

**Planning & Strategy Committee  
22 November 2018**

**Report for Agenda Item 1**

**Department: Planning & Development**

**Proposed District Plan Review Timeline**

**Purpose**

- 1 To provide an update on the review of the Proposed District Plan (PDP), confirm the extent of further stages of the review and provide an amended outline of indicative timing of the review and decisions.

**Executive Summary**

- 2 Stage 1 of the PDP was notified in August 2015, containing most of the text and zones for a new plan. Stage 2 of the PDP was notified in November 2017 containing a further six major topics. To date 15 hearing streams have been completed, notified and heard and decisions have been issued on 34 chapters of Stage 1 of the plan. 101 separate legal proceedings have been filed with the Environment Court in response to the Stage 1 PDP decisions comprised of 1,065 appeal points relating to a broad range of matters. The exchange of evidence and mediations for these appeals is underway. Work has also commenced on Stage 3 of the PDP review that it is envisaged will comprise at least six further topics.
- 3 Completing the current review of the Operative District Plan (ODP) is recommended to be achieved in one remaining tranche of work, altering the indicative timeline and 4 Stage programme agreed in the report to the 8 June 2017 Planning and Strategy Committee. It is proposed that a final tranche of PDP provisions be notified by July 2019 for hearings in October and November 2019 with decisions being issued in February 2020.
- 4 Completion of the current review of the ODP and making the PDP operative depends on a number of factors including what happens with the Environment Court appeals, the timing and extent of changes required to implement National Planning Standards for RMA plans and available resources.
- 5 Future stages of work on the district plan include possible changes to the Air Noise Boundaries for Queenstown and Wanaka Airports, subject to the completion of masterplan processes for both airports by Queenstown Airport Corporation, alignment and standardisation of special zone provisions with the rest of district plan, private plan changes for major new urban development proposals, implementation of National Planning Standard templates and transition of the district plan into an interactive e-plan platform.

## Recommendation

That the Planning & Strategy Committee:

1. **Note** the contents of this report and in particular;
2. **Note** the proposed timeline for notification and hearings for future Stages of the Operative District Plan Review confirmed by the 8 June 2017 Planning and Strategy Committee.
3. **Confirm** an amended timeline for review and notification of the following topics as Stage 3 of the PDP to be endorsed by Council for public notification and submissions 3<sup>rd</sup> quarter 2019 and hearings in 4<sup>th</sup> quarter 2019:
  - a. Affordable housing and inclusionary zoning;
  - b. Mapping sites of significance to iwi;
  - c. Township Zones;
  - d. Design Guidelines for the Residential and Business Mixed Use Zones (PDP Chapters 7, 8, 9 and 15);
  - e. Gorge Road High Density Residential Zone and Business Mixed Use Zones and Natural Hazards;
  - f. Industrial A and B Zones;
  - g. Rural Visitor Zones;
  - h. Ballantyne Road Mixed Use Zone;
  - i. Three Parks.
4. **Defer** the review of remaining components of the Operative District Plan (Stage 4) that were not otherwise excluded, until Council makes a decision to implement the proposed National Planning Standards, once gazetted:
  - a. Penrith Park Zone;
  - b. Bendemeer Zone;
  - c. Hydro Generation Overlay/Zone and related financial contribution provisions;
  - d. Meadow Park Zone;
  - e. Frankton Flats Zone;
  - f. Kingston Village Zone;
  - g. Arrowtown South Zone;
  - h. Mt Cardrona Station Special Zone.
5. **Note** the timeline for notification and hearings for Stage 2 (including transport, open space and recreation, earthworks, Wakatipu Basin, visitor accommodation, signs) occurred in 4<sup>th</sup> quarter 2017 and hearings in 3<sup>rd</sup> quarter 2018.
6. **Confirm** the following proposed indicative timeline for decisions on the Proposed District Plan (including responses to submissions, consolidated plan provisions, zones and mapping annotations and reasons for decisions):

- a. Stage 2 recommendations, 4<sup>th</sup> quarter 2018. Issue of Council Decisions on Stage 2, 1<sup>st</sup> quarter 2019<sup>1</sup>.
  - b. Stage 3 recommendations, 1<sup>st</sup> quarter 2020. Issue of Council Decisions on Stage 3 2<sup>nd</sup> quarter 2020.
7. **Note** that submissions on Stage 1 of the Proposed District Plan that were transferred to Stage 2 have not been decided within the 2 year time limit under the Resource Management Act.
8. **Confirm** the decision of the Planning Policy Manager to extend the time limit for issuing decisions on provisions and submissions to Stage 1 of the Proposed District Plan transferred to Stage 2 under section 37 of the Resource Management Act.

