

**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 the Open Space and
Recreation / District
Wide Hearing Stream
15

**SECTION 42A REPORT OF ROSALIND DEVLIN
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

VISITOR ACCOMMODATION SUB ZONES – MAPPING

23 JULY 2018

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1. INTRODUCTION

- 1.1 My full name is Rosalind Mary Devlin. I am self-employed as a planner. I have been in this position since August 2015.
- 1.2 I hold the qualifications of Master of Regional and Resource Planning (1998) and Bachelor of Science (Geography, 1996) from the University of Otago. I have 18 years' experience in resource management planning and I am a full member of the New Zealand Planning Institute.
- 1.3 My experience includes roles at the Ministry for the Environment, local authorities and private practice.
- 1.4 My current role includes planning advice and preparing resource consent applications for clients, processing resource consent applications for the Queenstown Lakes District Council (**QLDC**, or **Council**), and assisting the Council with planning policy work, including the District Plan Review and Housing Accord monitoring.
- 1.5 In relation to the Proposed District Plan (**PDP**) I prepared a section 42A report, rebuttal evidence, summary of evidence and a right of reply on behalf of the Council for rezoning requests for Group 1C – Queenstown Urban – Central, West and Arthurs Point (Stage 1 – Hearing Stream 13).
- 1.6 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.
- 1.7 This evidence provides recommendations to the Hearings Panel on submissions to the Proposed District Plan (**PDP**) grouped as Visitor Accommodation Sub-Zones (**VASZ**).

1.8 The table in **Appendix 1** outlines whether individual submissions are accepted, accepted in part, rejected, or subject to a current application for the submission point to be struck out.

1.9 I have read Ms Amy Bowbyes' statement of evidence, which sets out the relevant statutory tests on which I have relied, including the statutory requirements for consideration of proposed district plans from *Colonial Vineyard Limited v Marlborough District Council*,¹ which are set out in Report 1 of the Panel on Stage 1. I also set out some additional principles that apply to the application of the VASZ, in Section 3 of this evidence.

1.10 I have read and considered the relevant documents associated with the substantive hearings on relevant PDP chapters to ensure that I have adequately considered matters of integration and consistency across the PDP. In particular, I have read and considered the Hearing Panel reports and Decisions Versions for the following parts of Stage 1 the PDP:

- (a) Chapters 3 (Strategic Direction) and 4 (Urban Development);
- (b) Chapters 7 (Lower Density Suburban Residential), 8 (Medium Density Residential), 9 (High Density Residential), 10 (Arrowtown Residential Historic Management Zone), 11 (Large Lot Residential); 16 (Business Mixed Use); and
- (c) Chapters 21 (Rural), 22 (Rural Residential and Rural Lifestyle), and 23 (Gibbston Character).

1.11 The key documents I have used, or referred to, in forming my view while preparing this section 42A report are:

- (a) Section 32 Evaluation for Visitor Accommodation, dated 2 November 2017.

2. SCOPE

2.1 My evidence addresses most of the requests for VASZs, and extensions or amendments to notified VASZs. I do not address

¹ [2014] NZ EnvC 55.

rezoning submissions from Bachcare, Bookabach and other parties² that are addressed within Ms Bowbyes' evidence.

3. METHODOLOGY

3.1 The submissions I consider are not submissions seeking that the underlying zoning of land be amended, but instead that a Sub Zone (i.e. the VASZ) be added to land.

3.2 At notification, the Council gave weight to five parameters, which are outlined in Table 7 of the Section 32 Evaluation, when identifying where to locate VASZ across the District and set below³. The parameters form a useful guide to assessing requests for VASZ and are consistent with the approach to rezoning requests that were confirmed by the Panel in its Report 17.1 relating to the Queenstown Rezoning Hearing Stream (also set out below).⁴

3.3 The five parameters, which I have used in making recommendations are:

- (a) Generally prevent very small sub-zones or single parcel sub-zones which result in 'spot-zoning';
- (b) Prevent and remove small sub-zones where they do not reflect the existing land use (for example, a site that has been developed for residential purposes);
- (c) Prevent and remove small sub-zones where these are historic and are now considered inappropriately located for visitor accommodation activities (for example, semi-rural locations where a former motel has been demolished but the site has not been redeveloped);
- (d) Retain or reinstate sub-zones that apply to large areas in appropriate locations, whether developed or not (for example, the large Fernhill sub-zones); and
- (e) Retain or reinstate sub-zones that reflect existing lawfully established visitor accommodation activities where the

2 Submissions 2302, 2620 and 2621 to 2655 inclusive.

3 Section 32 Evaluation for Visitor Accommodation dated 2 November 2017 paragraph 4.13.

4 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-17.01-Stream-13-Mapping-of-Queenstown-other-than-Wakatipu-Basin-Introduction.pdf>

underlying zone would create future non-compliances for substantial existing businesses (for example, established motels in the Lower Density Suburban Residential zone where activities would become non-complying).

- 4.** The rezoning principles from Hearing Stream 13 are (noting that these were prepared for underlying zone changes, rather than the addition of a sub zone):
 - 4.1** whether the change implements the purpose of the PDP Strategic Direction, Urban Development and Landscape Chapters;
 - 4.2** the overall impact of the rezoning gives effect to the ORPS and the PRPS;
 - 4.3** whether the objectives and policies of the proposed zone can be implemented on land;
 - 4.4** economic costs and benefits are considered;
 - 4.5** changes to the zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints (e.g Airport Obstacle Limitation Surfaces, SNAs, Building Restriction Areas, ONL/ONF);
 - 4.6** changes should take into account the location and environmental features of the site (eg. the existing and consented environment, existing buildings, significant features and infrastructure);
 - 4.7** zone changes are not consistent with the long term planning for provision of infrastructure and its capacity;
 - 4.8** zone changes take into account the effects on the environment or providing infrastructure onsite;
 - 4.9** there is adequate separation between incompatible land uses;
 - 4.10** 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
 - 4.11** zoning is not determined by existing use rights, but these will be taken into account.
 - 4.12** In some instances the VASZ is sought over underlying zones where a VASZ is anticipated, whereas in other instances the VASZ is sought over underlying zones where the notified VA provisions do not anticipate a VASZ.

4.13 In relation to this latter category, this brings Principles 4.1, 4.2 and 4.3 (in particular) into play. This was addressed in Stage 1 and I refer to the Panel's Report 17.1, in particular paragraphs 47:

47. Another issue that arose under this heading was those submissions seeking the application of the ODP Rural Visitor Zone to their land. We have noted above the two Minutes issued in May and June 2017 dealing with the question of whether a submission could seek the application of the ODP Rural Visitor Zone to land notified as Rural in the PDP. The first Minute set out the following as the approach to be used in such an assessment:

"4 ... if a submitter seeks to zone the land using a set of provisions that are not one of the Stage 1 zones, that submitter would need to show how those provisions fit within the overall strategic directions chapters of the PDP. If the provisions do not give effect to and implement the strategic directions chapters, it would likely be difficult to conclude that they were the most appropriate way to achieve the objectives in those chapters.

5 Where a submitter has chosen to identify an ODP zoning, such as the Rural Visitor Zone, as the set of provisions as being appropriate, that test of giving effect to and implementing the strategic directions chapters remains relevant. In addition, there are

¹⁰⁵ The Council's website advises that a number of Special zones will be the subject of Stage 4 of the District Plan Review, with notification targeted for the second quarter of 2019.

two matters that submitters need to consider in seeking the implementation of an ODP zone. First, there is no evidence that those ODP zones will become part of the PDP. Second, the Hearing Panel would need to understand the entire objective, policy and rule framework proposed so the Panel can understand what actual and potential effects on the environment the rezoning would have and whether that was consistent with the overall objectives and policies of the PDP. I can foresee difficulties in this regard if a submitter seeks to rely on ODP provisions unaltered, as the entire structure of the PDP is different.

6 *This approach means that is open to submitters to seek to apply a zone that is not in those presently part of Stage 1 of the PDP, but they must provide a solution that fits within the PDP. It also means that it is not open to the Council to say that the submission cannot be considered because an ODP zone is sought, at least not at the s.42A report stage. If a submitter fails to file evidence showing how the provisions sought fit within the PDP and relies solely on ODP zone provisions, then the Council is fully entitled to adduce rebuttal evidence identifying aspects of those provisions that do not give effect to and implement the PDP higher order objectives and policies."*

4.14 I have adopted this approach in my evidence.

4.15 Zones that contain VASZs and associated provisions are:

- (a) Low Density Residential (Chapter 7; visitor accommodation within the VASZ would require a restricted discretionary activity pursuant to rule 7.4.17 with limits on notification pursuant to rule 7.6.2.2; visitor accommodation elsewhere is non-complying pursuant to rule 7.4.18);
- (b) Medium Density Residential (Chapter 8; visitor accommodation within the VASZ would require a restricted discretionary activity pursuant to rule 8.4.30 with limits on notification pursuant to rule 8.6.2.3; visitor accommodation elsewhere is non-complying pursuant to rule 8.4.31);
- (c) Large Lot Residential (Chapter 11; visitor accommodation within the VASZ would require a restricted discretionary activity pursuant to rule 11.4.6 with limits on notification pursuant to rule 11.6.1.1; visitor accommodation elsewhere is non-complying pursuant to rule 11.4.7).

4.16 I note that Chapter 10 (Arrowtown Residential Historic Management Zone) does not contain provisions for VASZ but contains two VASZs as shown on Stage 2 notified PDP Planning Map 28. I refer to and rely on Ms Bowbyes' recommendations in regard to reinstating the VASZ provisions into Chapter 10.⁵

4.17 Zones that do not contain VASZ and provisions are:

- (a) High Density Residential (Chapter 9; visitor accommodation throughout the zone would require a restricted discretionary activity pursuant to notified rule 9.4.9 with limits on notification pursuant to rule 9.6.2.2);
- (b) Business Mixed Use (Chapter 16; visitor accommodation throughout the zone requires a controlled activity pursuant to decisions version rule 16.4.3);
- (c) Rural Zone (Chapter 21; visitor accommodation throughout the zone, outside of a Ski Area Sub-Zone, requires a discretionary activity pursuant to decisions version rule 21.4.19);
- (d) Rural Residential and Rural Lifestyle (Chapter 22; visitor accommodation throughout the zones requires a

5 Section 42A Hearing Report Visitor Accommodation Variation dated 23 July 2018 section 10.

discretionary activity pursuant to decisions version rule 22.4.10); and

- (e) Gibbston Character Zone (Chapter 23; visitor accommodation throughout the zone, outside of a Ski Area Sub-Zone, requires a discretionary activity pursuant to decisions version rule 23.4.16).

4.18 I note, and discuss further within this report, the Hearing Panel's recommendations in regard to removing any remaining VASZs from the rural living zones and removing any associated provisions for VASZ from Chapter 22.⁶ I also note that I have not listed any zones for which a VASZ has not been sought through submissions (i.e. Millbrook, Jacks Point, and Waterfall Park).

4.19 Along with the statutory tests detailed within Ms Bowbyes' evidence⁷ and the parameters detailed above, under section 32 of the RMA an evaluation must also examine whether the proposal being evaluated (i.e. the application of VASZ) is the most appropriate way to achieve the purpose of the RMA; and whether the proposal is the most appropriate way to achieve the objectives (i.e. of the strategic directions of the PDP) by:

- (a) identifying other reasonably practicable options for achieving the objectives;
- (b) assessing the efficiency and effectiveness of the provisions in achieving the objectives;⁸
- (c) summarising the reasons for deciding on the proposal (being the application of VASZ); and
- (d) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated (from implementing the requested VASZ).

6 Hearing Panel Report and Recommendations of Independent Commissioners Regarding the Visitor Accommodation Subzone in Chapter 22: Rural Residential & Lifestyle Report 4B.

7 Section 42A Hearing Report Visitor Accommodation Variation dated 23 July 2018 section 5.

8 In particular that evaluations must also identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions including the opportunities for economic growth and employment that are anticipated to be provided or reduced, quantify these benefits and costs if practicable, and assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (section 32(2) of the RMA).

4.20 I consider VASZs are a mechanism to enable some form of visitor accommodation within specific areas in the residential zones. In this sense, visitor accommodation can be contained and managed in appropriate locations, rather than (for example) scattered throughout the residential zones via ad hoc resource consents.

4.21 I have applied the parameters and tests outlined above consistently to all submissions in order to form my recommendations. A section 32AA analysis is attached as **Appendix 3**, in relation to the submissions where I have recommended that a VASZ be added to the plan maps.

5. SUMMARY

5.1 I have considered 37 primary submissions seeking VASZs, or to remove VASZs, in this evidence.

5.2 In eight instances I have recommended that a VASZ be added to the plan maps, and in doing so have concluded that the SASZ will implement the objectives and policies of the underlying zone, are the most appropriate way to achieve the strategic direction of the PDP, and are the most appropriate way to achieve the purpose of the RMA.

5.3 Specifically, I consider these VASZ requests are the most appropriate method for guiding the location of commercial scale visitor accommodation activities in the underlying residential zones and to provide increased certainty regarding where visitor accommodation is an anticipated activity.

5.4 The following changes are recommended to the Stage 2 notified PDP Planning Maps:

- (a) Extend the VASZ over Lots 6, 7 and 8 DP 300376 on Aubrey and Anderson Roads, Wanaka (Matagouri Spirit Limited (2404));
- (b) Extend the VASZ to include 185 Upton Street, Wanaka (Queenstown Lakes District Council (2239));
- (c) Extend the VASZ over Pt Lot 1 DP 9121 at 634 Frankton Road, Frankton (Mount Crystal Limited (2450));

- (d) Extend the VASZ over Part Lot 1 DP 15145 and Section 1 SO Plan 329365 on Arthurs Point Road, Arthurs Point (SJE Shotover Limited (2617));
- (e) Extend the VASZ over Lot 7 DP437865; Lot 1 DP437865; Lot 3 DP437865; Lot 2 DP437865; Lot 4 DP437865; Lot 6 DP437865; Lot 5 and 6 DP19665; and Lot 1 DP449145 on Broadview Rise, Fernhill and Sunshine Bay (Broadview Villas Limited (2222); T. Rovin (2228); The Escarpment Limited (2230); N W Cashmore (2453));
- (f) Extend the VASZ over 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove, Fernhill and Sunshine Bay, with a Building Restriction Area 4.5m wide along the southern boundary adjoining 18 Richards Park Lane and 22 Aspen Grove (Coherent Hotels Limited (2524)); and
- (g) Extend the VASZ over Lots 1-3 DP 34534, Studholme Road, Wanaka (Wanaka Kiwi Holiday Parks & Motels Limited (2613)).

GROUP 1 – GLENORCHY – BOBS COVE

6. TEECE IRREVOCABLE TRUST NO. 3 (2599)

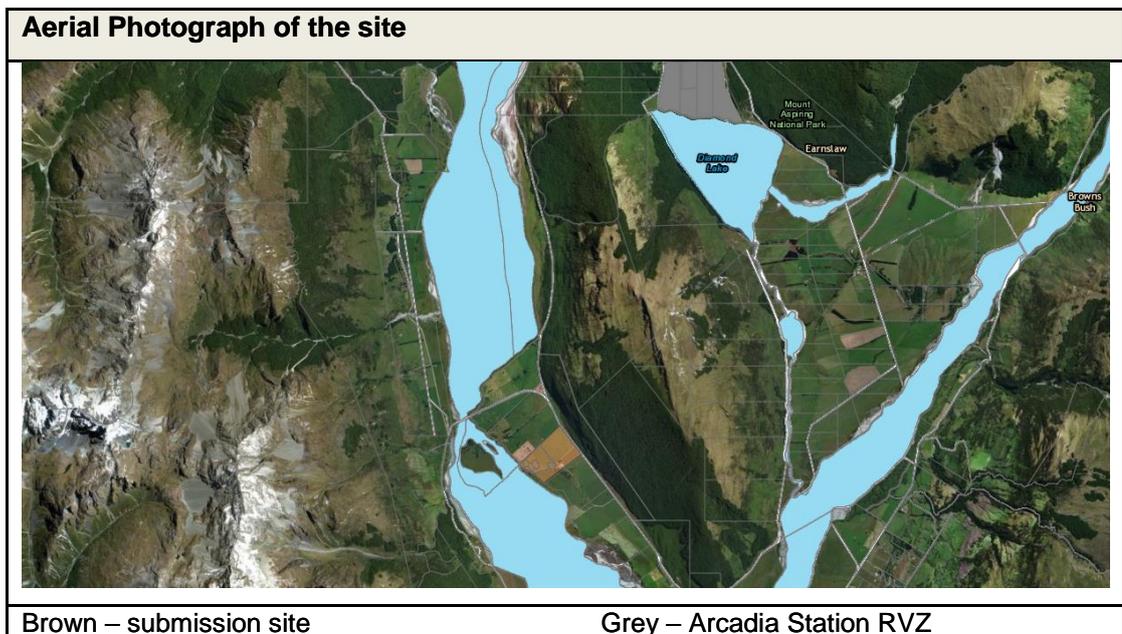
Overall Recommendation	
Recommendation	Subject to an application for strike out. No recommendation made.

Property and submission information	
Submission Points and Further Submission Points	2599.1
Land area/request referred to as	Upper Dart Valley, Glenorchy Rural
Stage 1 zone and any mapping annotation (decisions)	Rural Outstanding Natural Landscape
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	Extend the Rural Visitor Zone over the site to be renamed 'Rural Visitors North Glenorchy Zone'; Retain the Operative District Plan (ODP) provisions with respect to Residential Visitor Accommodation and Homestays in the ODP Rural General Zone

7. JOHN EDMONDS & ASSOCIATES (2582)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	2582.1
Land area/request referred to as	'Priory Farmlet', Lower Dart Valley, Glenorchy Rural
Stage 1 PDP zone and any mapping annotation	Rural (confirmed in decision) Outstanding Natural Landscape (confirmed in decision)
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	VASZ.
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 6 DP 407549 & Lots 1-4 DP 407549 ¼ share in Lot 100
Area	40ha
QLDC Property ID	25217, 25218, 25219, 25220, 25221
QLDC Hazard Register	Liquefaction Risk – Susceptible



Analysis

- 7.1 The subject site is zoned Rural within an Outstanding Natural Landscape, as shown on decisions version PDP Planning Map 9.
- 7.2 The submitter seeks that Map 9 is amended to apply a VASZ to the site.
- 7.3 The submitter has not provided any evidence in regard to planning, landscape, transport, ecology, or infrastructure that supports the rezoning request.
- 7.4 The Variation does not provide any provisions to enable VASZs within the Rural Zone. The submission provides no analysis as to how the VASZ would fit within the overall objectives of the Rural Zone, nor how a VASZ in the Rural Zone would implement the strategic directions chapters. The application of the VASZ in the Rural Zone is not anticipated by the Variation or the PDP objectives for the Rural Zone.
- 7.5 A VASZ would anticipate visitor accommodation activity but buildings would still require a resource consent in the Rural Zone pursuant to decisions Rules 21.7.2 or 21.4.11, and subject to the standard RMA tests concerning notification. The Variation provides additional permitted thresholds for Residential Visitor Accommodation (**RVA**) and Homestays, above which a discretionary activity would be required pursuant to rules 21.5.53 and 21.5.34, without any limits on notification. I refer to and rely on Ms Bowbyes' recommendations in regard to increasing the threshold for RVA from 28 to 42 nights per year in the Rural Zone.⁹
- 7.6 I consider that the PDP direction is that RVA is a more appropriate outcome for the Rural Zone than VASZ, in terms of maintaining landscape quality, character and visual amenity, in accordance with strategic policy 3.3.21:

Recognise that commercial recreation and tourism related activities seeking to locate within the Rural Zone may be appropriate where

9 Ibid at paragraph 1.3.

these activities enhance the appreciation of landscapes, and on the basis they would protect, maintain or enhance landscape quality, character and visual amenity values.

7.7 Furthermore, I consider that strategic policy 3.3.1 directs VASZs to locate within Urban Growth Boundaries and not within the Rural Zone:

Make provision for the visitor industry to maintain and enhance attractions, facilities and services within the Queenstown and Wanaka town centre areas and elsewhere within the District’s urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone.

7.8 In regard to the request that the site be exempt from the Landscape Assessment Matters, which I take to mean those listed at section 21.21 within Chapter 21 (Rural), that was a Stage 1 matter and there is no scope for it to be addressed through Stage 2, as it is seeking to challenge the underlying zoning which is a Stage 1 matter and the correct process to challenge this is through Stage 1 appeals. Legal counsel can address this if necessary.

7.9 For the reasons outlined above, I recommend the rezoning request should be rejected.

8. BOBS COVE DEVELOPMENTS LIMITED (2344)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2344.1
Land area/request referred to as	59 Tui Drive, Bobs Cove
Stage 1 PDP zone and any mapping annotation	Rural Residential – Bobs Cove (confirmed in decision)
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A

Stage 2 Zone requested in submission	VASZ
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 100 DP494333
Area	1.4693 ha
QLDC Property ID	49900
QLDC Hazard Register	Liquefaction risk – Possibly moderate risk; Alluvial Fans – beach ridge stabilised

Aerial Photograph of the site



Blue outline – submission site

Analysis

- 8.1** The submitter seeks that a VASZ be included over the site on Tui Drive, Bobs Cove, which is zoned Rural Residential – Bobs Cove, as shown on decisions version PDP Planning Map 38.
- 8.2** The submitter is in the process of exchanging land with the Department of Conservation at Bobs Cove and intends to establish a boutique lodge for visitor accommodation on the property.

- 8.3** Generally, I consider that very small sub-zones or single parcel sub-zones are not good planning practice, unless perhaps the site contains a lawfully established visitor accommodation activity and any further development of the site would somehow be non-complying, or the underlying zoning has become more restrictive. In this instance the site is undeveloped and I am not aware of any resource consents for visitor accommodation.
- 8.4** Visitor accommodation within the site would require a discretionary activity pursuant to Rule 22.4.10. The same activity status applied under the ODP (rule 8.2.2.3i) and as such the underlying zoning has not become more restrictive towards visitor accommodation. I note that decision version Chapter 22 Policy 22.2.1 provides for visitor accommodation activities that are compatible with and enhance the predominant rural and residential activities of the zone. I therefore consider there is potential for a visitor accommodation activity to be established at the site by resource consent, although I acknowledge that the fully discretionary activity status does not provide certainty of approval or non-notification.
- 8.5** The Variation for Visitor Accommodation and maps do not include any VASZs or associated provisions for the rural living areas. The Variation includes provisions for Residential Visitor Accommodation and Homestays, but does not include any new provisions for VASZs or visitor accommodation.
- 8.6** I refer to the Hearing Panel's decision on VASZs within the rural living areas whereby the provisions specific to the Visitor Accommodation Sub-Zone from Chapter 22 were removed and any VASZ notations on maps were deleted as being unsupported by any provision.¹⁰
- 8.7** I rely on the Hearing Panel's determination and consider that adding a VASZ and provisions into the Rural Residential – Bobs Cove Zone and map for this site is not supported by good planning practice, would create an unnecessary administrative burden, and would be contrary to the strategic direction of the PDP. There is no evaluation in the submission as to how the VASZ will be the most appropriate method

10 Hearing Panel Report 4B dated 30 March 2018 paragraph 57.

to achieve the objectives and policies of the Rural Residential Zone and the strategic chapters of the PDP. Ultimately, the submission does not evaluate how the VASZ will be the most appropriate way to achieve the purpose of the RMA.

