plan Volume A components, showing Stage 2 components as related to the Open Space and Recreation Zones.

Volume A	
Stage 1 Proposed District Plan 26 August 2015	Stage 2 As it relates to the Open Space and Recreation Zones Chapter only
Introduction	
1. Introduction 2. Definitions	<ul style="list-style-type: none"> New Stage 2 definitions and variation to Stage 1 Definitions Chapter 2, as related to Stage 2 Open Space and Recreation Zones components.
Strategy	
3. Strategic Direction 4. Urban Development 5. Tangata Whenua 6. Landscapes	<ul style="list-style-type: none"> Variation to Landscape Chapter 6 as related to the Open Space and Recreation Zones
Urban Environment	
7. Low Density Residential 8. Medium Density Residential 9. High Density Residential 10. Arrowtown Residential Historic Heritage Management Zone 11. Large Lot Residential	

⁴ For instance, including but not limited to Heritage Items, Protected Trees, Outstanding Natural Features and Landscapes.

12. Queenstown Town Centre* (part withdrawn) 13. Wanaka Town Centre 14. Arrowtown Town Centre 15. Local Shopping Centres 16. Business Mixed Use Zone 17. Queenstown Airport Mixed Use Variation 1: Arrowtown Design Guidelines 2016	
Rural Environment	
21. Rural Zone 22. Rural Residential and Lifestyle 23. Gibbston Character Zone	
District Wide Matters	
26. Historic Heritage 27. Subdivision and Development 28. Natural Hazards 30. Energy and Utilities 32. Protected Trees 33. Indigenous Vegetation and Biodiversity 34. Wilding Exotic Trees 35. Temporary Activities and Relocated Buildings 36. Noise 37. Designations	<ul style="list-style-type: none"> • Variation to Stage 1 Subdivision Chapter 27, as related to Stage 2 Open Space and Recreation Zones components. • Variation to Temporary Activities and Relocated Buildings Chapter 35 as related to the Open Space and Recreation Zones components. • Variation to Noise 36 as related to the Open Space and Recreation Zones components.
Special Zones	
41. Jacks Point 42. Waterfall Park 43. Millbrook	

BACKGROUND

District Plan Review

The review of the Operative District Plan is being undertaken in stages. Stage 1 commenced in April 2014 and was publicly notified on 26 August 2015. Hearings on Stage 1 components comprising ten individual hearing streams for 33 chapters, 1 variation⁵ and three separate hearing streams for rezoning requests and mapping annotations⁶ were held from March 2016 to September 2017.

On 29 September 2016 the Council approved the commencement of Stage 2 of the review of the Operative District Plan. As part of the 29 September 2016 resolutions, the Council addressed what the plan outcome would be at the end of the partial review, and approved the separation of the District Plan into two volumes, Volume A and Volume B. Volume A (at the point in time of notification of Stage 2) consists of the Proposed District Plan chapters notified in Stages 1 and 2 of the proposed District Plan, which includes variations to Stage 1,

⁵ Variation 1 – Arrowtown Design Guidelines 2016

⁶ Ski Area Sub Zones, Upper Clutha Area and the Queenstown Area (excluding the Wakatipu Basin).

and all the land as identified in the Planning Maps forming the Stage 2 notification bundle, as discussed above.

All other land currently forms Volume B of the District Plan. This includes zones that have not yet been reviewed and notified (i.e. Township Zone, Industrial A and B Zones, Rural Visitor Zone), land that has been withdrawn from the district plan review (i.e. the land subject to Plan Changes 46 - Ballantyne Road Industrial and Residential extensions, 50 - Queenstown Town Centre extension and 51 – Peninsula Bay North) and the Frankton Flats B Special Zone and the Remarkables Park Special Zone. All Volume B land is subject to the Operative District Plan.

Jurisdictional Matters

No decision has been made on the Proposed District Plan 2015 (Stage 1 and Variation 1) at the time of notification of Stage 2, and therefore this Stage 2 Open Space Chapter 38 cannot anticipate what Panel recommendations and subsequently the Council's decision might be, in terms of notifying zone specific standards. The chapter therefore refers to PDP chapters/zones as notified in Stage 1 and any statutory changes made since notification⁷.

Therefore, for instance, the Stage 2 Earthworks chapter does not refer to the Council recommended "Airport Zone", which encapsulates the Wanaka airport (as well as the notified Queenstown airport), because the (Wanaka) Airport Zone is at this point in time only recommended in response to Stage 1 submissions⁸ and in the PDP at this point in time remains zoned Rural. Similarly, for example, the reference in the Council officers' post-hearing reply version of Chapter 30 Energy and Utilities refers to 'Electricity Distribution Corridor' with an associated definition. Because this concept is not in the notified PDP, and Council has not yet released decisions on submissions to Stage 1 topics, it cannot be referred to in the Stage 2 Earthworks Chapter.

This is a consequence of the staged approach to the review, and can be addressed through either interested parties lodging a submission, or the Council itself lodging a submission on the Stage 2 Open Space and Recreation Zones Chapter 38 to ensure the Stage 2 Open Space and Recreation Zones Chapter 38 ultimately includes any necessary standards for any new zones or issues, included in the PDP by Council Stage 1 decisions. It is acknowledged that before any submission by Council on the Stage 2 components is lodged, it will need to be passed by a resolution of Council.

2 Purpose of the report

Section 32 of the Resource Management Act 1991 ('**the RMA**') requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the RMA, and the policies and methods of those proposals to be examined for their efficiency, effectiveness and risk in achieving the objectives (MFE, 2014). This report fulfils the

⁷ For instance, Variation 1 Arrowtown Design Guidelines, withdrawal of land subject to PC 46, PC 50 and PC 51.

⁸ Refer to submission of Queenstown Airport Corporation #433. Section 42A report Chapter 17 dated 2 November 2016- Hearing Stream 8 Business Zones.

obligations of the Council under section 32 of the RMA. The analysis set out below (within sections 3 to 10) should be read together with the text of Proposed Chapter 38 – *Open Space and Recreation Zone*.

Accordingly, this report provides an analysis of the key issues, objectives and the policy response for the proposed Open Space and Recreation chapter of the Proposed District Plan under the following headings;

- a) An overview of the applicable **Statutory Policy Context** (Section 3);
- b) Description of the **Non-Statutory Context** (strategies, studies and community plans), which have informed the proposed provisions (Section 3);
- c) A description of the **Resource Management Issues**, which provide the driver for the proposed provisions (Section 4);
- d) An **Evaluation** against Section 32(1)(a) and Section 32(1)(b) of the RMA (Sections 7 and 8), that is:
 - Whether the objectives are the most appropriate way to achieve the RMA's purpose (Section 32(1)(a)).
 - Whether the provisions (policies and methods) are the most appropriate way to achieve the objectives (Section 32(1)(b)), including:
 - Identifying other reasonably practicable options for achieving the objectives,
 - Assessing the efficiency and effectiveness of the provisions in achieving the objectives, and
 - Summarising the reasons for deciding on the provisions (Section 8);
- e) A **level of detail** that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal (Section 32(1)(c)) (Section 6); and
- f) Consideration of **Risk** (Section 10).

3 Statutory Policy Context

Introduction

The responsibility on Council's to provide, manage and maintain Open Space and Recreation/Reserve areas is primarily through the Local Government Act 2002 ('**the LGA**') and the Reserves Act 1977 (through appointment from the Minister of Conservation). The other relevant legislation includes the RMA and the documents (statements, policies and plans) that are required to be prepared under this legislation.

In summary, the Council's provision of open space and recreation through these statutory requirements contributes to:

- a) Community well-being and economic development (particularly around tourism);
- b) Environmental health and safety;
- c) Managing infrastructure (for example roading and transport, sewerage, water and stormwater);
- d) Facilitating recreation and culture; and
- e) Resource management, including land use planning and development control.

Each of the relevant pieces of legislation is discussed in the rest of this section.

Resource Management Act 1991

Section 5 sets out the purpose of the RMA, which requires an integrated planning approach and direction to promote the sustainable management of natural and physical resources. Guidance as to how the overall sustainable management purpose is to be achieved is provided in the other sections, including sections 6, 7 and 8 of Part 2 of the RMA.

Section 6 of the RMA sets out a number of matters of national importance with the most relevant of those in relation to the proposed Open Space and Recreation Zone chapter including the following:

- (a) ***the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:***
- (b) ***the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:***
- (c) ***the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:***
- (d) ***the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:***

Section 7 lists “other matters” that Council shall have particular regard to and those most relevant to the proposed Open Space and Recreation Zone chapter including the following:

- (aa) ***the ethic of stewardship:***
- (b) ***the efficient use and development of natural and physical resources:***
- (c) ***the maintenance and enhancement of amenity values:***
- (d) ***intrinsic values of ecosystems:***
- (f) ***maintenance and enhancement of the quality of the environment:***
- (g) ***any finite characteristics of natural and physical resources:***
- (h) ***the protection of the habitat of trout and salmon:***

Section 8 requires that Council take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The principles as they relate to resource management derive from Te Tiriti o Waitangi itself and from resource management case law and practice. They can be summarised as follows:

- a) That there must be active protection of the partnership between the two parties;
- b) That there is an obligation to act with reasonableness and good faith, with both parties being prepared to compromise; and

- c) That dialogue and consultation will be the main way in which to give effect to the three principles outlined above.

A number of provisions have been included in the Proposed District Plan in response to the requirements in Part 2 (such as section 6(e) – the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga), and the same applies to the development of the proposed Open Space and Recreation Zone chapter.

As set out in the Council's Parks and Open Space Strategy 2017⁹, many of the Districts open spaces and reserves have high natural values and are home to a variety of ecosystems, including tussock lands, wetlands, streams, riparian margins, native bush and lake foreshores. These natural areas provide habitat for our native biodiversity and protect ecosystem services that are essential for a healthy environment. They also serve to protect the region's Outstanding Natural Features and Landscapes. Further, public walking tracks and cycleways, which are identified as Open Space and Recreation Zones, provide public access to and along lakes and rivers throughout the District. These values need to be protected, enhanced and celebrated to ensure future generations can learn about and enjoy them. This is important as the region is progressively changed through human activities and the consequences of climate change. Given the preceding, the relevant matters of national importance listed in section 6 and the "other matters" in section 7 of the RMA have been given appropriate recognition in the proposed provisions.

Local Government Act 2002

The LGA provides for democratic and effective local government that recognises the diversity of New Zealand communities. In particular, it states the purpose of local government and provides for local authorities to play a broad role in meeting the current and future needs of their communities. The relevance of the LGA (particularly sections 10, 11A(e), and 14(1)(c), (g) and (h)) in relation to the provision of open space is as follows:

10 Purpose of Local Government

(1) *The purpose of local government is--*

(a) *to enable democratic local decision-making and action by, and on behalf of, communities; and*

(b) *to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.*

(2) *In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—*

(a) *efficient; and*

(b) *effective; and*

⁹ 'Why Do We Need A Parks And Open Space Strategy?'; Parks and Open Space Strategy 2017, Queenstown Lakes District Council

(c) appropriate to present and future circumstances

11A Core services to be considered in performing role

In performing its role, a local authority must have particular regard to the contribution that the following core services make to its communities:

(e) libraries, museums, reserves, and other recreational facilities and community amenities.

14 Principles relating to local authorities

(c) when making a decision, a local authority should take account of—

(i) the diversity of the community, and the community's interests, within its district or region; and

(ii) the interests of future as well as current communities; and

(iii) the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii):

(g) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and

(h) in taking a sustainable development approach, a local authority should take into account—

(i) the social, economic and cultural interests of people and communities; and

(ii) the need to maintain and enhance the quality of the environment; and

(iii) the reasonably foreseeable needs of future generations.

The provisions of the LGA emphasise a strong intergenerational approach to the provision of core services (which includes reserves and other recreational facilities and community amenities), considering not only current environments, communities and residents, but also those of the future. The LGA demands a future focussed policy approach, balanced with considering current needs and interests. Like the RMA, the provisions of the LGA also emphasise the need to take into account social, economic and cultural matters, in addition to environmental ones.

Sections 14(g) & (h) of the LGA, as set out above, are of particular relevance, in so far as they direct a planning approach emphasising that open space and recreation areas contribute to and facilitate communities' wellbeing and development, while having regard to the efficient use of land, including any modification to it for economic wellbeing.

The approach through this review is to provide a balanced framework in the Proposed District Plan to manage these resources appropriately. Further, there is an emphasis on presenting the provisions in a manner that facilitates effective and efficient District Plan administration.

Reserves Act 1977

Most of the reserves within the District that would be within the proposed Open Space and Recreation Zone and chapter, are vested under the provisions of the Reserves Act. Section 3 of the Reserves Act sets out its purpose as being (in summary):

- a) For the preservation and management for the benefit and enjoyment of the public, areas of land that possess:
 - i. active or passive recreational use or potential;
 - ii. wildlife, indigenous flora or fauna;
 - iii. environmental and landscape amenity or interest; or
 - iv. natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, community or other special features or value;
- b) Ensuring the survival of all indigenous species of flora and fauna in their natural communities and habitats;
- c) Preservation of all classes of natural ecosystems and landscapes which in the aggregate originally gave New Zealand its own recognisable character;
- d) Ensuring the preservation of access for the public to and along lakeshores and riverbanks;
- e) Fostering and promoting the preservation of the natural character of the margins of lakes and rivers and the protection of them from unnecessary subdivision and development.

The Reserves Act provides for the vested reserves to be classified according to the purpose or reason that they were vested¹⁰. The classification then enables the administration of each reserve is to be undertaken according to that classification (for example; controlled, managed, developed, used, maintained or preserved). In addition to the general administration provisions of the Reserves Act, more detailed and longer term administration of a reserve can be achieved through the development of a Management Plan¹¹.

Section 74(2)(b)(i) of the RMA requires that district plans have regard to management plans and strategies prepared under other Acts. Due consideration has been given to the existing nineteen Reserve Management Plans and four reserve Development Plans for the District, and with the Operative Parks and Open Space Strategy 2017 within this report. Links to all of the reviewed documents are contained in the References section attached to end of this report.

Other reserves have been vested or are now administered by Council, through other legislation (such as the Queenstown Commonage Reserve Management Act 1876), these are also included in the proposed Open Space and Recreation Zone and chapter.

The classification of a reserve under the Reserves Act, or its purpose under other legislation, provides a statutory platform to inform the development of appropriate district plan provisions. As set out under Section 5 of this report, which follows, the purpose of a reserve

¹⁰ Reserve Act 1977, section 16 to section 25

¹¹ Reserve Act 1977, section 41

has, in many instances, a strong correlation to matters of national importance under the RMA (such as public access to and along the margins of lakes and rivers).

A reserve management plan should not be determinative of the provisions that are included in the district plan. A management plan is a relevant matter to have regard under s 74(2)(b) of the RMA. The Council, more generally, is also required to comply with the provisions of the Reserves Act 1977 (s42(11)) and therefore to administer the reserve in a way which is consistent with the Reserve Management Plan. However, ultimately the Reserves Act and the RMA are two separate statutory schemes with their own purposes.

National Policy Statements

The RMA requires that the District Plan give effect to any National Policy Statement ('**NPS**'). A NPS is a document prepared under the RMA to assist local government decide how competing national benefits and local costs should be balanced. Five NPS are currently in place, being the:

- NPS on Urban Development Capacity;
- NPS for Freshwater Management;
- NPS for Renewable Electricity Generation;
- NPS on Electricity Transmission; and
- New Zealand Coastal Policy Statement

A proposed NPS for Indigenous Biodiversity was notified in 2011. This NPS is not yet operative.

The NPS documents have been actively considered during the development of the proposed Open Space and Recreation Zone chapter. In particular, the proposed open space provisions provide sufficient development capacity, particularly with regard to "other infrastructure"¹², to meet the needs of people and communities and future generations in urban environments, in accordance with the NPS Urban Development Capacity.

Iwi Management Plans

When preparing or changing a district plan, Section 74(2A)(a) of the RMA requires that Council's must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. The following section provides a summary of the relevant provisions from the two iwi management plans that apply to the District:

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

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

¹² Other infrastructure includes open space, as defined in the NPS Urban Development Capacity 2016.

Murihiku values, knowledge and perspectives on natural resource and environmental management issues. It is an expression of kaitiakitanga. It has been designed to assist Ngāi Tahu ki Murihiku in carrying out kaitiaki roles and responsibilities and also to assist others in understanding tangata whenua values and policy.

In particular, the purpose of the Plan¹³ is to:

- a) Describe the values underpinning the relationship between Ngāi Tahu ki Murihiku and the natural environment;
- b) Identify the primary issues associated with natural resource and environmental management in the takiwā, from the perspective of Ngāi Tahu ki Murihiku; and
- c) Articulate Ngāi Tahu ki Murihiku policies and management guidelines for natural resource and environmental management, wāhi tapu and wāhi taonga.

Further, this Plan provides a tool⁹ to:

- a) Enable Ngāi Tahu ki Murihiku to effectively and proactively apply cultural values to the management of natural resources, wāhi tapu and wāhi taonga;
- b) Assist regional, territorial and national authorities to understand Ngāi Tahu ki Murihiku values and perspectives, and thus fulfil their statutory obligations under the RMA, Ngāi Tahu Claims Settlement Act 1998, the LGA, and other relevant legislation; and
- c) Provide a tool recognising the importance of consultation, but as such does not replace the need for direct communication and dialogue with Ngāi Tahu ki Murihiku.

Section 3.4, Takitimu Me Ona Uri: High Country and Foothills is one of two sections of the MNRMP 2008 that is considered to be of most relevance to this review and set out in the following sections are the policies from that section which have specific relevance to the proposed Open Space and Recreation Zone.

a) 3.4.8 – Access and Tourism in High Country and Foothill Areas

Policy 2. Development that includes building activity should consider specific landscape and geographical features and the significance of these to Ngāi Tahu Whānui. Activity where buildings will protrude above ridgelines or displace sites of cultural significance should be avoided.

Policy 3. Recognise and protect culturally significant sites and places associated with high country trails.

Policy 5. Encourage consent and concession authorities to consider appropriate locations and durations for activities involving tourism, recreation and access to the high country. This includes assessing the long term and cumulative effects that the activity may have. Further, authorities should provide for the potential availability of improved techniques and processes that will reduce overall effects on high country landscapes.