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13/11/2018

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13/11/2018

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<sup>1</sup> It is noted that recommendations from the PDP Independent Hearings Panel on Stage 2 submissions will be made available shortly after they are received in order to assist parties involved in hearings and mediations on Stage 1.

## Background

- 6 The Council's approach to the review of the Operative District Plan (ODP) has changed over time. The review commenced in April 2014 and the Proposed District Plan (PDP) was notified in August 2015 as a two stage review in order to allow good progress to be made on areas urgently requiring attention and delivering most immediate benefit contained in Stage 1. The Council appointed independent commissioners and Councillor representatives to hear and make recommendations on submissions.
- 7 In October 2015 Council resolved to withdraw provisions relating to visitor accommodation and visitor accommodation sub-zones within residential zones.
- 8 While hearings on Stage 1 commenced in March 2016, a number of changes were made to the ODP, which on the face of it, would have to be re-notified in order to incorporate them in the new plan and which potentially would involve re-litigating matters only recently resolved through changes to the ODP. On 29 September 2016 Council instead agreed to separate the new plan by geographic area into two volumes, containing:
  - **Volume A**, the geographic areas that have been notified in either Stages 1 and 2 of the PDP, and District Wide chapters to cover these areas, including PDP definitions; and
  - **Volume B**, the ODP as it relates to geographic areas that are excluded from the partial review, and are therefore not being notified in either Stages 1 or 2 of the PDP, and the operative district wide chapters to cover these areas, including ODP definitions. Volume B includes Frankton Flats B, Northlake Special and Remarkables Park Zones, Ballantyne Road low density residential and industrial zone extension, Queenstown Town Centre extension, Peninsula Bay North and the Mount Cardrona Special Zone.
  - The PDP **Introduction and Strategy** chapters are intended to apply across both volumes.
- 9 On 8 June 2017 Council agreed a revised programme for reviewing the balance of the ODP in a sequence of four separate tranches to manage workflows across the small team of council planners and consultants, and to prioritise the release of decisions on Stage 1 of the PDP so that it takes "legal effect" as soon as practicable.
- 10 The Council adopted recommendations from the Independent Hearing Panel as its decisions on submissions to Stage 1 of the PDP on 3 May 2018. 101 appeals to the Environment Court have been made against the decisions (including two requests for declarations) and 527 third party appeals<sup>2</sup> have been lodged. These appeals have now been reviewed and broken up into 1,065 separate appeal points.

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<sup>2</sup> Third party appeals are appeals where parties join and become a participant in appeals lodged by others in a matter where they are a submitter, or have an interest greater than the public in general.

11 On 8 November 2017 Council agreed to notify a second stage of the PDP review including a variation on the Wakatipu Basin rural area, Earthworks, Transport, Signs, Open Space and Recreation and Visitor Accommodation (**Stage 2**). Submissions on the Wakatipu Basin and Arrowtown mapping received as part of the submission period for Stage 1 were transferred to Stage 2. Hearings for these matters and for submissions on the Wakatipu Basin received in Stage 1 and Arrowtown mapping, were completed in July and September 2018. Recommendations from the Panel on submissions to Stage 2 are expected in mid-December 2018 which should allow for decisions to be issued at the first meeting of Council in 2018 (January 31).

## **Comment**

### **Recent Progress on the PDP Review**

12 Hearings on the Wakatipu Basin variation and the remaining Stage 1 PDP zoning submissions in the inner Wakatipu Basin including Arrowtown mapping were held in July and September 2018. A further hearing on visitor accommodation, transport, earthworks, signs, and open space was completed in September and October 2018.