8.8 For the reasons outlined above, I recommend that the request should be rejected.

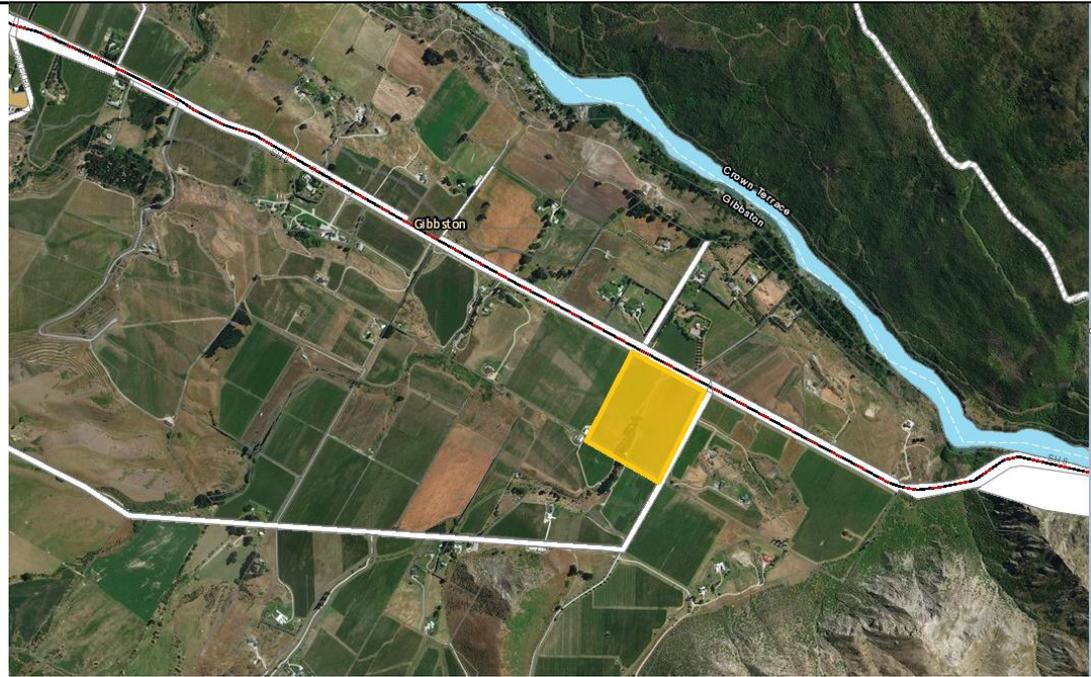
GROUP 2 – GIBBSTON

9. GIBBSTON VINES LIMITED (2310)

Overall Recommendation	
Recommendation	Accept in part (no relief required though)

Property and submission information	
Submission Points and Further Submission Points	2310.1
Land area/request referred to as	2404 Gibbston Valley Road, Gibbston
Stage 1 PDP zone and any mapping annotation	Gibbston Character
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 PDP relief	That the reference to Gibbston Valley floor being part of the wider Outstanding Natural Landscape classification be removed (refer greyed out text 6.4)
Supporting technical Information or reports provided with submission	None
Legal Description	Section 5 BLK III, Kawarau SD
Area	8.8727ha
QLDC Property ID	2840
QLDC Hazard Register	Alluvial Fans – recently active, floodwater-dominated, less recently active, river terrace

Aerial Photograph of the site



Yellow – submission site

Analysis

- 9.1** The subject site is zoned Gibbston Character, as shown on decisions version PDP Planning Maps 13 and 15a.
- 9.2** The submitter seeks to remove the Outstanding Natural Landscape classification from the Gibbston Valley floor.
- 9.3** The Hearing Panel for the rural chapters confirmed that the Gibbston Character Zone is not classified as ONL or Rural Character Landscape.¹¹ I understand the submitter was concerned that the variation to Chapter 6 (where the reference to the Gibbston Character Zone was deleted), may have meant that the Gibbston Character Zone become subject to one of the landscape categories. That was never the intention, nor the outcome of the variation. The deletion was because 6.4.1.3 was varied to refer to the 'Rural Zone'. As the Gibbston Character Zone (and the Rural Lifestyle and Rural Residential zones) are not the 'Rural Zone', there is no longer any need for the references to those zones.

¹¹ Hearing Panel Report 4A Report and Recommendations of Independent Commissioners Regarding Chapter 21, Chapter 22, Chapter 23, Chapter 33 and Chapter 34, paragraph 1295, dated 30 March 2018.

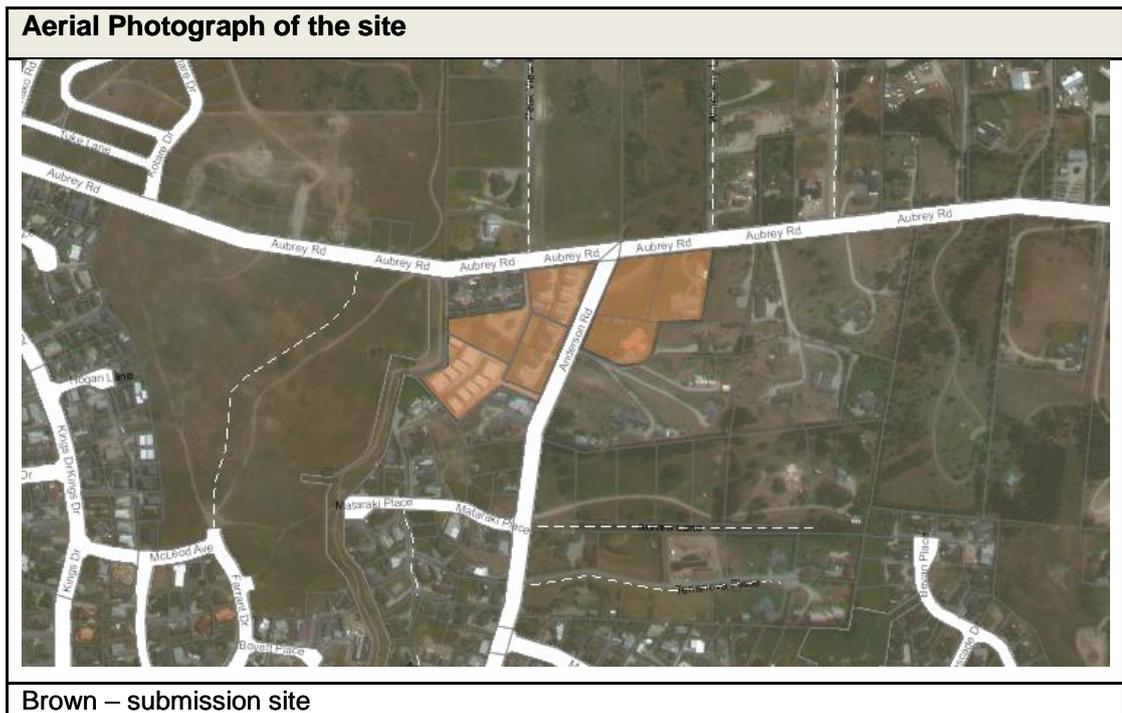
9.4 Given the above, I therefore recommend that the request should be accepted in part, but with no relief required.

GROUP 3 – WANAKA

10. MATAGOURI SPIRIT LIMITED (2404)

Overall Recommendation	
Recommendation	Accept in part

Property and submission information	
Further Submitters	Submission 2404.1
Land area/request referred to as	Aubrey Road / Anderson Road, including 'Alpine Village'
Stage 1 PDP zone and any mapping annotation	LDSR and Large Lot Residential A
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	That Map 20 is amended so that a Visitor Accommodation Sub-Zone is included over the submission site
Supporting technical Information or reports provided with submission	Planning evidence
Legal Description	Lots 6, 7 and 8 DP 300376; Lots 28, 29, 30 and 31 DP 306009
Area	3.1ha
QLDC Property ID	Multiple
QLDC Hazard Register	Liquefaction – nil to low risk



Analysis

- 10.1** The subject site is zoned LDSR and Large Lot Residential A, as shown on decisions version PDP Planning Map 20.
- 10.2** The submitter seeks a VASZ over land along Anderson Road and Aubrey Road to reflect existing development and to provide for additional visitor accommodation development within vacant sites.
- 10.3** Resource consents RM080604 and RM100514 authorised the sites on the west of Anderson Road to be used for visitor accommodation purposes ('Alpine Village'; Lots 28-31 DP306009). There may be merit in applying a VASZ over these sites, now zoned LDSR, to enable expansion or redevelopment for visitor accommodation purposes within a contained area of approximately 1.88ha. In the LDSR, visitor accommodation outside the VASZ is a non-complying activity pursuant to Rule 7.4.18, and therefore the VASZ is an important tool for providing certainty regarding the appropriate location of visitor accommodation in the LDSRZ. Given the sites are already being used for visitor accommodation, a VASZ would not result in a significant loss of current or potential housing within the LDSRZ.

- 10.4** In regard to the other sites currently vacant or containing a single residential unit (Lots 6, 7 and 8 DP 300376) on the east of Anderson Road, these have been rezoned from Rural Residential to Large Lot Residential A, which is an urban zone primarily for residential purposes. The sites are surrounded by similar large lots of at least 4000m² containing a single dwelling. I have not found any resource consents for visitor accommodation in this location, although a few properties are registered as holiday homes or homestays, and some appear to be unregistered.
- 10.5** The land is located on the corner of Aubrey Road and Anderson Road, a busy intersection known for increasing volumes of traffic. The submission notes this as a factor in reducing desirability of the sites for residential use. This might be the case, but I also consider that this location within the residential zones, close to schools, employment areas and other amenities, would appear well-suited for residential purposes. The PDP enables a site density of 2000m² within the LLR(A) zone, which may encourage infill housing.
- 10.6** The adjoining BMUZ along Anderson Road provides for visitor accommodation as a controlled activity pursuant to rule 16.4.3. It would appear there is no shortage of land suitable for visitor accommodation in this locality.
- 10.7** These sites are not physically connected to the Alpine Village development. One of the sites (Lot 8) appears to share a driveway with several other neighbouring sites, although I do not know if this is a legal or casual arrangement. The other two sites appear to have direct and independent access off Aubrey Road.
- 10.8** Given the sizes of these sites, separate visitor accommodation activities within each allotment could be low intensity and not result in significant adverse effects in regard to traffic generation and loss of residential amenities. The sites together, however, could be developed for a large visitor accommodation activity. I do not know the extent of adverse effects that could be generated.

10.9 Although there are registered and unregistered Residential Visitor Accommodation activities in this area, without knowing the particulars of all the neighbouring properties and the extent of possible effects mentioned above, I do not consider that a VASZ over this part of the site would will be the most appropriate method to achieve the objectives and policies of the LLRZ and the strategic direction of the PDP.

10.10 Given the above, I therefore recommend that the request should be accepted in part with a VASZ extended over Lots 28-31 DP306009 zoned LDSR.

11. QUEENSTOWN LAKES DISTRICT COUNCIL (2239)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2239.9
Land area/request referred to as	181 and 185 Upton Street ('Apartments on Upton')
Stage 1 PDP zone and any mapping annotation	MDR
Stage 2 PDP Zone and any mapping annotations	VASZ (part)
Stage 2 Zone requested in submission	Amend the mapping of the VASZ on Planning Map 21 to include both 181 and 185 Upton Road within the VASZ mapping notation
Supporting technical Information or reports provided with submission	None
Legal Description	Sec 7 BLK XX TN OF Wanaka Lot 1 DP 5609 SEC 9 BLK XX Wanaka TN SD
Area	2026m ²
QLDC Property ID	52500
QLDC Hazard Register	Liquefaction – LIC 1 (P) – probably low risk; alluvial fan – beach ridge stabilised

Aerial Photograph of the site



Brown – submission site

Analysis

- 11.1 The subject site is zoned MDR in the decisions version of the PDP. A VASZ was notified over 181 Upton Street in Stage 2.
- 11.2 The submitter seeks to extend the mapping of the VASZ to include both 181 and 185 Upton Road.
- 11.3 The aerial above shows the sites have been developed for an integrated visitor accommodation development. The sites are also held together in one title. The Section 32 Report recommended that the VASZ be extended over 185 Upton St so this appears to be a notification mapping error.¹²
- 11.4 Overall, I recommend that the request should be accepted.

12 Section 32 Evaluation for Visitor Accommodation, page 42, dated 2 November 2017.

12. WANAKA KIWI HOLIDAY PARKS & MOTELS LIMITED (2613)

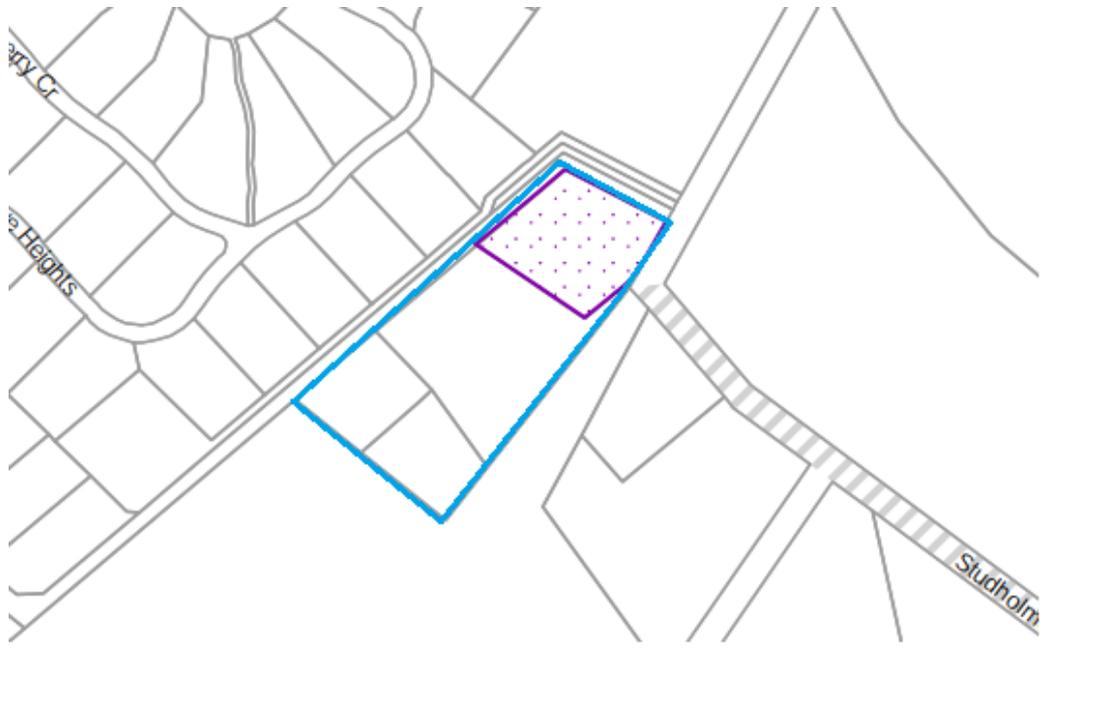
Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2613.1 Submission 2613.2
Land area/request referred to as	Wanaka Kiwi Holiday Parks & Motels, Studholme Road
Stage 1 PDP zone and any mapping annotation	Large Lot Residential A Zone
Stage 1 Zone requested and any mapping annotation requested	Visitor Accommodation Sub-Zone (Submission 592) - rejected
Stage 2 PDP Zone and any mapping annotations	Visitor Accommodation Sub-Zone (Lot 2 DP 21820 only)
Stage 2 Zone requested in submission	Expand Visitor Accommodation Sub-Zone over Lots 1-3 DP 34534
Supporting technical Information or reports provided with submission	Planning evidence
Legal Description	Submission Point 2613.1 - Lots 1 - 3 DP 345435 Submission Point 2631.2 - Lot 2 DP 21820
Area	Approx. 2.8ha
QLDC Property ID	21519, 21520, 21521
QLDC Hazard Register	Lots 1 - 3 DP 345435 – Alluvial fans – Regional Scale (Q1af), Liquefaction risk – Probably low risk (LIC1 (P)), Flooding due to rainfall, Landslide area (alluvial fan) Lot 2 DP 21820 – Potentially Contaminated (LPG cylinders), Alluvial fans – Regional Scale (Q1af), Liquefaction risk – Probably low risk (LIC1 (P)), Flooding due to rainfall, Landslide area (alluvial fan)

Aerial Photograph of the site



Notified Stage 2 PDP Planning Map



Blue outline – submission site
Purple outline - visitor accommodation sub-zone

Analysis

- 12.1** The submitter seeks that the VASZ be retained over part of the site as notified and extended over adjoining land that is part of the Wanaka Kiwi Holiday Parks & Motels.
- 12.2** The site is zoned Large Lot Residential A within the PDP as shown on decisions version Planning Map 22. Under the ODP the site is zoned Rural Residential, with a Visitor Accommodation Sub-Zone over the northernmost parcel on the aerial above.
- 12.3** Generally, I consider that there may be some benefit to a VASZ that reflects an existing lawfully established visitor accommodation development and to avoid future non-compliances within a zone where visitor accommodation is not anticipated. I note that some of the notified VASZs are small and would therefore be considered 'spot-zones', particularly if they relate to only one parcel. I understand that these VASZs have originated from earlier specified departures in the previous district scheme.
- 12.4** In this instance, the submission site contains a single parcel VASZ and three additional parcels over which the VASZ could extend. The requested VASZ would be approximately 2.8ha, which I consider to be of a sufficient size to not be a 'spot-zone'.
- 12.5** The site is a lawfully established holiday park. The earliest resource consent, RM980329 was granted on a publicly notified basis in 1999 for a 34 berth campervan facility with ablution and common rooms and cabins. It appears the visitor accommodation activity has since expanded over adjoining land and that the submitter is seeking to formalise this with an extended sub-zone.
- 12.6** As noted above, the holiday park was previously in a rural (general) zone with a VASZ. Wanaka's growth appears to have caught up with the holiday park as it is now in an urban zone where visitor accommodation is not generally anticipated or encouraged (outside of sub-zones).

12.7 Overall, I consider the request will formalise the expanded visitor accommodation development and will assist in avoiding future non-compliances within the Large Lot Residential Zone A, where visitor accommodation outside of a VASZ would be a non-complying activity pursuant to Rule 11.4.7. As the site is already largely established for visitor accommodation, the rezoning request is unlikely to result in a loss of housing supply or social cohesion within the residential zone.

12.8 The VASZ enables all types of visitor accommodation from low-intensity campgrounds to hotels. The VASZ therefore would enable other types of visitor accommodation to establish on the site, beyond formalising use of the existing holiday park. Any new visitor accommodation activity on the site would be subject to a restricted discretionary activity resource consent, along with compliance with relevant standards, including building height (8m), coverage (15%), and setbacks (4m internal, 10m road). I consider that the provisions should ensure that visitor accommodation activities within the site would be compatible with the underlying zoning, with any breaches assessed through the resource consent process.

12.9 For the reasons outlined above, I recommend that the request should be accepted and the VASZ extended over the submission site.

13. BEN ACLAND (2220)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2220.2; 2220.4; 2220.7
Land area/request referred to as	N/A
Stage 1 PDP zone and any mapping annotation	N/A
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	Nothing specific
Stage 2 Zone requested in submission	That more land in Wanaka be zoned for high density and for visitor accommodation; that the VASZ be expanded;

	that a new VASZ is created within walking distance of the town centre.
Supporting technical Information or reports provided with submission	None

Analysis

- 13.1** The submitter seeks that more land in Wanaka be zoned for high density and for visitor accommodation; that the VASZ be expanded; and that a new VASZ is created within walking distance of the town centre.
- 13.2** I understand there are jurisdictional issues with the first submission point, as that is a challenge to underlying zones in Wanaka, which were considered in Stage 1 (unless an Open Space and Recreation zone was to be rezoned for high density). Appropriate underlying zonings for Wanaka were considered in Stage 1, and I make no further comments in that regard.
- 13.3** Essentially, the PDP seeks to ensure that the residential zones should be primarily for residential purposes. As such, I agree with the submitter that VASZs are a useful planning tool to contribute to this outcome. Other options include encouraging visitor accommodation within other zones, such as Town Centres or BMUZ, or through utilising the Residential Visitor Accommodation provisions inserted into the chapters through the variation.
- 13.4** I agree with the submitter there may be an opportunity to extend the VASZ over some of the Wanaka Medium Density Residential Zone within walking distance of the town centre, given that this zone does not anticipate visitor accommodation but there are established visitor accommodation developments in this area. There are three notified VASZs in this location and a submission seeking a small extension (submission 2239). I do not have access to detailed analysis or evidence to determine where an extension could be appropriately located, however, across the Wanaka MDRZ, or other residential zones. I refer to and rely on Ms Bowbyes evidence in regard to

recommendations in respect to greater permitted activity thresholds for Residential visitor Accommodation and Homestay activities.

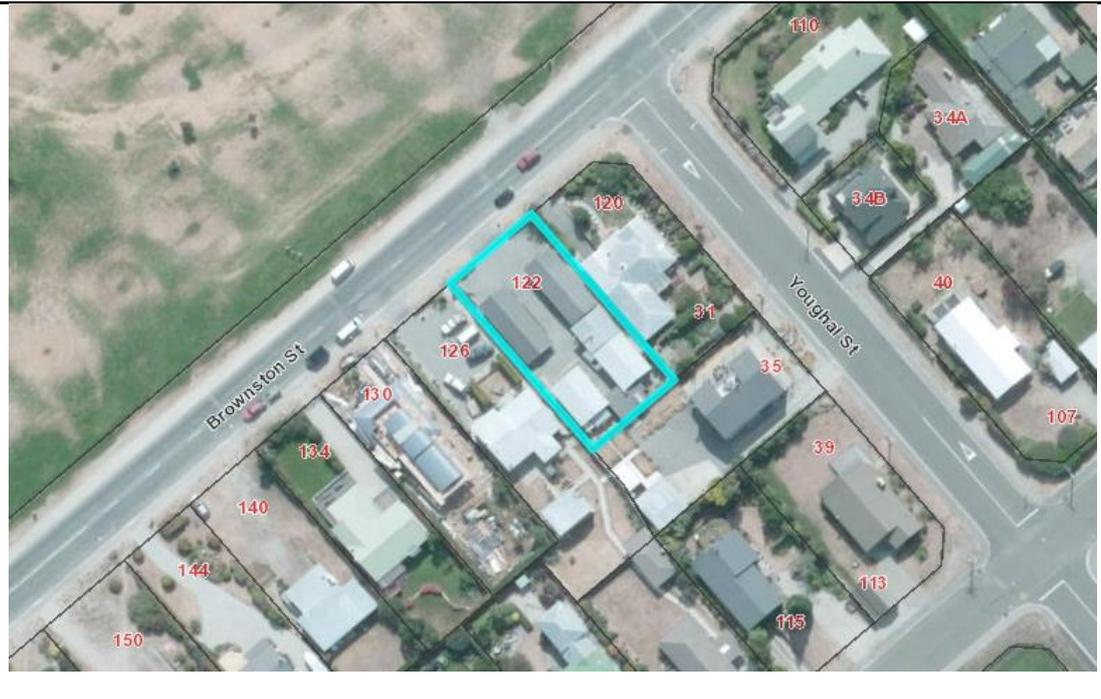
13.5 For the reasons outlined above, I recommend the request should be rejected.