¹³ MNRMP 2008, Section 1.4

- Policy 6 Encourage education among tourist and other visitors about the cultural importance of mountains and other landforms to Ngāi Tahu Whānui.*
- Policy 8 Deter disrespectful activity by tourists or other visitors within areas designated as culturally significant. This includes education with respect to depositing of food, sewage, or rubbish away from designated sites and defacing of sites.*
- Policy 12. Recognise Ngāi Tahu Whānui continued access to areas of indigenous vegetation for customary use practices. For example, collection of a specific seed source, young shoots or flax for cultural use. Such collection shall be kept to a minimum so as to not impede succession and ensure habitats are retained.*

b) 3.4.10 Plant Pests

- Policy 2. Advocate that all management decisions shall take into account the protection and survival of indigenous species of flora and fauna (rare and not rare, and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems.*
- Policy 3 Require monitoring of plant pest control operations, for adverse effects on indigenous species, to be included in any pest management strategy.*
- Policy 12 Promote the use of native species in new developments as a means of reducing the risk of plant pest spread.*

c) 3.4.11 Animal and Bird Pests

- Policy 1 Advocate that all management decisions shall take into account the protection and survival of indigenous species of flora and fauna (rare and not rare, and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems.*

d) 3.4.12 Mahinga kai – mahi ngā kai

- Policy 3 All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect high country landscapes, wāhi tapu and mahinga kai sites and the history and traditions that are linked to these landscapes.*
- Policy 4 Promote the protection, restoration and enhancement of indigenous biodiversity.*

Policy 5 Advocate for the protection, restoration and enhancement of waterways, riparian margins, wetlands, and tarns as a means of protecting and enhancing indigenous biodiversity.

e) 3.4.14 Protecting Sites of Significance in High Country and Foothill Areas

Policy 3 Work with local authorities and other statutory agencies involved in the protection of cultural heritage to ensure that Ngāi Tahu perspectives and policies are reflected in statutory plans, best practice guidelines and strategies, and in resource consent processes (e.g. prohibited activity status for wāhi tapu areas).

Policy 6 Avoid compromising unidentified, or unknown, sites of cultural significance as a consequence of ground disturbance associated with land use, subdivision and development.

Section 3.5 Southland Plains: Te Rā a Takitimu of the MNRMP 2008 contains policies that have specific regard to subdivision and development as it related to Open Space and Recreation Zones. The policies of relevance are as follows:

a) 3.5.7 Subdivision and Development

Policy 1 Require iwi involvement in local authority planning processes that establish zoning provisions, including decisions pertaining to where subdivision and development is considered appropriate or inappropriate.

Policy 8 Advocate for the use of esplanade reserves, strips and other similar provisions on those waterways where such provisions are deemed necessary to protect and provide for waterway health and access values.

Policy 12 Subdivision activities along waterways of cultural importance to tangata whenua should maintain and enhance access to and along those waterways.

b) 3.5.17 Ngā Pononga a Tāne a Tangaroa - Biodiversity

Policy 1 Use planning, policy and resource consent processes to promote the protection and, where necessary, enhancement, of native biodiversity of Murihiku, specifically:

- a) enhancement and restoration of degraded areas;*
- b) planting of native species to offset or mitigate adverse effects associated with land use activities;*
- c) the incorporation of biodiversity objectives into development proposals;*
- d) prohibiting the use of pest plant species in landscaping.*

c) 3.5.19 Riparian Zones

Policy 1 Promote riparian zone establishment and management in Resource Management Act policy, planning and consent processes, as a tool to mitigate the adverse effects of land use activities on streams.

Kāi Tahu ki Otago Natural Resource Management Plan 2005

The *Kāi Tahu ki Otago* Natural Resource Management Plan 2005 ('**ONRMP 2005**') has been developed to:

- a) Provide the principal planning document for Kai Tahu ki Otago;
- b) Provide information, direction and a framework to achieve a greater understanding of the natural resource values, concerns and issues of Kai Tahu ki Otago;
- c) Provide a basis from which Kai Tahu ki Otago participation in the management of the natural, physical and historical resources of Otago is further developed;
- d) The ONRMP 2005 shall provide the basis, but not substitute, for consultation and outline the consultation expectations of Kai Tahu ki Otago.

The provisions of the ONRMP 2005 that are considered to be most relevance to this review are summarised below:

a) 5.4.3 Wahi Tapu Objectives

iii) Wahi tapu throughout the Otago region are protected in a culturally appropriate manner.

b) 5.6.3 Cultural Landscapes Objectives

ii) The protection of significant cultural landscapes from inappropriate use and development.

c) 5.6.4 Cultural Landscapes General Policies

Policy 1 To identify and protect the full range of landscape features of significance to Kāi Tahu ki Otago.

Policy 3 To promote the control of visitor and recreational activities that impact on significant landscapes.

Policy 6 To promote the identification of areas of historic heritage in collaboration with Local Government Agencies.

Policy 24 To discourage the erection of structures, both temporary and permanent, in culturally significant landscapes, lakes, rivers or the coastal environment.

Policy 29 To require public foot access along lakeshores and riverbanks within subdivisions.

Policy 32 To encourage that adequate provision is made for the storage and collection of litter and refuse, and disposal is in an approved manner.

Policy 37 To encourage the establishment of maximum visitor numbers to sensitive areas.

d) 10.3.3 Wahi Tapu Policies in the Clutha/Mata-au Catchment

Policy 1 To require that wāhi tapu sites are protected from further loss or destruction.

Regional Planning Documents

Otago Regional Policy Statement

The Otago Regional Policy Statement ('**ORPS**') establishes the framework within which the development and administration of Otago's regional and district plans can be undertaken. The operative ORPS came into effect in October 1998. In May 2015, the proposed ORPS was notified, with the Otago Regional Council releasing its decisions on the hearings in October 2016, parts of which have subsequently been appealed. In accordance with section 75(3)(c) of the RMA, a district plan must "*give effect to*" the operative ORPS, while section 74(2)(a) of the RMA states a district plan must "*have regard to*" the proposed ORPS.

Operative ORPS

The operative ORPS contains a number of objectives and policies of relevance to the proposed Open Space and Recreation Chapter and those of direct relevance are set out in the sections outlined below:

Within Chapter 5 – *Land*, Objectives 5.4.1 to 5.4.4 and related policies (5.5.1, 5.5.4, 5.5.6 and 5.5.7), which, in broad terms, promote the sustainable management of Otago's land resource by:

- a) Maintaining and enhancing the primary productive capacity and life supporting capacity of land resources, and to meet the present and reasonably foreseeable needs of Otago's people and communities;
- b) Avoiding, remedying or mitigating the degradation of Otago's natural and physical resources resulting from activities utilising the land resource;
- c) Protecting outstanding natural features and landscapes from inappropriate subdivision, use and development; and
- d) Ensuring public access opportunities.

Within Chapter 9 – *Built Environment*, Objectives 9.4.1 and 9.4.3 and related policies (9.5.4, 9.5.5 and 9.5.6) are relevant and broadly seek to:

- a) Avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources;
- b) Maintain and enhance the quality of life for people and communities within Otago's built environment; and
- c) Recognise and protect Otago's regionally significant heritage sites.

Within Chapter 10 – *Biota*, Objective 10.4.3 and related policies (10.5.1 and 10.5.2), which broadly seek to maintain and enhance the natural character of areas with significant indigenous vegetation and habitats of indigenous fauna.

Overall, it is considered that the proposed Open Space and Recreation Chapter provisions and evaluation of the same give effect to the operative ORPS.

Proposed ORPS (as notified)

The Proposed Otago Regional Policy Statement (**PRPS**) was notified for public submissions on 23 May 2015, and decisions on submissions were released on 1 October 2016. The majority of the provisions of the Decisions Version have been appealed and mediation is currently taking place. Accordingly, limited weight can be provided to the Decisions Version of the PRPS.

The PRPS contains a number of objectives and policies of relevance to the proposed Open Space and Recreation Zone chapter and those of direct relevance are set out in the following sections:

Within Chapter 1 – *Resource management in Otago is integrated*, Objective 1.1 and policy 1.1.3, broadly seek to recognise and provide for the integrated management of natural and physical resources to support the social and cultural wellbeing of people and communities in Otago.

Within Chapter 2 – *Kai Tahu values and interests are recognised and kaitiakitaka is expressed*, Objective 2.2, and related policies 2.2.2, 2.2.3, and 2.2.4, broadly seek to recognise and provide for the interests and values of Kai Tahu in the Otago Region.

Within Chapter 3 – *Otago has high quality natural resources and ecosystems*, Objectives 3.1 and 3.2, and related policies 3.1.2, 3.1.9, 3.1.10, 3.1.12, 3.2.2, 3.2.4, 3.2.6 and 3.2.16, broadly seek to recognise, protect, maintain and enhance, Otago's natural resources, particularly those that are deemed to be significant or highly valued.

Within Chapter 4 – *Communities in Otago are resilient, safe and healthy*, Objective 4.5 and related policies 4.5.1, 4.5.2, 4.5.3, and 4.5.6, broadly seek to ensure urban growth and development is well designed using good urban design principles to reflect local character and integrate effectively with adjoining urban and rural environments.

Within Chapter 5 – *People are able to use and enjoy Otago's natural and built environment*, Objectives 5.1 and 5.2, and associated policies 5.1.1, 5.2.1 and 5.2.3, broadly seek to provide and enhance public access to areas of value, and recognise historic heritage.

Overall, it is considered that the proposed Open Space and Recreation Zone chapter provisions, and evaluation of the same, have regard to the PRPS.

4 Resource Management Issues

Introduction

As previously discussed, the current provisions for the management, use and development of the majority of open spaces and recreation areas via the designation process within the Proposed and Operative District Plan are considered inadequate. This was identified during

the hearings process for the proposed Designation Chapter forming part of Stage 1 of the Proposed District Plan Review. In that regard, the evidence presented by Ms Jeannie Galavazi of Council, for and on behalf of Council, noted that there is no generally applied open space or similar zone for reserves in the District. Rather, parks and reserves in the District are generally zoned according to the adjacent and surrounding neighbourhood zones, or as Rural General (as is the case in Queenstown and Wanaka town centres). Additionally, all reserves are designated for a variety of related purposes, which enables the Council to undertake works in accordance with the purpose. Some designations have specific conditions, while others are subject to general conditions. In total, there are over 200 designations for reserve purposes in the Operative District Plan. There are two consequences associated with the same, one being that similar types of reserve may have different zonings, and the other being that the activities that occur on reserves are generally not contemplated by the zoning framework. In essence, the current situation does not appropriately provide for the management of the Council's open spaces, with unnecessary resource consents often required for any use and development, particularly for third parties, such as sports clubs or lease holders.

There is also an inefficiency with the obligation under section 176 of the RMA to provide an outline plan or outline plan waivers for nearly every activity including the installation of signage and park furniture such as barbecues. The provision of such activities could be more efficiently undertaken through a zoning framework that provides for these as a permitted activity regime.

The overarching goal of the proposed Open Space and Recreation Zone is to consolidate the provisions by providing more targeted objectives and policies that address matters such as, ensuring that any existing open spaces and new reserves are meeting the needs of the community and are protected for future generations. This includes making the Proposed District Plan easier to understand and improving certainty to what activities are permitted and whether they require resource consent or not.

Section 4.4.2 of the Operative District Plan sets out the following five district-wide issues as relevant to the use, management and development of open space and recreation within the District:

- a) Public Access to and Along the Lakes and Rivers;
- b) Environmental Effects of Recreation Activities;
- c) Effects on the Range and Quality of Recreational Opportunities;
- d) Contributions Towards Public Open Space from Subdivision and Development; and
- e) Litter and Waste.

Further to the discussion within Section 1 of this report, Issues a) to d) continue to be the relevant resource management issues, while Issue e) is a park management/administration issue and, as such, is not considered further in this report.

In light of the discussion in Section 1 of this report, the relevant resource management issues now, and for the future, have been reframed as follows:

- **Issue 1** – Provision of an accessible network of open spaces and recreation / community facilities;
- **Issue 2** – Protection of natural open space, waterbodies and their margins;

- **Issue 3** – Potential loss of character, quality and amenity of open space and recreation areas;
- **Issue 4** – Potential adverse effects of recreation activities; and
- **Issue 5** – A framework that provides certainty, efficiency, and for the effective management of open spaces and recreation areas, including commercial activities undertaken within these areas.

These issues are now discussed in further detail below.

Key Issues:

Issue 1 – Provision of an accessible network of open spaces and recreation / community facilities.

As discussed earlier in the report and as set out in the Parks and Open Space Strategy 2017, in urban areas, open spaces provide amenity for residents and visitors (providing relief from the built environment), and opportunities for active and passive recreation. Open spaces are also recognised as not only performing a destination purpose, they also provide important active transport linkages through and between urban areas to complement other modes of transport that form part of the transport network. They also provide centres for community activities, being civic and other events. Increasing population growth and urban intensification is and will continue to place pressure on open spaces and recreation facilities.

Different types of open space and recreation are needed to cater for a range of roles, functions and activities. Accessibility to and within the network is a key issue, in terms of distribution, function and any deficiencies. In order to increase the capacity of open space and recreation facilities there is a need to promote compatible mixed or multi-functional use of land, buildings and facilities. There is a growing demand for a variety of facilities within parks which enable co-location of different compatible uses and sharing of facilities (including community facilities).

The continued provision and future development of these existing facilities is integral to the ongoing development of the District. The Open Space and Recreation Zone provisions therefore seek to maintain the existing purpose of each open space/reserve area and where appropriate provide opportunities for them to be developed further. Enabling multifunctional use of larger sites is in some instances helpful to ensure ongoing affordability of sport and recreation facilities in the District.

Issue 2 – Protection of natural open space, waterbodies and their margins.

The District's open spaces owned by the Council, Department of Conservation, the Crown and iwi, encompass extensive natural, ecological, scenic and outdoor recreation areas. While the primary focus is on conservation and protection of areas of significant biodiversity, landscape, cultural and historic values, they also enable people to experience the natural open space environment. Recreation, tourism and rural activities need to be managed to ensure they are compatible and do not adversely impact on the values sought to be protected.

The interconnected network of rivers, streams, lakes and wetlands plays an important role in shaping the District. These connections and spaces are highly valued for their ecological function and amenity, but they can also play an important role as a recreation resource. However, some of these areas are vulnerable to change both within them and from activities and land uses occurring in surrounding areas. Some controls will be needed within the proposed Open Space and Recreation Zone chapter provisions to address adverse effects on the values within each area (such as type and scale of buildings). Some controls will be needed within other zone chapters (Parts Three and Four) to address the interface where they adjoin or are in close proximity to open space and recreation zones, and other provisions that apply across all zones (such as earthworks) are more appropriately located within those chapters within Part Five.

Issue 3 - Potential loss of character, quality and amenity of open space and recreation areas.

Activities, buildings and structures within open space and recreation areas have the potential to be incompatible with the role and anticipated use of some areas. Facilities designed to support active recreation and sports vary in scale and the designs may range from open sports fields to large buildings, from small playgrounds to stadia. It is important to maintain the predominance of open space or other character or quality in the reserves, unless the site is specifically dedicated to the provision of indoor sports/recreation and/or community facilities, which means more intensive development is appropriate. The provisions within the zone need to direct such developments to appropriate sites that are distributed around the District.

Intensive activities have the potential to impact on the amenity of the open space/reserve users, the zoned land itself, neighbours and surrounding areas. Clear direction as to where more intensive activities are expected to locate within the reserve itself or on other reserves, is required to address this matter.

Ensuring a safe physical environment is an important aspect of designing open spaces and recreation areas, so that they are utilised by the communities which they are designed for. Sufficient lighting in public areas, locating parking areas in close proximity to recreation facilities, providing clear sightlines and enabling passive surveillance by having open space and recreation areas overlooked from streets or residential areas, can all contribute to making public areas safe and hence increase their amenity value.

Issue 4 – Potential adverse effects of recreation activities.

Intensive recreation activities, including commercial recreation activities, have the potential to impact on the open space/reserve users, the zoned land itself, amenity of neighbours and surrounding areas. Clear direction as to where more intensive activities or those with adverse effects (such as noise) are expected to locate within the reserve itself and/or the standards to be met to ensure the amenity of adjoining or nearby activities is protected, is required to address this matter. Alternatively, the provisions for the open space and recreation area may indicate that the proposed activity is more suited to another type of space.

Where reserve management plans are operative under the Reserves Act 1977, the management of activities within the open space area are addressed. However, in some

instances there may be no management plan or these plans do not adequately address the impacts of activities on the surrounding area. This could have occurred due to the management plan having been prepared some time ago and hence does not address new development around it or may be due to the limited opportunity for people to influence the content of the management plan (although the Reserves Act 1977 provides for consultation and written comment, there is no requirement for further submissions or hearings and there are limited appeal rights). The assessment of activities with the potential to have adverse effects through the resource consent process provides the opportunity for submissions, hearings and potentially appeals.

Issue 5 - A framework that provides certainty, efficiency, and for the effective management of open spaces and recreation areas, including commercial activities undertaken within these areas.

The issue of the existing unnecessarily complex planning framework is discussed in Section 1 - Introduction of this report and the Introduction to this Section.

In order to simplify, streamline and provide clarity, the Proposed District Plan has adopted a zoning and provision approach that is specific for open spaces and recreation areas. Five zones and four sub-zones are used to manage activities on land zoned Open Space and Recreation within the District in accordance with their scale and function, and these are:

- Nature Conservation Zone;
- Informal Recreation Zone (including the Ben Lomond sub-zone);
- Active Sports and Recreation Zone;
- Civic Spaces Zone; and
- Community Purpose Zone, which includes three sub-zones to specifically manage cemeteries, golf and camping activities.

The provisions within the proposed zones are designed to better provide for public amenities, day-to-day park management activities, existing and future anticipated activities, including those associated with commercial developments, and therefore reduce unnecessary consenting requirements.

A sub-zone is provided for over the Ben Lomond recreation reserve area to recognise the existing significant levels of tourism and recreation infrastructure unique to this location, and to provide for further sensitive development that takes into account the established activities at this location.

Background Documents, Projects and Consultation

The following Council documents and projects have been undertaken in recent years and have informed this Section 32 evaluation. Links to the documents are listed in the References section attached to this report:

Council Proposed District Plan Stage 1:

- Council Section 32 Reports:
 - Chapter 2 – Definitions;
 - Chapter 3 – Strategic Direction;
 - Chapter 21 – Landscape, Rural Zone and Gibbston Character Zone;

- Chapter 22 – Rural Residential and Rural Lifestyle;
 - Chapter 27 – Subdivision and Development; and
 - Chapter 35 – Temporary Activities.
- The Stage 1 Designation Notification Information.