13 Depending on the progress the Independent Hearings Panel make with their recommendations on submissions, it is anticipated that decisions on Stage 2 matters will be issued early in the first quarter of 2019. Once appeals and section 274 party appeals have been lodged in the 2<sup>nd</sup> quarter of 2019, Stage 2 will have “caught up” with the Stage 1 provisions, although appeals to Stage 1 decisions are likely to be dealt with sooner than those relating to Stage 2.

### **Appeals to decisions on the PDP Review**

14 The 101 appeals and approximately 527 section 274 party appeals received on Council’s decisions on submissions to Stage 1 have been broken down into approximately 1,065 separate appeal points which have been grouped into topics and sub-topics and put in a sequence for mediation and hearings. Mediations and informal meetings have commenced and all the matters assigned to the first completed mediation (Regionally Significant Infrastructure) for Topic 1 - Resilient Economy and Topic 2 - Rural Landscapes, have been resolved. Council’s evidence for Topics 1 and 2, has been filed in September and October 2018 respectively.

15 Progress with resolving the appeals depends on a number of factors including principally, the scheduling of the Environment Court, the availability of judges, mediators and venues, and also the willingness of participants (including both appellants and Council) to pursue the dispute, or to reconcile their position in order to settle. As the ‘respondent’ to the appeals the Council have little choice but to participate actively in the appeals process.

16 The Planning and Strategy Appeals Subcommittee have been meeting regularly to review and discuss matters relating to the PDP appeals.

### **Next Steps with the PDP Review**

- 17 Development of Stage 3 is underway and is intended to include a review of the Township zones, mapping of sites of significance to iwi, industrial zones, affordable housing and inclusionary zoning, rural visitor zones, residential and business mixed use development design guidelines, natural hazards in the Gorge Road high density residential and business zones, Three Parks and the Ballantyne Road mixed use zone.
- 18 Several of these topics such as townships and affordable housing and inclusionary zoning, mapping of sites of significance to iwi and Gorge Road zones and natural hazards will each require different approaches to engagement with interested and affected parties before finalising the provisions, and before commencing the statutory notification process. It is considered good practise for RMA plans to include the consideration of the results of consultation as part of a section 32 cost benefit evaluation report for plan changes of this kind.
- 19 It is proposed that the third tranche of PDP provisions (Stage 3) be put to Council for a decision on notification in May 2019 which (if it is agreed) will allow for notification to begin in July 2019. Assuming a typical time period for submissions, further submissions and analysis of submissions applies, it is anticipated that hearings can be held in October and November 2019, that recommendations from the Independent Hearing Panel will be received in February or March 2020 and that decisions can issued in April or May 2020.
- 20 Development activity and population growth in this district is amongst the most rapid in New Zealand and the above timeframe should also allow scope for these Stage 3 components of the PDP to:
- address new data on population and employment growth from the census results which were due by 3<sup>rd</sup> quarter 2018 but have been delayed until March 2019;
  - address any critical requirements for plans that come out of the National Planning Standards due to be confirmed in April 2019;
  - incorporate necessary but as-yet unscheduled changes to the PDP.

### **Future Changes to the PDP**

- 21 The recommendations from the Hearings Panel for Stage 1 of the PDP identified a number of issues with the PDP provisions which did not have adequate scope within submissions to be addressed through decisions. Council should consider undertaking variations to address these matters in due course. It is noted that a number of these recommended variations (if advanced) will entail significant and expensive programmes of work.
- 22 Implementation of the PDP and the appeals process is identifying the need for 'fix up' changes which could be developed as an omnibus plan change addressing errors and technical amendments together with implementation of National Planning Standards (see Proposed National Planning Standards and the PDP Review below).

23 In addition to work on the PDP initiated by Council, any person may request a change to a district plan; this is called a 'private plan change'. Private plan changes can be made to the ODP but only the Council can change the PDP. Making the PDP operative can potentially eclipse changes to the ODP if the provisions in the PDP that become operative relate to the same matter as a part of the ODP. For this reason, major requests to change the district plan that come in the near future may be accompanied with a request to Council to take land out of the PDP, or to mirror the ODP private plan change with a Council initiated variation to the PDP.