14. WANAKA VIEW MOTEL LIMITED (2661)

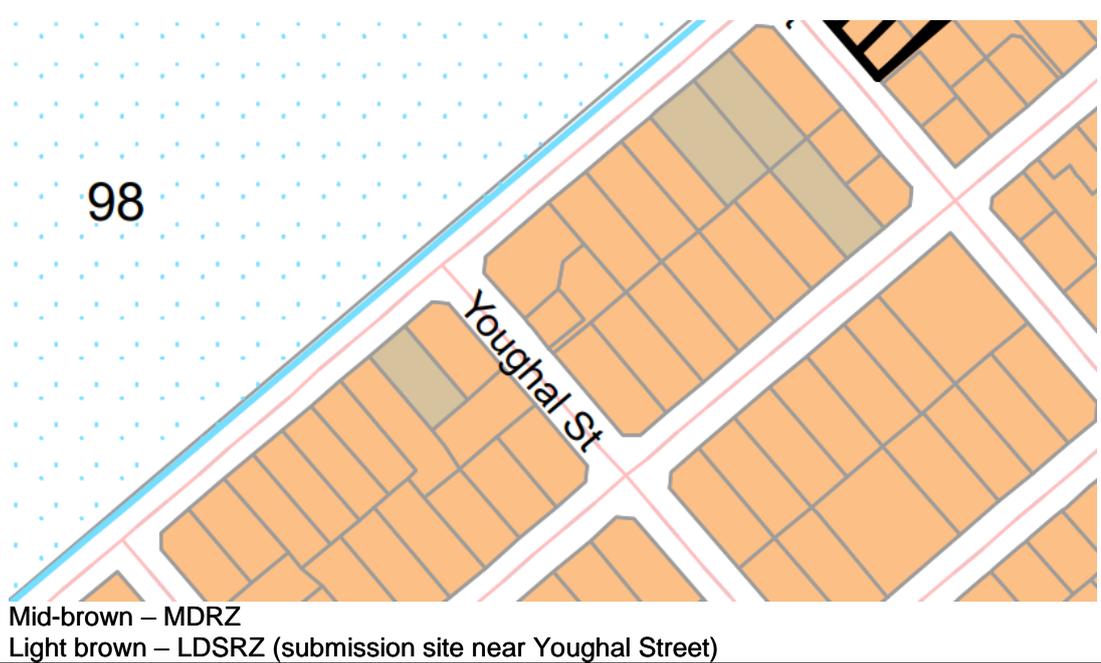
Overall Recommendation	
Recommendation	Accept (but no relief required)

Property and submission information	
Submission Points and Further Submission Points	Submission 2661.1
Land area/request referred to as	122 Brownston Street, Wanaka (Wanaka View Motel)
Stage 1 PDP zone and any mapping annotation	MDR
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	VASZ.
Supporting technical Information or reports provided with submission	None
Legal Description	Sec 2 Block XXII Wanaka TN
Area	830m ²
QLDC Property ID	1497
QLDC Hazard Register	Liquefaction – LIC 1 (P) – probably low risk

Aerial Photograph of the site



Stage 1 Decisions Version Map 21



Analysis

- 14.1 The subject site is zoned LDSR within an MDR zone, as shown on decisions version PDP Planning Map 21. The Stage 2 maps include a VASZ over the site.

- 14.2 The submitter seeks to amend the mapping to include a VASZ over the site.¹³ A VASZ was notified over this Property, so the relief sought by the submitter is already included in the PDP and is consistent with the section 32 report, which recommended that the VASZ be retained over 122 Brownston Street, notwithstanding that it is a single parcel.

GROUP 4 – ARROWTOWN

15. CHURCH STREET TRUSTEE LIMITED (2375)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2375.2
Land area/request referred to as	11 Wiltshire Street, Arrowtown
Stage 1 PDP zone and any mapping annotation	Notified as Arrowtown Residential Historic Management Zone (not yet subject to decision, but not subject to a Stage 1 submission so underlying zoning will not change).
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	VASZ
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 1 DP 513385 (Secs 6/7 BLK 1 Arrowtown have been de-amalgamated)
Area	761m ²
QLDC Property ID	74220
QLDC Hazard Register	Liquefaction – LIC 1 (P) – probably low risk

13 I note that the Panel has already not waived the time for lodging a submission in relation to the part of the submission seeking to revisit the MDR zone on this site.

Aerial Photograph of the site



Analysis

- 15.1** The submitter seeks that a VASZ be established over 11 Wiltshire Street, Arrowtown (Planning Map 28).
- 15.2** The site was notified in Stage 1 as Arrowtown Residential Historic Management Zone. No decision has been made at this time as the land forms part of Hearing Stream 14. Some Stage 1 decisions are relevant in that it is mapped as within a Historic Heritage Precinct (Arrowtown Cottages) and containing a protected feature (331) and tree (1010), as well as Arrowtown Character Trees.
- 15.3** Generally, I consider that very small sub-zones or single parcel sub-zones which result in 'spotzoning' are not good planning practice and are not the more appropriate method to meet the strategic direction of the PDP.
- 15.4** In this instance I am not aware of any visitor accommodation activities at the site. The submission considers the site is well located for visitor accommodation given its close proximity to the Arrowtown Town Centre and diversity of surrounding activities. As such I consider that a resource consent for visitor accommodation could be applied for and assessed on its merits.

15.5 For the reasons outlined above, I recommend that the request should be rejected.

GROUP 5 – ARTHURS POINT

16. ARTHURS POINT PARTNERSHIP (2506)

Overall Recommendation	
Recommendation	Subject to an application for strike out. No recommendation made.

Property and submission information	
Submission Points and Further Submission Points	Submission 2506.1
Land area/request referred to as	182B Arthurs Point Road, Arthurs Point
Stage 1 PDP zone and any mapping annotation	Rural (not yet subject to decision, but not subject to a Stage 1 submission so underlying zoning will not change).
Stage 1 Zone requested and any mapping annotation requested	N/A (no submission from Arthurs Point Partnership)
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	That the submitter's land located at 182B Arthurs Point Road be rezoned Rural General to Rural Visitor Zone.
Supporting technical Information or reports provided with submission	None
Legal Description	PT Lot 1 DP 16043 LOTS 2-3 DP 21867 BLK XIX Shotover SD
Area	6979m ²
QLDC Property ID	7642
QLDC Hazard Register	Liquefaction – LIC 1 – nil to low risk

Aerial Photograph of the site



Stage 1 Decisions Planning Map 39a



Red – Urban Growth Boundary
Light blue – submission site
Orange –MDRZ

Analysis

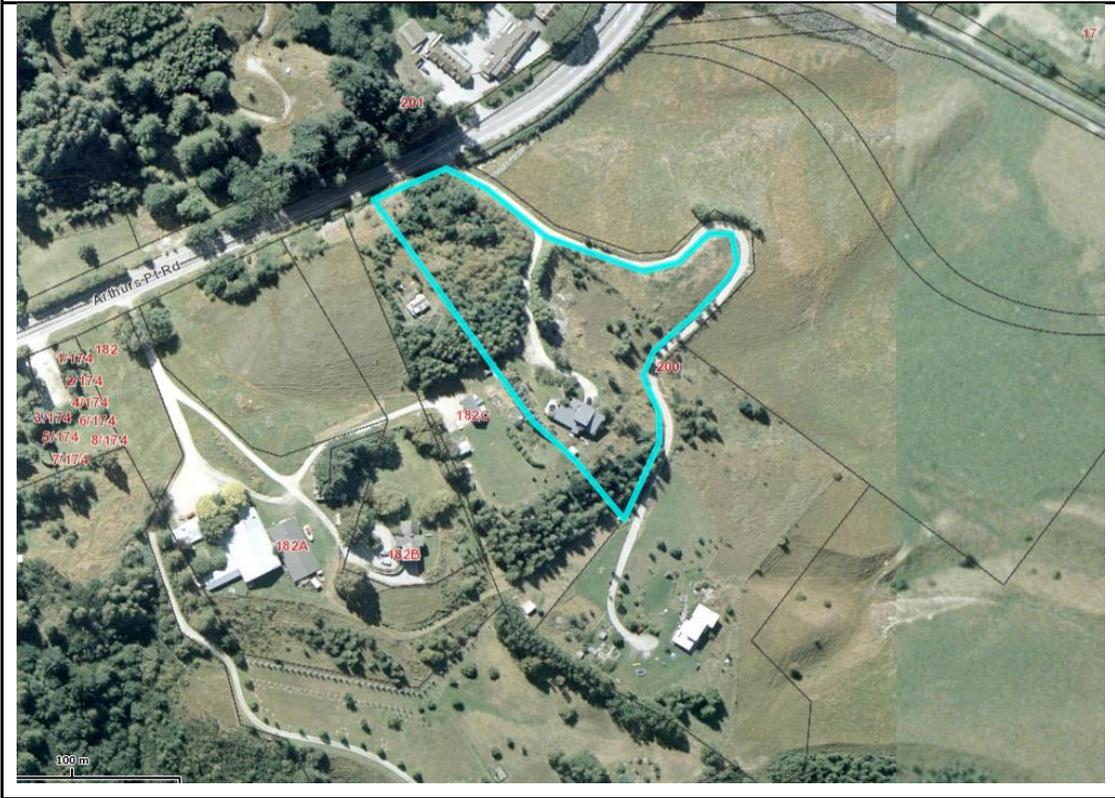
- 16.1 The Council has sought that the Chair of the Panel strike out this submission. If the Chair does not strike out the submission, supplementary evidence will need to be filed.

17. NIRVANA TRUST (2452)

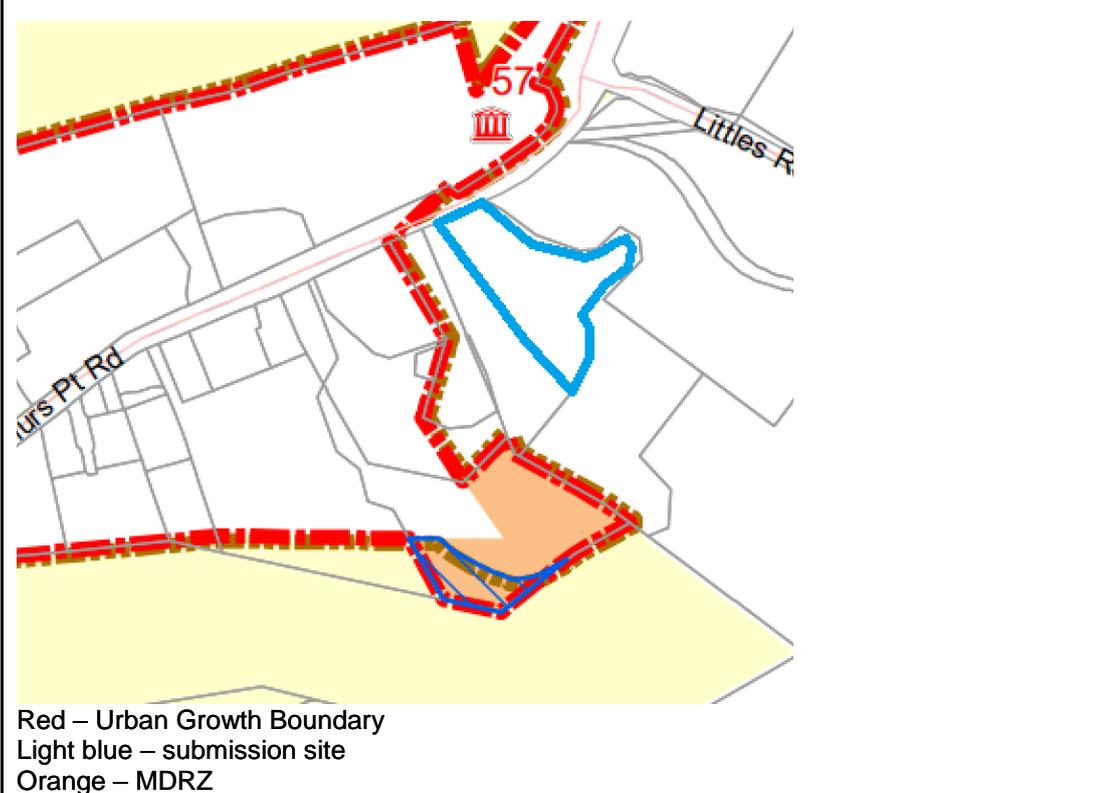
Overall Recommendation	
Recommendation	Subject to an application for strike out. No recommendation made.

Property and submission information	
Submission Points and Further Submission Points	Submission 2452.1
Land area/request referred to as	Lot 1 DP 24262, Arthurs Point Road, Arthurs Point
Stage 1 PDP zone and any mapping annotation	Rural (not yet subject to decision, but not subject to a Stage 1 submission so underlying zoning will not change).
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	That the land located at Lot 1 DP 24262 Blk XIX Shotover SD WITH INT IN R/W be zoned Rural Visitor Zone or confirm the land will be included in stage 3 and defer this submission.
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 1 DP 24262 Blk XIX Shotover SD WITH INT IN R/W
Area	1.212ha
QLDC Property ID	7643
QLDC Hazard Register	Liquefaction LIC 1 – nil to low risk

Aerial Photograph of the site



Stage 1 Decisions Planning Map 39a



Analysis

- 17.1 The Council has sought that the Chair of the Panel strike out this submission. If the Chair does not strike out the submission, supplementary evidence will need to be filed.

18. SJE SHOTOVER LIMITED (2617)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2617.1
Land area/request referred to as	70 Arthurs Point Road, Arthurs Point (Queenstown Top 10 Holiday Park)
Stage 1 PDP zone and any mapping annotation - decisions	LDSR; Building Restriction Area along Arthurs Point Road
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Zone requested in submission	That the Visitor Accommodation Sub-Zone is extended over Part Lot 1 DP 15145 and Section 1 SO Plan 329365
Supporting technical Information or reports provided with submission	Section 32 analysis provided with submission
Legal Description	Part Lot 1 DP 15145 and Section 1 SO Plan 329365
Area	1.1369ha
QLDC Property ID	13467
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Analysis

- 18.1** The submitter seeks that the VASZ be extended over the site at 70 Arthurs Point Road. The site is zoned Lower Density Suburban Residential within the PDP decisions version, as shown on Planning Map 39b.
- 18.2** In this instance, the site is an established holiday park with various resource consents approved for visitor accommodation activities.¹⁴ A detailed background to the visitor accommodation development is contained within the submission. The submitter is seeking a zoning of the site that better reflects the established use.
- 18.3** The holiday park is located in a suburban zone (LDSR) where visitor accommodation is not anticipated outside of sub-zones; whereas RVA

¹⁴ Conditional Use granted 8 July 1976 s28C TCPA; RC940944 (relocated an accommodation building); RM970098 (relocate Unit 3 and Managers House); RM970458 (relocation of garage and construct two cabins); RM050336 (construct two-bedroom motel unit); RM160751 (construct three amenity buildings); RM170654 (construct four units).

and Homestays are anticipated within the LDSRZ. I consider that there may be some benefit to a VASZ that reflect an existing visitor accommodation development and to avoid future non-compliances within the LDSR where visitor accommodation is not anticipated and would be a non-complying activity pursuant to rule 7.4.18.

18.4 The VASZ enables all types of visitor accommodation from low-intensity campgrounds to hotels. The VASZ therefore would enable other types of visitor accommodation to establish on the site, beyond formalising use of the existing holiday park. Any new visitor accommodation activity on the site would be subject to a restricted discretionary activity resource consent, along with compliance with relevant standards, including building height (8m) and recession planes, coverage (40%), and setbacks (2m internal, 4.5m road). I consider that the provisions should ensure that visitor accommodation activities within the site would be compatible with the underlying zoning, with any breaches assessed through the resource consent process.

18.5 Overall, I consider the request will support the existing visitor accommodation development on this site and will assist in avoiding future non-compliances within the LDSRZ. As the site is already established for visitor accommodation, the rezoning request would not result in a loss of housing supply or social cohesion within the surrounding residential area of Arthurs Point.

18.6 For the reasons outlined above, I recommend that the request should be accepted and the VASZ extended over the submission site.

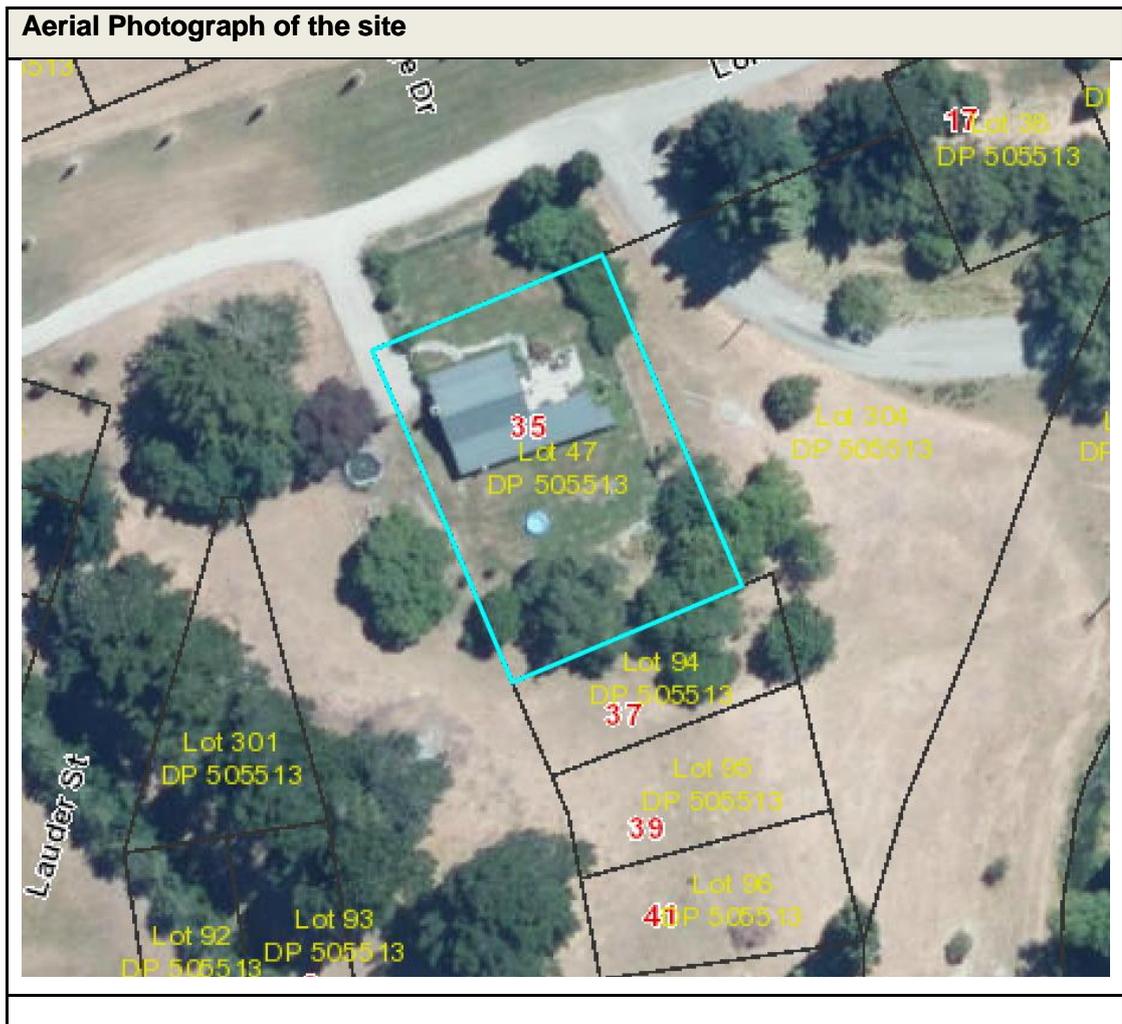
GROUP 6 – LAKE HAYES / WAKATIPU BASIN

19. SPEARGRASS COMMERCIAL LIMITED (2476)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2476.1, 2476.2

Land area/request referred to as	35 Red Cottage Drive, Bridesdale, Lake Hayes Estate
Stage 1 PDP zone and any mapping annotation	Rural (not yet subject to decision, but not subject to a Stage 1 submission so underlying zoning will not change).
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	Provide for visitor accommodation with the VASZ and/or the site (Lot 47 DP 505513 within the Bridesdale Farm development) as a controlled activity
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 47 DP 505513
Area	0.11 Ha (approximated from QLDC GIS)
QLDC Property ID	57410
QLDC Hazard Register	Liquefaction risk – Possibly susceptible



Analysis

- 19.1** The submitter seeks that a VASZ be added to 35 Red Cottage Drive, Bridesdale.
- 19.2** The site was notified under Stage 1 as Rural and there is a submission from Bridesdale Farm Developments (655) seeking part of Bridesdale Farm to be rezoned MDRZ. Ms Vanstone has recommended that submission 655 be accepted in part. Submission site 2476 is included in the recommended MDRZ.¹⁵
- 19.3** Under the ODP the site is zoned Rural General and is part of the Bridesdale Special Housing Area (SH150001). The site contains an existing building, which is Heritage Feature No.120 (QLDC Category

¹⁵ Section 42a Report of Anita Vanstone: Ladies Mile (Stage One) Submissions 30 May 2018 paragraph 3.2.

3) as shown on ODP Planning Map 30 and Stage 1 decisions version PDP Planning Map 30.

19.4 Generally, I consider that single parcel ‘spot-zones’ are not good planning practice and are not the most appropriate method to meet the strategic direction of the PDP.

19.5 The cottage is consented for use as a café and the site is considered a ‘commercial lot’ under SH150001. I am not aware of any resource consents for visitor accommodation. Given that commercial activities are anticipated on this site by the underlying Special Housing Area resource consents, visitor accommodation may fall into this general category. I note that visitor accommodation is not generally anticipated within Chapter 21 (Rural) and would require a discretionary activity pursuant to rule 21.4.19.

19.6 The submission considers that this site is within an area of Bridesdale Farm where small-scale visitor accommodation can be absorbed and will not result in significant degradation of the residential character of the surrounding environment. Given the that this site was created for commercial purposes, I agree this appears likely, and as such a resource consent for visitor accommodation may be successful without the need for a VASZ.

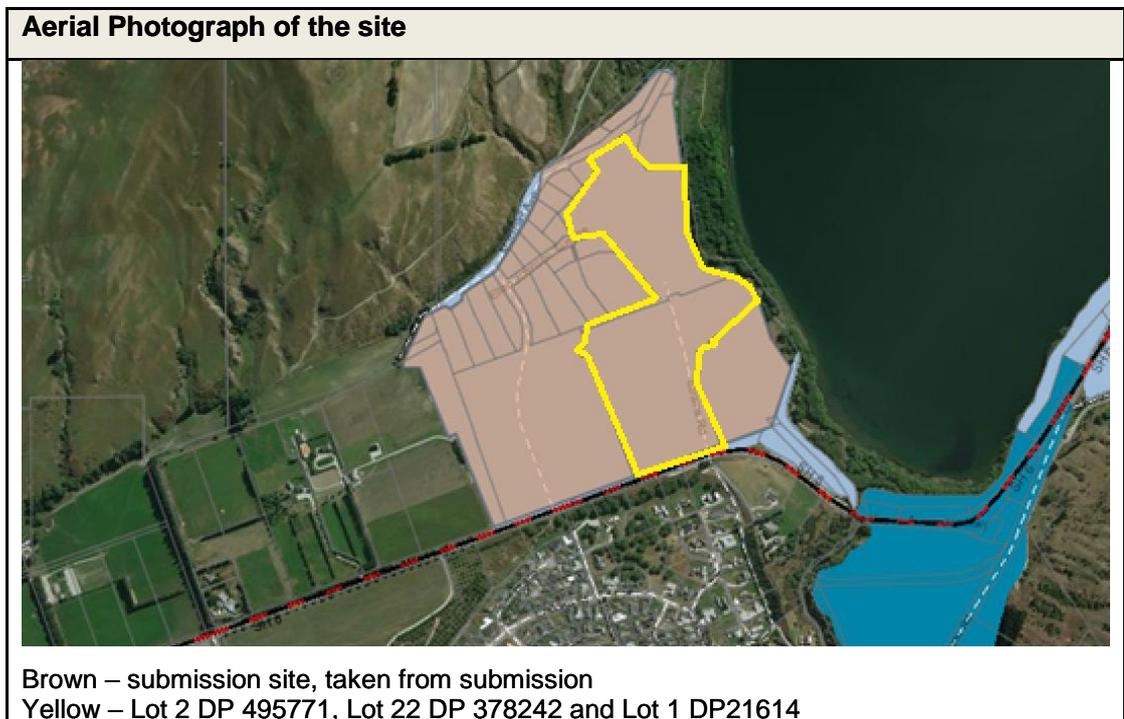
19.7 For the reasons outlined above, I recommend that the request should be rejected.