Council Reserve Management Plans, Strategies and associated Documents¹⁴:

- QLDC Parks and Open Space Strategy 2017
- QLDC Growth Projections to 2058, 2017
- Arrowtown - Lake Hayes Reserve Management Plan
- Ben Lomond and Queenstown Hill Reserve Management Plan
- Queenstown Gardens Reserve Management Plan
- Queenstown Bay Foreshore Reserves Management Plan
- Wanaka Lakefront Reserve Management Plan
- Wanaka Lakefront Development Plan
- Albert Town Recreation Reserve Management Plan
- Eely Point Reserve Management Plan
- Lismore Park, Kellys Flat and Allenby Park Reserve Management Plan
- Pembroke Park Reserve Management Plan
- Queenstown Recreation Ground Reserve Management Plan
- Ruby Island Reserve Management Plan
- Sunshine Bay to Kelvin Heights Reserve Management Plan
- Wanaka Library and Bullock Creek Reserve Management Plan
- Wanaka Recreation Reserve Management Plan
- Lake Hawea Foreshore Reserve Development Plans

Council Monitoring Reports:

- Community Outcomes Monitoring Report 2009
- Section 20 of the District Plan Monitoring Report – Open Space Zone – Landscape Protection, 2012

Regional and National Planning Documents:

- Otago Regional Council Operative Regional Policy Statement 1998
- Otago Regional Council Proposed Regional Policy Statement 2015 (as notified)
- Kai Tahu ki Otago Natural Resource Management Plan 2005
- Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008
- Reserves Act 1977

Council Local Government Act Documents:

- Local Government Act 2002

¹⁴ In particular, the first seven documents listed under this heading

- 2012 - 2022 10 Year Plan
- 2015 - 2025 10 Year Plan
- Annual Plan 2017-2018

Other Documents

- Memorandum of Understanding Agreements with parks and open space partners.
- QLDC Policy on Development Contributions and Financial Contributions

One of the key documents of relevance to this section 32 report is the Parks and Open Space Strategy 2017. The Parks and Open Space Strategy 2017 seeks to ensure any existing open spaces and new reserves are meeting the current and future needs of the community and are protected for future generations. It is considered that the District has a variety of open space and reserve areas that play a vital role in making the area a great place to work and play. The continued development within the District, along with the associated increase in residents and visitor numbers, can put pressure on the use of the land as more people want to use and enjoy these areas. This is the reason that Council considers the development and protection of the District parks and reserves, and improvements to the quality of them, is important.

Consultation

Council has undergone significant community consultation with regard to open space and recreation areas prior to notification of the proposed Open Space and Recreation Zone chapter. This has included the development of the nineteen Reserve Management Plans and the Parks and Open Space Strategy 2017, which became operative in May 2017.

Consultation on the Open Space and Recreation Zones has been limited and will rely in large part on statutory submission processes.

Consultation with the commercial parties that operate on Ben Lomond, including Skyline, Kiwi Birdlife Park and Ziptrek Tours, was undertaken by Council in August 2017. This consultation included providing draft provisions of the proposed Open Space and Recreation Zone chapter to these parties and receiving their comments to the same.

5 Purpose and Options

The District's open space and recreation facilities are consistently highly valued by residents in Council's resident's surveys. They fulfil a diversity of social, political, economic and environmental demands and outcomes. Demand for development on existing open space and parks, and for new spaces, changes depending on a number of factors, including population and household change, visitor numbers and type, economic sustainability and growth, quality of life, and community needs and desires. Council will support the development of both existing, and the creation of new, open space and recreation areas where they are located in the required places and with the appropriate capacity to meet the needs of the District.

Determining the most appropriate methods to resolve the issues highlighted for the proposed Open Space and Recreation Zone chapter will enable the District Plan to give effect to the

relevant parts of the Strategic Directions chapter, and ultimately meet the purpose of the RMA.

In particular, and as previously discussed, the land that is the subject the proposed Open Space and Recreation Zone chapter is in Council ownership or administration, and the provisions will work in tandem with Council's Parks and Open Space Strategy 2017, reserve management plans, bylaws and other management tools available to Council (such as licences). The provisions in the zone focus on the management of activities and effects that are not addressed through other methods.

Strategic Directions

The following goals, objectives and policies from the notified version of the Strategic Directions chapter of the Proposed District Plan Stage 1 are considered relevant to this assessment:

Goal 3.2.2: The strategic and integrated management of urban growth.

Objective 3.2.2.1: Ensure urban development occurs in a logical manner:

- *to promote a compact, well designed and integrated urban form;*
- *to manage the cost of Council infrastructure; and*
- *to protect the District's rural landscapes from sporadic and sprawling development.*

Policy 3.2.2.1.3: Manage the form of urban development within the Urban Growth Boundaries (UGBs) ensuring:

- *Connectivity and integration with existing urban development;*
- *Sustainable provision of Council infrastructure; and*
- *Facilitation of an efficient transport network, with particular regard to integration with public and active transport systems*

Goal 3.2.3: A quality built environment taking into account the character of individual communities.

Objective 3.2.3.1: A built environment that ensures our urban areas are desirable and safe places to live, work and play.

Policy 3.2.3.1.2: That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.

Goal 3.2.4: The protection of our natural environment and ecosystems.

Objective 3.2.4.2: Protect areas with significant Nature Conservation Values.

Objective 3.2.4.7: Facilitate public access to the natural environment.

Policy 3.2.4.7.1: Opportunities to provide public access to the natural environment are sought at the time of plan change, subdivision or development.

Goal 3.2.5: Our distinctive landscape are protected from inappropriate development.

Objective 3.2.5.1: Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.

Goal 3.2.6: Enable a safe and healthy community that is strong, diverse and inclusive for all people.

Objective 3.2.6.3: A high quality network of open spaces and community facilities.

Policy: 3.2.6.3.1 Ensure that open spaces and community facilities are accessible for all people.

Policy 3.2.6.3.2: That open spaces and community facilities are located and designed to be desirable, safe, accessible places.

In general terms, and within the context of this review, these goals, objectives, and policies, are met by adopting the provisions of the five proposed zones and four sub-zones in the chapter. In turn, this will assist in:

- Enabling and facilitating public access to the natural environment, including areas identified as having significant Nature Conservation Values, Significant Natural Areas, and cultural or heritage values;
- Protecting the Districts reserves that contain Outstanding Natural Landscapes and Outstanding Natural Features from inappropriate use and development where currently designated as a reserve and by identifying these areas as an appropriate Open Space and Recreation Zone;
- Providing rules that are efficient, effective and provide certainty, which, in turn, reduces costs for the Council as manager of the proposed Open Space Zone and wider community; and
- Establishing and designing open spaces and recreation opportunities that are well thought out and designed to ensure public safety, while maximising the use of these areas.

As required by section 32(1)(b) of the RMA, the following section considers various broad options considered to address each issue, and makes recommendations as to the most appropriate course of action in each case.

Broad options considered to address issues

Issue 1: Provision of an accessible network of open spaces and recreation / community facilities.

Option 1: Retain the operative provisions (no change); or

Option 2: Amend the operative provisions to recognise anticipated activities within open space and recreation areas; or

Option 3: Significant changes including consistently rezoning open space and recreation areas, removing designations on the majority of open spaces, as considered appropriate, once the proposed District Plan is operative, and establishing a rule framework that permits or controls a range of anticipated activities (**Recommended**)

	Option 1: Status quo / No change	Option 2: Amend	Option 3: Significant Changes to the framework
Costs	<ul style="list-style-type: none"> The identified issues would not be resolved. Does not provide for or anticipate how to better manage and provide a framework for growth over the life of the next District Plan. 	<ul style="list-style-type: none"> Would not remove existing layers of complexity and excessive text. Retaining the existing underlying zones and designations would not simplify the provisions. 	<ul style="list-style-type: none"> Costs to the Council to formulate new provisions.
Benefits	<ul style="list-style-type: none"> Retains the established approach, which parties are familiar with. Low cost for Council. Retains a relatively high level of control for the Council to manage the effects of activities. 	<ul style="list-style-type: none"> Retains the established approach which parties are familiar with. Lower cost for Council to establish provisions when compared to the cost of option 3. Could enable some activities to make the provisions more efficient, without significant changes to existing zones or provisions. Can remove identified deficiencies in the provisions that have little consequence. 	<ul style="list-style-type: none"> Benefit to the users of the District Plan and wider community from simplified provisions. Provides communities with the opportunity to develop to a permitted activity and avoid costs and time associated with the resource consent process. Increased efficiency for the Council's District Plan administration. Efficiency for the community when undertaking anticipated activities in these zones. Revision of the proposed zoning hierarchy for open spaces better reflects the manner in which different open spaces are used, and how they should be developed and managed. Complements other planning and strategic open space documents (especially the Parks and Open Space Strategy 2017).

			<ul style="list-style-type: none"> • Revisions to permitted controls to better reflect anticipated scale and use of buildings and structures in open spaces, including recognition that larger buildings are generally more appropriate in certain parks or reserves than others. • Revisions to the proposed zoning assist the community by providing alternative active transport networks and routes.
Ranking	3	2	1

Issue 2: Protection of natural open space, waterbodies and their margins

Option 1: Retain the operative provisions (no change); or

Option 2: Amend the operative provisions to recognise anticipated activities within open space and recreation areas; or

Option 3: Significant changes including consistently rezoning open space and recreation areas, removing designations on the majority of open spaces, as considered appropriate, once the proposed District Plan is operative, and establishing a rule framework that permits or controls a range of anticipated activities (**Recommended**).

	Option 1: Status quo / No change	Option 2: Amend	Option 3: Significant Changes to the framework
Costs	<ul style="list-style-type: none"> • The identified issues would not be resolved. • The objectives and policies do not give effect to the Proposed Strategic Directions Chapter. • The existing provisions do not assist with the identification of community and commercial activities that may be appropriate. 	<ul style="list-style-type: none"> • Would not remove existing layers of complexity and excessive text. • Would not provide the necessary framework to enable protection approach to be clearly set out. 	<ul style="list-style-type: none"> • Costs to the Council to formulate new provisions. • Potential loss of environmental protection and failure to promote Part 2 of the RMA, particularly the matters of national importance in section 6.
Benefits	<ul style="list-style-type: none"> • Retains the established approach, which parties are familiar with. • Retains a relatively high level of control for the Council to manage the effects of activities. • Low cost for Council. 	<ul style="list-style-type: none"> • Increased focus on protecting the values of natural open space, waterbodies and their margins by the use and development of an appropriate open space network. 	<ul style="list-style-type: none"> • Benefit to the users of the District Plan and wider community from simplified provisions. • Provides communities with the opportunity to develop to a permitted activity and avoid costs and time associated with the resource consent process.

			<ul style="list-style-type: none"> • Increased efficiency for the Council's District Plan administration. • Efficiency for the community when undertaking anticipated activities in these zones. • Urban residents will have improved access to open spaces, where that is appropriate. • Revision to the proposed zoning hierarchy for open spaces better reflects the manner in which different open spaces are used, and how they should be developed and managed (including privately-owned open spaces) or protected; • Revisions to permitted controls to better reflect anticipated scale and use of buildings and structures in open spaces, including recognition that larger buildings are generally more appropriate in certain parks/reserves than others. • Retention of ability to mitigate hazards and managed pests in open space and conservation areas. • New focus on implementing Crime Prevention Through Environmental Design principles to achieve better safety outcomes,
Ranking	3	2	1

Issue 3: Potential loss of character, quality and amenity of open space and recreational areas

Option 1: Retain the operative provisions (no change); or

Option 2: Amend the operative provisions to recognise values of open spaces; or

Option 3: Significant changes including consistently rezoning open space and recreation areas, removing designations on the majority of open spaces
(Recommended)

Option 1:	Option 2:	Option 3:
Status quo / No change	Amend	Significant Changes to the framework

Costs	<ul style="list-style-type: none"> Identified issues would not be resolved. The objectives and policies do not give effect to Proposed Strategic Directions chapter. The existing policies do not assist with the identification of community and commercial activities that may be appropriate. 	<ul style="list-style-type: none"> Neutral as existing provisions of the Operative District Plan require the management and protection of natural, cultural and heritage values. 	<ul style="list-style-type: none"> Costs to the Council to formulate new provisions.
Benefits	<ul style="list-style-type: none"> Retains the established approach, which parties are familiar with. Low cost for Council to retain the provisions. 	<ul style="list-style-type: none"> Increased focus on protecting and enhancing areas of natural, cultural and heritage significance through use and development of the open space network. 	<ul style="list-style-type: none"> Increased focus on protecting and enhancing areas of natural, cultural and heritage significance through use and development of the open space network. Clarity around form and function of each open space area, which will assist in their appropriate development.
Ranking	3	2	1

Issue 4: Potential adverse effects of recreation activities

Option 1: Retain the operative provisions (no change); or

Option 2: Amend the operative provisions to recognise values of open spaces; or

Option 3: Significant changes including consistently rezoning open space and recreation areas, uplifting designations on the majority of open spaces, as considered appropriate, once the proposed District Plan is operative, and establishing a rule framework that permits or controls a range of anticipated activities (**Recommended**).

	Option 1: Status quo / No change	Option 2: Amend	Option 3: Significant Changes to the framework
Costs	<ul style="list-style-type: none"> Identified issues would not be resolved. The objectives and policies do not give effect to Proposed Strategic Directions chapter. 	<ul style="list-style-type: none"> Neutral as existing provisions of the Operative District Plan require the management of the adverse effects of recreation activities on adjoining land uses. 	<ul style="list-style-type: none"> Costs to the Council to formulate new provisions.

	<ul style="list-style-type: none"> The existing policies do not assist with the identification of adverse amenity effects and the manner in which they are to be avoided, remedied or mitigated. 		
Benefits	<ul style="list-style-type: none"> Retains the established approach, which parties are familiar with. Low cost for Council to retain the provisions. 	<ul style="list-style-type: none"> Increased focus on protecting the amenity values of adjoining land uses, particularly residential, from adverse effects. 	<ul style="list-style-type: none"> Increased focus on protecting the amenity values of adjoining land uses, particularly residential, from adverse effects. Clarity around form and function of each open space area, which will assist in their appropriate development taking into account the specific amenity values of adjoining land uses.
Ranking	3	2	1

Issue 5: A framework that provides certainty, efficiency, and for the effective management of open spaces and recreation areas, including commercial activities undertaken within these areas.

Option 1: Retain the operative provisions (no change); or

Option 2: Amend the operative provisions to recognise values of open spaces; or

Option 3: Significant changes including consistently rezoning open space and recreation areas, uplifting designations on the majority of open spaces, as considered appropriate, once the proposed District Plan is operative, and establishing a rule framework that permits or controls a range of anticipated activities **(Recommended)**

	Option 1: Status quo / No change	Option 2: Amend	Option 3: Significant Changes to the framework
Costs	<ul style="list-style-type: none"> Identified complexity issues would not be resolved. The objectives and policies do not give effect to Proposed Strategic Directions chapter, nor do they provide a framework that sets out the purpose of the different open space and recreation areas. Unnecessary resource consents 	<ul style="list-style-type: none"> Would not remove existing layers of complexity and excessive text. Retaining the existing underlying zones and designations would not simplify the provisions. 	<ul style="list-style-type: none"> Costs to the Council to formulate new provisions.

	required for 3 rd parties wishing to establish legitimate open space and recreation activities.		
Benefits	<ul style="list-style-type: none"> Retains the established approach, which parties are familiar with. Low cost for Council to retain the provisions. 	<ul style="list-style-type: none"> Same as for Option 1 	<ul style="list-style-type: none"> Reduces unnecessary resource consent costs, particularly for third parties. Provides an integrated and complete set of provisions that clearly set out the outcomes for each open space and recreation area. Provides greater certainty to those responsible for the management, maintenance and development of open space and recreation areas, for their day-to-day operation and for the development of reserve management plans. With open space and recreation areas allocated to respective zones, there is potential for reserve management plans to be developed to cover a number of reserves, rather than each reserve having its own reserve management plan.
Ranking	3	2	1

6 Scale and Significance Evaluation

In accordance with section 32(1)(c) of the RMA, the level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions. In making this assessment, regard has been had to the following, namely whether the objectives and provisions:

- Result in a significant variance from the Operative District Plan
- Address matters that are of district and/or regional significance;
- Have effects on resources that are considered to be a matter of national importance in terms of section 6 of the RMA;
- Result in significant change to the character and amenity of local communities;
- Limit options for future generations to remedy effects;
- Adversely affect those with specific interests, e.g., Community groups, Tangata Whenua;
- Involve effects that have been considered implicitly or explicitly by higher order documents; and
- Impose increased costs or restrictions on individuals, communities, or businesses.

The level of detail and evaluation is proportionate to the importance of the proposed Open Space and Recreation Zone provisions, which is considered to be 'moderate-high'. The approach set out in the Proposed District Plan is fundamental and significantly different approach to that contained in the Operative District Plan, and accordingly needs to be considered in sufficient detail to confirm it is the correct approach to adopt.

The facilitation of protecting some reserves and enabling the ongoing development of other reserves to meet the ongoing resident and visitor demands, is an important aspect that contributes to the social, cultural, economic and environmental wellbeing of the District. The appropriateness of the objectives in terms of meeting the purpose of the RMA and the environmental, economic, social and cultural costs and benefits have been considered through the evaluation report.

This Section 32 evaluation will continue to be updated through the submission and hearing process.

7 Evaluation of proposed Objectives Section 32(1)(a)

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Section 32(1)(a) requires an evaluation of the extent to which the proposed objectives are the most appropriate way of achieving the purpose of the RMA. The proposed objectives and the evaluation of the same are set out in the following table:

<i>Proposed Objective</i>	<i>Appropriateness</i>
<p>38.2.1 Objective (District Wide) The open space and recreation needs of the District’s residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities.</p>	<p>Objective 38.2.1 is considered the most appropriate way to meet the purpose of the RMA because it provides spaces within the District’s natural and physical resources that can be utilised by people and communities for their social, economic, and cultural well-being, and for their health and safety.</p> <p>Objectives 38.2.2 and 38.2.4 are considered the most appropriate way to achieve the purpose of the RMA because these objectives go some way toward achieving the sustainable management of natural resources by safeguarding the life-supporting capacity of air, water, soil and ecosystems, by limiting the use and development of open spaces in such areas. In this regard, these objectives contribute towards achieving section 7(c) of the RMA, being the maintenance and enhancement of amenity values, and section 7(f) of the RMA, being the maintenance and enhancement of the quality of the environment. Objective 38.2.2 also establishes the framework for a wide range of landscape natural, cultural and heritage provisions that, in turn, recognises the District features that are of national importance, which shall be provided for when considering development, as required by section 6 of the RMA. Further, the achievement of objective 38.2.4 will contribute towards the preservation of the natural character of waterbodies and their margins by protecting them from inappropriate subdivision, use and development (in accordance with 6(a) of the RMA). It will also contribute towards maintaining and enhancing public access to and along lakes and rivers.</p>
<p>38.2.2 Objective (District Wide) Recreation activities are undertaken and facilities constructed in a way that maintains or enhances the values of open space areas and the recreation opportunities available within the District.</p>	<p>Objective 38.2.3 is considered the most appropriate way to meet the purpose of the RMA because it identifies that commercial activities that enable people and communities social, economic, and cultural well-being, may be located on open spaces, where such activities do not result in adverse effects on the environment that cannot be avoided, remedied or mitigated.</p>
<p>38.2.3 Objective (District Wide) Commercial activities are limited to those that have a functional requirement to locate within Open Space and Recreation Zones and do not degrade open space and recreation values.</p>	<p>Overall, the objectives establish the framework that there are a range of open spaces and recreational zones that are suited to different types of activities, use and development.</p> <p>The District Wide objectives, 38.2.1, 38.2.2, 38.2.3 and 38.2.4, are consistent with the following Strategic Directions objectives and policies:</p> <ul style="list-style-type: none"> • <i>Objective 3.2.3.1: Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.</i>

38.2.4 Objective (District Wide)

The interface between activities within the Open Space and Recreation Zones are managed to protect, maintain or enhance the natural character of waterbodies and their margins.