### Special Zones

24 A particular characteristic of the ODP is the large number of special zones that have come about through previous private plan changes. A number of these special zones were first developed some time ago (see table 1.1 below for details) however others have been made operative relatively recently. The oldest of these special zones are not consistent with the rest of the district plan and would not be considered fit for purpose if notified today. However, these older Special Zones are for the most part, fully developed, which means that reviewing and revising them may be of limited benefit. A decision not to proceed with Stage 4 of the PDP review at this time will mean that the following zones will not be 'brought into the tent' of the PDP for a period of time.

<b>Plan Zone</b>	<b>Change/Special Made Operative Date</b>	<b>Years since operative</b>
<b>Penrith Park</b>	1996	24
<b>Quail Rise</b>	1998	22
<b>Hydro Generation Zone</b>	2001	17
<b>Meadow Park Zone</b>	2005	13
<b>Kingston Village</b>	2010	8
<b>Shotover Country</b>	2013	5
<b>Frankton Flats A</b>	2014	4
<b>Arrowtown South</b>	2015	3

25 The RMA requires that district plans be subject to review at least every ten years from when they are made operative. Attachment A to this report contains a detailed breakdown of the status of all relevant zones in the current district plan (QLDC District Plan Volume A and B). The special zones in the ODP were reviewed in 2011 and a set of detailed monitoring reports were published. Many of these reports recommended only relatively minor changes were needed in order to improve the efficiency and effectiveness of the provisions. However, these reports were developed in the context of initiating a rolling review to the ODP which at the

time was not intended to have a strategic directions section and would keep the ODP largely intact.

- 26 Reviewing and modifying special zones to achieve outcomes in the strategic chapters of PDP can result in improved environmental outcomes. Many of the special zones were also promulgated when there was less focus on achieving efficient outcomes in terms of administering the zones. A focus of the PDP has been on reducing the complexity and amount of resource consent requirements, particularly in urban areas. Incorporating the ODP special zones into the PDP provides the opportunity for amendments that improve environmental outcomes, consistency and efficiency, as well as to reduce complexity and consent requirements.
- 27 It is consistent with the RMA for a review such as the 2011 review to conclude that notifying the special zone provisions for submissions is not warranted. However, no such decision by the Council has been made and taking into account the seven year period since this review, it is considered appropriate to review the special zones as part of implementing the proposed National Planning Standards and standardising the district plan to fit the national templates for plan provisions at the earliest available opportunity (see National Planning Standards below for details).

### **Proposed National Planning Standards and the PDP Review**

- 28 The Ministry for the Environment (MfE) plans to implement a set of National Planning Standards in April 2019 after the conclusion of consultation on a draft set of standards earlier this year. The purpose of the National Planning Standards is to standardise RMA plan format and definitions and to:
- make RMA plans simpler to prepare and easier for plan users to understand, compare and comply with;
  - set out requirements or provisions relating to the structure, format, or content of RMA policy statements and plans to address any matter that requires national consistency or implements national direction;
  - set out requirements for electronic functionality and accessibility of plans.
- 29 MfE also propose additional planning standards to complement the minimum requirements e.g. a standardised structure that directs where 'zone' and 'overlay' provisions sit, spatial planning tools, a zone framework, along with mapping and metrics protocols.
- 30 All of the PDP (Stages 1-3) will need to be reconfigured to some extent as a result of National Planning Standards. At the present time it is not clear if this will trigger the need for an extensive review process where significant changes will need to be evaluated and considered, or whether the changes it prompts will be confined to inconsequential standardising the plan's configuration, style and format.
- 31 There are two types of National Planning Standard – mandatory and discretionary. Incorporation of mandatory planning only involves informing that the new standard structure, format, text etc, has been implemented, along with any consequential changes. Most of the directions in the first set of draft planning standards are mandatory.