20. KIRSTY MACTAGGART AND JUSTIN CRANE (2567)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2567.1 Further Submission FS2766.22 – in support
Land area/request referred to as	Threepwood, Frankton-Ladies Mile Highway
Stage 1 PDP zone and any mapping annotation	Rural (replaced)

Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	Wakatipu Basin Rural Amenity Zone
Zone requested in submission	That Map 30 is amended to include Lot 2 DP 495771, Lot 22 DP 378242 and Lot 1 DP21614 as a VASZ to recognise consented Visitor Accommodation activities. Also (considered in Hearing Stream 14: rezoning request to Precinct or a mix of Rural Lifestyle and Rural Residential.) Rezoning submission recommended to be rejected in Miss Vanstone's section 42A report.)
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 2 DP 495771, Lot 22 DP 378242 and Lot 1 DP21614
Area	45ha
QLDC Property ID	Multiple
QLDC Hazard Register	Liquefaction Risk – possible susceptible; alluvial fans, landslide areas, potentially contaminated sites (livestock dips and spray races)



Analysis

- 20.1** The site was notified Rural in Stage 1 and varied to Wakatipu Basin Rural Amenity Zone in Stage 2, as shown on PDP planning maps 13d and 30.
- 20.2** There are submissions, addressed in Ms Vanstone's evidence in the Wakatipu Basin zone, seeking that the Amenity Zone be rezoned to Precinct or a mix of Rural Lifestyle and Rural Residential. The s42A recommendation is that the Amenity Zone be retained and that the entire Ladies Mile landscape unit should be reviewed.¹⁶ I have therefore considered this submission in terms of the Council's position in Hearing Stream 14, and are considering whether it would be appropriate to put a VASZ over the Rural Amenity Zone, at this site.
- 20.3** The submitter seeks to amend the Stage 2 Planning Map 30 to include Lot 2 DP 495771, Lot 22 DP 378242 and Lot 1 DP 21614 (outlined in yellow on the aerial photograph above) with a VASZ to recognise consented visitor accommodation activities.
- 20.4** In terms of resource consents for visitor accommodation, I could not find any recent approvals, although I am aware of the Threepwood Lodge visitor accommodation development. I do not know if the entire site is used for visitor accommodation activities or what level of additional visitor accommodation could be accommodated on the site, which covers approximately 45ha, and the submission provides no insight.
- 20.5** There are no VASZ provisions within Chapter 24 for the Rural Amenity Zone. Notwithstanding this, I consider that an application for resource consent for visitor accommodation, which is a discretionary activity within the Wakatipu Basin Zone as notified in Stage 2, could be applied for and considered on its merits. Alternatively, the Residential Visitor Accommodation provisions might be applied to existing dwellings within the wider Threepwood area.

16 Section 42a Report of Anita Vanstone: Ladies Mile (Stage One) Submissions dated 30 May 2018 paragraph 13.19.

20.6 The spot zoning fails to look at the proposed visitor zone in an integrated manner. In addition, it does not maintain the landscape character and amenity values of the LCU and the Basin, which the Amenity Zone notified by the Council seeks to achieve.

20.7 For the reasons outlined above, I recommend that the request and further submission should be rejected.

GROUP 7 – FRANKTON

21. SEAN MCLEOD (2349)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2349.12
Land area/request referred to as	2 Golden Terrace, Frankton
Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	VASZ
Zone requested in submission	That Map 32 is amended to remove the VASZ from Lot 1 DP 3611332 on the corner of Goldfield Heights and Golden Terrace.
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 1 DP 3611332
Area	1497m ²
QLDC Property ID	22139
QLDC Hazard Register	Liquefaction Risk – LIC 1 – nil to low risk

Aerial Photograph of the site



Brown – submission site

Analysis

- 21.1** The site is confirmed LDSR in the Stage 1 decisions and has been notified with a VASZ in Stage 2.
- 21.2** The submitter seeks to remove the VASZ over the site, which is located on the corner of Goldfield Heights and Golden Terrace. The site is currently vacant.
- 21.3** The submitter explains that this site was originally included in the ODP with a VASZ as it was part of the Sherwood Hotel visitor accommodation development (visible in the aerial photograph above) and was shown as a carpark on one of its development plans. In 2006 a boundary adjustment apparently separated this site from the Sherwood Hotel and it is now in different ownership.
- 21.4** The submitter notes that there are other sites in the District that this is also applicable to that should also be looked at i.e. redundant sub-zones.

- 21.5** I agree with the submitter that VASZs that are historic and are no longer used for visitor accommodation should ideally be removed from the PDP, particularly if the overlays are located in areas where intensive visitor accommodation is considered inappropriate. I understand the Section 32 Evaluation identified all of these sites, and without specific reference to sites from the submitter, I am unable to consider that point further.
- 21.6** I also generally agree with the submitter that the site, being zoned LDSR, is better located for residential housing rather than visitor accommodation. The site could, in theory, accommodate three or four residential units, based on a site density of one unit per 300m² or 450m².
- 21.7** The site is subject to a resource consent application for a visitor accommodation development (RM170412). The proposal is for two five-storey buildings that would provide 29 visitor accommodation units that could also be used for residential purposes. The applicant is Sherwood Manor Properties Limited, although this is not the same company that owns the Sherwood Hotel, and there does not appear to be any relationship between these parties. As such the proposal is not an extension to the existing Sherwood Hotel visitor accommodation. The application has been on hold since August 2017.
- 21.8** Given that there is a live application for a visitor accommodation development, notwithstanding that it has been on hold for nearly a year, I consider that to remove the VASZ would potentially blindside the applicant. The existence of this application indicates that the VASZ is of some value to the site owner.
- 21.9** For the reasons outlined above, I recommend that the request should be rejected. Had the RM170412 application been withdrawn or declined at that time of preparing this report I would have recommended the request be accepted.

22. FISKEN & ASSOCIATES (2372.62)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2372.62
Land area/request referred to as	Andrews Road, Brookside and Doc Wells Lane, Frankton
Stage 1 PDP zone and any mapping annotation	LDSR – decisions version
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Zone requested in submission	That Map 32 be amended to identify a VASZ above Frankton Road, in the vicinity of Andrews Road, including Brookside and Doc Wells Lane
Supporting technical Information or reports provided with submission	None
Legal Description	Multiple
Area	Approx. 3.3ha
QLDC Property ID	Multiple
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

- (c) RM180196 – visitor accommodation within one unit for 365 nights (3 St Marks Lane).

22.4 I consider that three resource consents for visitor accommodation in an area that contains at least 48 units and apparently has a concentration of visitor accommodation indicates one of several possibilities:

- (a) Some units are simply used for residential purposes;
- (b) Some units may be used for permitted part-time Residential Visitor Accommodation; I have seen some Certificates of Compliance for Registered Holiday Homes nearby;
- (c) There are more resource consent applications for visitor accommodation being prepared; and/or
- (d) There are visitor accommodation activities operating without approval; I found two known unregistered visitor accommodation operations in the submission site.

22.5 The PDP considers the LDSRZ to be primarily for residential purposes.¹⁷ The site is well-suited for residential purposes. In addition, the area is not within close proximity to visitor amenities, such as the Queenstown Town Centre, although it is well-located for the airport. Part of the intention of the visitor accommodation provisions is to ensure that commercial letting dwellings within the residential zones, is restricted to avoid permanent loss of housing supply and associated adverse effects. I consider that a VASZ in this location and of this size (3.3ha, approximately 48 units) may lead to a level of housing supply loss and potential adverse effects on social cohesion that would be contrary to the PDP. In addition, I would not support a VASZ that would essentially reward unregistered (illegal) operations.

22.6 The recommended increase in permitted activity thresholds for Residential Visitor Accommodation as detailed in Ms Bowbyes' evidence may contribute to accommodation choices for visitors, as well as household finances, without houses being converted into commercial visitor accommodation.

17 PDP Decisions Version Chapter 7 Part 7.1 Zone Purpose.

22.7 For the reasons outlined above, I recommend that the request should be rejected.

23. FISKEN & ASSOCIATES (2372.63)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2372.63
Land area/request referred to as	Remarkables View - Florence Close, Frankton
Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Zone requested in submission	That Map 33 be amended to identify a VASZ in Remarkables View - Florence Close area.
Supporting technical Information or reports provided with submission	None
Legal Description	Multiple
Area	Approx. 8300m ²
QLDC Property ID	Multiple
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk; landslide areas

Aerial Photograph of the site



Brown – submission site

Analysis

- 23.1** The site is zoned LDSR, as shown on the decisions version PDP Planning Maps 31, 31a and 32.
- 23.2** The submitter seeks a VASZ on properties currently being managed by 'Professionals accommodation' to provide for their ongoing operation. The submitter notes that Remarkables View and Florence Close currently have vacant sections where concept plans have been developed with potential for dual residential / visitor accommodation development.
- 23.3** In terms of resource consents in this area, Council records do not contain any resource consents for visitor accommodation or Registered RVA or Homestays. There is one application for visitor accommodation currently under consideration for 14 Florence Close (RM180623).
- 23.4** While there may be plans in preparation for visitor accommodation in this area (according to the submitter), there is currently no evidence of it being approved such that a VASZ would be logical and justified.

23.5 The LDSRZ is the largest residential zone in the District and provides for both traditional and modern suburban densities and housing forms.¹⁸ The area is clearly well-suited for residential purposes, being close to schools, employment and other amenities in Frankton. I acknowledge that proximity to the airport, on-site parking associated with residential units, and lake views, may have made this area attractive for visitors as well.

23.6 Part of the intention of the VA provisions is to ensure that full-time commercial letting of dwellings within the residential zones is restricted to reduce the permanent loss of housing supply. Without approvals for visitor accommodation throughout the entire site, a VASZ in this location may therefore contribute to loss of residential housing and potential adverse social cohesion effects that would be contrary to the strategic direction of the PDP.

23.7 As an alternative, I would suggest that the provisions for Residential Visitor Accommodation would retain units for primarily residential purposes, while contributing to accommodation choices for visitors and household finances. This would avoid houses being converted into full-time visitor accommodation where this has not already occurred.

23.8 For the reasons outlined above, I recommend that the request should be rejected.

24. MOUNT CRYSTAL LIMITED (2450)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2450.1
Land area/request referred to as	634 Frankton Road, Frankton
Stage 1 PDP zone and any mapping annotation	MDR

¹⁸ PDP Decisions Version Chapter 7 Part 7.1 Zone Purpose.

Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Zone requested in submission	Submitter seeks for Pt Lot 1 DP 9121 to be zoned VASZ
Supporting technical Information or reports provided with submission	None
Legal Description	Pt Lot 1 DP 9121
Area	2.736 ha
QLDC Property ID	5424
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk; alluvial fans

Aerial Photograph of the site



Brown – submission site (above Frankton Road)

Analysis

- 24.1 The site is zoned MDR, as shown on PDP Planning Maps 31, 31a and 32 decisions version.
- 24.2 The submitter seeks a VASZ over the site at 634 Frankton Road.
- 24.3 During Hearing Stream 13 I considered that providing for visitor accommodation over residential uses in this location would not be

generally consistent with the strategic direction provided in Chapter 3 to ensure that the Urban Growth Boundaries contain sufficient suitably zoned land to provide for future growth and a diversity of housing choice. At that time, the visitor accommodation provisions and subzones had been withdrawn due to concerns over the popularity of using housing for visitor accommodation and its potential impacts on available housing supply. As such, I recommended that the submitter's request for visitor accommodation should be refused.¹⁹

24.4 The Hearing Panel confirmed MDR zoning over the site.²⁰ An appeal has been lodged by the submitter in respect to rezoning the lower part of the site HDR and applying the HDR bulk and location standards across the entire site.²¹

24.5 There are established visitor accommodation complexes nearby along Frankton Road, giving a mix of activities in the area. In my rebuttal evidence in Hearing Stream 13, I agreed with the submitter's planning evidence that the adjoining properties have been developed to reasonably high densities through comprehensive developments or as visitor accommodation complexes, such that the immediately surrounding area is not traditionally suburban in appearance and character.²²

24.6 I also acknowledged that the site circumstances may prove challenging for large scale development with a stream running through the site and geotechnical constraints.

24.7 The MDR zone is intended primarily for residential purposes²³ and visitor accommodation development would likely be difficult to achieve on this site under the proposed provisions where RVA and Homestays are anticipated rather than visitor accommodation. While the site is well-located for residential purposes, it is also well-situated for visitor accommodation activities, particularly given that it is a discrete site with

19 Section 42A Report Group 1C Queenstown Urban – Central, West and Arthurs Point 24 May 2017, paragraph 6.16.
20 Hearing of Submissions on Proposed District Plan Report 17-5: Report and Recommendations of Independent Commissioners Regarding Mapping of Queenstown Hill dated 4 April 2018 Part C.
21 Mount Crystal Limited Notice of Appeal dated 19 June 2018.
22 Rebuttal Evidence of Rosalind Devlin Group 1C Queenstown Urban – Central, West and Arthurs Point 7 July 2017 paragraph 4.4.
23 PDP Decisions Version Chapter 8 Part 8.1 Zone Purpose.

few residential neighbours. Adjoining to the west is the Holiday Inn within a VASZ; to the east is The Tiers residential development; and to the north is a large area of vacant land zoned LDSR. I note at least one approved resource consent (RM171226) and three applications are currently under consideration for full-time visitor accommodation within The Tiers development.²⁴

24.8 Visitor accommodation on the submission site would not be displacing any existing housing supply (as it a bare site) or be situated right next to, or within, an established residential neighbourhood, such that the character might be adversely affected. With regard to loss of potential housing supply, I estimate that the site could yield approximately 15 units.²⁵

24.9 Conversely, enabling visitor accommodation over this site may assist in avoiding further loss of housing supply in nearby residential areas by meeting some of the visitor accommodation demand. A visitor accommodation development within a VASZ would require a restricted discretionary consent, with an opportunity at that time to address any adverse effects in regard to (among other matters) noise, hours of operation, and external appearance of buildings. This would give assurance that the effects of visitor accommodation on this site could be managed in regard to The Tiers and other residential activities nearby. I note that similar discretion would be also available if the appeal is successful and the site is rezoned HDR without 'needing' a VASZ.

24.10 I am inclined to support a VASZ over the submission site. It will enable additional accommodation options for visitors while not precluding the site being developed for residential purposes. The remainder of the residential zones in the wider area above Frankton Road are sufficiently large such that I do not consider that a VASZ over this site, in combination with the adjoining VASZ over the Holiday Inn and nearby VASZs over the Sherwood Hotel and Ridge Resort, would adversely affect the overall residential character. Ms Bowbyes recommends that the activity status for visitor accommodation outside

24 RM180468; RM180469; RM180470.

25 Rebuttal Evidence Section 32AA Evaluation in relation to Group 1C dated 7 July 2017.

the VASZ is non-complying (as notified). The VASZ is therefore an important tool for providing for appropriately-located visitor accommodation in the MDR.

24.11 For the reasons outlined above, I recommend that the request should be accepted and the VASZ extended over Pt Lot 1 DP 9121 at 634 Frankton Road.

25. PASSION COVE LIMITED (2456)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2456.2
Land area/request referred to as	Below Frankton Road, Frankton to Queenstown (133 – 633 Frankton Road)
Stage 1 PDP zone and any mapping annotation	HDR
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Stage 2 Zone requested in submission	That Maps 32 and 37 are amended so that the operative High Density Residential Zone is rezoned a Visitor Accommodation Sub-Zone, or Visitor Accommodation is a controlled activity
Supporting technical Information or reports provided with submission	None
Legal Description	Multiple
Area	Approx. 22ha
QLDC Property ID	Multiple
QLDC Hazard Register	Liquefaction LIC 1 – nil to low risk; LIC (P) – probably low risk; alluvial fans; landslides

Aerial Photograph of the site (from submission)



Red outline – submission site

Analysis

- 25.1** The area identified on the aerial photograph above is zoned HDR as shown on the decisions version PDP Planning Maps 32 and 37.
- 25.2** Although the submission states that it seeks rezoning to the VASZ, as the VASZ is a subzone I have approached this submission on the grounds that the VASZ would be included over the HDR, over land below Frankton Road from 133 – 633 Frankton Road (as shown on the aerial photograph above), or alternatively, that visitor accommodation is a controlled activity.
- 25.3** I rely on Ms Bowbyes' evidence in regard to the recommended activity status of visitor accommodation within the HDR and make no further comments in that regard.
- 25.4** The VA variation anticipates visitor accommodation throughout the HDR Zone and therefore does not include a policy framework for VASZ as an additional method. Visitor accommodation would be a restricted discretionary activity pursuant to notified Rule 9.4.9, in conjunction with

limits on notification, pursuant to notified Rule 9.6.2.2. To add a VASZ and provisions into the HDR would create an unnecessary administrative burden. As such, regardless of how the land is currently utilised, I consider there is no 'need' or planning reason for a VASZ over the land. The activity status for visitor accommodation under the HDR is just as enabling as under any VASZ in the other residential zones.

25.5 In regard to the alternative relief sought of a controlled activity status for visitor accommodation within the HDRZ, I refer to and rely on Ms Bowbyes' recommendation that the activity status should remain restricted discretionary, in conjunction with limits on notification as notified in the VA provisions, as a more effective and efficient method of managing the relevant issues while still providing a level of support for a carefully and sensitively designed development to proceed.²⁶

25.6 For the reasons outlined above, I recommend that the request should be rejected.

26. DELOS INVESTMENTS LIMITED (2614)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2614.1
Land area/request referred to as	9 Southberg Avenue, Frankton
Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Stage 2 Zone requested in submission	Add a Visitor Accommodation Sub-Zone over Lot 1 DP 502003
Supporting technical Information or reports provided with submission	Section 32 analysis provided with submission

²⁶ Section 42A Hearing Report Visitor Accommodation Variation 23 July 2018 section 8.

Legal Description	Lot 1 DP 502003
Area	1118m ²
QLDC Property ID	49460
QLDC Hazard Register	Liquefaction risk – Probably low risk (LIC1 (P))
Aerial Photograph of the site	

Analysis

- 26.1** The submitter seeks that a VASZ be applied over 9 Southberg Avenue, Frankton. The site is zoned LDSR as shown on the decisions version PDP Planning Maps 31, 31a and 33.
- 26.2** The site was established as a motel in 1979 and has a VASZ in the ODP. The overlay likely originated as a specified departure in the previous District Scheme. The overlay includes an adjoining site (11 Southberg Avenue) which contains a single residential unit. The surrounding area is largely characterised by traditional suburban residential development within a cul-de-sac, with the Double Cone residential apartments to the east.

- 26.3** The overlay was not carried over into the PDP as the site has been used for residential purposes since at least the 1990s. Residential use of the site was formalised by resource consent RM170650 (approved on 22 August 2017). As such, the overlay appeared to be redundant.²⁷
- 26.4** It is apparent from the submission that the submitter wishes to use the site once again for visitor accommodation purposes (noting the reasonably recent residential use consented in August 2017). A more recent resource consent application (RM180192) to use the site for visitor accommodation was submitted after the PDP Stage 2 notification date and is currently under consideration with a decision expected soon. This application requires a controlled activity consent for visitor accommodation (within the ODP VASZ) and has a parking shortfall.
- 26.5** The resource consent to formalise the residential use of the site (RM170650) included non-compliances for a car parking shortfall, breach of outdoor living space (a communal outdoor living area was provided instead of private areas), and site density. Overall, the application was considered to be a non-complying activity and was processed on a non-notified basis.
- 26.6** In my observations, motel-style units would not usually be suitable for residential use in regard to site layout and internal features and construction, unless flexible use is specifically included at the design stage. Visitor accommodation sites may not contain good levels of outdoor living space and privacy for residents, as this is not a requirement for visitor accommodation (among other matters, such as different requirements for parking). Retrofitting for residential purposes may therefore be difficult, although it appears to have been successfully achieved at this site given that it has been used for residential purposes since the 1990s. Overall, I consider this site is currently likely to be generally better suited for visitor accommodation rather than residential use.
- 26.7** Noting that the buildings on the site date to the 1970s, I have considered the possibility of a redevelopment of the site for visitor

27 Section 32 Evaluation for Visitor Accommodation dated 2 November 2017, page 44.

accommodation purposes, which would require a restricted discretionary activity resource consent within a VASZ, along with compliance with relevant standards for the LDSRZ, including building height (8m) and recession planes, coverage (40%), and setbacks (2m internal, 4.5m road). I consider that the provisions should ensure that a new built development within the site would likely be compatible with the underlying zoning, with any breaches assessed through the resource consent process.

- 26.8** I consider that the visitor accommodation activity itself would not meet the objectives and policies for the LDSRZ, including maintaining a residential character and supply of residential housing,²⁸ and generally restricting visitor accommodation in this area.²⁹
- 26.9** The parameters for assessing VASZ requests seek to prevent very small sub-zones or single parcel sub-zones which result in 'spot-zoning', and to prevent small sub-zones where these are historic and are now considered inappropriately located for visitor accommodation activities. I consider that the site does not meet these parameters and is not the most appropriate method for guiding the location of commercial scale visitor accommodation activities in the underlying residential zone.
- 26.10** Overall, I consider that the VASZ request does not meet the strategic direction of the PDP that provides for the visitor industry to be located in areas that are consistent with the policy framework of the underlying zone.³⁰
- 26.11** For the reasons outlined above, I consider that the request should be rejected.

28 Notified VA provisions LDSRZ policy 7.2.8.2.
29 Notified VA provisions LDSRZ Part 7.1 Zone Purpose.
30 Decisions Version Chapter 3 Policy 3.3.1.

GROUP 8 – QUEENSTOWN

27. FISKEN & ASSOCIATES (2372.59)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2372.59
Land area/request referred to as	8 Suburb St, Queenstown
Stage 1 PDP zone and any mapping annotation	HDR
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Zone requested in submission	That Map 35 be amended to identify a VASZ at 8 Suburb St.
Supporting technical Information or reports provided with submission	None
Legal Description	Sec 13 Blk XLI Queenstown
Area	936m ²
QLDC Property ID	6258
QLDC Hazard Register	Liquefaction Risk LIC 1 (P) – probably low risk

Aerial Photograph of the site



Analysis

- 27.1** The site is zoned HDR, as shown on decisions version PDP Planning Map 35.
- 27.2** The submitter seeks a VASZ overlay over the property at 8 Suburb Street. I understand the submission was lodged before the site was rezoned from MDR (as notified in stage 1) to HDR.
- 27.3** The VA provisions generally enable visitor accommodation throughout the HDRZ and therefore does not include a policy framework for visitor accommodation within sub-zones. I have taken a consistent approach to the assessment within section 24 above. A visitor accommodation development at 8 Suburb Street would be a restricted discretionary activity pursuant to notified Rule 9.4.9, in conjunction with limits on notification, pursuant to notified Rule 9.6.2.2. The submitter may therefore take some confidence that visitor accommodation development would be anticipated. In my opinion, to add a VASZ and policy framework into the HDR zone would create an unnecessary administrative burden. The activity status for visitor accommodation under the HDR is just as enabling as under any VASZ in the other residential zones.