- *Policy 3.2.3.1.2: That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.*
- *Objective 3.2.4.7 Facilitate public access to the natural environment.*
- *Policy 3.2.4.7.1 Opportunities to provide public access to the natural environment are sought at the time of plan change, subdivision or development.*
- *Objective 3.2.6.3: Provide a high quality network of open spaces and community facilities.*
- *Policy: 3.2.6.3.1 Ensure that open spaces and community facilities are accessible for all people.*
- *Policy 3.2.6.3.2: That open spaces and community facilities are located and designed to be desirable, safe, accessible places.*

Gives effect to the following Operative ORPS objectives:

- Objective 5.4.1
- Objective 5.4.2
- Objective 5.4.4
- Objective 9.4.1
- Objective 9.4.3

Gives effect to the following Operative OPRS policies:

- Policy 5.5.4
- Policy 5.5.5
- Policy 5.5.7
- Policy 9.5.4
- Policy 9.5.5

Has regard to the following Proposed ORPS objectives and policies:

- Objective 1.1
- Policy 1.1.3
- Objective 3.1
- Policy 3.1.9
- Policy 3.1.12

	<ul style="list-style-type: none"> • Objective 3.2 • Policy 3.2.2 • Policy 3.2.6 • Objective 4.5 • Policy 4.5.1 • Objective 5.4 <p>Takes into account the following MNRMP 2008 policies:</p> <ul style="list-style-type: none"> • 3.4.8 - Policy 2 • 3.4.11 - Policy 1 • 3.4.14 - Policy 6 <p>Takes into account the following ONRMP 2005 policies:</p> <ul style="list-style-type: none"> • 5.4.3 (iii) • 5.6.3 (ii) • 5.6.4 – Policy 24, Policy 29, Policy 32, and Policy 37
<p>38.3.1 Objective (Nature Conservation Zone)</p> <p>Use and development complements and protects the nature conservation values and natural qualities of the Nature Conservation Zone.</p>	<p>Objective 38.3.1 assists in protecting the nature conservation values and natural qualities of the District by identifying areas with these values. It establishes the framework to limit any use and development to that which will enhance or complement nature conservation values and natural qualities of such identified zones, while still providing opportunities for public access for peoples social, economic, and cultural well-being, and for their health and safety.</p> <p>The District contains features that are of national importance and these shall be recognised and provided for when considering development, as required by section 6 of the RMA. The Council, in exercising functions and powers in accordance with the RMA, and in relation to protecting, enhancing, using and managing these natural resources, in accordance with section 7 of the RMA.</p> <p>It is considered that Objective 38.3.1 is consistent with the following Strategic Directions goals objectives and policies:</p> <ul style="list-style-type: none"> • Goal 3.2.4: The protection of our natural environment and ecosystems • Objective 3.2.4.2: Protection of areas with significant Nature Conservation Values. • Objective 3.2.4.7: Facilitate public access to the natural environment. • Policy 3.2.4.7.1: Opportunities to provide public access to the natural environment are sought at the time of plan change, subdivision or development.

- Objective 3.2.5.1: Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.

Gives effect to the following Operative ORPS objectives:

- Objective 5.4.1
- Objective 5.4.2
- Objective 5.4.3
- Objective 5.4.4
- Objective 9.4.1
- Objective 9.4.3
- Objective 10.4.3

Gives effect to the following Operative OPRS policies:

- Policy 5.5.1
- Policy 5.5.6
- Policy 9.5.4
- Policy 9.5.6
- Policy 10.5.2

Has regard to the following Proposed ORPS objectives and policies:

- Objective 1.1
- Objective 2.2
- Policy 2.2.4
- Objective 3.1
- Policy 3.1.9
- Policy 3.1.12
- Objective 3.2
- Policy 3.2.2
- Policy 3.2.4
- Policy 3.2.6
- Objective 4.5

	<ul style="list-style-type: none"> • Policy 4.5.1 • Policy 5.1.1 • Policy 5.2.3 <p>Takes into account the following MNRMP 2008 policies:</p> <ul style="list-style-type: none"> • 3.4.8 - Policy 12 • 3.4.10 - Policy 2 • 3.4.11 - Policy 1 • 3.4.12 – Policy 3 and 4 • 3.4.14 – Policy 3 • 3.5.7 – Policy 1 • 3.5.17 – Policy 1 <p>Takes into account the following ONRMP 2005 policies:</p> <ul style="list-style-type: none"> • 5.4.3 (iii) • 5.6.3 (ii) • 5.6.4 – Policy 1, Policy 24, and Policy 37 • 10.3.3 – Policy 1
<p>38.4.1 Objective (Informal Recreation Zone)</p> <p>Use and development for informal recreation maintains and enhances the environment</p>	<p>Objective 38.4.1 is considered the most appropriate way to meet the purpose of the RMA as it will sustain identified informal recreation spaces within the District’s natural and physical resources that can be utilised by people, their communities, and their future generations social, economic, and cultural well-being, and health and safety. The Informal Recreation Zone is also intended to provide physical links to other areas for the community.</p> <p>Objective 38.4.1 also establishes the framework that these areas are located within and adjacent to areas of high interest, landscape and amenity values. Due to these features and desire to develop existing and new activities, the scale and intensity of these activities and associated buildings and infrastructure need to be carefully managed to avoid, remedy or mitigate any adverse environmental effects.</p> <p>It is considered that Objective 38.4.1 is consistent with the following Strategic Directions objectives and policies:</p> <p><i>Objective 3.2.3.1: A built environment that ensures our urban areas are desirable and safe places to live, work and play.</i></p> <p><i>Policy 3.2.3.1.2: That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.</i></p> <p><i>Policy 3.2.6.3.2: That open spaces and community facilities are located and designed to be desirable, safe, accessible places.</i></p>

Gives effect to the following Operative ORPS objectives:

- Objective 5.4.1
- Objective 5.4.2
- Objective 5.4.4
- Objective 9.4.1
- Objective 9.4.3

Gives effect to the following Operative OPRS policies:

- Policy 9.5.4
- Policy 9.5.5

Has regard to the following Proposed ORPS objectives and policies:

- Objective 1.1
- Policy 1.1.3
- Objective 3.1
- Policy 3.1.12
- Objective 3.2
- Policy 3.2.2
- Policy 3.2.6
- Objective 4.5
- Policy 4.5.1
- Policy 4.5.2
- Policy 4.5.6
- Objective 5.1
- Policy 5.1.1
- Policy 5.5.5

Takes into account the following MNRMP 2008 policies:

	<ul style="list-style-type: none"> • 3.4.8 - Policy 5 • 3.4.11 - Policy 1 • 3.4.12 – Policy 4 • 3.5.7 – Policy 1 • 3.5.17 – Policy 1 <p>Takes into account the following ONRMP 2005 policies:</p> <ul style="list-style-type: none"> • 5.6.3 (ii) • 5.6.4 – Policy 3, Policy 24 and Policy 29
<p>38.5.1 Objective (Active Sport and Recreation Zone)</p> <p>Active sport and recreation activities are provided for in appropriate locations, while managing adverse effects on surrounding areas and communities.</p>	<p>Objective 38.5.1 is considered the most appropriate way to meet the purpose of the RMA as it provides open space that is easily accessible, used for indoor and outdoor organised sports, active recreation and community activities, which, in turn, enables people to fulfil their social, economic, and cultural well-being, and health and safety. The objective recognises the intensive use made of these areas, and the need to provide sufficient facilities to support these uses, while at the same time, providing for the open space and amenity values of a park or reserve within this zone, as well as avoiding or mitigating adverse effects on the surrounding areas. Objective 38.5.1 establishes a framework that will restrict potential inappropriate activities, including development, that may be better suited to another open space and recreational zone.</p> <p>It is considered that Objective 38.5.1 is consistent with the following Strategic Directions objectives and policies:</p> <p><i>Objective 3.2.3.1: A built environment that ensures our urban areas are desirable and safe places to live, work and play.</i></p> <p><i>Objective 3.2.6.3: A high quality network of open spaces and community facilities.</i></p> <p><i>Policy: 3.2.6.3.1 Ensure that open spaces and community facilities are accessible for all people.</i></p> <p><i>Policy 3.2.6.3.2: That open spaces and community facilities are located and designed to be desirable, safe, accessible places.</i></p> <p>Gives effect to the following Operative ORPS objectives:</p> <ul style="list-style-type: none"> • Objective 5.4.1 • Objective 5.4.2 • Objective 5.4.4 • Objective 9.4.1 • Objective 9.4.3 • Objective 10.4.3

	<p>Gives effect to the following Operative OPRS policies:</p> <ul style="list-style-type: none"> • Policy 9.5.4 • Policy 9.5.5 <p>Has regard to the following Proposed ORPS objectives and policies:</p> <ul style="list-style-type: none"> • Objective 1.1 • Policy 1.1.3 • Objective 3.1 • Policy 3.1.9 • Objective 3.2 • Policy 3.2.2 • Policy 3.2.6 • Objective 4.5 • Policy 4.5.1 • Policy 4.5.2 • Policy 4.5.6 • Objective 5.1 • Policy 5.1.1 <p>Takes into account the following MNRMP 2008 policies:</p> <ul style="list-style-type: none"> • 3.4.14 – Policy 6 • 3.5.7 – Policy 1 <p>Takes into account the following ONRMP 2005 policies:</p> <ul style="list-style-type: none"> • 5.6.4 – Policy 3 and Policy 24
<p>38.6.1 Objective (Civic Spaces Zone) Civic spaces are the community focal points for civic and community functions,</p>	<p>Objective 38.6.1 is considered the most appropriate way to meet the purpose of the RMA as it facilitates areas within the District where people and communities can gather to meet their social, economic, and cultural well-being, and health and safety.</p>

events and informal recreation of benefit to both the community and the District.

The objective establishes a framework that will limit development of buildings and structures within these open space areas that would enhance any amenity values (in accordance with section 7(c) of the RMA), while recognising that public facilities are required.

It is considered that Objective 38.6.1 is consistent with the following Strategic Directions objectives and policies:

Objective 3.2.3.1: A built environment that ensures our urban areas are desirable and safe places to live, work and play.

Policy 3.2.3.1.2: That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.

Objective 3.2.6.3: A high quality network of open spaces and community facilities.

Policy: 3.2.6.3.1 Ensure that open spaces and community facilities are accessible for all people.

Policy 3.2.6.3.2: That open spaces and community facilities are located and designed to be desirable, safe, accessible places.

Gives effect to the following Operative ORPS objectives:

- Objective 5.4.1
- Objective 5.4.4
- Objective 9.4.1

Gives effect to the following Operative OPRS policies:

- Policy 5.5.7
- Policy 9.5.5

Has regard to the following Proposed ORPS objectives and policies:

- Objective 1.1
- Policy 1.1.3
- Objective 4.5
- Policy 4.5.1
- Policy 4.5.2
- Policy 4.5.6
- Objective 5.1
- Policy 5.1.1

38.7.1 Objective (Community Purposes Zone)

Community activities that meet the current and future social, cultural, recreation, health and community needs of both local communities and visitors to the District are provided for within a diverse range of open spaces.

Objective 38.7.1 establishes a framework that enables use and development within particular open spaces that enhance the social, economic, and cultural well-being, and health and safety of people and communities, while avoiding, remedying, or mitigating any potential adverse effects on the environment.

It is considered that Objective 38.7.1 is consistent with the following Strategic Directions objectives and policies:

Objective 3.2.3.1: A built environment that ensures our urban areas are desirable and safe places to live, work and play.

Objective 3.2.6.3: A high quality network of open spaces and community facilities.

Policy: 3.2.6.3.1 Ensure that open spaces and community facilities are accessible for all people.

Policy 3.2.6.3.2: That open spaces and community facilities are located and designed to be desirable, safe, accessible places.

Gives effect to the following Operative ORPS objectives:

- Objective 5.4.1
- Objective 5.4.4
- Objective 9.4.1

Gives effect to the following Operative OPRS policies:

- Policy 5.5.7
- Policy 9.5.5

Has regard to the following Proposed ORPS objectives and policies:

- Objective 1.1
- Policy 1.1.3
- Objective 4.5
- Policy 4.5.1
- Policy 4.5.2
- Policy 4.5.6
- Objective 5.1
- Policy 5.1.1
- Policy 5.2.3

	<p>Takes into account the following MNRMP 2008 policies:</p> <ul style="list-style-type: none"> • 3.4.8 - Policy 6 and Policy 12 • 3.4.12 - Policy 3 <p>Takes into account the following ONRMP 2005 policies:</p> <ul style="list-style-type: none"> • 5.4.3 (iii) • 5.6.3(ii)
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The above objectives are considered to be the most appropriate methods of achieving the purpose of the RMA, as they identify and give direction as to the how the specific issues that pertain to the proposed Open Space and Recreation Zone chapter are addressed.

8 Evaluation of the proposed provisions Section 32(1)(b)

Section 32(1)(b) of the RMA requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonable practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The following tables consider whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions and whether they are effective and efficient. The proposed provisions are grouped by District Wide provisions and then by each proposed zone for the purposes of this evaluation.

DISTRICT WIDE PROVISIONS (POLICIES) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES
<p>38.2.1 Objective (District Wide)</p>
<p>The open space and recreation needs of the District’s residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities.</p>
<p>38.2.2 Objective (District Wide)</p>
<p>Recreation activities are undertaken and facilities constructed in a way that maintains or enhances the values of open space areas and the recreation opportunities available within the District.</p>
<p>38.2.3 Objective (District Wide)</p>
<p>Commercial activities are limited to those that have a functional requirement to locate within open spaces and do not degrade open space and recreation values.</p>

38.2.4 Objective (District Wide)

The interface between activities within the Open Space and Recreation Zones are managed to protect, maintain or enhance the natural character of waterbodies and their margins.

Proposed provisions	Costs	Benefits	Effectiveness & Efficiency
<p>Policies 38.2.1.1 to 38.2.1.6 38.2.2.1 to 38.2.2.6 38.2.3.1 to 38.2.3.3 38.2.4.1 to .8.2.4.3 Landscape assessment matters 38.14. Variation to Definitions Chapter 2, Landscape Chapter 6, Subdivision and Development Chapter 27, Temporary Activities and Relocated Buildings Chapter 35, Noise Chapter 36.</p>	<p>a. There is the potential to adversely affect Outstanding Natural Features or Landscapes, by not providing a mechanism for these areas to be identified and therefore, allowing inappropriate subdivision, use and development to occur in the same.</p> <p>b. Open space comes under pressure to provide for multiple activities, functions and values that can compromise its predominant purpose. The recognition of competing demand for open space or conflicting activities and values are important to understand.</p> <p>c. There is the potential to adversely affect the natural character of waterbodies and their margins by allowing public access to these areas for recreational use.</p> <p>d. Potential for water quality in the District to be affected where intensive development resulting in discharges occurs in an inappropriate location, such as the margin of a waterbody.</p> <p>e. There is a cost to ratepayers in developing and maintaining facilities for the public. Such costs are provided by the Council through the development of Long Term Plans.</p>	<p>a. The general intent of the proposed Open Space and Recreation Zone chapter is to address matters requiring management or control under the RMA, where they are not already covered under other legislation. In this regard, the policies recognise that there are other processes that assist in managing the provision of open space areas, such as, by management plans.</p> <p>b. These policies provide the management framework for the proposed Open Space and Recreation Zones set out in the rules. They establish a range of matters that will enable activities within each of the zones to be permitted activities subject to standards, but also provide guidance for decision makers when faced with determining whether a particular activity is appropriate.</p> <p>c. The policies require that buildings are designed and sited so that they are compatible with the function and purpose of the open spaces on which they sit. This, in turn, ensures that development does not detract from the values associated with each area.</p> <p>d. Implementation of the policies will see the appropriate character of the open space areas retained so that people</p>	<p>a. The policies are effective in achieving the objectives by providing for a variety of open space zones allows a level of use and development that complements the functions and values of a particular type of open space.</p> <p>b. The policies are efficient as they acknowledge and enable the need for a range of different types of open space and recreation areas in different locations to meet community wellbeing. They are also important as the policies recognise the need to maintain the quality, type, number and location of reserves and facilities to ensure the needs of the community are met on an ongoing basis. Wide community benefits are expected from these policies.</p> <p>c. The policies are efficient as they provide an enabling approach for a range of activities within the proposed Open Space and Recreation Zones, as well as guidance for decision makers in determining resource consent applications in these zones.</p> <p>d. Efficiencies are achieved by seeking to avoid, remedy or mitigate effects on the surrounding environment through clear policy direction on the key matters that need to be considered for any development or use of open space and</p>

	<p>f. There are costs associated with the policies where a resource consent is required and where mitigation may be required through consent conditions to address adverse effects. This situation could apply to the Council as it is responsible for many reserves around the District, as well as users of open spaces. It is noted, for completeness, that this approach is not new, as the Operative District Plan already requires consents for a variety of activities within areas that will be rezoned as open space reserves.</p>	<p>can continue to enjoy these areas and their natural values. The standards are set to help maintain the character of adjoining zones, so that activities are not inappropriately located. In doing so, the policies also seek to avoid conflict between users.</p> <p>e. The provisions recognise that managing the values of the various open spaces is through specific zoning. The benefit of having specific zoning establishes provisions that are tailored to provide for different types of activities and levels of development to ensure compatibility with the maintenance or enhancement of those values.</p> <p>f. It is recognised in the policies that open space accommodates a range of functions. The policies set the framework for the creation of zones to accommodate different types of open space areas or recreational facilities, ranging from passive neighbourhood reserves, commercial activities, sports fields, walkways, indoor sports facilities, swimming pools and other recreation facilities.</p> <p>g. The policies provide for both the communities and visitors wide variety of needs in an environment that is one of the key reasons that people live, work, play and visit the District.</p> <p>h. The provisions provide a mechanism to identify areas that present opportunities for appropriately scaled</p>	<p>recreation land.</p> <p>e. The policies are effective at achieving the stated objectives by providing the mechanisms for identifying the values of open space and recreation areas prior to development. In turn, these values can be protected by recognising development and use options may be appropriate, while ensuring environmental effects are avoided, remedied or mitigated.</p> <p>f. The policies provide a clear Policy directive that activities and public access will be provided for, provided that that such activities and access are appropriately located to not compromise the natural character values of the area.</p> <p>g. Providing for public access to waterbodies and their margins directly reinforces, through the policies, the requirement of the RMA to maintain and enhance public access to such areas.</p> <p>h. It is considered that the policies give effect to the National Policy Statement for Freshwater Management, which provides the high-level policy direction in respect of water.</p> <p>i. The landscape assessment matters will assist with the identification of the valued components of the landscape in question and assist with identifying the sensitivity of the landscape unit and its ability to absorb change. The landscape assessment matters will help ensure that development maintains landscape values and assists the Council to give effect ss</p>
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		<p>development, including the various requirements for each particular zone and the associated values.</p> <ul style="list-style-type: none"> i. These policies recognise that there are a range of opportunities for the public to use areas of open space and move between these areas. Further, the policies seek to enhance the linkages between areas of open space and other zones in the District, particularly between open spaces and where the community/visitors are residing. j. The policies provide enhanced amenity resulting from the availability of transportation links for walking and cycling. This includes identification that access to and along the District's waterbodies, and their margins, is important to the community, while making sure that the natural character values of the area are not adversely affected. k. The waterbodies and their margins attract competing uses and the policies focus on managing development and activities within the vicinity of the same to ensure that the natural qualities and habitats in these environments are protected, accessibility is maintained and enhanced, and opportunities for sport and recreation use are provided for. The policies make it clear that sport and recreation use is provided for where it does not compromise the natural character and amenity of these areas. 	<p>6 and 7 of the Act.</p> <ul style="list-style-type: none"> j. The rules relating to helicopter operations will require resource consent (Rule 38.9.37). The Noise rules in Chapter 36 (Rule 36.5.4) will be the same as other zones and have purposefully not been made any more lenient. It is important that the amenity effects and intensity and frequency of activities can be managed to ensure the overall recreation values of the zone are not compromised. This is a cost and inefficiency to proponents seeking additional helicopter activities but is effective in terms of providing the Council the ability to retain oversight and the ability to consider the effects of helicopter activities on other users and the wider public. k. The variation to the identified Parts 6.2 and 6.4 of notified Landscape Chapter 6 will clarify that the land now located within the Open Space and Recreation Zones is part of ONF/ONL or RLC where identified on the Planning Maps.
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NATURE CONSERVATION ZONE PROVISIONS (POLICIES AND RULES) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVE

38.3.1 Objective (Nature Conservation Zone)

Use and development complements and protects the nature conservation values and natural qualities of the Nature Conservation Zone.