- 32 If the council decides to change other plan content beyond what the mandatory directions specify, these changes will need a formal public consultation process under the RMA, which will be open to submissions and appeals.
- 33 The second type of planning standard is 'discretionary'. A discretionary planning standard provides a set of options, and Councils must select at least one of the options to apply in their plans. The Council must use a formal consultation process under the RMA to decide which options to select and how they should be applied in the plan and this will be open to submissions and appeals.
- 34 The National Planning Standards do not determine the full content of plans or policy matters (other than some 109 definitions, the range of zones that can be used and map symbols / colours), although this is possible in the future. Information on the MfE website states the following:

*Changes to plan definitions will likely trigger multiple consequential changes to plans, prompting the review and testing of all affected plan provisions. Combining these changes with implementation of other planning standards, and more substantive plan reviews, helps save resources and produces better quality plans.*

### **Implementing National Planning Standards and an E-plan**

- 35 Because the PDP has only recently been reviewed, the MfE propose that QLDC would have a seven year time frame to implement the planning standards once they are gazetted in April 2019. There are however, several reasons to implement the standards as soon as practicable:
1. It is expected that consistency with National Planning Standards (once they are gazetted) will be an important consideration in dealing with challenges to the PDP that come up through the PDP review, the appeals process and also in applying the PDP in the resource consent process.
  2. The proposals in the draft planning standards to require Council's to implement interactive searchable e-plans for RMA planning instruments have particular advantages for the highly complex planning environment in QLD. E-plan platforms have considerable benefits for plan users when (as is the case in QLD) multiple plans are 'in play' and are at varying stages of the plan development process and taking legal effect. E-plan platforms also offer significant benefits for the public when making property enquiries and lodging applications, for consultation on plan changes and for plan and map editing.
- 36 The cost of developing the district plan onto an e-plan platform has not been budgeted in the current 10 Year Long Term Council Community Plan.

### **Making the PDP Operative**

- 37 There are parts of the Stage 1 provisions which have no appeals to them. As they are 'beyond challenge' they are able to be made operative but for the reasons below, it is considered inadvisable to make them operative on a piecemeal basis.
- 38 A rule in a proposed plan must be treated as operative (and any previous rule as inoperative) if all submissions in opposition have been withdrawn and all appeals

withdrawn or dismissed, even without a decision from Council or the Environment Court to make it operative.

- 39 It is significantly better for plan users to have the whole of a district plan at the same stage of review and it is complex, confusing and inefficient to have different parts of the plan at various stages of being reviewed: developed for notification, out for submissions, awaiting hearings and decisions and subject to appeal and awaiting Environment Court mediation, hearings and decisions. Making small parts of a plan operative in part does little to resolve this complexity and also opens the plan up for private plan changes which can be both disruptive and difficult to reconcile with the rest of a plan which is at varying stages of being reviewed.
- 40 It is considered appropriate and more efficient to make a significant tranche of provisions from the PDP operative at a point in time where the PDP can effectively replace substantial parts of the ODP once it is able to be administered as the district's principal planning instrument.
- 41 By providing clear and up to date information about which parts of the plan are subject to appeal and which parts can be treated as operative, the PDP should not be overly difficult to administer – despite the challenges that are inherent with it being reviewed in multiple stages.

### **Options**

- 42 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:
- 43 Option 1 Status Quo – proceed with a four stage review seeking to adhere to the timeline set out in the decisions of the 8 June 2017 Planning and Strategy Committee as closely as possible. This option entails releasing decisions on stage 2 as close as possible to third quarter 2018, notification of Stage 3 in 1<sup>st</sup> quarter 2019 with hearings in 3<sup>rd</sup> quarter 2019 and notification of stage 4 in 2<sup>nd</sup> quarter 2019 with hearings in 4<sup>th</sup> quarter 2019.

#### Advantages:

- 44 The previously agreed review timeline responded to feedback and a meeting with local planning and legal practitioners and (if it were possible) would advance consolidating the whole of the plan into one statutory document as fast as possible.

#### Disadvantages:

- 45 Four stages of review followed by a further round of review in order to implement National Planning Standards is overly complex for the public who use the plan, the Council developing and administering it, and the Hearing Panel and Environment Court who are making decisions on it. Too much complexity is not only inconvenient and inefficient, it erodes the core requirement that the district plan provide certainty for plan users and for consistent quality environmental outcomes.