- 27.4** The submitter has sought that visitor accommodation be a controlled activity. I refer to and rely on Ms Bowbyes' recommendation that the activity status within the HDRZ should remain restricted discretionary, in conjunction with limits on notification as notified in the VA provisions, as a more effective and efficient method of managing the relevant issues while still providing a level of support for a carefully and sensitively designed development to proceed.³¹
- 27.5** The parameters for assessing VASZ requests seek to prevent very small sub-zones or single parcel sub-zones which result in 'spot-zoning', and to prevent requests for VASZs where the underlying zone does not include a policy framework for VASZ. I consider that the site does not meet these parameters.
- 27.6** Overall, I consider the application of VASZ over this site is not the most appropriate way to meet the notified policy framework for anticipating visitor accommodation in urban areas close to town centres³² or the strategic direction of the PDP for making provision for the visitor industry at locations where this is consistent with objectives and policies for the relevant zone.³³
- 27.7** For the reasons outlined above, I recommend that the request should be rejected.

28. FISKEN & ASSOCIATES (2372.60)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2372.60
Land area/request referred to as	10 Vancouver Drive, Queenstown
Stage 1 PDP zone and any mapping annotation	MDR

31 Section 42A Hearing Report Visitor Accommodation Variation 23 July 2018 section 8.
 32 Notified VA provisions Chapter 9 HDRZ Objective 9.2.7.
 33 Decisions Version Chapter 3 Policy 3.3.1.

Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Zone requested in submission	That Map 37 be amended to identify a VASZ at 10 Vancouver Drive.
Supporting technical Information or reports provided with submission	None
Legal Description	Unit A AUA1-AUA2 DP 342129 on Lot 88 DP 23944; Unit B AUB1-AUB2 DP 342129 on Lot 88 DP 23944
Area	927m ² (total area of 10a and 10b)
QLDC Property ID	19825, 19826
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Brown – submission site

Analysis

- 28.1** The site is zoned MDR, as shown on decisions version PDP Planning Map 37.
- 28.2** The submitter seeks a VASZ overlay over the properties at 10a and 10b Vancouver Drive, Queenstown.
- 28.3** Council records show the following:

- (a) Resource consent RM171286 for visitor accommodation at 10A Vancouver Drive for 365 nights per year (approved); and
- (b) A Registered Holiday Home at 10b Vancouver Drive for up to 90 nights per year.

28.4 The parameters for assessing VASZ requests seek to prevent very small sub-zones or single parcel sub-zones which result in ‘spot-zoning’. I consider the inclusion of an overall at this site would constitute a spot-zone. In addition, approving a VASZ over a single site such as this one may encourage other sites to pursue the same zoning, which could to incremental loss of housing within the residential zones as an unintended outcome.

28.5 Overall, I consider the application of VASZ over this site is not the most appropriate way to meet the notified policy framework for restricting visitor accommodation³⁴ or the strategic direction of the PDP that provides for the visitor industry at locations where this is consistent with objectives and policies for the relevant zone.³⁵

28.6 The submitter has sought that visitor accommodation be a controlled activity. I refer to and rely on Ms Bowbyes’ evidence in regard to the recommended activity status for visitor accommodation within the MDRZ and make no further comments in that regard.

28.7 For the reasons outlined above, I recommend that the request should be rejected.

29. FISKEN & ASSOCIATES (2372.64)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2372.64
Land area/request referred to as	83 Hallenstein Street, Queenstown.

34 Notified VA provisions Chapter 8 MDRZ Policy 8.2.14.2
 35 Decisions Version Chapter 3 Policy 3.3.1

Stage 1 PDP zone and any mapping annotation	HDR
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Zone requested in submission	That Map 35 be amended to identify a VASZ on the property located at 83 Hallenstein Street, Queenstown.
Supporting technical Information or reports provided with submission	None
Legal Description	LOT 4 D P 7650
Area	663m ²
QLDC Property ID	6828
QLDC Hazard Register	Liquefaction Risk LIC (P) – probably low risk; alluvial fan (beach ridge stabilised)



Analysis

- 29.1** 83 Hallenstein Street is zoned HDR, as shown on decisions version PDP Planning Map 35.
- 29.2** The submitter seeks a VASZ over the property.

- 29.3** The PDP enables visitor accommodation throughout the HDR Zone as a restricted discretionary activity and therefore does not include VASZ as an additional method. A visitor accommodation development at 8 Suburb Street would be a restricted discretionary activity pursuant to notified Rule 9.4.9, in conjunction with limits on notification, pursuant to notified Rule 9.6.2.2. The submitter may therefore be assured that visitor accommodation development would be anticipated. The activity status for visitor accommodation under the HDR is just as enabling as under any VASZ in the other residential zones. I have taken a consistent approach to the assessment within sections 24 and 25 above.
- 29.4** The submitter has sought that visitor accommodation be a controlled activity. I refer to and rely on Ms Bowbyes' recommendation that the activity status within the HDRZ should remain restricted discretionary, in conjunction with limits on notification as notified in the VA provisions, as a more effective and efficient method of managing the relevant issues while still providing a level of support for a carefully and sensitively designed development to proceed.³⁶
- 29.5** The parameters for assessing VASZ requests seek to prevent very small sub-zones or single parcel sub-zones which result in 'spot-zoning', and to prevent requests for VASZs where the underlying zone does not include a policy framework for VASZ. I consider that the site does not meet these parameters.
- 29.6** Overall, I consider the application of VASZ over this site is not the most appropriate way to meet the notified policy framework for anticipating visitor accommodation in urban areas close to town centres³⁷ or the strategic direction of the PDP for making provision for the visitor industry at locations where this is consistent with objectives and policies for the relevant zone.³⁸

36 Section 42A Hearing Report Visitor Accommodation Variation 23 July 2018 section 8.
37 Notified VA provisions Chapter 9 HDRZ Objective 9.2.7.
38 Decisions Version Chapter 3 Policy 3.3.1.

29.7 For the reasons outlined above, I recommend that the request should be rejected.

30. MILLENNIUM & COPTHORNE HOTELS NZ LIMITED (2448), SHUNDI CUSTOMS LIMITED (2474) & GREENWOOD GROUP LTD (2552)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2448.1 Submission 2474.1 Submission 2552.1
Land area/request referred to as	Frankton Road, Queenstown (from 9 Frankton Road on the corner of Brisbane Street to 69 Frankton Road on the corner of Suburb Street, including the Copthorne Lakefront Hotel)
Stage 1 PDP zone and any mapping annotation	MDR and HDR (decisions version is also MDR and HDR)
Stage 1 Zone requested and any mapping annotation requested	HDR (Submissions 61, 641, 679, FS1260, FS1315)
Stage 2 PDP Zone and any mapping annotations	N/A
Zone requested in submission	Submitter seeks land on Frankton Road to be included in the VASZ. Alternatively, for Visitor Accommodation be a controlled activity.
Supporting technical Information or reports provided with submission	None
Legal Description	Multiple
Area	Approx. 4ha
QLDC Property ID	Multiple
QLDC Hazard Register	Liquefaction Risk: Probably Low; Potentially Contaminated Sites

Aerial Photograph of the VASZ sought (from submissions)



Planning Map 35 (Stage 1 decisions version)



Analysis

30.1 The site is zoned MDR and HDR, as shown on decisions version PDP Planning Map 35.

- 30.2** The submitters seek a VASZ over land from 9 – 69 Frankton Road, Queenstown from Suburb and Brisbane Streets (as shown on the aerial photograph above), or alternatively, that visitor accommodation is enabled as a controlled activity.
- 30.3** I rely on Ms Bowbyes' evidence in regard to the recommended activity status of visitor accommodation in the underlying zones and make no further comments in that regard.
- 30.4** Most of the land subject to the submissions is zoned HDR. The PDP generally enables visitor accommodation throughout the HDR Zone and therefore does not include a policy framework for visitor accommodation within sub-zones. A visitor accommodation development at 8 Suburb Street would be a restricted discretionary activity pursuant to notified Rule 9.4.9, in conjunction with limits on notification, pursuant to notified Rule 9.6.2.2. The activity status for visitor accommodation under the HDR is just as enabling as under any VASZ in the other residential zones. I have taken a consistent approach to the assessment within sections 24, 25 and 27 above.
- 30.5** I consider the application of VASZ over the HDR zoned part of the site is not the most appropriate way to meet the notified policy framework for anticipating visitor accommodation in urban areas close to town centres³⁹ or the strategic direction of the PDP for making provision for the visitor industry at locations where this is consistent with the underlying zone provisions.⁴⁰
- 30.6** In regard to the part of the site zoned MDR (between Brisbane and Hobart Streets) of particular interest to submitter Greenwood Group Limited, the surrounding area is residential in character. The MDRZ is intended primarily for residential purposes⁴¹ and visitor accommodation outside a VASZ would have a non-complying activity status pursuant to notified Rule 8.4.31. Council records do not include any visitor accommodation resource consents in the immediately surrounding area or any live consents on the submission site itself.

39 Notified VA provisions Chapter 9 HDRZ Objective 9.2.7.

40 Decisions Version Chapter 3 Policy 3.3.1.

41 Decisions version Chapter 8 MDRZ Part 8.1 Zone Purpose.

30.7 I note that a VASZ does not preclude residential activities, and that enabling visitor accommodation over this site may assist in avoiding further loss of housing supply within the residential zones by meeting some of the visitor accommodation demand. In this location, however, there is substantial provision for visitor accommodation throughout the nearby HDR, through the notified policy framework for that zone.

30.8 Overall, I consider the application of VASZ over the MDR zoned part of the site is not the most appropriate way to meet the notified policy framework for restricting visitor accommodation with the MDRZs⁴² or the strategic direction of the PDP that provides for the visitor industry at locations where this is consistent with objectives and policies for the underlying zone.⁴³

30.9 For the reasons outlined above, I recommend that the requests should be rejected.

GROUP 9 – FERNHILL AND SUNSHINE BAY

31. FISKEN & ASSOCIATES (2372.61)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2372.61
Land area/request referred to as	34 (a and b) Avalon Crescent, Fernhill
Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Zone requested in submission	That Map 34 be amended to identify a VASZ at 34 (a and b) Avalon Crescent.

42 Notified VA provisions Chapter 8 MDRZ Policy 8.2.14.2.
 43 Decisions Version Chapter 3 Policy 3.3.1.

Supporting technical Information or reports provided with submission	None
Legal Description	Unit 1 AU1A 1B DP 467595 on Lot 70 DP 11 909 having 1/2 share in 964m ² ; Unit 2 AU2A 2B DP 467595 on Lot 70 DP 11 909 having 1/2 share in 964m ²
Area	964m ²
QLDC Property ID	838428807, 28808
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Brown – submission site

Analysis

- 31.1** The site is zoned LDSR, as shown on PDP decisions Planning Map 34.
- 31.2** The submitter seeks a VASZ over the properties at 34a and 34b Avalon Crescent, Fernhill.
- 31.3** In terms of resource consents for this site:
- (a) RM170035 – visitor accommodation at 34a Avalon Crescent for 365 nights per year (approved);
 - (b) RM180603 – visitor accommodation at 34b Avalon Crescent for 365 nights per year (approved).

- 31.4** The site has resource consents for year round visitor accommodation associated with the existing units, which have been relatively recently constructed (approx. 2013). Based on the age of the units, it would seem unlikely that the site would be redeveloped for a different or larger visitor accommodation development in the near future.
- 31.5** Notwithstanding my comments above, I consider that the potential for redevelopment of the site for a larger (if physically possible) or different type of visitor accommodation development or associated activities, such as sale of liquor or on-site commercial or retail activities, may not be appropriate in the LDSRZ. The site was established for residential activities and the units could currently be converted back for residential use (assisting with housing supply) without any modification. Applying the VASZ may remove this opportunity if the structure is modified or rebuilt as purpose-built visitor accommodation. In addition, a VASZ over a single site such as this one may encourage other sites to pursue the same zoning, which could to incremental loss of housing within the residential zones as an unintended outcome.
- 31.6** The parameters for assessing VASZ requests seek to prevent very small sub-zones or single parcel sub-zones which result in 'spot-zoning'. I consider that the site does not meet this parameter and is not the most appropriate method for guiding the location of commercial scale visitor accommodation activities in the underlying residential zone.
- 31.7** Overall, I consider the application of VASZ over the site is not the most appropriate way to meet the notified policy framework for restricting visitor accommodation⁴⁴ and maintaining the residential character and supply of residential housing,⁴⁵ and generally restricting visitor accommodation in this area. I consider the request does not meet the strategic direction of the PDP that provides for the visitor industry at locations where this is consistent with objectives and policies for the underlying zone.⁴⁶

44 Notified VA provisions LDSRZ Part 7.1 Zone Purpose.

45 Notified VA provisions LDSRZ policy 7.2.8.2.

46 Decisions Version Chapter 3 Policy 3.3.1.

31.8 For the reasons outlined above, I recommend that the request should be rejected.

32. BROADVIEW VILLAS LIMITED (2222.1), T. ROVIN (2228.1) & THE ESCARPMENT LIMITED (2230.1)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2222.1 Submission 2228.1 Submission 2230.1
Land area/request referred to as	Broadview Rise and Chandler Lane, Fernhill and Sunshine Bay
Stage 1 PDP zone and any mapping annotation	LDSR (decisions version)
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	VASZ
Zone requested in submission	Supports the retention of the VASZ as shown on planning map 34 (Fernhill and Sunshine Bay) over the following properties: • Lot 2 DP363520 (3.2275ha); • Lot 1 DP363520 (0.5787ha); • Lot 1 DP24118 (0.8390ha); • Lot 75 DP24468 (0.2725ha).
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 2 DP363520; Lot 1 DP363520; Lot 1 DP24118; Lot 75 DP24468
Area	4.9177ha
QLDC Property ID	23948, 21752, 12192, 14655
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Analysis

- 32.1** The submitters seek that the notified VASZ be retained over the site. The site is zoned LDSRZ on the decisions version PDP Planning Map 34 with a VASZ on Stage 2 notified Planning Map 34.
- 32.2** The submitter supports the notified VASZ and I therefore recommend that the submission should be accepted.

33. BROADVIEW VILLAS LIMITED (2222.2), T. ROVIN (2228.2) & THE ESCARPMENT LIMITED (2230.2)

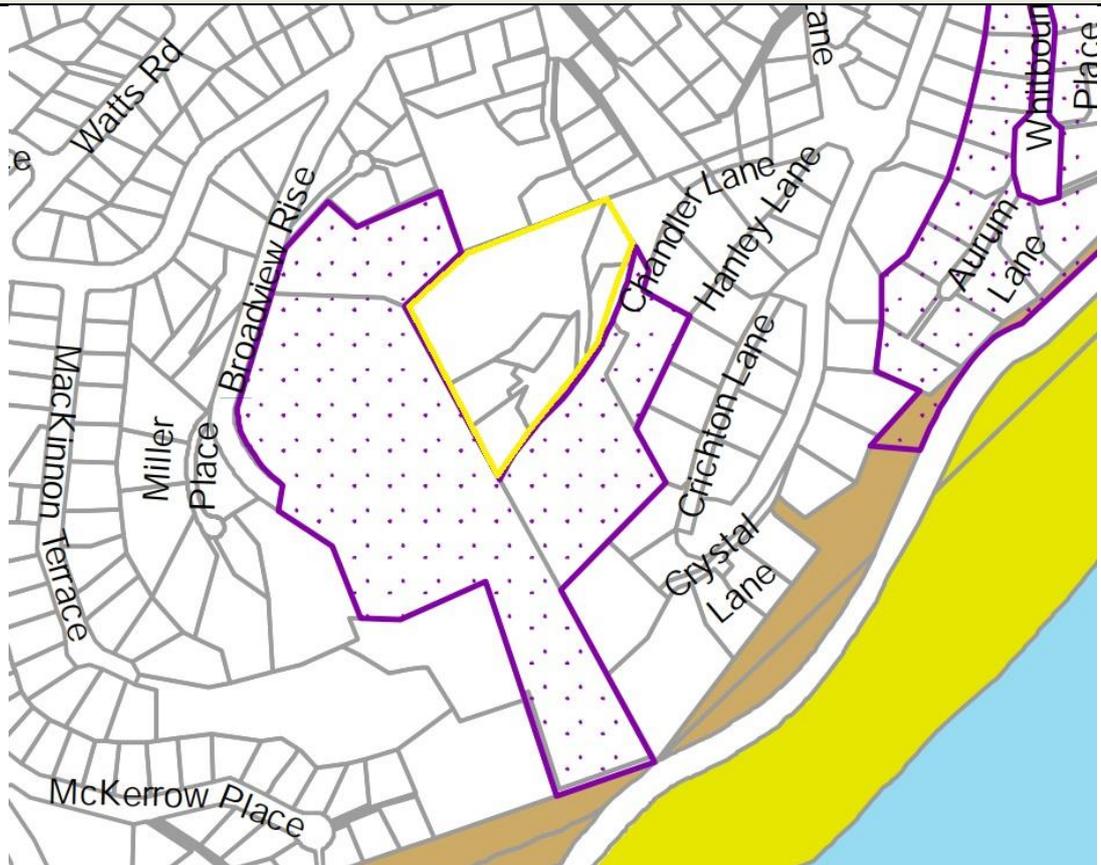
Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2222.2 Submission 2228.2 Submission 2230.2
Land area/request referred to as	Chandler Lane, Fernhill and Sunshine Bay
Stage 1 PDP zone and any mapping annotation	LDSR (decisions version)
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Zone requested in submission	That the existing VASZ be extended to also include the following properties <ul style="list-style-type: none"> • Lot 7 DP437865 (0.7841ha); • Lot 1 DP437865 (0.1037ha); • Lot 3 DP437865 (0.1106ha); • Lot 2 DP437865 (0.1493ha); • Lot 4 DP437865 (0.0902ha); • Lot 6 DP437865 (0.0778ha); • Lot 5 DP437865 (0.0915ha)
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 7 DP437865; Lot 1 DP437865; Lot 3 DP437865; Lot 2 DP437865; Lot 4 DP437865; Lot 6 DP437865; Lot 5 DP437865
Area	1.4072ha
QLDC Property ID	35400, 35340, 35350, 35360, 35370, 35380, 14655
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



PDP Stage 2 Planning Map 34



Purple – VASZ

Yellow outline – submission site

Analysis

- 33.1** The submitters seek that the notified VASZ be extended over the site on Chandler Lane. The site is zoned LDSRZ in the decision version Planning Map 34.
- 33.2** The submitters consider that the properties possess the same physical attributes as the properties within the notified VASZ (discussed under submission points 2222.1, 2228.1 and 2230.1) and that a VASZ extension would be logical in this location.
- 33.3** The submitters also consider that the topography generally screens the properties from nearby residential sites to the north and west (Pine Lane, Lordens Place and Chandler Lane) which are positioned on the hillside above the submission sites.

- 33.4** The submitters further consider that the sites have the ability to be developed comprehensively for visitor accommodation purposes, including their ability to share access from Broadview Rise (through adjoining land), which would be suitable for any increased traffic volumes arising from additional visitor accommodation activity.
- 33.5** I do not have any evidence in regard to residential amenities or transport and consider that these matters would best be addressed at the time of any resource consent application for a visitor accommodation development, in accordance with matters of discretion in regard to nature and scale of activities, and parking and access (among other matters),⁴⁷ should a VASZ extension be approved.
- 33.6** The site is generally separated from the established residential neighbourhood by topography such that a visitor accommodation development would not appear to result in a loss of social cohesion or other adverse effects on residential amenities. A visitor accommodation development within a VASZ in the LDSRZ would require a restricted discretionary consent pursuant to notified Rule 7.4.17, with limits on notification pursuant to Rule 7.6.2.2, with an opportunity at that time to address any adverse effects in regard to (among other matters) noise, hours of operation, and external appearance of buildings. This would give assurance that the effects of visitor accommodation on these sites could be managed in regard to nearby residential neighbours. Visitor accommodation outside the VASZ is a non-complying activity pursuant to rule 7.4.18, and therefore the VASZ is an important tool for providing certainty regarding the appropriate location of visitor accommodation in the LDSRZ. In addition, the VASZ would not preclude residential development.
- 33.7** With regard to loss of potential housing supply, based on the submission area of 1.4072ha and site density of 1 unit per 450m² or 300m², and not allowing for site limitations, I estimate that the site could yield approximately 21 – 31 units.
- 33.8** The parameters for assessing VASZ requests seek to prevent very small sub-zones or single parcel sub-zones which result in 'spot-

47 Notified VA provisions Chapter 7 LDSRZ Rule 7.4.17.

zoning'. I consider that the site meets the parameters and is the most appropriate method for guiding the location of commercial scale visitor accommodation activities in the underlying LDSRZ.

33.9 Overall, I consider that the requested VASZ extension meets the objectives and policies for the LDSRZ, which provide for accommodation options for visitors in the VASZ that is appropriate for the low density residential environment⁴⁸ and meets the PDP strategic direction for appropriate location of visitor facilities within the underlying zone.⁴⁹

33.10 For the reasons outlined above, I recommend that the request should be accepted and the VASZ extended over the submission site.

34. NONA JAMES (2238)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2238.12, 2238.15, 2238.16, 2238.20
Land area/request referred to as	Chandler Lane, Aspen Grove, Broadview Rise, Fernhill and Sunshine Bay
Stage 1 PDP zone and any mapping annotation	LDSR; MDRZ
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	VASZ over 2 sites
Zone requested in submission	<p>Site A: Delete VASZ on Map 34 from 4 parcels to the west of Aspen Grove which is currently accessed off Broadview Rise or Chandler Lane.</p> <p>Site B Delete VASZ in Aspen Grove as shown on Planning Map 34. That the VASZ in Aspen Grove shown on Planning Map 34 not be accessed from the dead-end section on</p>

48 Notified VA provisions LDSRZ policy 7.2.8.1.
49 Decisions Version Chapter 3 Policy 3.3.1.

	<p>Aspen Grove or that resource consent be required for issues such as access.</p> <p>That undeveloped land shown as being within the VASZ on Planning Map 34 (Fernhill and Sunshine Bay) could be restricted for use as long term accommodation.</p>
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 2 DP363520; Lot 1 DP363520; Lot 1 DP24118; Lot 75 DP24468
Area	4.9177ha
QLDC Property ID	23948, 21752, 12192, 14655
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Notified Stage 2 PDP Planning Map 34



Purple – notified VASZs (Site A to left, Site B to right)

Analysis

34.1 The submitter seeks that the notified VASZ on Broadview Rise and Aspen Grove be rejected. The sites are zoned LDSR (Site A) and LDRS and MDR (Site B) on decisions version PDP Planning Map 34. Both Site A and Site B are within a VASZ, as shown on Stage 2 notified PDP Planning Map 34 (comprising the land shown on brown on the figure above).

- 34.2** The submitter considers that the VASZ contradicts the Visitor Accommodation Variation which proposes to strictly curtail opportunities for individual residential owners to let out their own homes in Low and Medium Density neighbourhoods (for commercial gain), in particular Fernhill and Sunshine Bay.⁵⁰ I agree with the submitter that the intention of the Variation is to appropriately limit visitor accommodation within the residential zones, with associated loss of housing supply and social cohesion.⁵¹
- 34.3** I note, however, that VASZs are a mechanism to enable some form of visitor accommodation within specific areas in the residential zones. In this sense visitor accommodation can be contained and managed in appropriate locations, rather than (for example) scattered throughout the residential zones via ad hoc resource consents. I understand the submitter's concerns, but I do consider that the VASZs can be a useful and valid planning tool. Visitor accommodation outside the VASZ is a non-complying activity pursuant to Rule 7.4.18, and therefore the VASZ is an important tool for providing certainty regarding the appropriate location of visitor accommodation in the LDSRZ.
- 34.4** In regard to the submission site specifically, I have addressed the merits of the Site A VASZ under submission points 2222.1, 2228.1 and 2230.1 above. I consider that the VASZ recognises the suitability of the land, which is currently largely undeveloped, for visitor accommodation activities, in addition to the other activities enabled by the LDSRZ. The VASZ would enable a range of accommodation options for visitors, avoid loss of existing housing supply in the suburban area, and would not preclude the sites being developed for residential purposes.
- 34.5** In regard to the Site B VASZ, this incorporates existing visitor accommodation developments (e.g. Aspen Hotel) and adjoining land. The parameters for assessing VASZs support retaining or reinstating sub-zones that apply to large areas in appropriate locations, whether currently developed for visitor accommodation or not. This may address the submitter's concerns by helping to prevent the site-by-site spread of visitor accommodation into the adjoining residential

50 Submission 2238 page 2.

51 Notified VA provisions Chapter 8 MDRZ Part 8.1 Zone Purpose; Chapter 7 LDRZ Part 7.1 Zone Purpose.

neighbourhoods of Fernhill and Sunshine Bay. Similarly, to the Site A considered above, the Site B VASZ would enable a range of accommodation options for visitors while not precluding sites being retained, developed or redeveloped for residential purposes.