Proposed provisions	Costs	Benefits	Effectiveness and Efficiency
<p>Policies</p> <p>38.3.1.1</p>	<p>a. Development and use of these areas could potentially damage or destroy sensitive areas of ecological, landscape, heritage and cultural value.</p> <p>b. Potential duplication and/or inconsistency with Reserve Management Plans may result in inefficiencies and confusion regarding the appropriate policy direction.</p> <p>c. Accessibility, buildings and human activity potentially damaging or destroying sensitive areas of ecological, landscape, heritage and cultural value.</p> <p>d. Access and other activities (such as biking) conflicting with conservation values of esplanade reserves.</p>	<p>a. This zone is recognised as having high natural character values and its conservation and protection has environmental, social, cultural benefits for the community and visitors, such as providing areas that they may visit and interact with these values.</p> <p>b. Due to the size of these landholdings, farm grazing may be used to maintain the properties. The policies seek to recognise that compatible rural activities and buildings may be appropriate in this zone.</p> <p>c. Visitors and residents will have improved access to open spaces, including through reserve contribution processes that provides for Council infrastructure, such as access along the margins of waterbodies.</p> <p>d. The conservation and protection of the environmental, social and cultural benefits of these areas is a matter of national importance. The proposed provisions are considered to be beneficial in achieving consistency with the same.</p>	<p>a. The proposed Open Space Nature Conservation Zone chapter is complementary to the provisions in Chapter 6 – <i>Landscape</i>, which seeks to recognise the landscape as a significant resource to the District and Region, and Chapter 33 – <i>Indigenous Vegetation and Biodiversity</i>, which identifies that Council has a responsibility to maintain indigenous biodiversity and to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna, which are collectively referred to as Significant Natural Areas. The provisions of the proposed Open Space Nature Conservation Zone chapter provide clear guidance on the activities, use and development within such areas.</p> <p>b. Given the foregoing, the proposed provisions are efficient and effective at meeting section 6 of the RMA, which requires protection of these matters of national importance.</p>

		<p>e. Enabling people to experience the natural open spaces through compatible recreation and tourism activities provides not only health and well-being benefits, but also contributes economically to their upkeep. In addition, the experience may assist in bringing to attention the ecological and conservation values and lead to voluntary actions to protect and improve those conservation values (such as through community plantings).</p>	
<p>Rules 38.9.1 to 38.9.36 (Activity Status Table) 38.10 (Permitted Standards) 38.11 (Controlled Activities) 38.12 (Restricted Discretionary Activities) 38.13.1 (Non-notification) 38.14 Landscape assessment matters. Variation to Definitions Chapter 2, Landscape Chapter 6, Subdivision and Development Chapter 27, Temporary Activities and Relocated Buildings Chapter 35, Noise Chapter 36</p>	<p>a. Potential resource consent application costs and time, along with uncertainty as to possible conditions restricting activities. b. Compliance costs. c. Potential duplication and/or inconsistency with reserve management plans and Reserves Act 1977 may result in inefficiencies and confusion regarding the appropriate policy direction. d. Limited potential for a range of activities and restriction on larger buildings, which may limit opportunities for multifunctional use.</p>	<p>a. Conservation and park management activities are provided for and are central to the benefits anticipated from this zone. b. Recreation and other compatible activities are enabled, thereby affording the opportunity for people to appreciate the ecological and conservation values that exist. This is achieved by providing for education activities in the zone.</p>	<p>a. Conservation and open space management activities are provided for and are central to the benefits anticipated from this zone. b. Built Form Standards set a maximum size for a single building and site coverage, which control adverse effects of buildings and activities on the open space, its natural, ecological and landscape values and on the adjoining land uses. c. The rules are considered to have high efficiency as the protection of conservation and ecological values are not compromised by the benefits accruing from providing appropriate access and appreciation of those values. d. The landscape assessment matters will assist with the identification of the valued components of the landscape in question and assist with identifying the sensitivity of the landscape unit and its ability to absorb change.</p>

INFORMAL RECREATION ZONE PROVISIONS (POLICIES AND RULES) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVE

38.2.1 Objective - The open space and recreation needs of the District’s residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities.

38.2.2 Objective - Recreation activities are undertaken and facilities constructed in a way that maintains or enhances the values of open space areas and the recreation opportunities available within the District.

38.2.3 Objective – Commercial activities are limited to those that have a functional requirement to locate within Open Space and Recreation Zones and do not degrade open space and recreation values..

38.2.4 Objective – The interface between activities within the Open Space and Recreation Zones are managed to protect, maintain or enhance the natural character of waterbodies and their margins.

38.4.1 Objective (Informal Recreation Zone) Use and development for informal recreation maintains and enhances the environment Use and development for informal recreation maintains and enhances the environment

Proposed provisions	Costs	Benefits	Effectiveness and Efficiency
<p>Policies 38.4.1.1 to 38.4.1.6</p>	<ul style="list-style-type: none"> a. Potential duplication and/or inconsistency with Reserve Management Plans may result in inefficiencies and confusion regarding the appropriate policy direction. b. Permanent buildings have the potential to occupy space that is important to be kept open to ensure flexibility for informal recreation and public access to and along the margins of lakes and rivers. c. Without effective management, activities attracting large numbers of visitors can generate noise, traffic and “after the event” effects that are incompatible with their other values and uses. 	<ul style="list-style-type: none"> a. Larger parks provide for a range of multi-purposes and large events that provide a focal point for local community, the District and wider area. b. Local neighbourhood parks provide easy access to adjoining and nearby residential areas, thereby contributing to residential amenity and community health. c. Parks along the foreshore (particularly those along Roys Bay - Wanaka and Queenstown Bay) contribute to the tourist and visitor experience and consequently economic well-being. d. Public access to and along the margins of lakes and rivers is maintained, other than where alternative linkages need to be made to ensure the commercial activity can operate safely. 	<ul style="list-style-type: none"> a. The policies provide a framework to manage development in community parks to reflect their purpose and function, within the context of surrounding land uses. b. The land is in Council ownership or administration and the provisions will work in tandem with Council’s Parks and Open Space Strategy 2017, reserve management plans, bylaws and other management tools available to Council (such as licences). The provisions in the zone focus on the management of activities and effects that are not addressed through other methods.
<p>Rules 38.9.1 to 38.9.36 (Activity</p>	<p>Development of land in the Informal Recreation Zone is restricted to a fairly</p>	<ul style="list-style-type: none"> a. Similar to the Active Sport and Recreation Zone, commercial activities, 	<ul style="list-style-type: none"> a. Providing for permitted standards that can be met without any consent process

<p>Status Table)</p> <p>38.10 (Permitted Standards)</p> <p>38.11 (Controlled Activities)</p> <p>38.12 (Restricted Discretionary Activities)</p> <p>38.13.1 (Non-notification)</p> <p>38.14 Landscape assessment matters.</p> <p>Variation to Definitions Chapter 2, Landscape Chapter 6, Subdivision and Development Chapter 27, Temporary Activities and Relocated Buildings Chapter 35, Noise Chapter 36</p>	<p>low scale and scope. Any activities that do not comply with permitted standards will need a resource consent.</p> <p>Potential resource consent application costs and time, along with uncertainty as to possible conditions restricting activities.</p> <p>Compliance costs.</p> <p>Potential duplication and/or inconsistency with reserve management plans and Reserves Act 1977 may result in inefficiencies and confusion regarding the appropriate policy direction.</p>	<p>community facilities, public amenity and informal recreation activities are provided for as permitted activities; however, the standards are set to reflect a lower scale, quieter reserve environment.</p> <p>b. The range of permitted and controlled activities provide for day to day park management and public amenities, as well as the specific sports and recreation activities anticipated.</p> <p>c. Resource consent approval as either restricted or full discretionary activities provides for the ability to consider the suitability of the activity on any particular park and the potential external effects. Matters of discretion have been tailored to only address those matters that are relevant.</p> <p>d. Built form standards enable the development of building, structures and facilities within an 'envelope'. Non-compliance with the standards relates to potential effects outside the park and suitability of the built form within the context of the park and particularly access to the margins of lakes and rivers.</p>	<p>is an efficient way of managing activities on reserves. The matters of discretion are effectively tailored to address issues that might arise from not meeting permitted standards.</p> <p>b. It is considered that the rules and methods used are an efficient and effective way of implementing the objectives and policies of the zone by establishing appropriate limits on what use and development can occur.</p> <p>c. The rules are enabling of informal recreational activities, as a primary activity anticipated in open spaces. These activities are recognised as a permitted activity, and are subject to minimal performance standards related to associated built forms. It is noted that the integrated nature of the Proposed District Plan will ensure that effects associated with other activities do not go unmanaged, such as activities that do not meet the permitted standards for earthworks or noise.</p> <p>d. Rules (both activity status and standards) trigger an assessment of potential effects. As many activities as considered appropriate have been provided for as permitted activities and the least built form standards applied. Accordingly, it is considered that development outside these parameters has the potential for adverse effects and hence the need for written approval/limited notification or full public notification will be considered in accordance with the RMA.</p>
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			<ul style="list-style-type: none">e. The rules provide certainty that development within their parameters will be enabled with minimal resource consent and compliance costs.f. The rules seek to protect green space and recreation opportunities from displacement by activities that do not support open space and recreation – particularly those that have the potential to preclude public access through them and along the margins of lakes and rivers.g. Thresholds have been set for ancillary activities in terms of their size and floor areas they are permitted to occupy. This will enable an assessment of the effect of built form/size of the activity on the park, as well as whether the activity retains its secondary function to the main purpose of the park and potential adverse effects (such as traffic) on the surrounding neighbourhood.h. The landscape assessment matters will assist with the identification of the valued components of the landscape in question and assist with identifying the sensitivity of the landscape unit and its ability to absorb change. The Informal Recreation Zone has a wide variety of sites within a range of landscapes and the assessment matters will help ensure that landscape values are maintained.
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INFORMAL RECREATION: BEN LOMOND SUB ZONE. ZONE PROVISIONS (POLICIES AND RULES) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES

38.2.1 Objective - The open space and recreation needs of the District’s residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities.

38.2.2 Objective - Recreation activities are undertaken and facilities constructed in a way that maintains or enhances the values of open space areas and the recreation opportunities available within the District.

38.2.3 Objective – Commercial activities are limited to those that have a functional requirement to locate within Open Space and Recreation Zones and do not degrade open space and recreation values.

38.2.4 Objective – The interface between activities within the Open Space and Recreation Zones are managed to protect, maintain or enhance the natural character of waterbodies and their margins.

38.4.1 Objective (Informal Recreation Zone) Use and development for informal recreation maintains and enhances the environment

Proposed provisions	Costs	Benefits	Effectiveness and Efficiency
<p>Policies 38.2.1.1 to 38.2.1.6 38.2.2.1 – 38.2.2.6 38.2.3.1 – 38.2.3.3 38.4.1.1 to 38.4.1.6</p> <p>Rules All rules within Table 38.3 Landscape Assessment Matters in 38.14 are applicable to Discretionary or Non-complying activities</p> <p>Variation to Definitions Chapter 2, Landscape Chapter 6, Subdivision and Development Chapter 27,</p>	<p>a. The rule framework generally provides for activities and buildings as a restricted discretionary activity, rather than a discretionary activity as is the case the wider Informal recreation Zone. The restricted discretionary rule framework only provides that the matters of discretion are considered at the time of resource consent. The landscape assessment matters and any unanticipated effects not identified by the matters of discretion cannot be considered. In this context, there is potential for environmental costs.</p> <p>b. The ability for effects on other parties or occupiers of the Ben Lomond area are reduced, compared to a full discretionary regime, the matters of control or</p>	<p>a. The rules and restricted discretionary activity status provide more certainty to applicants and other persons affected by development in the Ben Lomond area.</p> <p>b. The matters of discretion and policies are considered comprehensive to enable the appropriate level of scrutiny to activities.</p> <p>c. The discretionary status for non-compliance with the standards will mean that a wider assessment can be undertaken where activities are proposed that are not contemplated by the rules.</p> <p>d. The Ben Lomond Sub Zone departs from the remainder of the Open Space Zone in that restricted Discretionary activities could be notified and Controlled activities could be limited notified. This is</p>	<p>a. The Informal Recreation Ben Lomond Sub Zone recognises and manages the existence and wide range of commercial and informal recreation activities in the Ben Lomond Recreation Reserve.</p> <p>b. The overall suite of rules are both effective and efficient in that they reflect in part the existing environment and the general position of Skyline Enterprises Ltd, Council officers and further submitters (ZJV Ltd) as to the zoning and rules that will be most appropriate way to meet the objectives of the Open Space Chapter, and the Strategic Directions of the PDP. The rules are not the same as requested By Skyline, however they are tailored for the entire Ben Lomond reserve to be subject to the bespoke rules and the rules seek to provide for and manage the multiple interests that</p>

<p>Temporary Activities and Relocated Buildings Chapter 35, Noise Chapter 36</p>	<p>discretion need to be comprehensive enough to enable the resource management issues to be addressed and the policies and objectives to be achieved. There is a potential cost to other persons affected by a proposed development with a constrained rule framework.</p> <p>c. The ability for persons affected by passenger lift systems in the Gondola corridor are restricted, however there is a fair degree of certainty by the relatively constrained size of the gondola corridor and existing infrastructure in the Ben Lomond area.</p> <p>d. Costs to the applicants where applications could be notified, however there is more certainty to these parties than under a full discretionary status.</p>	<p>considered important given the highly prominent location and multiple interests on this site. The restricted discretionary status does not necessarily anticipate notification, but notification is available to be exercised in the event a proposal does not appear to accord with the policies, and strains the effects of activities contemplated through the Sub Zone and bespoke rule framework. While this is cost to applicants, it is a benefit overall to ensure other persons genuinely affected are provided with the ability for input to the process and, the most appropriate development option is taken. The notification process, or the ability for the Council to notify an application enhance environmental outcomes.</p>	<p>are present in this area, including the aspirations of the Council to manage and realise the public recreation benefits.</p> <p>c. The rules are efficient in so far that they provide a more streamlined and constrained scope for the assessment of effects. The rules are however also equally effective in providing discretion to assess the important resource management issues in this area, and address the wide range of issues that could present.</p> <p>d. The rules, activity status and matters of discretion are considered to achieve an appropriate balance between providing a degree of certainty and foreshadowing what could be undertaken within the Ben Lomond Sub Zone, while still providing adequate scope to address the actual and potential adverse effects of activities.</p> <p>e. The rules relating to helicopter operations will require resource consent (Rule 38.9.37). The Noise rules in Chapter 36 (Rule 36.5.4) will be the same as other zones and have purposefully not been made any more lenient. It is important that the amenity effects and intensity and frequency of activities can be managed to ensure the overall recreation values of the zone are not compromised. This is a cost and inefficiency to proponents seeking</p>
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			<p>additional helicopter activities but is effective in terms of providing the Council the ability to retain oversight and the ability to consider the effects of helicopter activities on other users and the wider public.</p> <p>f. The variation to the identified Parts 6.2 and 6.4 of notified Landscape Chapter 6 will clarify that the land now located within the Open Space and Recreation Zones is part of ONF/ONL or RLC where identified on the Planning Maps.</p> <p>g. The proposed rule framework is also more effective where it is considered to better align with the Council's Ben Lomond Reserve Management Plan 2005 (RMP 2005). The vision of the RMP 2005 at Part 8 for the management of the Ben Lomond Reserve is: <i>'To Protect and enhance the natural values of Ben Lomond Reserve and provide opportunity for compatible recreation activities'</i>.</p> <p>h. At part 8.1.3 the RMP 2005 states that the Ben Lomond reserve already has a number of established commercial recreation activities, which rely on the reserves steep topography and height together with the views it provides over the Wakatipu Basin. These activities are primarily aimed at the tourism sector, but also has a large recreation component through the provision of walking and</p>
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			<p>mountain biking trails. The RMP 2005 also includes objectives and policies under the umbrella of 4 goals (Effective Management, enhanced biodiversity, recreation opportunities and, to protect landscape values’.</p> <p>i. It is considered the objectives and policies of the Open Space and recreation Zones and the Informal recreation Sub-Zone provide a suitable connection with the RMP 2005. In particular, the Open Space and Recreation Zone is considered to be substantially better aligned with the goals, objectives and policies of the RMP 2005, than the Stage 1 notified PDP Rural Zone.</p>
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ACTIVE SPORT AND RECREATION ZONE PROVISIONS (POLICIES AND RULES) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVE

38.5.1 Objective (Active Sport and Recreation Zone)

Active sport and recreation activities are provided for in appropriate locations, while managing adverse effects on surrounding areas and communities.