- 46 A high proportion of parties in the district involved in RMA activities are heavily involved with current Environment Court appeals and the extent to which Stage 3 overlaps with work involved with appeals to decisions on Stages 1 and 2 could impact on people's ability to participate effectively in these important processes.
- 47 In practical terms it will not be possible to meet the requirements of the RMA for pre-notification consultation to form part of requisite section 32.
- 48 Option 2 Temporary Stay – proceed with a larger three stage review after confirming the extent of appeals to Stage 2 decisions in 2<sup>nd</sup> quarter of 2019, the last stage of which would be developed and notified after the promulgation of guidance information and legal advice on implementing National Planning Standards – potentially in the first quarter of 2020.

Advantages:

- 49 Waiting for National Planning Standards to be well “bedded in” before commencing further work developing the expanded list of Stage 3 provisions will reduce the potential for plan development to need to be re-configured or re-started in order to implement National Planning Standards.
- 50 Waiting for appeals on Stage 2 decisions will allow participants in the appeals process to focus on resolving the majority of the appeals as the Stage 2 appeals will “catch up” to the same point in the plan development cycle as the decisions on Stage 1. This may also allow for a more integrated approach to mediations and decisions on the PDP appeals.
- 51 The work programme for the PDP with appeals, Stage 2 decisions, private plan changes, Special Housing Area applications and carrying out monitoring and producing a Future Development Strategy to implement the National Policy Statement Urban Development Capacity as well as inputting into multiple master planning projects is stretching available planning resources of staff and consultants, even without commencing Stage 3 in 2018.

Disadvantages:

- 52 The Court and all participants in the PDP appeals are likely to benefit from having an understanding of the entirety of the PDP as soon as is practicable.
- 53 Greater separation between the final stage of the PDP review from the initial notification of Stage 1 with this option will increase the likelihood of the final stage being “out of step” with the thinking and context which informed the original work on the PDP. Key personal and their knowledge are inevitably lost with longer plan reviews. This is not an insurmountable problem, but it will potentially make it harder to achieve a well-integrated and consistent planning framework across the district plan.
- 54 The topics identified for notification in Stage 3 (as set out in the recommendations) have a reasonably high degree of urgency for large parts of the community and this Council such as the review of the industrial zones,

affordable housing and inclusionary zoning, rural visitor zones, mapping sites of significance to iwi and Townships zones.

55 Option 3 Recommended Revised Timeline – proceed with a three stage review with decisions on Stage 2 to be notified in early 2019 and Stage 3 to be notified by July 2019 for hearings in October and November with decisions being issued in February 2020. Await the promulgation of guidance information and legal advice on implementing National Planning Standards before reviewing the remaining ODP topics and any other outstanding parts of the ODP – potentially in the first quarter of 2020.

Advantages:

56 A significant amount of resources has gone into the PDP review to date and this option is the best balance between maintaining momentum and responding to current circumstances and likely future resources.

57 Reviewing the remaining Special Zones after the National Planning Standards are well understood is likely to be a more efficient process. Many of these provisions are substantially developed or have been reviewed fairly recently making them a lower priority.

58 As QLDC is currently reviewing its district plan there should be a seven year window within which Council can implement National Planning Standards (although there will strong incentives to do this as soon as practicable).

Disadvantages:

59 The remaining identified ODP topics and special zones would not be notified to form part of the PDP for some time with this option. Issues identified with the ODP that have been improved or resolved through the PDP would not be available to landowners in these areas (see Appendix A for the list of these areas). Examples of the benefits derived from the PDP include the definition of residential flats in the PDP, which make it easier to establish and operate a residential flat as a form of gentle intensification, more current transport performance standards, better environmental protection through the earthworks chapter. These zones would be out of step with the outcome of the visitor accommodation provisions that have been tested through Stage 2.

60 This report recommends Option 3 because it is considered the most effective and practicable balance between advancing the review and notification of the ODP zones and other resource management issues that would benefit the community. It will also achieve the strategic directions of the PDP, while providing for completing all critical aspects of district plan review prior to initiating changes to Volumes A and B of the district plan to comply with requirements from new National Planning Standards.

61 Option 3 also provides the ability for the Council to focus its resources on resolving appeals to the Environment Court on Stages 1 and 2, advancing an e-plan, and meeting other Government requirements such as the Future Development Strategies and updating housing and business capacity projections as required by the National Policy Statement on Urban Development Capacity 2016.