34.6 The submitter seeks that the Site B VASZ should not be accessed from the dead-end section on Aspen Grove or that resource consent be required for issues such as access. I agree that the resource consent process is the appropriate time for access to be addressed. The notified matters of discretion for visitor accommodation with a LDSRZ VASZ include *the location, provision, and screening of parking and access*.⁵²

34.7 Overall, I consider that it is appropriate for the PDP to retain the VASZ over both Site A and Site B.

34.8 For the reasons outlined above, I recommend that the requested relief should be rejected.

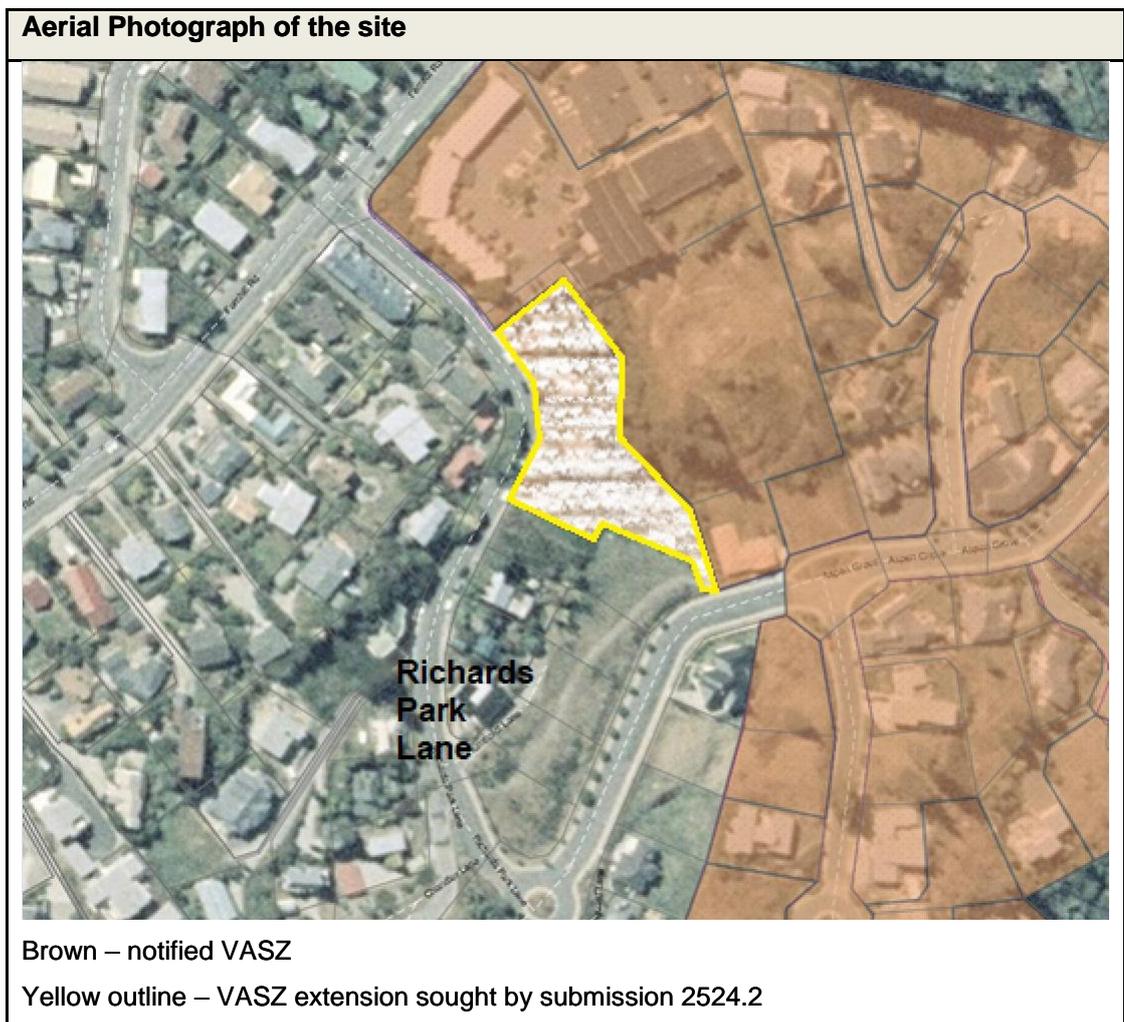
35. INGA SMITH (2361)

Overall Recommendation	
Recommendation	Accept in part

Property and submission information	
Submission Points and Further Submission Points	Submission 2361.1
Land area/request referred to as	Richards Park Lane, Fernhill
Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	VASZ
Stage 2 Zone requested in submission	That the VASZ located near Richards Park Lane, Fernhill (Map 34) be accepted as notified with no properties on Richards Park Lane included.

⁵² Notified VA provisions Chapter 7 LDRZ Rule 7.4.17.

	[139 Fernhill Road is part of the VASZ and has frontage to Richards Park Lane. This is part of the Aspen Hotel]
Supporting technical Information or reports provided with submission	None
Legal Description	Multiple
Area	Approx. 9000m ²
QLDC Property ID	Multiple
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk



Analysis

- 35.1** Inga Smith (submission 2361) supports the VASZ boundaries indicated on Stage 2 Map 34 with respect to the Aspen Grove area and seeks to ensure that properties with Richards Park Lane addresses are not included within the VASZ.

- 35.2** With the exception of 139 Fernhill Road, which has frontage to Richards Park Lane and is part of the Aspen Hotel, the VASZ as notified does not incorporate any properties along Richards Park Lane, residential or otherwise.
- 35.3** Another submitter (Coherent Hotels Limited, 2524.2) has requested that the VASZ be extended over 10, 12, 14 and 16 Richards Park Lane (shown in yellow on the aerial above). I have recommended accepting that submission in Section 37, with a Building Restriction Area, for the reasons detailed in that part of this report.
- 35.4** Therefore these two submitters have different views about the application of the VASZ over land at Richards Park Lane.
- 35.5** I consider that it can be appropriate to extend sub-zones in suitable locations, whether currently developed for visitor accommodation or not. The VASZ in this area is a useful mechanism to reflect existing visitor accommodation development and enable expansion of visitor accommodation activities where it might not be anticipated by the underlying zoning.
- 35.6** I agree (in part) with the submitter that any further VASZ expansion along Richards Park Lane (beyond that discussed in section 37 of this report) should not be enabled.
- 35.7** For the reasons outlined above, I recommend that the request should be accepted in part.

36. N W CASHMORE (2453.1)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2453.1
Land area/request referred to as	Pine Lane, Fernhill and Sunshine Bay

Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	VASZ
Zone requested in submission	The submitter supports the proposed VASZ over Lot 1 DP 363520.
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 1 DP 363520
Area	6454m ²
QLDC Property ID	23948
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Yellow outline – submission site

Analysis

36.1 The submitter supports the VASZ on Stage 2 notified PDP Planning Map 34 as it relates to Lot 1 DP 363520 on Pine Lane. This site is LDRZ in the Stage 1 decisions.

36.2 The submitter supports the notified VASZ and I therefore recommend that the submission should be accepted.

37. N W CASHMORE (2453.36)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2453.36
Land area/request referred to as	Pine Lane, Fernhill and Sunshine Bay
Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Zone requested in submission	That the VASZ is extended to cover Lot 5 and 6 DP19665 and Lot 1 DP449145.
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 5 and 6 DP19665 and Lot 1 DP449145
Area	Approx. 7320m ²
QLDC Property ID	17002, 23948, 28182
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Analysis

- 37.1** The submitter seeks to extend the VASZ boundaries on Stage 2 Planning Map 34 to incorporate Lot 5 and 6 DP19665 and Lot 1 DP449145. This land was zoned as LDRZ in PDP decisions Stage 1.
- 37.2** Given the sizes of these sites and the underlying zone requirements for building height (7-8m), coverage (40%) and setbacks (2m internal) separate visitor accommodation developments within each allotment would be low intensity. The sites together, however, could be developed for a large visitor accommodation development. I do not know the extent of adverse effects that could be generated in regard to adjoining neighbours or transport (among other matters) but I would anticipate that this would be suitably addressed through the resource consent process. Visitor accommodation within a LDSR VASZ would require a restricted discretionary resource consent, with matters of discretion including noise, hours of operation and design measures to limit the impact on adjoining residential

activities.⁵³ I consider this should ensure a good quality outcome for neighbours, although I note the limits on notification pursuant to notified Rule 7.6.2.2.

37.3 The submission site adjoins the Broadview Rise VASZ and is undeveloped. Together with the adjoining VASZ land, a range of accommodation options for visitors could be enabled in a generally appropriate location, while avoiding a loss of existing housing supply in the adjoining suburban areas. A VASZ over the submission site would not preclude the site being developed for residential purposes.

37.4 I agree with the submitter that the benefits of proactive planning for visitor accommodation in specific and suitable locations throughout the district are significant. The VASZ is a method that enables Visitor Accommodation to be strategically located, rather than scattered throughout the residential zones via site-specific resource consents. It therefore assists with providing certainty regarding the appropriate locations for Visitor Accommodation activities in residential areas.

37.5 Overall, I consider that the requested VASZ extension is consistent with PDP strategic policy 3.3.1 that provides for the visitor industry in locations that are consistent with objectives and policies for the relevant zone.

37.6 For the reasons outlined above, I recommend that the request should be accepted and that the VASZ be extended over Lot 5 and 6 DP19665 and Lot 1 DP449145.

53 Notified VA provisions Chapter 7 LDRZ Rule 7.4.17.

38. COHERENT HOTELS LIMITED (2524.1)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2524.1
Land area/request referred to as	139 Fernhill Road and 18 Aspen Grove, Fernhill (Aspen Hotel)
Stage 1 PDP zone and any mapping annotation	MDR and LDSR
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	VASZ
Zone requested in submission	That the VASZ at 139 Fernhill Road and 18 Aspen Grove is retained as notified.
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 1 DP 25638 Lot 1 DP 24778 PT Lot 2 D P 24778 BLK I Mid Wakatipu SD - Lot 1 DP 25638 Lot 1 DP 24778 with interest in R/W PT Lot 2 DP 24778 subject to R/W; Lot 72 DP 24394
Area	1.3142ha (area within VASZ)
QLDC Property ID	8153, 14078
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Blue outline – submission site (three parcels)

Analysis

- 38.1** The submitter supports the VASZ on Stage 2 Planning Map 34 as it relates to 139 Fernhill Road and 18 Aspen Grove. The site is primarily zoned MDR, as shown on decisions version PDP Planning Map 34, with 18 Aspen Grove zoned LDSRZ.
- 38.2** The submitter supports the notified VASZ and I therefore recommend that the submission should be accepted.

39. COHERENT HOTELS LIMITED (2524.2)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2524.2 Further submission FS2793.1 – oppose

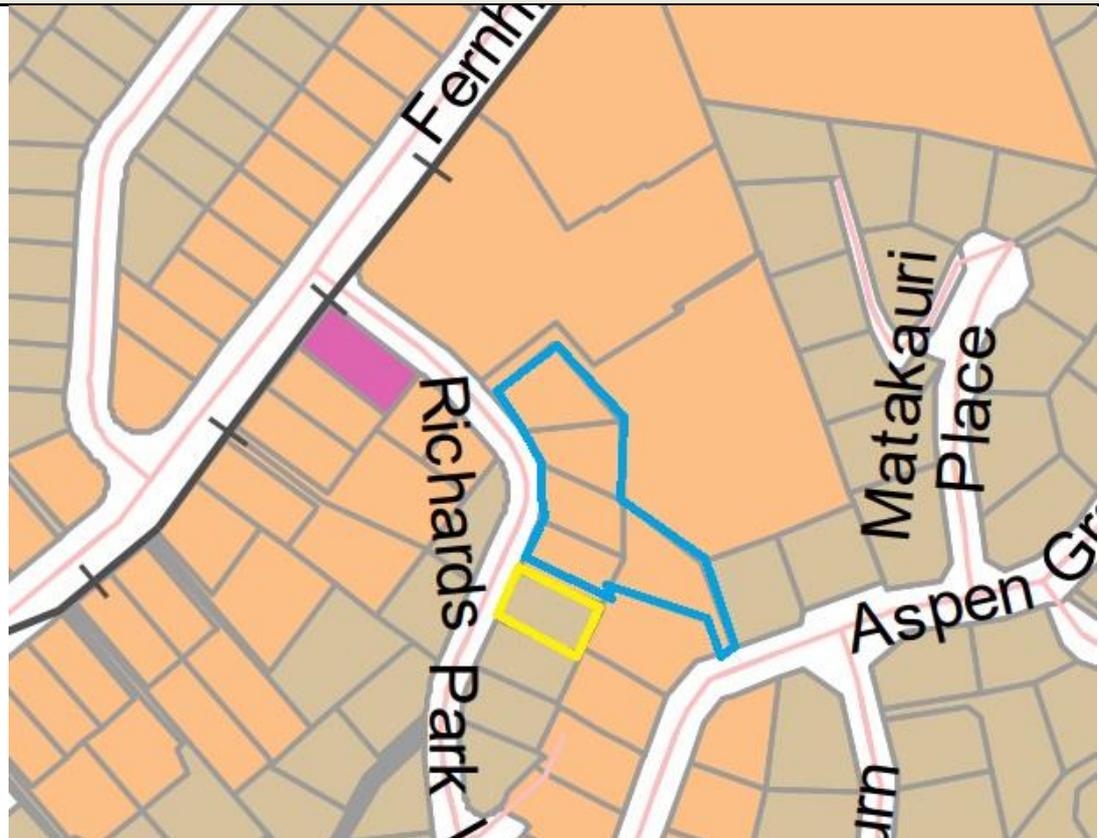
Land area/request referred to as	10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove, Fernhill
Stage 1 PDP zone and any mapping annotation	MDR
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Zone requested in submission	That the VASZ is extended to include 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove.
Supporting technical Information or reports provided with submission	None
Legal Description	Lots 18-21 DP 12316; Lot 71 DP 25084
Area	3149m ² (extension to VASZ)
QLDC Property ID	17005, 8157, 8156, 8155, 8154
QLDC Hazard Register	Liquefaction Risk LIC 1 – nil to low risk

Aerial Photograph of the site



Blue – submission site

Yellow – property that FS owns, but the FS is on the blue submission site



Blue – submission site

Yellow – property that FS owns, but the FS is on the blue submission site

Analysis

- 39.1** The submitter seeks to extend the VASZ boundaries on Stage 2 Planning Map 34 to incorporate 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove. The site is zoned MDRZ, as shown on decisions version PDP Planning Map 34.
- 39.2** Further submitter Barbara Fons (FS2793.1) seeks that the VASZ be rejected. The further submitter owns 18 Richards Park Lane (outlined in yellow in the aerial photograph and map snip above), which is zoned LDSRZ.
- 39.3** Given the sizes of these sites, separate visitor accommodation activities within each allotment could be low intensity and not result in significant adverse effects in regard to traffic generation or loss of residential amenities. The sites together, however, could be developed for a large visitor accommodation activity or form an expansion of the

existing hotel. I do not know the extent of adverse effects that could be generated in regard to adjoining neighbours but I would anticipate that this would be suitably addressed through the resource consent process via the matters of discretion for location, nature and scale of activities, and design measures to limit the impact on adjoining residential activities,⁵⁴ should a VASZ expansion be approved. Visitor accommodation within a VASZ in the MDRZ would require a restricted discretionary resource consent pursuant to notified Rule 8.4.30. Despite the limits on notification pursuant to notified Rule 8.6.2.3, I consider the matters of discretion should ensure a good outcome for neighbours.

- 39.4** The submission site adjoins the Aspen Grove VASZ and would form a logical extension to the overlay. Together with the adjoining VASZ land, a range of accommodation options for visitors could be enabled in a generally appropriate location, while generally avoiding a loss of housing supply in the adjoining suburban areas, in accordance with notified Policy 8.2.14.1 that provides *for accommodation options for visitors in the Medium Density VASZ... that is appropriate for the medium density residential environment*. A VASZ over the submission site would not preclude the site being developed for residential purposes.
- 39.5** With regard to loss of potential housing supply, based on the submission site of five parcels and site density of 3 or 4 units, and not allowing for site limitations, I estimate that the site could yield approximately 15 – 20 units.
- 39.6** In regard to the further submitter and owner of 18 Richards Park Lane (Barbara Fons), I note that only one internal boundary would be potentially affected by a VA development on 16 Richards Park Lane. 18 Richards Park Lane slopes steeply away from the road ensuring that any VA development to the north would not hinder lake views. In terms of sunlight access or shading, a residential development on 16 Richards Park Lane could result in similar effects.

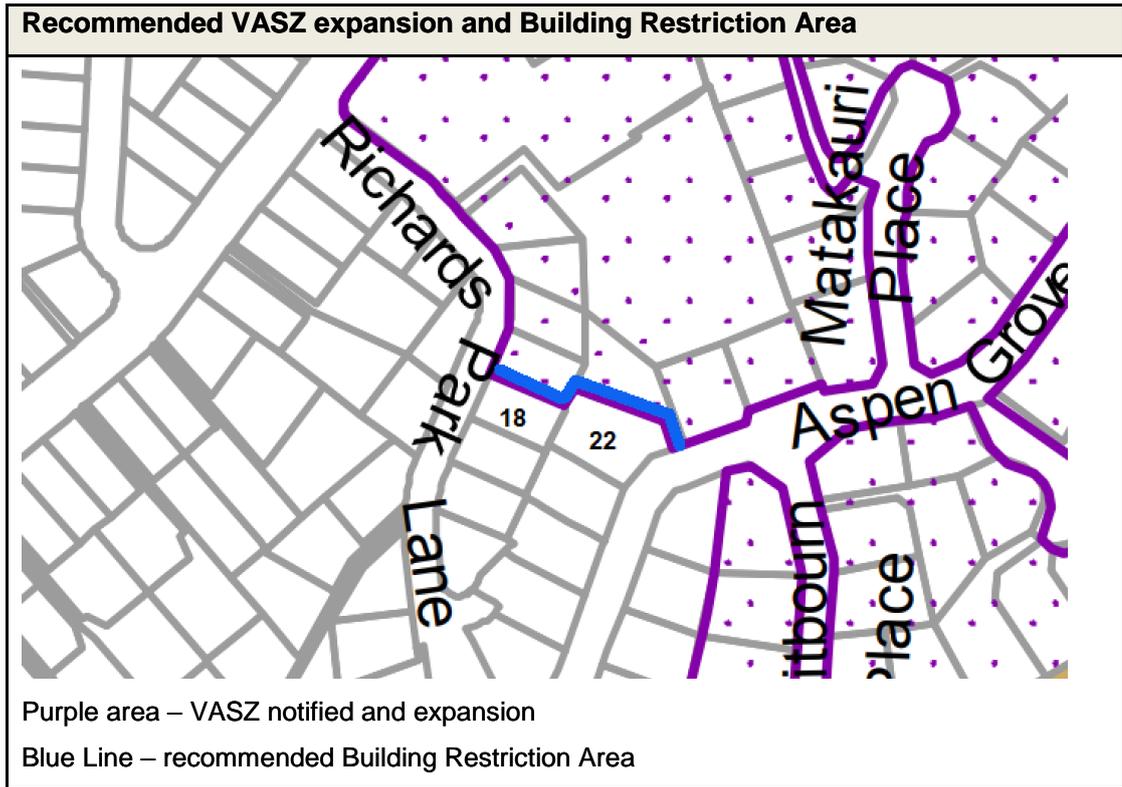
54 Notified VA provisions Chapter 8 MDRZ Rule 8.4.30.

- 39.7** 18 Richards Park Lane is zoned LDSR and 16 Richards Park Lane is zoned MDR. In terms of bulk and location, a visitor accommodation development would be constrained by building height (8m), building coverage 45% and internal boundary setbacks of 1.5m. I note that a breach of building height would be non-complying pursuant to rule 8.5.1, regardless of whether the building is for visitor accommodation or residential purposes.
- 39.8** Prior to the Stage 1 Decisions, 16 Richards Park Lane was zoned LDSR, and as such the owner of 18 Richards Park Lane would have expected similar building heights (7-8m), coverage (40%) and 2m internal boundary setbacks.
- 39.9** Although the 1.5m setback would also apply to residential development in the underlying MDRZ, I consider that the effects of a visitor accommodation development on an adjoining site could be quite different to a residential development, in regard to residential character.⁵⁵ I consider similar effects may apply to 22 Aspen Grove, which is also zoned LDR and is not within the notified VASZ. Rather than introducing a site-specific setback rule into the MDRZ, I recommend a Building Restriction Area (BRA) be applied along the southern extent of the VASZ in this location, if it is extended. I suggest the BRA should be 4.5m wide to ensure a generous setback from visitor accommodation activities, while not unduly restricting development of sites within the VASZ. I have illustrated this below. Although it would be non-complying to breach the BRA pursuant to decisions Rule 8.5.16, this may be achievable with neighbours' approvals.
- 39.10** Overall, I consider that the requested extension to the VASZ is the most appropriate method that accords with the PDP strategic direction to provide for the visitor industry in locations that are consistent with the underlying zoning.⁵⁶

55 Notified VA provisions Chapter 8 MDRZ Objective 8.2.14 *The location, scale and intensity of visitor accommodation, residential visitor accommodation and homestays is managed to maintain the residential character of the zone.*

56 Decisions Version Chapter 3 Policy 3.3.1.

39.11 For the reasons outlined above, I recommend that the request should be accepted and that the VASZ be extended over 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove, with a Building Restriction Area of 4.5m width along the southern extent of the VASZ adjoining 18 Richards Park Lane and 22 Aspen Grove. I also recommend the further submission in opposition from Barbara Fons (FS2793.1) should be rejected.



40. JADE LAKE QUEENSTOWN LIMITED (2560.1)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2560.1
Land area/request referred to as	102 – 180 Wynyard Crescent, Fernhill
Stage 1 PDP zone and any mapping annotation	LDSR (also the decisions version)
Stage 1 Zone requested and any mapping annotation requested	MDR or HDR (Stage 1 Submission 97) (rejected in Stage 1 decision)

Stage 2 PDP Zone and any mapping annotations	NA
Stage 2 Zone requested in submission	That Stage 2 Map 34 be amended to include a VASZ at lot 1 DP 21182 and Lot 2 DP 20613
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 1 DP 521930
Area	2.2ha
QLDC Property ID	75660
QLDC Hazard Register	Liquefaction LIC 1 – nil to low risk

Aerial Photograph of the site



Analysis

40.1 The site is zoned LDSR as shown on PDP decisions Planning Map 34.

40.2 During Hearing Stream 13 I considered that the site could be rezoned MDR in my right of reply.⁵⁷ The Hearing Panel determined that LDSR would be most appropriate.⁵⁸ I note that the submitter has lodged an appeal seeking MDR rezoning. I also note that the site has now expanded to 2.2ha by way of a boundary adjustment (RM171492); whereas previously it was 1.5ha in area.