Proposed provisions	Costs	Benefits	Effectiveness and Efficiency
<p>Policies 38.5.1.1 and 38.5.1.2</p>	<p>a. Potential duplication and/or inconsistency with Reserve Management Plans may result in inefficiencies and confusion regarding the appropriate policy direction.</p> <p>b. Permanent buildings have the potential to occupy space that is important to be kept open to ensure</p>	<p>a. Effects of large scale buildings for recreation activities can be internalised within specific sites.</p> <p>b. Co-location of activities and services, as well as multifunctional use of facilities, provides for economic efficiency.</p> <p>c. Providing for organised sport and recreation on specific parks protects other parks that have open space and/or</p>	<p>a. The policies provide a framework to manage development in parks, such as impacts from buildings, access and car parking areas, noise, outdoor storage, and glare, to reflect their sports and recreation purpose and function, within the context of surrounding land uses.</p> <p>b. The land is in Council ownership or administration and the provisions will</p>

	<p>flexibility for other sports and events.</p> <p>c. Without effective management, activities attracting large numbers of visitors can generate noise, traffic and “after the event” effects that are incompatible with their other values and uses.</p>	<p>environmental values from coming under pressure to be utilised for sport and recreation.</p> <p>d. Sport and recreation plays a substantial and vital role in contributing to community well-being.</p> <p>e. The placing of a number of activities on one site is an initiative to encourage sports and other recreation activities to concentrate in hubs. This increase the built facility efficiency and encourages better use of these facilities.</p>	<p>work in tandem with Council’s Parks and Open Space Strategy 2017, reserve management plans, bylaws and other management tools available to Council (such as licences). The provisions in the zone focus on the management of activities and effects that are not addressed through other methods (particularly potentially significant effects in terms of scale of buildings, car parking, noise and traffic).</p>
<p>Rules</p> <p>38.9.1 to 38.9.36 (Activity Status Table)</p> <p>38.10 (Permitted Standards)</p> <p>38.11 (Controlled Activities)</p> <p>38.12 (Restricted Discretionary Activities)</p> <p>38.13.1 (Non-notification).</p> <p>Variation to Definitions Chapter 2, Landscape Chapter 6, Subdivision and Development Chapter 27, Temporary Activities and Relocated Buildings Chapter 35, Noise Chapter 36</p>	<p>a. Potential resource consent application costs and time, along with uncertainty as to possible conditions restricting activities.</p> <p>b. Compliance costs.</p> <p>c. Potential duplication and/or inconsistency with reserve management plans and Reserves Act 1977.</p>	<p>a. The range of permitted and controlled activities provide for day to day park management and public amenities, as well as sports and recreation activities sought to be promoted.</p> <p>b. Resource consent approval as either restricted or full discretionary activities provide for the ability to consider the suitability of the activity on any particular park and the potential external effects. Matters of discretion have been tailored to only address those matters that are relevant.</p> <p>c. Built form standards enable the development of building, structures and facilities within an ‘envelope’. Non-compliance with the standards relates to potential effects outside the park and suitability of the built form within the context of other sports and recreation activities on the park that require open space.</p>	<p>a. The proposed policy is an efficient means of achieving the overriding objectives and purpose of the RMA. Specifically, it establishes clear policy that recognises that built development associated with recreation and open space activities is anticipated within the zone with limits on the overall building footprint within the area.</p> <p>b. Larger sites are identified as having capacity to accommodate major sports facilities, events and multifunctional use with potential adverse effects internalised.</p> <p>c. Built Form Standards setting out maximum levels for site coverage is proposed. These rules combined with setbacks and height limits, aim to protect the amenity of the open space and the surrounding environment.</p> <p>d. The policies provide a framework to manage development in parks to reflect their sports and recreation purpose and</p>

			<p>function, within the context of surrounding land uses.</p> <p>e. The land is in Council ownership or administration and the provisions will work in tandem with Council's Parks and Open Space Strategy 2017, reserve management plans, bylaws and other management tools available to Council (such as licences). The provisions in the zone focus on the management of activities and effects that are not addressed through other methods (particularly potentially significant effects in terms of scale of buildings, car parking, noise and traffic).</p> <p>f. Rules (both activity status and standards) trigger an assessment of potential effects. As many activities as considered appropriate have been provided for as permitted activities and the least built form standards applied. Accordingly, it is considered that development outside these parameters have the potential for adverse effects and hence the need for written approval/limited notification or full public notification will be considered in accordance with the RMA.</p> <p>g. Multi-functional use enables maximum utilisation of sports facilities and is an efficient use of land and buildings.</p> <p>h. The rules provide certainty that development within their parameters will be enabled with minimal resource consent and compliance costs.</p> <p>i. The rules seek to retain green open space and outdoor recreation</p>
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			<p>opportunities, while recognising that many recreation and sports activities are better accommodated within buildings.</p> <p>j. Thresholds have been set for ancillary activities in terms of their size and floor areas they are permitted to occupy. This will enable an assessment of the effect of built form/size of the activity on the park, as well as whether the activity retains its secondary function to the main purpose of the park and potential adverse effects (such as traffic) on the surrounding neighbourhood.</p>
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CIVIC SPACES ZONE PROVISIONS (POLICIES AND RULES) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVE

38.6.1 Objective (Civic Spaces Zone)

Civic spaces are the community focal points for civic and community functions, events and informal recreation of benefit to both the community and the District.

Proposed provisions	Costs	Benefits	Effectiveness and Efficiency
<p>Policies</p> <p>38.6.1.1 to 38.6.1.3</p>	<p>a. Potential duplication and/or inconsistency with Reserve Management Plans may result in inefficiencies and confusion regarding the appropriate policy direction.</p> <p>b. Permanent buildings have the potential to occupy space that is important to be kept open to ensure flexibility for civic and other community events.</p> <p>c. Without effective management, activities attracting large numbers of</p>	<p>a. Urban civic parks provide venues for civic, entertainment and other events. Social, community and economic benefits arise from their use for these purposes.</p> <p>b. The location of civic parks within town centres, reinforces them as destinations and provide links to public transport facilities (such as that proposed at the northern end of Ballarat Street, Queenstown) and other tourism facilities (such as information centres) and attractions (such as the Earnslaw).</p>	<p>a. The policies provide a framework to manage development in civic parks to reflect their purpose and function, within the context of surrounding land uses.</p> <p>b. The land is in Council ownership or administration and the provisions will work in tandem with Council's <i>Parks and Open Space Strategy 2017</i>, reserve management plans, bylaws and other management tools available to Council (such as licences). The provisions in the zone focus on the management of activities and effects that are not</p>

	visitors can generate noise, traffic and “after the event” effects that are incompatible with their other values and uses.		addressed through other methods.
<p>Rules</p> <p>38.9.1 to 38.9.36 (Activity Status Table)</p> <p>38.10 (Permitted Standards)</p> <p>38.11 (Controlled Activities)</p> <p>38.12 (Restricted Discretionary Activities)</p> <p>38.13.1 (Non-notification)</p> <p>Variation to Definitions Chapter 2, Landscape Chapter 6, Subdivision and Development Chapter 27, Temporary Activities and Relocated Buildings Chapter 35, Noise Chapter 36</p>	<p>a. Potential resource consent application costs and time, along with uncertainty as to possible conditions restricting activities.</p> <p>b. Compliance costs.</p> <p>c. Potential duplication and/or inconsistency with reserve management plans and Reserves Act 1977 may result in inefficiencies and confusion regarding the appropriate policy direction.</p>	<p>a. The range of permitted and controlled activities provide for day to day park management and public amenities, as well as the specific activities anticipated in civic spaces.</p> <p>b. Resource consent approval as either restricted or full discretionary activities provide for the ability to consider the suitability of the activity on any particular civic space and the potential external effects, which is particularly relevant as the location of civic spaces generally within town centres, where traffic and crowd management may be required. Matters of discretion have been tailored to only address those matters that are relevant.</p> <p>c. Built form standards enable the development of building, structures and facilities within an ‘envelope’. Non-compliance with the standards relates to potential effects outside the park and suitability of the built form within the context of the park and particularly access to the margins of lakes and rivers.</p>	<p>a. Rules (both activity status and standards) trigger an assessment of potential effects. As many activities as considered appropriate have been provided for as permitted activities and the least built form standards apply. Accordingly, it is considered that development outside these parameters have the potential for adverse effects and hence the need for written approval/limited notification or full public notification will be considered in accordance with the RMA.</p> <p>b. The rules provide certainty that development within their parameters will be enabled with minimal resource consent and compliance costs.</p> <p>c. The rules seek to provide for civic spaces to retain flexibility to be used for a range of temporary and single events, without being constrained by built form.</p> <p>d. Thresholds have been set for ancillary activities in terms of their size and floor areas they are permitted to occupy. This will enable an assessment of the effect of built form/size of the activity on the park, as well as whether the activity retains its secondary function to the main purpose of the park and potential adverse effects (such as traffic) on the surrounding neighbourhood.</p>

COMMUNITY PURPOSES ZONE PROVISIONS (POLICIES AND RULES) MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVE

38.7.1 Objective (Community Purposes Zone)

Community activities that meet the current and future social, cultural, recreation, health and community needs of both local communities and visitors to the District are provided for within a diverse range of open spaces.

Proposed provisions	Costs	Benefits	Effectiveness and Efficiency
<p>Policies 38.7.1.1 to 38.7.1.5</p>	<ul style="list-style-type: none"> a. Potential duplication and/or inconsistency with Reserve Management Plans may result in inefficiencies and confusion regarding the appropriate policy direction. b. Buildings have the potential to displace green space in some reserves where that space is important to the purpose of the reserve. c. Sports and other active facilities have the potential to adversely impact on other users in the reserve, neighbours and surrounding areas due to lack of separation from them and space to internalise nuisance effects. d. Without effective management, activities attracting large numbers of visitors can generate noise, traffic and “after the event” effects that are incompatible with their other values and uses. 	<ul style="list-style-type: none"> a. Larger parks provide for a range of multi-purposes and large events that provide a focal point for local community, district and wider area. b. The placing of a number of activities on one site is an initiative to encourage sports and other recreation activities to concentrate in hubs. This increases the built facility efficiency and encourages better use of these facilities. c. Garden and cemetery parks have a positive effect on the open space environment, human health, and heritage. The Queenstown Gardens contribute to tourism and economic well-being. d. Urban parks provide venues for civic, entertainment and other events. Social, community and economic benefits arise from their use for these purposes. e. Golf courses and camping grounds have the potential to be developed to the exclusion of public access and enjoyment. The golf courses bring the benefits of recreation and maintenance of open space (without cost to the community), that is compatible with their 	<ul style="list-style-type: none"> a. The policies provide a framework to manage development in community parks to reflect their purpose and function, within the context of surrounding land uses. b. The land is in Council ownership or administration and the provisions will work in tandem with Council’s <i>Parks and Open Space Strategy 2017</i>, reserve management plans, bylaws and other management tools available to Council (such as licences). The provisions in the zone focus on the management of activities and effects that are not addressed through other methods.

		<p>use for informal passive activities when not being used for golf. The camping grounds have a higher component of private use that only enables limited public access and use through and around the camping ground. However, camping grounds provide recreation, social and health benefits to those who use them and tourism and economic benefits to the district.</p>	
<p>Rules 38.9.1 to 38.9.36 (Activity Status Table) 38.10 (Permitted Standards) 38.11 (Controlled Activities) 38.12 (Restricted Discretionary Activities) 38.13.1 (Non-notification)</p> <p>Variation to Definitions Chapter 2, Landscape Chapter 6, Subdivision and Development Chapter 27, Temporary Activities and Relocated Buildings Chapter 35, Noise Chapter 36</p>	<p>a. Potential resource consent application costs and time, along with uncertainty as to possible conditions restricting activities.</p> <p>b. Compliance costs.</p> <p>c. Potential duplication and/or inconsistency with reserve management plans and Reserves Act 1977 may result in inefficiencies and confusion regarding the appropriate policy direction.</p>	<p>a. The range of permitted and controlled activities provide for day to day park management and public amenities, as well as the specific activities anticipated on golf courses and in camping grounds.</p> <p>b. Resource consent approval as either restricted or full discretionary provides for the ability to consider the suitability of the activity on any particular park and the potential external effects. Matters of discretion have been tailored to only address those matters that are relevant.</p> <p>c. Built form standards enable the development of building, structures and facilities within an ‘envelope’. Non-compliance with the standards relates to potential effects outside the park and suitability of the built form within the context of the park and particularly access to the margins of lakes and rivers.</p>	<p>a. Rules (both activity status and standards) trigger an assessment of potential effects. As many activities as considered appropriate have been provided for as permitted activities and the least built form standards apply. Accordingly, it is considered that development outside these parameters have the potential for adverse effects and hence the need for written approval/limited notification or full public notification will be considered in accordance with the RMA.</p> <p>b. The rules provide certainty that development within their parameters will be enabled with minimal resource consent and compliance costs.</p> <p>c. The rules seek to protect green space and recreation opportunities from displacement by activities that do not support open space and recreation – particularly those that have the potential to preclude public access through them and along the margins of lakes and rivers. Thresholds have been set for ancillary activities in terms of their size and floor areas they are permitted to</p>

			<p>occupy. This will enable an assessment of the effect of built form/size of the activity on the park, as well as whether the activity retains its secondary function to the main purpose of the park and potential adverse effects (such as traffic) on the surrounding neighbourhood.</p>
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9 Efficiency and effectiveness of the provisions

The provisions are drafted to specifically address the resource management issues identified with the current provisions, and to enhance those provisions that already function well.

The subdivision and development chapter has been separated into provisions that affect all Open Space and Recreation, to the provisions for location specific and bespoke provisions. The reasons for this include:

- To improve efficiency in terms of accessibility for readers and to focus on the objectives, policies and rules that affect all subdivision, irrespective of location;
- Providing a specific section for identified areas or zones give the reader certainty that they have not missed any provisions;
- Provide a template for existing bespoke/location specific provisions and future plan changes to be added to the District Plan without disrupting the structure of the proposed Open Space and Recreation Zone chapter, and avoiding the respective zone chapters from becoming unwieldy with location specific provisions.

10 The risk of acting or not acting

Section 32(2)(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is not considered that there is uncertain or insufficient information about the subject matter of the provisions.

The Council holds extensive information and in-house knowledge of its parks, reserves and recreation facilities and that activities that occur on these areas.

The issues identified and options taken forward are the most appropriate way to achieve the purpose of the RMA. If these changes were not made, there is a risk the Proposed District Plan would fall short of fulfilling its functions. That is, the Council would fail to reflect the statutory direction in higher level policy documents, including the Operative and Proposed ORPS, requiring provision of adequate open space and recreation facilities. Given this statutory direction the risk of not acting outweighs the risk of acting.

In addition, by not rezoning areas as open space and recreation, the Council would create the risk of inappropriate development occurring in an uncoordinated manner and subsequently diminishing the capacity of open space and recreation facilities to meet the needs of the changing community. Leaving the current zonings for existing open space and recreation areas will also mean that unnecessary and costly resource consents will continue to be required for activities that would otherwise be permitted if the proposed Open Space and Recreation Zone provisions applied.

11 Conclusion

A diverse open space network that provides for a variety of activities, including, but not limited to, passive recreation and commercial recreation, is critical to the social, cultural and economic well-being of the present and future community of the District. Such areas provide opportunities for people to recreate, , congregate, to experience nature, and to provide for their general health and well-being. In addition, the District's open spaces support the wide variety of significant natural features, landscapes, ecological and environmental values that are considered to be critical to the lifestyles of residents and visitors.

Given the foregoing, the objectives, policies and rules contained in the proposed Open Space and Recreation Zone chapter recognise the significant role these areas play. The proposed chapter provides an overarching objective and policy framework for the management of open space, waterbodies and their margins, including establishing a framework for an appropriate level of use and development of these areas. Collectively, it is considered that these provisions enable people to use and develop their open spaces in a manner that avoids significant effects on the natural and physical environment.

Overall, the proposed zones cover the variety of open spaces from natural environment, with little or no built development, to highly modified areas, with large scale built sports and recreation facilities, including commercial recreational activities. By facilitating a network of varied open space and recreation facilities and areas, the current and future recreational, cultural, health and wellbeing needs of the community will be met and the natural environment conserved and enhanced.

References

MFE, 2014 - [A guide to section 32 of the Resource Management Act 1991](#)

Council Strategic Documents

- [Parks and Open Space Strategy 2017](#)
- [QLDC Growth Projections to 2058, 2017](#)
- [Lake Wanaka Lakefront Development Plan](#)

Council Proposed District Plan – Stage 1

Section 32 Reports:

- Chapter 2 – [Definitions](#)
- Chapter 3 – [Strategic Direction](#)
- Chapter 21 – [Landscape, Rural Zone and Gibbston Character Zone](#)
- Chapter 22 – [Rural Residential and Rural Lifestyle](#)
- Chapter 27 – [Subdivision and Development](#)
- Chapter 35 – [Temporary Activities](#)

The Stage 1 Designation Chapter – [Notification Information](#)

Reserve Management Plans

- [Arrowtown - Lake Hayes Reserve Management Plan - Part 1 \(3.65 MB\)](#)
- [Arrowtown - Lake Hayes Reserve Management Plan - Part 2 \(3.23 MB\)](#)
- [Arrowtown - Lake Hayes Reserve Management Plan - Part 3 \(2.37 MB\)](#)
- [Albert Town Recreation Reserve Management Plan \(1.01 MB\)](#)
- [Ben Lomond And Queenstown Hill Reserve Management Plan \(459.41 KB\)](#)
- [Eely Point Reserve Development Plan \(562.59 KB\)](#)
- [Lismore Park, Kellys Flat And Allenby Park Reserve Management Plan \(753.48 KB\)](#)
- [Pembroke Park Reserve Management Plan \(671.53 KB\)](#)
- [Queenstown Gardens Reserve Management Plan - Part 1 of 2 \(3.72 MB\)](#)

- [Queenstown Gardens Reserve Management Plan - Part 2 of 2 \(2.21 MB\)](#)
- [Queenstown Bay Foreshore Reserve Management Plan 2016 \(2.03MB\)](#)
- [Queenstown Recreation Ground Reserve Management Plan \(584.64 KB\)](#)
- [Ruby Island Reserve Management Plan \(347.55 KB\)](#)
- [Sunshine Bay To Kelvin Heights Reserve Management Plan \(2.06 MB\)](#)
- [Wanaka Lakefront Reserves Management Plan \(9.38 MB\)](#)
- [Wanaka Library And Bullock Creek Reserve Management Plan \(356.88 KB\)](#)
- [Wanaka Recreation Reserve Management Plan \(A&P Showground\) \(2.15MB\)](#)

Other Related Plans

- [Lake Hawea Foreshore Reserve Development Plans - Esplanade Reserve A \(195.88 KB\)](#)
- [Lake Hawea Foreshore Reserve Development Plans - Esplanade Reserve B \(213.08 KB\)](#)
- [Lake Hawea Foreshore Reserve Development Plans - Scotts Beach \(233.10 KB\)](#)
- [Lake Hawea Foreshore Landscape Management Plan \(1.43 MB\)](#)

Relevant provisions referenced in the s32:

1 Strategic Directions

Objective 3.2.2.1: Ensure urban development occurs in a logical manner:

- to promote a compact, well designed and integrated urban form;
- to manage the cost of Council infrastructure; and
- to protect the District's rural landscapes from sporadic and sprawling development.