### ***Significance and Engagement***

- 62 This matter is of medium significance, because the matter relates to operational aspects of the district plan review programme although the district plan is a significant statutory document in terms of the social, economic and environmental wellbeing of the District.
- 63 Consultation during the preparation of the next stages of the PDP review will be undertaken in accordance with clause 3 of Schedule 1 of the RMA and section 82 of the Local Government Act 2002 where appropriate.

### ***Risk***

- 64 This matter relates to the strategic risk SR1 'Current and future development needs of the community (including environmental protection)' as documented in the Council's risk register. The risk is classed as moderate. This matter relates to this risk because it relates to operational aspects of the district plan review and to the managed growth and regulation of development for the District.
- 65 The recommended options considered above mitigate the risk by treating the risk – putting measures in place which directly impact the risk through Council resolving to confirm the components of Stage 3 of the PDP.

### **Financial Implications**

- 66 The recommended option provides certainty and will assist with spreading the costs of the District Plan Review over time and should increase the efficiency of the PDP review programme, which has already been budgeted for.

### **Council Policies, Strategies and Bylaws**

- 67 There are no Council policies, strategies or bylaws relating to this matter because it is primarily associated with process.
- 68 This matter is included in the 10-Year Plan/Annual Plan as part of the District Plan commitment. This matter is included in the 10-Year Plan under Our Activities/Environmental Management (page 56).

### **Local Government Act 2002 Purpose Provisions**

- 69 The recommended option:
- Will help 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;
  - Can be implemented through current funding under the 10-Year Plan and Annual Plan;
  - Is consistent with the Council's plans and policies; and

- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**

70 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes district community, private developers, parties who have submitted on the Proposed District Plan and Plan Changes to the ODP. Where Stage 3 of the PDP effects or will interest additional parties there will be future opportunities for consultation and/or for them to submit on proposals before decisions are made and they come into legal effect.

### **Legal Considerations and Statutory Responsibilities**

71 Development of the PDP has occurred in accordance with the requirements of the RMA. Particular clauses of relevance include Sections 5-11, 31 and 32 and Schedule 1. The recommendations accord with the provisions of the RMA. In particular section 73(3) that allows a district plan to be prepared in territorial sections.

### **Attachments**

A QLDC District Plan Volume A and B

## Attachment A

PDP Chapter	PDP Stage 1 (Volume A District Plan)	Comment
1.	Introduction	Decisions issued May 2018 partially operative
2.	Definitions	Decisions issued May 2018 partially operative
3.	Strategic Direction	Decisions issued May 2018 partially operative
4.	Urban Development	Decisions issued May 2018 partially operative
5.	Tangata Whenua	Decisions issued May 2018 operative
6.	Landscapes and Rural Character	Decisions issued May 2018 partially operative
7.	Lower Density Suburban Residential	Decisions issued May 2018 partially operative
8.	Medium Density Residential	Decisions issued May 2018 partially operative
9.	High Density Residential	Decisions issued May 2018 partially operative
10.	Arrowtown Residential Historic Heritage Management Zone	Decisions issued May 2018 operative
11.	Large Lot Residential	Decisions issued May 2018 operative
12.	Queenstown Town Centre	Decisions issued May 2018 partially operative
13.	Wanaka Town Centre	Decisions issued May 2018 partially operative
14.	Arrowtown Town Centre	Decisions issued May 2018 operative
15.	Local Shopping Centres	Decisions issued May 2018 partially operative
16.	Business Mixed Use Zone	Decisions issued May 2018 operative
17.	Airport Zone (Queenstown and Wanaka)	Decisions issued May 2018 partially operative
	Arrowtown Design Guidelines 2016	Decisions issued May 2018 operative
21.	Rural Zone	Decisions issued May 2018 partially operative
22.	Rural Residential and Rural Lifestyle Zones	Decisions issued May 2018 partially operative
23.	Gibbston Character Zone	Decisions issued May 2018 partially operative
26.	Historic Heritage	Decisions issued May 2018 partially operative
27.	Subdivision and Development	Decisions issued May 2018 partially operative
28.	Natural Hazards	Decisions issued May 2018 partially operative
30.	Energy and Utilities	Decisions issued May 2018 partially operative
32.	Protected Trees	Decisions issued May 2018 operative
33.	Indigenous Vegetation and Biodiversity	Decisions issued May 2018 partially operative
34.	Wilding Exotic Trees	Decisions issued May 2018 partially operative