⁵⁷ Right of Reply of Rosalind Devlin, Group 1C, dated 6 October 2017 paragraph 7.5.

⁵⁸ Hearing of Submissions on Proposed District Plan Report 17-3 dated 4 April 2018 paragraph 47.

- 40.3** The site is located on Wynyard Crescent and Greenstone Place and is currently undeveloped. Resource consent application RM171560 is currently under consideration and I understand a decision will be released soon. This application is for a comprehensive residential development (stage 1) for 20 residential units. The Assessment of Effects on the Environment with the application specifies that no visitor accommodation is proposed.
- 40.4** There are visitor accommodation activities in Fernhill and Sunshine Bay, and VASZs in the vicinity of Broadview Rise and Aspen Grove, however, overall, the area is residential in character. The site and immediate surrounds are zoned LDSR with MDR further south along Fernhill Road.
- 40.5** The LDSRZ is intended primarily for residential purposes⁵⁹ and visitor accommodation development would likely be difficult to achieve on this site under the notified Rule 7.4.18 whereby visitor accommodation outside of a VASZ would be non-complying.
- 40.6** Given the resource consent application under consideration, and additional stages that may be in preparation, a VASZ over the submission site may displace that planned housing supply by enabling residential development to convert to visitor accommodation. The site is situated within an established residential neighbourhood, such that the character might be adversely affected by large-scale visitor accommodation, contrary to notified Objective 7.2.8 that provides for the location, scale and intensity of visitor accommodation, residential visitor accommodation and homestays to be managed to maintain the residential character of the zone.
- 40.7** I note that a VASZ would not preclude the site being developed for residential activities. I consider, however, that a VASZ over this site, combined with the notified VASZs in Fernhill and Sunshine Bay (and extensions if approved), may result in visitor accommodation dominating the area. This would be contrary to the strategic direction of the PDP for the residential zones, which provides for the visitor

59 Decisions Version Chapter 7 Part 7.1 Zone Purpose.

industry to be located where this is consistent with objectives and policies for the relevant zone, and to ensure a mix of housing opportunities for residents within urban areas.⁶⁰

40.8 Given all the above I consider a VASZ over the submission site would not be appropriate and would likely adversely affect the residential character of the immediate neighbourhood and the wider area of Fernhill and Sunshine Bay.

40.9 For the reasons outlined above, I recommend that the request should be rejected.

GROUP 10 – HAWEA

41. STREAT DEVELOPMENTS LIMITED (2311)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2311.1
Land area/request referred to as	Domain Road, Hawea Flat
Stage 1 PDP zone and any mapping annotation	Rural Residential (confirmed in decision)
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	N/A
Stage 2 Zone requested in submission	VASZ
Supporting technical Information or reports provided with submission	None
Legal Description	Lot 1 DP 304937
Area	16.7ha
QLDC Property ID	16538
QLDC Hazard Register	N/A

⁶⁰ Decisions Version Chapter 3 Objective 3.2.2; Policy 3.3.1; Chapter 4 Policy 4.2.2.3.

Aerial Photograph of the site



Blue outline – submission site

Analysis

- 41.1** The submitter seeks that a VASZ be included over the site on Domain Road, Hawea Flat, which is zoned Rural Residential by the decisions version of the PDP, and as shown on PDP Planning Map 17.
- 41.2** Visitor accommodation within the site would require a discretionary activity pursuant to Rule 22.4.10. The same activity status applied under the ODP (rule 8.2.2.3i) and as such the underlying zoning has not become more restrictive towards visitor accommodation. I note that decision version Chapter 22 Policy 22.2.1 provides for visitor accommodation activities that are compatible with and enhance the predominant rural and residential activities of the zone. I therefore consider there is potential for a visitor accommodation activity to be established at the site by resource consent, although I acknowledge

that the fully discretionary activity status does not provide certainty of approval or non-notification.

41.3 The VA provisions and notified maps do not include any VASZs or associated provisions for the rural living areas. I refer to the Hearing Panel's decision on VASZs within the rural living areas whereby the provisions specific to the Visitor Accommodation Sub-Zone from Chapter 22 were removed and any VASZ notations on maps were deleted as being unsupported by any provision.⁶¹ The Hearing Panel noted that it is clear from the Strategic Policies (in Chapters 3 and 6) that *the provision for visitor accommodation outside the urban areas is contemplated only where they would protect, maintain or enhance landscape quality, character and visual amenity values.*⁶²

41.4 I rely on the Hearing Panel's decision and consider that adding a VASZ and provisions into the Rural Residential Zone and map for this site in Hawea Flat would be contrary to the strategic direction of the PDP, which seeks to locate the visitor industry where this is consistent with objectives and policies for the underlying zoning.⁶³

41.5 There is no evaluation in the submission as to how the VASZ will be the most appropriate method to achieve the objectives and policies of the Rural Residential Zone and the strategic chapters of the PDP or how the VASZ will be the most appropriate way to achieve the purpose of the RMA.

41.6 For the reasons outlined above, I recommend that the request should be rejected.

GROUP 11 - DISTRICT-WIDE

42. MARK SMITH (2172)

Overall Recommendation	
Recommendation	Reject

⁶¹ Hearing Panel Report 4B dated 30 March 2018 paragraph 57.

⁶² Ibid at paragraph 43.

⁶³ Decisions Version Chapter 3 Objective 3.2.2.

Property and submission information	
Submission Points and Further Submission Points	Submission 2172.1
Land area/request referred to as	
Stage 1 PDP zone and any mapping annotation	LDSR
Stage 1 Zone requested and any mapping annotation requested	N/A
Stage 2 PDP Zone and any mapping annotations	VASZ
Stage 2 Zone requested in submission	Reject VASZ and have VA scattered throughout the zone (LDSRZ)
Supporting technical Information or reports provided with submission	None

Analysis

- 42.1** The submitter seeks that VASZ be rejected, particularly from the LDSRZ, and that visitor accommodation should be scattered throughout the zones (the submitter is no more specific than this). The submitter considers that tenants within long-term rental accommodation create greater noise and parking issues than visitor accommodation. Further, the submitter considers VASZs could create zones of often unoccupied properties.
- 42.2** I consider that to enable extensive or unlimited opportunities for visitor accommodation, whether within sub-zones or not, across the residential zones would be contrary to the strategic direction of the PDP and the Variation. These provide for the visitor industry to be located where this is consistent with objectives and policies for the residential zones, and to ensure a mix of housing opportunities for residents within urban areas⁶⁴.
- 42.3** As shown in Mr Heye's evidence the growth in converting houses into full-time visitor accommodation contributes to a loss of housing and social cohesion.⁶⁵ If visitor accommodation is concentrated in particular areas this could indeed create the unoccupied areas referred

⁶⁴ Decisions Version Chapter 3 Objective 3.2.2; Policy 3.3.1; Chapter 4 Policy 4.2.2.3.

⁶⁵ Measuring the scale and scope of Airbnb in Queenstown-Lakes District for Queenstown-Lakes District Council, Infometrics, November 2017.

to by the submitter. I agree that vacant VASZs would be less than ideal. I consider, however that the VA provisions, as notified and with Ms Bowbyes' recommended changes, provides the most effective policy framework to ensure that visitor accommodation is located and managed appropriately within the residential zones.

42.4 Essentially, the PDP seeks to ensure that the residential zones should be primarily for residential uses (even if the submitter experiences some residents as inconsiderate neighbours). In my view, VASZs are a useful planning tool to contribute to this outcome. Other options include encouraging visitor accommodation within more suitable zones, such as Town Centres or BMUZ, or through Residential Visitor Accommodation provisions.

42.5 For the reasons outlined above, I recommend the request should be rejected.

43. KAYE PARKER (2172)

Overall Recommendation	
Recommendation	Reject

Property and submission information	
Submission Points and Further Submission Points	Submission 2233.5 Further Submission FS2779.5 – Support Further Submission FS2780.5 – Support
Land area/request referred to as	N/A
Stage 1 PDP zone and any mapping annotation	LDSR (decisions version)
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Stage 2 Zone requested in submission	VASZ across the LDSR of Kelvin Heights, Queenstown Hill, Frankton, Fernhill and Sunshine Bay
Supporting technical Information or reports provided with submission	None

Analysis

- 43.1** The submitter seeks that a VASZ be considered in the LDSRZ of Kelvin Heights, Queenstown Hill, Frankton, Fernhill and Sunshine Bay that have traditionally been holiday home areas.
- 43.2** Holiday homes do not fall within the definition of visitor accommodation; they are instead a 'subset' of residential activity. If a holiday home is let part-time for commercial gain over 28 nights per year (or 42 as recommended by Ms Bowbyes) it would be considered Residential Visitor Accommodation. If a unit is commercially let all year round, it is visitor accommodation and not a 'holiday home', regardless of ownership, built form or traditional use.
- 43.3** While those areas may have been traditional holiday home areas, they also include permanent living accommodation. The PDP considers the primary purpose of the LDSRZs to be for residential purposes, not visitor accommodation.
- 43.4** To enable extensive VASZ across these areas would therefore be contrary to the strategic direction of the PDP and the Variation, which provide for the visitor industry to be located where this is consistent with objectives and policies for the underlying zones, and to ensure a mix of housing opportunities for residents within urban areas⁶⁶.
- 43.5** I do agree with the submitter that some extent of sub-zoning within the residential zones is appropriate, and there are provisions for that within the VA provisions notified for the LDSRZ. I do not have access to detailed analysis or evidence to determine where additional sub-zoning could be located across these zones, beyond the notified VASZs and any submissions seeking specific extensions.
- 43.6** If the submitter's intent is to ensure that holiday homes can be commercially let (on a part-time basis) when not in use by the owner, then the increased permitted activity threshold changes to the Residential Visitor Accommodation provisions, as recommended by Ms Bowbyes, may provide some relief.

66 Decisions Version Chapter 3 Objective 3.2.2; Policy 3.3.1; Chapter 4 Policy 4.2.2.3.

43.7 For the reasons outlined above, I recommend the request should be rejected.

43.8 Consequentially I recommend the further submissions in support from Sarah Kirby (FS2779.5) and Peter Howe (FS2780.5) should also be rejected.

44. JONATHAN HOLMES (2019)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2019.4 Further Submission FS2801.1 – support
Land area/request referred to as	N/A – the submission is not specific to any land
Stage 2 Zone requested in submission	Supports the identification of VASZ used to consider the effects of visitor accommodation activities
Supporting technical Information or reports provided with submission	None

Analysis

44.1 The submitter supports the identification of VASZ as being appropriate addition given the commercialisation of residential areas for visitor accommodation. The submitter considers VASZs could be used to consider and ensure mitigation of the effects of increased traffic volumes, car parking, noise and nuisance and signage that would be associated with visitor accommodation within a zone.

44.2 The PDP seeks to ensure that the residential zones should be primarily for residential purposes, with the visitor industry located where this is consistent with objectives and policies for the underlying zoning, and to ensure a mix of housing opportunities for residents within urban areas.⁶⁷ As such, I agree with the submitter, and consider that VASZs are a useful planning tool to contribute to this outcome.

67 Decisions Version Chapter 3 Objective 3.2.2; Policy 3.3.1; Chapter 4 Policy 4.2.2.3.

44.3 For the reasons outlined above, I recommend the request should be accepted, and that the further submitter in support (P J & G H Hensman & Southern Lakes Holdings Limited; FS2801.1) should be accepted.

45. NONA JAMES (2238)

Overall Recommendation	
Recommendation	Accept in part (no relief needed)

Property and submission information	
Submission Points and Further Submission Points	Submission 2238.13
Land area/request referred to as	NA – general submission, not site specific
Stage 2 Zone requested in submission	That further VASZ, commercial and visitor accommodation development should be restricted within any residential zone
Supporting technical Information or reports provided with submission	None

Analysis

45.1 The submitter seeks that further VASZ, commercial and visitor accommodation development should be restricted within the residential zones. The submission is not specific to any specific land.

45.2 Essentially, the PDP seeks to ensure that the residential zones should be primarily for residential purposes. I consider that VASZs are a useful planning tool to contribute to this outcome, and as I have recommended extensions to the VASZ within this report I disagree with the submitter that any further VASZ should be restricted.

45.3 I agree with the submitter that visitor accommodation should be restricted within the residential zones, as this is consistent with the strategic direction of the PDP⁶⁸ and the intent of the VA provisions.

68 Decisions Version Chapter 3 Objective 3.2.2; Policy 3.3.1; Chapter 4 Policy 4.2.2.3.

45.4 For the reasons outlined above, I recommend the request should be accepted in part.

46. MARC SCAIFE (2322)

Overall Recommendation	
Recommendation	Accept in part

Property and submission information	
Submission Points and Further Submission Points	Submission 2322.1 Submission 2322.2 Further submission FS2735.9 – oppose
Land area/request referred to as	NA – general submission
Stage 2 Zone requested in submission	That VASZs must be more than a single site. That the VASZ in the Rural Living Zones are rejected; or set a maximum threshold for the number of visitors, beds, traffic and define the criteria for being within a visitor accommodation subzone.
Supporting technical Information or reports provided with submission	None

Analysis

46.1 The submitter seeks that that VASZ must be more than a single site, particularly within the Rural Lifestyle Zones.

46.2 The submitter is particularly concerned with the Matakouri Lodge visitor accommodation development on Farrycroft Row, Closeburn. The VASZ for this site has since been addressed by the Hearing Panel (Report 4B) which heard submissions from Matakouri Lodged Limited, Marc Scaife (this submitter) and Christine Byrch (submitter 2357).⁶⁹ I refer to a more detailed discussion of Matakouri Lodge within submission 2357 from Christine Byrch in paragraphs 54.1 – 45.9 of this report.

46.3 I rely on Ms Bowbyes' evidence in regard to the recommended activity status for visitor accommodation within various zones, including the

⁶⁹ Hearing Panel Report 4B paragraph 4.

rural living zones, and make no further comments on the submission in that regard. I also rely on the Hearing Panel’s decision in regard to the Matakouri Lodge site, and therefore make no further analysis of the merits or otherwise of this visitor accommodation development and zoning.

46.4 There are no remaining references to VASZs in the rural living zones in the PDP. For that reason, I recommend that the submission in respect to VASZs in the rural living zones should be accepted. Consequentially, I recommend that the further submission from Matakauri Lodge Limited (FS2735.9) in opposition to this part of the submission should be rejected.

46.5 In regard to VASZs being single sites, I consider that very small sub-zones or single parcel sub-zones which result in ‘spotzoning’ are not generally good planning practice. There may be valid exceptions to this, however, for example where a site contains an established visitor accommodation activity and any further development of the site would somehow be non-complying, or the underlying zoning has become more restrictive. If a site is established for visitor accommodation, identifying a VASZ would not result in loss of housing, and may help in a small way to prevent the further spread of visitor accommodation within a residential zone. Conversely, approving a VASZ over a single site may encourage other sites to pursue the same zoning, which could to incremental loss of housing within the residential zones as an unintended outcome.

46.6 For the reasons outlined above, while I agree that single site VASZs are not ideal, they may also be beneficial in certain circumstances, and as such I recommend that this part of the request should be rejected.

47. CHRISTINE BYRCH (2357)

Overall Recommendation	
Recommendation	Accept

Property and submission information	
Submission Points and Further Submission Points	Submission 2357.4, 2357.6 Further Submission FS2735.5 – Oppose Further Submission FS2736.5 – Oppose
Land area/request referred to as	All individual Rural Living sites and the Rural Living zones
Stage 1 PDP zone and any mapping annotation	NA
Stage 1 Zone requested and any mapping annotation requested	NA
Stage 2 PDP Zone and any mapping annotations	NA
Stage 2 Zone requested in submission	That the VASZ be deleted from all individual rural living sites; that the VASZ are deleted from the rural living zones and the activity status be non-complying.
Supporting technical Information or reports provided with submission	None

Analysis

- 47.1** The submitter seeks to delete any VASZ from the rural living zones and for the activity status of visitor accommodation to be non-complying. The submitter considers that zoning individual sites is not creating a sub-zone but rather allows uncontrolled development within one site and creates an anomaly.
- 47.2** From the submission I understand the submitter to be particularly concerned with the Matakouri Lodge visitor accommodation development on Farrycroft Row, Closeburn. The visitor accommodation sub-zoning for this site has since been addressed by the Hearing Panel (Report 4B) which heard submissions from Matakouri Lodged Limited, Marc Scaife (submitter 2322) and Christine Byrch (this submitter).
- 47.3** In its decision on VASZ in the rural living areas, the Hearing Panel noted that it is clear from the Strategic Policies (in Chapters 3 and 6), that *the provision for visitor accommodation outside the urban areas is contemplated only where they would protect, maintain or enhance*

*landscape quality, character and visual amenity values.*⁷⁰ The Hearing Panel considered that a controlled activity status for such visitor accommodation would be inappropriate⁷¹ and would not achieve the relevant objectives and policies. The Hearing Panel concluded that provision for visitor accommodation in the VASZs should be a discretionary activity.⁷²

47.4 I rely on Ms Bowbyes' evidence in regard to the recommended activity status for visitor accommodation within various zones, including discretionary within the rural living zones, and make no further comments on the submission in that regard.

47.5 Regarding the submitter's request to delete VASZs from the rural living areas, I note that at the time of notification of Stage 1, there were three VASZs within rural living zones shown on the Planning Maps:⁷³

- (a) A rear site zoned Rural Lifestyle off School Road, Makarora, on Map 16;
- (b) A site zoned Rural Residential in Speargrass Flat Road, Wakatipu Basin, on Map 26; and
- (c) A site zoned Rural Lifestyle on Farrycroft Row, Closeburn, on Map 38.

47.6 Since Stage 1 notification, the Stage 1 Decisions Version of Chapter 22 and maps, and the Stage 2 Variation for Visitor Accommodation and maps do not include any VASZs or associated provisions for the rural living areas:

- (a) While the Makarora site appears to contain a fishing lodge, it is now zoned Rural and within an ONL (Stage 1);
- (b) The Speargrass Flat Road site previously contained a lodge that was demolished in 2006. The site has since been subdivided for rural residential purposes, rendering the sub-zone obsolete. Hence it was considered appropriate to

70 Hearing Panel Report 4B Report and Recommendations of Independent Commissioners Regarding the Visitor Accommodation Subzone in Chapter 22: Rural Residential & Lifestyle, paragraph 43, dated 30 March 2018.

71 Ibid at paragraph 44.

72 Ibid at paragraph 46.

73 Ibid at paragraph 19.

remove this subzone. The site is rezoned Wakatipu Basin Lifestyle Precinct (Stage 2); and

- (c) The Farrycroft Row, Closeburn (Matakouri Lodge) site is zoned Rural Lifestyle in Stage 1, and the merits of a VASZ are described above.

47.7 I rely on the Hearing Panel's decision in regard to the Matakouri Lodge site, and therefore make no further analysis of the merits or otherwise of this site being within a VASZ.

47.8 Given the absence of any VASZs in the rural living zones, and the absence of a policy framework for visitor accommodation activities within VASZ in the rural living zones, I agree with the submitter that any references can be deleted, notwithstanding that there do not appear to be any remaining references in the PDP.

47.9 For the reasons outlined above, I recommend that the submitter's request should be accepted. Consequentially, I recommend that the further submissions from Matakauri Lodge Limited (FS2735.5) and Pounamu Holdings 2014 Limited (FS2736.5) in opposition to the submission should be rejected.



Rosalind Devlin

23 July 2018

**APPENDIX 1
RECOMMENDATIONS ON SUBMISSIONS**

Appendix 1 to the Section 42A Report - Visitor Accommodation - Mapping

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation
2599.1		Aston Consultants Ltd	Teece Irrevocable Trust No. 3	7-Planning Maps > 7.6-Stage 2 Map 6	Oppose	That the submitter's land (described as 278 ha of land at upper Glenorchy legally described as Lots 1, 2 and 3 DP23952, Lots 4 and 6 DP24043, Part Sections 16, 17, 18, 19, 20, 21, 22 and 23 Block II Dart Survey District (SO404), and Sections 40 and 48 Block II Dart Survey District (SO404)) is zoned Rural Visitor North Glenorchy Zone, with associated amendments to the operative zone provisions, and retain the operative district plan provisions with respect to Residential Visitor Accommodation and Homestays in the Rural General Zone, with amendments as above for the submitter's site; or other relief to give effect to the relief sought.	Subject to an application for strike out. No recommendation made
2582.1		John Edmonds + Associates Ltd	John Edmonds & Associates	7-Planning Maps > 7.10-Stage 2 Map 9	Oppose	That Planning Map 9 is amended to apply the Visitor Accommodation Sub-Zone to a 40ha property in the Dart River Valley legally described as Lot 6 DP 407549 & Lots 1-4 DP 407549 quarter shares in Lot 100, and the provisions that apply to the Visitor Accommodation Subzone apply to the site and rule 6.4 be amended to exempt Visitor Accommodation Sub-Zones or Priory Farmlet from the Landscape Assessment Matters.	Reject
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	Reject
2404.1		Southern Ventures	Matagouri Spirit Limited	7-Planning Maps > 7.23-Stage 2 Map 20	Oppose	That Map 20 is amended so that Visitor Accommodation Sub-Zone is included over Lots 6, 7 and 8 DP 300376; and Lots 28, 29, 30 and 31 DP 306009.	Accept in Part
2239.9			QLDC Chief Executive - submitting on behalf of Queenstown Lakes District Council	7-Planning Maps > 7.24-Stage 2 Map 21	Oppose	Amend the mapping of the Visitor Accommodation Sub-Zone on Planning Map 21 to include both 181 and 185 Upton Road within the Visitor Accommodation Sub-Zone mapping notation	Accept
2375.2		Tieke Consulting Limited	Church Street Trustee Limited	7-Planning Maps > 7.31-Stage 2 Map 28	Oppose	That planning map 28 be amended to include a Visitor Accommodation Sub-Zone at Secs 6/7 BLK 1 Arrowtown (11 Wiltshire St).	Reject
2506.1		Anderson Lloyd	Arthurs Point Partnership	7-Planning Maps > 7.32-Stage 2 Map 29	Oppose	That the submitters' land located at 182B Arthurs Point Road be rezoned Rural General to Rural Visitor Zone.	Subject to an application for strike out. No recommendation made
2476.1		John Edmonds + Associates Ltd	Speargrass Commercial Limited	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	Amend Planning Map 30 to include Lot 47 DP505513 within the Visitor Accommodation Sub-Zone.	Reject
2567.4		John Edmonds + Associates Ltd	Kirsty MacTaggart and Justin Crane	7-Planning Maps > 7.33-Stage 2 Map 30	Oppose	That Map 30 is amended to include Lot 2 DP 495771, Lot 22 DP 378242 and Lot 1 DP21614 as a Visitor Accommodation Sub-Zone to recognise consented Visitor Accommodation activities.	Reject
2567.5		John Edmonds + Associates Ltd	Kirsty MacTaggart and Justin Crane	1-Chapter 24 - Wakatipu Basin Rural Amenity Zone > 1.8-24.8 - Schedule 24.8 Landscape Character Units	Oppose	That Schedule 24.8 is modified to take into account evidence provided by submitters to rezone Lot 2 DP 495771, Lot 22 DP 378242 and Lot 1 DP 21614 to be included in a visitor accommodation sub-zone.	Reject
2567.4	FS2766.22	Anderson Lloyd	Ladies Mile Consortium	7-Planning Maps > 7.33-Stage 2 Map 30	Support	The relief sought to rezone the submitter's land as Rural Lifestyle Precinct or similar is supported, to the extent that it is consistent with the relief sought by the further submitter in their original submission.	Reject
2349.12			Sean McLeod	7-Planning Maps > 7.36-Stage 2 Map 32	Oppose	That Map 32 is amended to remove the Visitor Accommodation subzone from Lot 1 DP 3611332 on the corner of Goldfield Heights and Golden Terrace.	Reject
2372.62		Tieke Consulting Limited	Fisken & Associates	7-Planning Maps > 7.36-Stage 2 Map 32	Oppose	That Map 32 be amended to identify a visitor accommodation sub-zone above Frankton Road, in the vicinity of Andrews Road, including Brookside and Doc Wells Lane.	Reject
2450.1		Southern Planning Group	Mount Crystal Limited	7-Planning Maps > 7.36-Stage 2 Map 32	Oppose	Submitter seeks for Pt Lot 1 DP 9121 to be zoned Visitor Accommodation Sub-Zone.	Accept
2372.63		Tieke Consulting Limited	Fisken & Associates	7-Planning Maps > 7.37-Stage 2 Map 33	Oppose	That Map 33 be amended to identify a visitor accommodation sub-zone in Remarkables View - Florence Close area.	Reject
2617.1		Southern Planning Group	SJE Shotover Limited	7-Planning Maps > 7.37-Stage 2 Map 33	Oppose	That the Visitor Accommodation Sub-Zone is extended over Part Lot 1 DP 15145 and Section 1 SO Plan 329365	Accept
2222.1		Brown & Company Planning Group	Broadview Villas Limited	7-Planning Maps > 7.38-Stage 2 Map 34	Support	Supports the retention of the visitor accommodation sub-zone as shown on planning map 34 (Fernhill and Sunshine Bay) over the following properties: • Lot 2 DP363520 (3.2275ha); • Lot 1 DP363520 (0.5787ha); • Lot 1 DP24118 (0.8390ha); • Lot 75 DP24468 (0.2725ha).	Accept