Policy 3.2.2.1.3: Manage the form of urban development within the UGBs ensuring:

- Connectivity and integration with existing urban development;
- Sustainable provision of Council infrastructure; and
- Facilitation of an efficient transport network, with particular regard to integration with public and active transport systems

Objective 3.2.3.1: Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.

Policy 3.2.3.1.2: That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.

Objective 3.2.3.2: Development is sympathetic to the District's cultural heritage values.

Policy 3.2.3.2.1: Identify heritage items and ensure they are protected from inappropriate development.

Objective 3.2.4.2 Protection of areas with significant Nature Conservation Values.

Policy 3.2.4.2.1 Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna, referred to as Significant Natural Areas on the District Plan maps and ensure their protection.

Objective 3.2.4.7 Facilitate public access to the natural environment.

Policy 3.2.4.7.1 Opportunities to provide public access to the natural environment are sought at the time of plan change, subdivision or development.

Objective 3.2.5.1 Protection of the Outstanding Natural Features and Landscapes from inappropriate subdivision, use and development.

Policy 3.2.5.1.1 Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps.

Objective 3.2.6.3: Provide a high quality network of open spaces and community facilities.

Policy: 3.2.6.3.1 Ensure that open spaces and community facilities are accessible for all people.

Policy 3.2.6.3.2: That open spaces and community facilities are located and designed to be desirable, safe, accessible places.

Objective 3.2.6.4: Ensure planning and development maximises opportunities to create safe and healthy communities through subdivision and building design.

Policy 3.2.6.4.2: Ensure Council-led and private design and development of public spaces and built development maximises the opportunity for recreational and commuting walking and cycling.

2 Operative RPS:

The operative RPS contains a number of objectives and policies of relevance to the proposed Open Space and Recreation Chapter.

LAND

Objective 5.4.1: To promote the sustainable management of Otago's land resources in order:

- a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and
- b) To meet the present and reasonably foreseeable needs of Otago's people and communities.

Objective 5.4.2: To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.

Objective 5.4.3: To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.

Objective 5.4.4: To ensure that public access opportunities exist in respect of activities utilising Otago's natural and physical land features.

Policy 5.5.1: To recognise and provide for the relationship Kai Tahu have with Otago's land resource through:

- a) Establishing processes that allow the existence of heritage sites, waahi tapu and waahi taoka to be taken into account when considering the subdivision, use and development of Otago's land resources; and
- b) Protecting, where practicable, archaeological sites from disturbance; and
- c) Notifying the appropriate runanga of the disturbance of any archaeological site and avoiding, remedying, or mitigating any effect of further disturbance until consultation with the kaitiaki runanga has occurred.

Policy 5.5.4: To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.

5.5.5 To minimise the adverse effects of landuse activities on the quality and quantity of Otago's water resource through promoting and encouraging the:

- a) Creation, retention and where practicable enhancement of riparian margins; and
- b) Maintaining and where practicable enhancing, vegetation cover, upland bogs and wetlands to safeguard land and water values; and
- c) Avoiding, remedying or mitigating the degradation of groundwater and surface water resources caused by the introduction of contaminants in the form of chemicals, nutrients and sediments resulting from landuse activities.

Policy 5.5.6 To recognise and provide for the protection of Otago's outstanding natural features and landscapes which:

- a) Are unique to or characteristic of the region; or
- b) Are representative of a particular landform or land cover occurring in the Otago region or of the collective characteristics which give Otago its particular character; or
- c) Represent areas of cultural or historic significance in Otago; or
- d) Contain visually or scientifically significant geological features; or

- e) Have characteristics of cultural, historical and spiritual value that are regionally significant for Tangata Whenua and have been identified in accordance with Tikanga Maori.

Policy 5.5.7 To promote the provision of public access opportunities to natural and physical land features throughout the Otago region except where restriction is necessary:

- i. To protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna; or
- ii. To protect Maori cultural values; or
- iii. To protect public health or safety; or
- iv. To ensure a level of security consistent with the purpose of a resource consent or in circumstances where safety and security concerns require exclusive occupation; or
- v. In other exceptional circumstances sufficient to justify the restriction notwithstanding the importance of maintaining that access.

BUILT ENVIRONMENT

9.4.1 To promote the sustainable management of Otago's built environment in order to:

- a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and
- b) Provide for amenity values, and
- c) Conserve and enhance environmental and landscape quality; and
- d) Recognise and protect heritage values.

Objective 9.4.3 To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.

Objective 9.5.4 To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:

- a) Discharges of contaminants to Otago's air, water or land; and
- b) The creation of noise, vibration and dust; and
- c) Visual intrusion and a reduction in landscape qualities; and
- d) Significant irreversible effects on:
 - i. Otago community values; or
 - ii. Kai Tahu cultural and spiritual values; or
 - iii. The natural character of water bodies and the coastal environment; or
 - iv. Habitats of indigenous fauna; or
 - v. Heritage values; or
 - vi. Amenity values; or
 - vii. Intrinsic values of ecosystems; or
 - viii. Salmon or trout habitat.

Policy 9.5.5 To maintain and, where practicable, enhance the quality of life for people and communities within Otago's built environment through:

- a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and
- b) Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago's natural and physical resources; and
- c) Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.

Policy 9.5.6 To recognise and protect Otago's regionally significant heritage sites through:

- a) Identifying Otago's regionally significant heritage sites in consultation with Otago's communities; and
- b) Developing means to ensure those sites are protected from inappropriate subdivision, use and development.

BIOTA

Objective 10.4.3: To maintain and enhance the natural character of areas with significant indigenous vegetation and significant habitats of indigenous fauna.

Policy 10.5.2: To maintain and where practicable enhance the diversity of Otago's significant indigenous vegetation and the significant habitat of indigenous fauna, trout and salmon which are:

- Covered under a statute or covenant for protection; or
- Habitat or vegetation that support the maintenance or recovery of indigenous species that are uncommon or threatened with extinction (rare, vulnerable or endangered) regionally or nationally;
- Vegetation that contains associations of indigenous species which are rare or representative regionally or nationally; or
- Vegetation that contains a substantially intact, uninterrupted ecological sequence of indigenous species are rare or representative regionally or nationally; or
- Important for soil and water values or have functions in natural hazard mitigation; and
- To promote and encourage, where practicable, the retention, enhancement and re-establishment of indigenous ecosystems within Otago.

3 Proposed RPS:

Objective 1.1 Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago

Policy 1.1.3 Social and cultural wellbeing and health and safety

Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:

- a) Recognising and providing for Kāi Tahu values;
- b) Taking into account the values of other cultures;
- c) Taking into account the diverse needs of Otago's people and communities;
- d) Promoting good quality and accessible infrastructure and public services;
- e) Avoiding significant adverse effects of activities on human health.

Objective 2.2 Kāi Tahu values, interests and customary resources are recognised and provided for.

Policy 2.2.2 Recognising sites of cultural significance

Recognise and provide for wāhi tūpuna, as described in Schedule 1C by all of the following:

- a) Avoiding significant adverse effects on those values which contribute to wāhi tūpuna being significant;
- b) Avoiding, remedying, or mitigating other adverse effects on wāhi tūpuna;
- c) Managing those landscapes and sites in a culturally appropriate manner.

Policy 2.2.3: Wāhi tūpuna and associated sites

Enable Kāi Tahu relationships with wāhi tūpuna by all of the following:

- a) Recognising that relationships between sites of cultural significance are an important element of wāhi tūpuna;
- b) Recognising and using traditional place names.

Policy 2.2.4 Sustainable use of Māori land

Enable Kāi Tahu to protect, develop and use land and resources within native reserves in a way consistent with their culture and traditions and economic, cultural and social aspirations, including for papakāiika, marae and marae related activities, while:

- a) Avoiding adverse effects on the health and safety of people; and
- b) Avoiding significant adverse effects on matters of national importance; and
- c) Avoiding, remedying or mitigating other adverse effects.

Objective 3.1 The values of Otago's natural resources are recognised, maintained and enhanced

Policy 3.1.9 Ecosystems and indigenous biological diversity

Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to achieve all of the following:

- a) Maintain or enhance ecosystem health and indigenous biological diversity;
- b) Maintain or enhance biological diversity where the presence of exotic flora and fauna supports indigenous biological diversity;
- c) Maintain or enhance areas of predominantly indigenous vegetation;
- d) Recognise and provide for important hydrological services, including the services provided by tussock grassland;
- e) Recognise and provide for natural resources and processes that support indigenous biological diversity;
- f) Maintain or enhance habitats of indigenous species and the habitat of trout and salmon that are important for recreational, commercial, cultural or customary purposes;
- g) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

Policy 3.1.12 Environmental enhancement

Encourage, facilitate and support activities which contribute to enhancing the natural environment, by one or more of the following:

- a) Improving water quality and quantity;
- b) Protecting or restoring habitat for indigenous species;
- c) Regenerating indigenous species;
- d) Mitigating natural hazards;
- e) Protecting or restoring wetlands;
- f) Improving the health and resilience of:
 - i. Ecosystems supporting indigenous biological diversity;
 - ii. Important ecosystem services, including pollination;
- g) Improving access to rivers, lakes, wetlands and their margins, and the coast;
- h) Buffering or linking ecosystems, habitats and areas of significance that contribute to ecological corridors;
- i) Controlling pest species.

Objective 3.2 Otago's significant and highly-valued natural resources are identified, and protected or enhanced

Policy 3.2.2 Managing significant vegetation and habitats

Protect and enhance areas of significant indigenous vegetation and significant habitats of indigenous fauna, by all of the following:

- a) Avoiding adverse effects on those values which contribute to the area or habitat being significant;
- b) Avoiding significant adverse effects on other values of the area or habitat;
- c) Remedying when other adverse effects cannot be avoided;
- d) Mitigating when other adverse effects cannot be avoided or remedied;

- e) Encouraging enhancement of those areas and values which contribute to the area or habitat being significant;
- f) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes

Protect, enhance and restore outstanding natural features, landscapes and seascapes, by all of the following:

- a) Avoiding adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Recognising and providing for the positive contributions of existing introduced species to those values;
- d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- e) Encouraging enhancement of those areas and values which contribute to the significance of the natural feature, landscape or seascape.

Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes

Protect or enhance highly valued natural features, landscapes and seascapes by all of the following:

- a) Avoiding significant adverse effects on those values which contribute to the high value of the natural feature, landscape or seascape;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Recognising and providing for positive contributions of existing introduced species to those values;
- d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- e) Encouraging enhancement of those values which contribute to the high value of the natural feature, landscape or seascape.

Objective 4.5 Urban growth and development is well designed, reflects local character and integrates effectively with adjoining urban and rural environments

Policy 4.5.1 Managing for urban growth and development

Manage urban growth and development in a strategic and co-ordinated way, by all of the following:

- a) Ensuring there is sufficient residential, commercial and industrial land capacity, to cater for the demand for such land, over at least the next 20 years;
- b) Coordinating urban growth and development and the extension of urban areas with relevant infrastructure development programmes, to provide infrastructure in an efficient and effective way;
- c) Identifying future growth areas and managing the subdivision, use and development of rural land outside these areas to achieve all of the following:
 - i. Minimise adverse effects on rural activities and significant soils;
 - ii. Minimise competing demands for natural resources;
 - iii. Maintain or enhance significant biological diversity, landscape or natural character values;
 - iv. Maintain important cultural or historic heritage values;
 - v. Avoid land with significant risk from natural hazards;
- d) Considering the need for urban growth boundaries to control urban expansion;
- e) Ensuring efficient use of land;
- f) Encouraging the use of low or no emission heating systems;
- g) Giving effect to the principles of good urban design in Schedule 5;

- h) Restricting the location of activities that may result in reverse sensitivity effects on existing activities.

Policy 4.5.2 Planned and coordinated urban growth and development

Where urban growth boundaries or future urban development areas, are identified in a district plan, control the release of land within those boundaries or areas, by:

- a) Staging development using identified triggers to release new stages for development; or
- b) Releasing land in a way that ensures both:
 - i. a logical spatial development; and
 - ii. efficient use of existing land and infrastructure before new land is released; and
- c) Avoiding urban development beyond the urban growth boundary or future urban development area.

Policy 4.5.6 Designing for public access

Design and maintain public spaces, including streets and open spaces, to meet the reasonable access and mobility needs of all sectors.

Objective 5.1 Public access to areas of value to the community is maintained or enhanced

Policy 5.1.1 Public access

Maintain and enhance public access to the natural environment, including to the coast, lakes, rivers and their margins and where possible areas of cultural or historic significance, unless restricting access is necessary for one or more of the following:

- a) Protecting public health and safety;
- b) Protecting the natural heritage and ecosystem values of sensitive natural areas or habitats;
- c) Protecting identified sites and values associated with historic heritage or cultural significance to Kāi Tahu;
- d) Ensuring a level of security consistent with the operational requirements of a lawfully established activity.

Objective 5.2 Historic heritage resources are recognised and contribute to the region's character and sense of identity

Policy 5.2.1 Recognising historic heritage

Recognise all the following elements as characteristic or important to Otago's historic heritage:

- a) Residential and commercial buildings;
- b) Māori cultural and historic heritage values;
- c) 19th and early 20th century pastoral sites;
- d) Early surveying, communications and transport, including roads, bridges and routes;
- e) Early industrial historic heritage, including mills and brickworks;
- f) Gold and other mining systems and settlements;
- g) Dredge and ship wrecks;
- h) Coastal historic heritage, particularly Kāi Tahu occupation sites and those associated with early European activity such as whaling;
- i) Memorials;
- j) Trees and vegetation.

Policy 5.2.3 Managing historic heritage

Protect and enhance places and areas of historic heritage, by all of the following:

- a) Recognising that some places or areas are known or may contain archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value;
- b) Applying these provisions immediately upon discovery of such previously unidentified archaeological sites or areas, wāhi tapu or wāhi taoka;

- c) Avoiding adverse effects on those values which contribute to the area or place being of regional or national significance;
- d) Avoiding significant adverse effects on other values of areas and places of historic heritage;
- e) Remedying when adverse effects on other values cannot be avoided;
- f) Mitigating when adverse effects on other values cannot be avoided or remedied;
- g) Encouraging the integration of historic heritage values into new activities;
- h) Enabling adaptive reuse or upgrade of historic heritage places and areas where historic heritage values can be maintained.

Objective 5.3 Sufficient land is managed and protected for economic production

Policy 5.3.1 Rural activities

Manage activities in rural areas, to support the region's economy and communities, by all of the following:

- a) Enabling primary production and other rural activities that support the rural economy;
- b) Minimising the loss of significant soils;
- c) Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects;
- d) Minimising the subdivision of productive rural land into smaller lots that may result in rural residential activities;
- e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.

Objective 5.4 Adverse effects of using and enjoying Otago's natural and physical resources are minimised

Policy 5.4.5 Pest plants and animals

Control the adverse effects of pest species, prevent their introduction and reduce their spread, to safeguard all of the following:

- a) The viability of indigenous species and habitats for indigenous species;
- b) Ecosystem services that support economic activities;
- c) Water quality and water quantity;
- d) Soil quality;
- e) Human and animal health;
- f) Recreation values;
- g) Landscapes, seascapes and natural character.

4 Iwi Management Plans

4.1 *The Cry of the People, Te Tangi a Taura: Ngāi Tahu ki Murihiku* Natural Resource and Environmental Iwi Management Plan 2008

Section 3.4, Takitimu Me Ona Uri: High Country and Foothills

3.4.8 – Access and Tourism in High Country and Foothill Areas

Policy 2. Development that includes building activity should consider specific landscape and geographical features and the significance of these to Ngāi Tahu Whānui. Activity where buildings will protrude above ridgelines or displace sites of cultural significance should be avoided.

- Policy 3. Recognise and protect culturally significant sites and places associated with high country trails.*
- Policy 5. Encourage consent and concession authorities to consider appropriate locations and durations for activities involving tourism, recreation and access to the high country. This includes assessing the long term and cumulative effects that the activity may have. Further, authorities should provide for the potential availability of improved techniques and processes that will reduce overall effects on high country landscapes.*
- Policy 6 Encourage education among tourist and other visitors about the cultural importance of mountains and other landforms to Ngāi Tahu Whānui.*
- Policy 8 Deter disrespectful activity by tourists or other visitors within areas designated as culturally significant. This includes education with respect to depositing of food, sewage, or rubbish away from designated sites and defacing of sites.*
- Policy 12. Recognise Ngāi Tahu Whānui continued access to areas of indigenous vegetation for customary use practices. For example, collection of a specific seed source, young shoots or flax for cultural use. Such collection shall be kept to a minimum so as to not impede succession and ensure habitats are retained.*

3.4.10 Plant Pests

- Policy 2. Advocate that all management decisions shall take into account the protection and survival of indigenous species of flora and fauna (rare and not rare, and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems.*
- Policy 3 Require monitoring of plant pest control operations, for adverse effects on indigenous species, to be included in any pest management strategy.*
- Policy 12 Promote the use of native species in new developments as a means of reducing the risk of plant pest spread.*

3.4.11 Animal and Bird Pests

- Policy 1 Advocate that all management decisions shall take into account the protection and survival of indigenous species of flora and fauna (rare and not rare, and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems.*

3.4.12 Mahinga kai – mahi ngā kai

- Policy 3 All Ngāi Tahu Whānui, current and future generations, must have the capacity to access, use and protect high country landscapes, wāhi*

tapu and mahinga kai sites and the history and traditions that are linked to these landscapes.

Policy 4 Promote the protection, restoration and enhancement of indigenous biodiversity.

Policy 5 Advocate for the protection, restoration and enhancement of waterways, riparian margins, wetlands, and tarns as a means of protecting and enhancing indigenous biodiversity.