**Attachment A**

<b>PDP Chapter</b>	<b>PDP Stage 1 (Volume A District Plan)</b>	<b>Comment</b>
35.	Temporary Activities and Relocated Buildings	Decisions issued May 2018 partially operative
36.	Noise	Decisions issued May 2018 partially operative
37.	Designations	Decisions issued May 2018 partially operative
41.	Jacks Point	Decisions issued May 2018 partially operative
42.	Waterfall Park	Decisions issued May 2018 partially operative
43.	Millbrook Resort Zone	Decisions issued May 2018 partially operative
44.	Coneburn Industrial Zone	Decision issued May 2018 (all parts appealed)

<b>PDP Chapter</b>	<b>PDP Stage 2 (Volume A District Plan)</b>	<b>Comment</b>
24.	Wakatipu Basin Zone	Replaces the Rural Zone, Rural Lifestyle and Rural Residential Zones in the inner Wakatipu Basin.  Hearings Completed September 2018.
25.	Earthworks	Hearings Completed September 2018.
29.	Transport	Hearings Completed September 2018.
31.	Signs	Hearings Completed September 2018.
38.	Open Space and Recreation Zones	Hearings Completed September 2018.
	Visitor Accommodation	Replaces the provisions relating to visitor accommodation in the Low Density Suburban Residential, Medium Density, High Density, Arrowtown Residential Historic Management Zone, Large Lot Residential Zone, Business Mixed Use Zone, Rural Residential and Rural Lifestyle, Rural, Gibbston Character, Jacks Point, Waterfall Park and Millbrook Zones.  Hearings Completed September 2018

<b>PDP Stage 3 (Volume A District Plan)</b>	<b>Comment</b>
Affordable housing and inclusionary housing	Replaces in part the ODP District Wide provisions on this matter.
Mapping sites of significance to iwi	New topic
Township Zones	Replaces ODP Section 9 and land for inclusion in the PDP



**Attachment A**

<b>PDP Stage 3 (Volume A District Plan)</b>	<b>Comment</b>
Design Guidelines for the Residential and Business Mixed Use Zones (PDP Chapters 7, 8, 9 and 15).	New topic
Gorge Road High Density Residential Zone and Business Mixed Use Zones and Natural Hazards.	New topic
Industrial A and B Zones	Replaces ODP Section 11 and land for inclusion in the PDP
Rural Visitor Zones	Replaces ODP Section 12 (in part)
Ballantyne Road Mixed Use Zone	Replaces ODP Section 12 (in part)
Three Parks Zone	Replaces ODP Section 12 (in part)

<b>ODP zones not being reviewed (Volume B District Plan)</b>	<b>Comment</b>
Penrith Park Zone	Special Zone section 12
Bendemeer Zone	Special Zone section 12
Hydro Generation Overlay/Zone and financial contribution provisions	Special Zone section 12 and Section 15 Subdivision, Development and Financial Contributions
Meadow Park Zone	Special Zone section 12
Frankton Flats Zone	Special Zone section 12
Kingston Village Zone	Special Zone section 12
Arrowtown South Zone	Special Zone section 12
Mt Cardrona Station Special Zone	Special Zone section 12

<b>Areas excluded from the district plan review (Volume B District Plan)</b>	<b>Comment</b>
Northlake Special Zone	Resolution of Council 29 September 2016
Ballantyne Road Industrial and Residential extension (Low Density Residential and Industrial B Zones)	Resolution of Council 29 September 2016
Queenstown Town centre extension (Town Centre Zone and High Density Residential)	Resolution of Council 29 September 2016
Peninsula Bay North (Low Density Residential)	Resolution of Council 29 September 2016
Frankton Flats B Special Zone	Resolution of Council 29 September 2016
Remarkables Park Special Zone	Resolution of Council 29 September 2016