Appendix 1 to the Section 42A Report - Visitor Accommodation - Mapping

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation
2222.2		Brown & Company Planning Group	Broadview Villas Limited	7-Planning Maps > 7.38-Stage 2 Map 34	Other	That the existing visitor accommodation sub-zone be extended to also include the following properties • Lot 7 DP437865 (0.7841ha); • Lot 1 DP437865 (0.1037ha); • Lot 3 DP437865 (0.1106ha); • Lot 2 DP437865 (0.1493ha); • Lot 4 DP437865 (0.0902ha); • Lot 6 DP437865 (0.0778ha); • Lot 5 DP437865 (0.0915ha)	Accept
2228.1		Brown & Company Planning Group	T. ROVIN	7-Planning Maps > 7.38-Stage 2 Map 34	Support	Supports the retention of the visitor accommodation sub-zone as shown on planning map 34 (Fernhill and Sunshine Bay) over the following properties: • Lot 2 DP363520 (3.2275ha); • Lot 1 DP363520 (0.5787ha); • Lot 1 DP24118 (0.8390ha); • Lot 75 DP24468 (0.2725ha).	Accept
2228.2		Brown & Company Planning Group	T. ROVIN	7-Planning Maps > 7.38-Stage 2 Map 34	Other	That the existing visitor accommodation sub-zone be extended to also include the following properties • Lot 7 DP437865 (0.7841ha); • Lot 1 DP437865 (0.1037ha); • Lot 3 DP437865 (0.1106ha); • Lot 2 DP437865 (0.1493ha); • Lot 4 DP437865 (0.0902ha); • Lot 6 DP437865 (0.0778ha); • Lot 5 DP437865 (0.0915ha)	Accept
2230.1		Brown & Company Planning Group	THE ESCARPMENT LIMITED	7-Planning Maps > 7.38-Stage 2 Map 34	Support	Supports the retention of the visitor accommodation sub-zone as shown on planning map 34 (Fernhill and Sunshine Bay) over the following properties: • Lot 2 DP363520 (3.2275ha); • Lot 1 DP363520 (0.5787ha); • Lot 1 DP24118 (0.8390ha); • Lot 75 DP24468 (0.2725ha).	Accept
2230.2		Brown & Company Planning Group	THE ESCARPMENT LIMITED	7-Planning Maps > 7.38-Stage 2 Map 34	Other	That the existing visitor accommodation sub-zone be extended to also include the following properties • Lot 7 DP437865 (0.7841ha); • Lot 1 DP437865 (0.1037ha); • Lot 3 DP437865 (0.1106ha); • Lot 2 DP437865 (0.1493ha); • Lot 4 DP437865 (0.0902ha); • Lot 6 DP437865 (0.0778ha); • Lot 5 DP437865 (0.0915ha)	Accept in Part
2238.12			Nona James	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	Opposes extension of the visitor accommodation sub-zone on Map 34 over 4 parcels to the west of Aspen Grove which is currently accessed off Broadview Rise or Chandler Lane.	Reject
2238.15			Nona James	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	That the expansion to the visitor accommodation sub-zone in Aspen Grove as shown on Planning Map 34 should be removed from the Proposed District Plan.	Reject
2238.20			Nona James	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	That undeveloped land shown as being within the visitor accommodation sub-zone on Planning Map 34 (Fernhill and Sunshine Bay) could be restricted for use as long term accommodation.	Reject
2361.1			Inga Smith	7-Planning Maps > 7.38-Stage 2 Map 34	Support	That the visitor accommodation sub zone located near Richards Park Lane, Fernhill (Map 34) be accepted as notified with no properties on Richards Park Lane included.	Reject
2372.61		Tieke Consulting Limited	Fisken & Associates	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	That Map 34 be amended to identify a visitor accommodation sub-zone at 34 (a and b) Avalon Crescent.	Reject
2453.1		John Edmonds + Associates Ltd	N W Cashmore	7-Planning Maps > 7.38-Stage 2 Map 34	Support	The submitter supports the proposed Visitor Accommodation Sub-Zone over Lot 1 DP 363520.	Accept
2453.36		John Edmonds + Associates Ltd	N W Cashmore	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	That the Visitor Accommodation Sub-Zone is extended to cover Lot 5 and 6 DP19665 and Lot 1 DP449145.	Accept
2524.1		Harrison Grierson Consultants Limited	Coherent Hotel Limited	7-Planning Maps > 7.38-Stage 2 Map 34	Support	That the Visitor Accommodation sub zone at 139 Fernhill Road and 18 Aspen Grove is retained as notified.	Accept
2524.2		Harrison Grierson Consultants Limited	Coherent Hotel Limited	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	That the Visitor Accommodation sub zone is extended over the land to include 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove.	Accept
2524.2	FS2793.1		Barbara Fons	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	That the submitter's request of the Visitor Accommodation boundaries be rejected.	Reject
2560.1		John Edmonds + Associates Ltd	Jade Lake Queenstown Ltd	7-Planning Maps > 7.38-Stage 2 Map 34	Oppose	That Stage 2 Map 34 be amended to include a visitor accommodation subzone at lot 1 DP 21182 and Lot 2 DP 20613	Reject
2372.59		Tieke Consulting Limited	Fisken & Associates	7-Planning Maps > 7.39-Stage 2 Map 35	Oppose	That Map 35 be amended to identify a visitor accommodation sub-zone at 8 Suburb St.	Reject
2372.64		Tieke Consulting Limited	Fisken & Associates	7-Planning Maps > 7.39-Stage 2 Map 35	Oppose	That Map 35 be amended to identify a visitor accommodation sub-zone on the property located at 83 Hallenstein Street, Queenstown.	Reject
2448.1		John Edmonds + Associates Ltd	Millennium & Copthorne Hotels NZ Ltd	7-Planning Maps > 7.39-Stage 2 Map 35	Oppose	Submitter seeks for Lot 1-2 DP 25442 to be included in the Visitor Accommodation Sub-Zone. Alternatively they seek that Visitor Accommodation be a controlled activity.	Reject

Appendix 1 to the Section 42A Report - Visitor Accommodation - Mapping

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation
2474.1		John Edmonds + Associates Ltd	Shundi Customs Limited	7-Planning Maps > 7.39-Stage 2 Map 35	Oppose	That Map 35 is amended to include a Visitor Accommodation Sub-zone over lots to the south of Frankton Road between Suburb Street and Dublin Street or that Visitor Accommodation is a controlled activity.	Reject
2552.1		John Edmonds + Associates Ltd	Greenwood Group Ltd	7-Planning Maps > 7.39-Stage 2 Map 35	Oppose	That Map 35 is amended to include the site on the corner of Frankton Road and Brisbane Street as a Visitor Accommodation Sub-Zone. Or, make visitor accommodation a controlled activity.	Reject
2372.60		Tieke Consulting Limited	Fisken & Associates	7-Planning Maps > 7.41-Stage 2 Map 37	Oppose	That Map 37 be amended to identify a visitor accommodation sub-zone at 10 Vancouver Drive.	Reject
2456.2		John Edmonds + Associates Ltd	Passion Cove Limited	7-Planning Maps > 7.41-Stage 2 Map 37	Oppose	That Maps 32 and 37 are amended so that the operative High Density Residential Zone is rezoned a Visitor Accommodation Sub-Zone.	Reject
2357.5			Christine Byrch	7-Planning Maps > 7.42-Stage 2 Map 38	Support	Supports the deletion of the visitor accommodation sub-zone from Map 38.	Accept in Part
2357.5	FS2735.6	Southern Planning Group	Matakauri Lodge Limited	7-Planning Maps > 7.42-Stage 2 Map 38	Oppose	That the submission is opposed and that the notified definition of 'visitor accommodation' is supported.	Reject
2357.5	FS2736.6	Southern Planning Group	Pounamu Holdings 2014 Limited	7-Planning Maps > 7.42-Stage 2 Map 38	Oppose	That the submission is opposed and that the definition of 'visitor accommodation' as notified is supported.	Reject
2452.1		Anderson Lloyd	Nirvana Trust	7-Planning Maps > 7.43-Stage 2 Map 39	Oppose	That the land located at Lot 1 DP 24262 BIK XIX Shotover SD WITH INT IN R/WO be zoned Rural Visitor Zone or confirm the land will be included in stage 3 and defer this submission.	Subject to an application for strike out. No recommendation made
2019.4			Jonathan Holmes	6-Visitor Accommodation - Variation	Support	Supports the identification of visitor accommodation sub-zones used to consider the effects of visitor accommodation activities.	Accept
2019.4	FS2801.1	Southern Planning Group	P J & G H Hensman & Southern Lakes Holdings Limited	6-Visitor Accommodation - Variation	Support	That the submission be accepted.	Accept
2220.2			Ben Acland	6-Visitor Accommodation - Variation	Oppose	That more land be zoned for high density and for visitor accommodation.	Reject
2220.4			Ben Acland	6-Visitor Accommodation - Variation	Oppose	That the Visitor Accommodation Sub-Zones be expanded.	Accept in Part
2220.7			Ben Acland	6-Visitor Accommodation - Variation	Oppose	That a new Visitor Accommodation Sub-Zone is created within walking distance of the town centre.	Reject
2238.13			Nona James	6-Visitor Accommodation - Variation	Oppose	That further visitor accommodation sub-zones, commercial and visitor accommodation development should be restricted.	Reject
2238.16			Nona James	6-Visitor Accommodation - Variation	Oppose	That the visitor accommodation sub-zone in Aspen Grove shown on Planning Map 34 not be accessed from the dead-end section on Aspen Grove or that resource consent be required for issues such as access.	Reject
2322.1			Marc Scaife	6-Visitor Accommodation - Variation	Oppose	That visitor accommodation sub zones must be more than a single site.	Accept in Part
2322.2			Marc Scaife	6-Visitor Accommodation - Variation > 6.9-VA - Chapter 22: Rural Residential & Rural Lifestyle	Oppose	That the visitor accommodation subzones in the Rural Living Zones are rejected; or set a maximum threshold for the number of visitors, beds, traffic and define the criteria for being within a visitor accommodation subzone.	Reject
2322.1	FS2735.9	Southern Planning Group	Matakauri Lodge Limited	6-Visitor Accommodation - Variation	Oppose	That the visitor accommodation subzone remain as notified on Planning Map 38 as part of Stage 1 of the PDP.	Reject
2357.6			Christine Byrch	6-Visitor Accommodation - Variation	Oppose	That the visitor accommodation sub-zones be deleted from all individual rural living sites.	Accept
2357.6	FS2735.7	Southern Planning Group	Matakauri Lodge Limited	6-Visitor Accommodation - Variation	Oppose	That the submission is opposed and that the notified definition of 'visitor accommodation' is supported.	Reject
2357.6	FS2736.7	Southern Planning Group	Pounamu Holdings 2014 Limited	6-Visitor Accommodation - Variation	Oppose	That the submission is opposed and that the definition of 'visitor accommodation' as notified is supported.	Reject
2476.2		John Edmonds + Associates Ltd	Speargrass Commercial Limited	6-Visitor Accommodation - Variation	Other	Provide for visitor accommodation with the Visitor Accommodation Subzone and/or the site (Lot 47 DP 505513 within the Bridesdale Farm development) as a controlled activity.	Reject
2613.1		Southern Planning Group	Wanaka Kiwi Holiday Parks & Motels Limited	6-Visitor Accommodation - Variation	Not Stated	That the visitor accommodation sub-zone be extended over Lots 1-3 DP 34534.	Accept
2613.2		Southern Planning Group	Wanaka Kiwi Holiday Parks & Motels Limited	6-Visitor Accommodation - Variation	Support	That the visitor accommodation sub-zone over Lot 2 DP 21820 is confirmed as notified.	Accept

Appendix 1 to the Section 42A Report - Visitor Accommodation - Mapping

Original Submission No	Further Submission No	Agent	Submitter	Provision	Position	Submission Summary	Planner Recommendation
2614.1		Southern Planning Group	Delos Investments Limited	6-Visitor Accommodation - Variation	Not Stated	That the visitor accommodation sub-zone is extended over Lot 1 DP 502003.	Reject
2172.1			Mark Smith	6-Visitor Accommodation - Variation > 6.2-VA - Chapter 7: Low Density Residential	Oppose	That the Visitor Accommodation Sub-zones be rejected.	Reject
2233.5			Kaye Parker	6-Visitor Accommodation - Variation > 6.2-VA - Chapter 7: Low Density Residential	Oppose	That visitor accommodation sub-zones be considered in the Low Density Residential Zones of Kelvin Heights, Queenstown Hill, Frankton, Fernhill and Sunshine Bay that have traditionally been holiday home areas.	Reject
2233.5	FS2779.5		Sarah Kirby	6-Visitor Accommodation - Variation > 6.2-VA - Chapter 7: Low Density Residential	Support	That the submission is supported.	Reject
2233.5	FS2780.5		Peter Howe	6-Visitor Accommodation - Variation > 6.2-VA - Chapter 7: Low Density Residential	Support	That the submission is supported.	Reject
2357.4			Christine Byrch	6-Visitor Accommodation - Variation > 6.9-VA - Chapter 22: Rural Residential & Rural Lifestyle	Oppose	That the visitor accommodation sub-zones are deleted from the rural living zones and the activity status be non-complying.	Accept
2357.4	FS2735.5	Southern Planning Group	Matakauri Lodge Limited	6-Visitor Accommodation - Variation > 6.9-VA - Chapter 22: Rural Residential & Rural Lifestyle	Oppose	That the submission is opposed and that the notified definition of 'visitor accommodation' is supported.	Reject
2357.4	FS2736.5	Southern Planning Group	Pounamu Holdings 2014 Limited	6-Visitor Accommodation - Variation > 6.9-VA - Chapter 22: Rural Residential & Rural Lifestyle	Oppose	That the submission is opposed and that the definition of 'visitor accommodation' as notified is supported.	Reject
2344.1			Bobs Cove Developments Limited	6-Visitor Accommodation - Variation > 6.9-VA - Chapter 22: Rural Residential & Rural Lifestyle	Other	That the visitor accommodation sub-zone is extended over Lot 100 DP494333	Reject
2311.1		Tieke Consulting Limited	Streat Developments Limited	6-Visitor Accommodation - Variation > 6.9-VA - Chapter 22: Rural Residential & Rural Lifestyle	Oppose	That the visitor accommodation sub-zone is extended over Lot 1 DP 304937	Reject

APPENDIX 2
SECTION 32AA ANALYSIS

Appendix 2

SECTION 32AA EVALUATIONS IN RELATION TO VISITOR ACCOMMODATION SUB-ZONES

This evaluation assesses the costs, benefits, efficiency, and effectiveness of changes to visitor accommodation sub-zoning that are being recommended in the s42A report.

1. Extend the VASZ over Lots 6, 7 and 8 DP 300376 on Aubrey and Anderson Roads, Wanaka (Matagouri Spirit Limited, 2404)

Recommended amendments to zoning (Wanaka)
Planning Map 20: Extend the VASZ over Lots 6, 7 and 8 DP 300376 on Aubrey and Anderson Roads

Costs	Benefits	Effectiveness & Efficiency
<p>Extending the VASZ may lead to a loss of housing supply and residential character within the lower density suburban residential zone</p>	<p>The site contains established visitor accommodation activities; any loss of housing would be minor</p> <p>The sub-zoning would avoid future non-compliances for established visitor accommodation activities and enable expansion or redevelopment within a contained area</p> <p>A VASZ over the site may avoid expansion of visitor accommodation within other parts of the lower density suburban residential zone</p> <p>A VASZ does not preclude residential activities</p>	<p>The sub-zoning will enable efficient and effective use of the land for visitor accommodation purposes, while not precluding the site being utilised for residential activities</p>

2. Extend the VASZ to include all of 181-185 Upton Street, Wanaka (Queenstown Lakes District Council, 2239)

Recommended amendments to zoning (Wanaka)
Planning Map 21: Extend the VASZ to include all of 181-185 Upton Street; Sec 7 BLK XX TN of Wanaka; Sec 9 BLK XX Wanaka TN SD

Costs	Benefits	Effectiveness & Efficiency
The VASZ is over a single-site and does not include adjoining land to form a larger sub-zone that could be beneficial in containing visitor accommodation within the medium density zone	<p>The site contains established visitor accommodation activities and a VASZ would not result in a loss of housing</p> <p>The sub-zoning would avoid future non-compliances for established visitor accommodation activities</p> <p>A VASZ does not preclude redevelopment for residential activities</p>	The sub-zoning will enable efficient and effective use of the land for visitor accommodation purposes

3. Extend the VASZ over Pt Lot 1 DP 9121 at 634 Frankton Road, Frankton (Mount Crystal Limited, 2450)

Recommended amendments to zoning (Frankton)
Planning Map 31, 31a, 33: Extend the VASZ over Pt Lot 1 DP 9121 at 634 Frankton Road

Costs	Benefits	Effectiveness & Efficiency
<p>Extending the VASZ may lead to a loss of potential housing supply within the medium density residential zone in a location that is well suited for residential activities</p>	<p>The site partly adjoins existing visitor accommodation complexes, such that the immediately surrounding area is not traditionally suburban in appearance and character</p> <p>A VASZ over the site may provide accommodation options for visitors and prevent the expansion of visitor accommodation within other parts of the medium and lower density suburban residential zones</p> <p>A VASZ over this site, in combination with the nearby existing VASZs, would not lead to visitor accommodation dominating the residential zones above Frankton Road</p> <p>A VASZ does not preclude the site being developed for residential activities</p>	<p>The sub-zoning will enable efficient and effective use of the land for visitor accommodation purposes, while not precluding the site being developed for residential activities or a mix of uses</p>

4. Extend the VASZ over Part Lot 1 DP 15145 and Section 1 SO Plan 329365 on Arthurs Point Road, Arthurs Point (SJE Shotover Limited, 2617)

Recommended amendments to zoning (Arthurs Point)
Planning Map 39b: Extend the VASZ over Part Lot 1 DP 15145 and Section 1 SO Plan 329365 at 70 Arthurs Point Road

Costs	Benefits	Effectiveness & Efficiency
The VASZ is over a single, but large, site and does not include adjoining land to form a larger sub-zone that could be beneficial in containing visitor accommodation within the lower density suburban residential zone of Arthurs Point	<p>The site contains established visitor accommodation activities and a VASZ would not result in a loss of housing</p> <p>The sub-zoning would avoid future non-compliances for established visitor accommodation activities</p> <p>A VASZ does not preclude future redevelopment for residential activities</p>	The sub-zoning will enable efficient and effective use of the land for visitor accommodation purposes

5. Extend the VASZ over Lot 7 DP437865; Lot 1 DP437865; Lot 3 DP437865; Lot 2 DP437865; Lot 4 DP437865; Lot 6 DP437865; Lot 5 and 6 DP19665; and Lot 1 DP449145 on Broadview Rise, Fernhill and Sunshine Bay (Broadview Villas Limited, 2222; T. Rovin, 2228; The Escarpment Limited, 2230; N W Cashmore, 2453)

Recommended amendments to zoning (Fernhill and Sunshine Bay)
Planning Map 34: Extend the VASZ over Lot 7 DP437865; Lot 1 DP437865; Lot 3 DP437865; Lot 2 DP437865; Lot 4 DP437865; Lot 6 DP437865; Lot 5 and 6 DP19665; and Lot 1 DP449145 on Broadview Rise

Costs	Benefits	Effectiveness & Efficiency
Extending the VASZ may lead to a loss of potential housing supply within the lower density suburban residential zone in a location that is well suited for residential activities, and may lead to a loss of residential character	<p>A VASZ over the site may provide accommodation options for visitors and prevent the expansion of visitor accommodation within other parts of the medium and lower density suburban residential zones in Fernhill and Sunshine Bay</p> <p>Extending the VASZ over this site, in combination with the existing VASZs, would not lead to visitor accommodation dominating the surrounding residential zones</p> <p>A VASZ does not preclude the site being developed for residential activities</p>	The sub-zoning will enable efficient and effective use of the land for visitor accommodation purposes, while not precluding the site being developed for residential activities or a mix of uses

6. Extend the VASZ over 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove, Fernhill and Sunshine Bay, with a Building Restriction Area 4.5m wide along the southern boundary adjoining 18 Richards Park Lane and 22 Aspen Grove (Coherent Hotels Limited, 2524)

Recommended amendments to zoning (Fernhill and Sunshine Bay)
Planning Map 34: Extend the VASZ over 10, 12, 14 and 16 Richards Park Lane and 20 Aspen Grove, Fernhill and Sunshine Bay, with a Building Restriction Area 4.5m wide along the southern boundary adjoining 18 Richards Park Lane and 22 Aspen Grove

Costs	Benefits	Effectiveness & Efficiency
Extending the VASZ may lead to a loss of housing supply within the medium and lower density suburban residential zones in a location that is well suited for residential activities, and may lead to a loss of surrounding residential character	<p>A VASZ over the site may provide accommodation options for visitors and prevent the expansion of visitor accommodation within other parts of the residential zones in Fernhill and Sunshine Bay</p> <p>Extending the VASZ over this site, in combination with the existing VASZs, would not lead to visitor accommodation dominating the surrounding residential zones</p> <p>A Building Restriction Area along the southern boundary of the VASZ will assist in maintaining adjoining residential amenities</p>	The sub-zoning will enable efficient and effective use of the land for visitor accommodation purposes, while not precluding the site being developed for residential activities or a mix of uses

7. Extend the VASZ over Lots 1-3 DP 34534, Studholme Road, Wanaka (Wanaka Kiwi Holiday Parks & Motels Limited, 2613)

Recommended amendments to zoning (Wanaka)
Planning Map 22: Extend the VASZ over Lots 1-3 DP 34534, Studholme Road

Costs	Benefits	Effectiveness & Efficiency
<p>Extending the VASZ may lead to a loss of housing supply within the residential zones and may lead to a loss of surrounding residential character</p>	<p>The site contains established visitor accommodation activities and a VASZ would not result in significant loss of housing</p> <p>The sub-zoning would avoid future non-compliances for established visitor accommodation activities</p> <p>A VASZ does not preclude redevelopment for residential activities</p>	<p>The sub-zoning will enable efficient and effective use of the land for visitor accommodation purposes</p>