3.4.14 Protecting Sites of Significance in High Country and Foothill Areas

Policy 3 Work with local authorities and other statutory agencies involved in the protection of cultural heritage to ensure that Ngāi Tahu perspectives and policies are reflected in statutory plans, best practice guidelines and strategies, and in resource consent processes (e.g. prohibited activity status for wāhi tapu areas).

Policy 6 Avoid compromising unidentified, or unknown, sites of cultural significance as a consequence of ground disturbance associated with land use, subdivision and development.

Section 3.5 Southland Plains: Te Rā a Takitimu

3.5.7 Subdivision and Development

Policy 1 Require iwi involvement in local authority planning processes that establish zoning provisions, including decisions pertaining to where subdivision and development is considered appropriate or inappropriate.

Policy 8 Advocate for the use of esplanade reserves, strips and other similar provisions on those waterways where such provisions are deemed necessary to protect and provide for waterway health and access values.

Policy 12 Subdivision activities along waterways of cultural importance to tangata whenua should maintain and enhance access to and along those waterways.

3.5.17 Ngā Pononga a Tāne a Tangaroa - Biodiversity

Policy 1 Use planning, policy and resource consent processes to promote the protection and, where necessary, enhancement, of native biodiversity of Murihiku, specifically:

- a) enhancement and restoration of degraded areas;*
- b) planting of native species to offset or mitigate adverse effects associated with land use activities;*
- c) the incorporation of biodiversity objectives into development proposals;*
- d) prohibiting the use of pest plant species in landscaping.*

3.5.19 Riparian Zones

- Policy 1 Promote riparian zone establishment and management in Resource Management Act policy, planning and consent processes, as a tool to mitigate the adverse effects of land use activities on streams.*

4.2 *Kāi Tahu ki Otago* Natural Resource Management Plan 2005

5.4.3 Wahi Tapu Objectives

- iii) Wahi tapu throughout the Otago region are protected in a culturally appropriate manner.*

5.6.3 Cultural Landscapes Objectives

- ii) The protection of significant cultural landscapes from inappropriate use and development.*

5.6.4 Cultural Landscapes General Policies

- Policy 1 To identify and protect the full range of landscape features of significance to Kāi Tahu ki Otago.*
- Policy 3 To promote the control of visitor and recreational activities that impact on significant landscapes.*
- Policy 6 To promote the identification of areas of historic heritage in collaboration with Local Government Agencies.*
- Policy 24 To discourage the erection of structures, both temporary and permanent, in culturally significant landscapes, lakes, rivers or the coastal environment.*
- Policy 29 To require public foot access along lakeshores and riverbanks within subdivisions.*
- Policy 32 To encourage that adequate provision is made for the storage and collection of litter and refuse, and disposal is in an approved manner.*
- Policy 37 To encourage the establishment of maximum visitor numbers to sensitive areas.*

10.3.3 Wahi Tapu Policies in the Clutha/Mata-au Catchment

- Policy 1 To require that wāhi tapu sites are protected from further loss or destruction.*

APPENDIX 4
Section 32AA evaluation

Appendix 4

Section 32AA Assessment

This evaluation assesses the costs, benefits, efficiency, and effectiveness of the various new (and, where of substance, amended) policies and rules that are being amended in the s42A report.

The relevant provisions from the revised chapter are set out below, showing additions to the notified text in underlining and deletions in ~~strike-through~~ text (i.e. as per the recommended changes shown in red in the revised provisions). The section 32AA assessment then follows in a separate table underneath the provisions.

Recommended amendments to Policy 38.2.1.1

The design, development, management and maintenance of Open Space and Recreation Zones shall provide for:

- a. the needs of the community in the area in which the zones are located, and the needs of the wider community and visitors to the District;
- b. the effective and efficient use of resources so as to ensure that Open Space and Recreation Zones are ~~multi-functional and~~ fit for purpose and safe for all users;
- c. the maintenance and enhancement of integrated public access connections to walking and cycling networks throughout the District, including along lake and river margins;
- ~~d. the functional use of Open Space and Recreation Zones, while ensuring that they are safe and attractive to users;~~
- ed. the location within which Open Space and Recreation Zones are situated, responding to recognised natural character, landscape and heritage values; and
- fe. the provision of infrastructure necessary to service Open Spaces and Recreation Zones, including recreation facilities and amenities.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> This change is efficient as it is more succinct through removing the repetition within the policies.

Recommended Additional Policy 32.2.1.X

32.2.1.X Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> No specific costs. The new policy provides a direct link for the corresponding proposed new rule for firefighting water supply in the Open Space and Recreation zones. 	<ul style="list-style-type: none"> The new policy better addresses that some buildings will now be provided for as a permitted activity. 	<ul style="list-style-type: none"> The new policy is effective because it better addresses the development opportunities now available as permitted activities in the Open Space and Recreation zones. The policy is efficient in that it is in line with other zone requirements.

Recommended amendments to Policy 38.2.2.1

Ensure activities are undertaken, ~~and buildings and infrastructure are located and constructed~~ in a manner that maintains or enhances the amenity values of the relevant reserve and surrounding environment, including natural, scenic and heritage values.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none">• No costs identified.	<ul style="list-style-type: none">• None identified.	<ul style="list-style-type: none">• The removal of the reference to buildings and infrastructure is efficient as this is adequately addressed via Policy 38.2.2.4.

Recommended amendments to Policy 38.2.2.2

Limit activities, buildings and structures to those compatible with the role and function of the zone, the sensitivity of the surrounding environment and ~~are necessary~~ to maintain or enhance the anticipated use or values of the zone.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none">• No costs identified.	<ul style="list-style-type: none">• None identified.	<ul style="list-style-type: none">• The amendments are effective in that the addition gives effect to the strategic policies in Chapter 3, and the deletion removes a very high threshold that most activities would have failed to meet.

Recommended amendments to Policy 38.2.2.3

Require areas surrounding buildings, structures, outdoor storage and parking areas to be ~~screened~~ and landscaped to mitigate visual impacts and maintain or enhance amenity values.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none">• No costs identified.	<ul style="list-style-type: none">• None identified.	<ul style="list-style-type: none">• The amendment is effective and efficient as it removes an undefined and potentially subjective word that is adequately addressed elsewhere in the policy wording.

Recommended amendments to Objective 38.2.3

Commercial activities are limited to those that have a functional requirement to locate within Open Space and Recreation Zones and ~~do not degrade~~ maintain open space and recreation values.

Appropriateness (s32(1)(a))

The change is appropriate as it retains the same level of protection of open space and recreation values but frames the objective in an active voice rather than stating what should be avoided.

Recommended amendments to Policy 38.2.3.2

Ensure that commercial activities ~~do not degrade~~ maintain the quality, amenity values and landscape values of open spaces.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none">No costs identified.	<ul style="list-style-type: none">None identified.	<ul style="list-style-type: none">The change gives effect to the reworded objective.

Recommended amendments to Policy 38.2.4.1

Provide recreation, commercial and public transport opportunities within Open Space and Recreation Zones in a manner that ~~preserves~~ supports the preservation of the natural character and nature conservation values of lakes, rivers and their margins from inappropriate activities.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none">No costs identified.	<ul style="list-style-type: none">None identified.	<ul style="list-style-type: none">The amendment is effective as it describes an action which is the function of a policy.

Recommended Additional Objective 32.2.X

Activities sensitive to aircraft noise within the Queenstown Airport Air Noise Boundary or Outer Control Boundary are avoided or managed to mitigate noise and reverse sensitivity effects.

Appropriateness (s32(1)(a))

A new objective is appropriate in order to give effect to the strategic objectives in Chapter 3 of the PDP and the outcomes of Plan Change 35.

Recommended Additional Policy 38.2.X.X

Require buildings that contain an Activity Sensitive to Aircraft Noise and are located within the Queenstown Airport Air Noise Boundary or Outer Control Boundary to be designed and built to achieve an internal design sound level of 40 dB Ldn.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> No costs identified (see also proposed new rule 38.10.XX). 	<ul style="list-style-type: none"> The addition of this policy will afford plan users greater certainty as to how noise will be managed. 	<ul style="list-style-type: none"> The new policy is effective in that it sets out the actions required to manage noise as set out in new Objective 38.2.X.

Recommended amendments to Policy 38.3.1.1

Provide for appropriate use and development by:

- limiting activities, buildings and structures to those necessary to maintain or enhance the use or values of the zone and only allowing these where they cannot be located on other adjoining or nearby land for the same purpose;
- locating and designing new buildings, structures, additions and parking areas to protect and maintain the character and values of the zone;
- mitigating the visual impacts of buildings, structures and parking areas through appropriate landscaping and design responses; and
- identifying opportunities to enhance ~~indigenous~~ biodiversity and providing for these opportunities to be realised as part of the mitigation of the adverse effects of subdivision of adjoining land and use and development within the zone.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> No costs identified. 	<ul style="list-style-type: none"> The change will take into account all biodiversity. 	<ul style="list-style-type: none"> The change will enable plan users to give effect to section 7 matters of the RMA as well as section 6.

Recommended New Policies 38.4.1.XA, 38.4.1.XB and 38.4.1.XC**Within the Ben Lomond Sub-Zone**

38.4.1.XA Control the visual impact of buildings, passenger lift systems, earthworks and infrastructure associated with commercial and commercial recreation activities.

38.4.1.XB Ensure that buildings, passenger lift systems and infrastructure associated with commercial and commercial recreation activities are not highly prominent on the skyline and remain subservient to the view of Walter Peak when viewed from the north east (Malaghans Road / Gorge Road).

38.4.1.XC Require landscape rehabilitation following the removal of exotic conifers to mitigate effects on landscape and visual amenity, including revegetation with indigenous species and provision for the ongoing control of conifer regrowth.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> Resource consent applications may be subject to higher degree of scrutiny. Economic cost of landscape rehabilitation. 	<ul style="list-style-type: none"> Policy support for bespoke rules in the BLSZ. Policy support to ensure visual and landscape effects are appropriately addressed. 	The policies are effective and efficient as they provide a link to the bespoke rules in the BLSZ and further direction as to what the rules seek to achieve.

Recommended amendments to Provision 38.8.2.8

The following Land use activities within the National Grid Yard or Electricity Distribution Corridor are managed in Chapter 30 Energy and Utilities:

- ~~a. Earthworks undertaken within the National Grid Yard;~~
- ~~b. Earthworks for the placement of underground electricity cables or lines; and~~
- ~~c. Earthworks in the Electricity Distribution Corridor.~~

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> No costs identified. 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> The change is efficient in that it reduces policy length while removing the unnecessary limitation on the activities provided for.

Recommended Additional Provision 38.8.2.X

Activities, buildings and structures proposed to be established within the vicinity of Queenstown Airport are referred to Figures 1 and 2 of the Planning Maps which identify the Airport Approach and Protection Measures, and Airport Protection Inner Horizontal and Conical Surfaces for Queenstown Airport. Land use restrictions associated within these areas are further described in Chapter 37: Designations, Part D.3. Persons who wish to undertake activities or develop buildings or structures which enter into these surfaces are advised to consult with the relevant requiring authority and the Civil Aviation Authority.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> No significant costs identified. Additional words add to length of plan. 	<ul style="list-style-type: none"> The new provision aids plan users by making it explicit that other planning controls may apply in the Open Space and Recreation zones. 	<ul style="list-style-type: none"> The addition is efficient in that it prevents plan users from proceeding with missing information. The provision gives effect to the strategic direction recognising the important role Queenstown Airport plays in the prosperity and resilience of the District. The provision prevents the need for a site-specific standard.

Recommended amendment to Rule 38.10.6

~~Outdoor storage and storage of waste and recycling shall be screened that is visible from public places roads or~~ and adjoining zones shall be landscaped with ~~by either~~ planting, solid walls, solid fences, or any combination of these, to 2m in height along the length of the outdoor storage area. Where such ~~screening~~ landscaping is by way of planting it shall be for a minimum depth of 3m as well as 2m high.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none">None identified.	<ul style="list-style-type: none">The amended provision ensures that any outdoor storage is not visible from beyond the reserve it is located within.	<ul style="list-style-type: none">The amended provision is more effective as it removes ambiguity.

Recommended Additional Rule 38.10.XX

Water supply and access for firefighting RD

All new buildings over 20m² in area that are not connected to the reticulated water supply must make the following provision for firefighting:

38.10.X.1 A water supply of 45,000 litres; and

38.10.X.2 A hardstand area adjacent to the firefighting water supply connection of a minimum width of 4.5 metres and a minimum length of 11 metres; and

38.10.X.3 A firefighting water connection located more than 6 metres but not less than 90 metres away from the building; and

38.10.X.4 Access from the property boundary to the firefighting water connection of a minimum width of 4.5 metres.

Discretion is restricted to:

- the extent of compliance with any national standards for firefighting water supply;
- the accessibility of the firefighting water connection point for fire service vehicles;
- whether, and the extent to which, the building is assessed as a low fire risk.
- any advice that may have been received from Fire and Emergency New Zealand.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> • Cost of water tanks, including the costs of installation and maintenance. This cost borne by party building. • Potential inconsistency with decision version of Rural Residential and Rural Lifestyle Zones and MOU but reflecting most recent advice from FENZ. 	<ul style="list-style-type: none"> • The rule is cost-effective in that it allows for flexibility of the volume of the supply and the configuration through resource consent process. • Links to established process in the Rural zones. • New Zealand standards are referenced as a matter of discretion because assessing a resource consent is open to a broader/value based assessment than determining permitted activity status. 	<ul style="list-style-type: none"> • The rule will be effective at providing a usable firefighting water supply in a way that is consistent with the Rural Zone and the most recent advice from FENZ. • The rule will be efficient in that a permitted activity can be complied with, or an individual assessment option remains through the exemption option or resource consent process as a restricted discretionary activity.

Recommended Additional Rule 38.10.XX		
<u>38.10.XX</u>	<p data-bbox="379 1093 868 1126"><u>Activities Sensitive to Aircraft Noise</u></p> <p data-bbox="379 1144 1265 1361"><u>New buildings or additions to existing buildings containing Activities Sensitive to Aircraft Noise located within the Queenstown Airport Air Noise Boundary or Outer Control Boundary shall be designed to achieve an Indoor Design Sound Level of 40dB within any Critical Listening Environment (based on the 2037 Noise Contours) and ventilated in accordance with Rule 36.6.2.</u></p>	<u>NC</u>

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> • There will be additional costs involved for parties building new ASAN activities within the air noise boundaries, including acoustic insulation and mechanical ventilation costs, however this would be in line with that required should the land have remained zoned Rural as in Stage 1. 	<ul style="list-style-type: none"> • Consistent with the outcomes of Plan Change 35. • Inclusion of sound insulation and mechanical ventilation for areas subject to airport noise will ensure protect of amenity for those undertaking ASAN within the noise control boundaries. 	<ul style="list-style-type: none"> • The addition of the rule will give effect to the objective and policy. • The non-complying status indicates that activities that do not comply with this standard are generally not appropriate but recognising that alternative options may be available to manage noise effects.

Recommended Amendments to Rule 38.11.1

38.11.1	<p>Buildings</p> <p>Construction, relocation, addition or alteration of any building.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Landscape and visual amenity values; • Scale, intensity and cumulative effects; • Associated earthworks and landscaping; • Lighting; • Provision of water supply, sewerage treatment and disposal, <u>storm water disposal</u>, electricity and communication services; • Natural Hazards; and • Effects on the transportation network. <p>Information requirements associated with the effects on the transportation network shall include an integrated transport assessment, including but not limited to:</p> <ul style="list-style-type: none"> • Travel, access and parking plans; • Any capacity or safety improvements to the road network, if the scale and intensity of the activity requires this; • The enhancement of pedestrian connections and networks to the Queenstown Town Centre Zone; • Measures to encourage reduced use of car travel by employees and customers; and • Requirements for the provision of dedicated car parks. 	RD
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Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> • Additional component to consent to address stormwater. 	<ul style="list-style-type: none"> • Provides for stormwater to be considered at resource consent stage. • Removes requirement to provide integrated transport assessment for small scale buildings. 	<p>Effective to address stormwater discharge at resource consent. Removes inefficiency/double up now that the Transport Chapter forms part of the PDP.</p>

Recommended Amendments to Rule 38.11.3

38.11.3	<p><u>Commercial recreation activity and related Commercial activity</u></p> <p><u>38.11.3.1 Commercial recreation activity</u></p> <p><u>38.11.3.2 Commercial activity only where including:</u></p> <p>a. <u>the commercial activities</u> is associated with, and located on, the same site as <u>the recreation activities</u>; and or</p> <p>b. retail ancillary to <u>the</u> commercial recreation activity</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Intensity and scale of the activity on recreation use and amenity values; • Noise; • Public access to, and use of the open space; • Other occupiers or users of the site or adjoining sites; • Infrastructure; • Access and parking; and • Effects on the transportation network (if not previously or concurrently addressed by an integrated transport assessment in Rule 38.11.1). 	RD
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Costs	Benefits	Effectiveness and Efficiency
None identified	Clarifies that commercial activities are anticipated only where they are associated with commercial recreation activity.	Splitting the two activities makes the rule easier to interpret which is more effective and efficient.

Recommended amendment to Rule 38.11.5

Parking within the Lower Terminal area of the Ben Lomond Sub Zone.

Control is reserved to the following:

- ~~• Traffic generation, access, parking layout and design;~~
- ~~• Consistency with any integrated traffic assessment required by Rules 38.11.1 and 38.11.3;~~
- ~~• Pedestrian and vehicle access; and~~
- Landscaping.

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> Removes duplication with the transport chapter which covers the matters of control that are recommended to be deleted. 	<ul style="list-style-type: none"> Removal of duplication is more efficient.

Recommended New Rule 38.11.X (inserted as 38.11.7 with consequential renumbering for remaining rules)

<u>38.11.7</u>	<u>Building within the Gondola Corridor Area</u> <u>Any building within the Gondola Corridor Area excluding passenger lift systems.</u>	<u>NC</u>
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Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> Resource consent applications required for building in this area. 	<ul style="list-style-type: none"> Protects the Gondola Corridor Area for gondola use and signals that other buildings are not anticipated. 	<ul style="list-style-type: none"> Effective in providing direction as to what is and is not anticipated in this area of the BLSZ.

Recommended amendment to Rule 38.12.2

~~Controlled activities within the Informal Recreation Ben Lomond Sub Zone shall not be publicly notified but may require the written approval of affected persons or give limited notification to affected persons.~~

Costs	Benefits	Effectiveness and Efficiency
<ul style="list-style-type: none"> No involvement from third parties in consent applications for controlled activities. 	Straightforward consenting pathway for activities that are clearly anticipated in the zone.	<ul style="list-style-type: none"> Efficient consent pathway.