

Queenstown Lakes District Proposed District Plan – Stage 1

Section 42A Hearing Report For Hearing commencing: 28 November 2016

Report dated: 2 November 2016

Report on submissions and further submissions
Chapter 15 – Local Shopping Centre Zone

File Reference: Chp. 15 S42A

Contents:

1. Executive summary
2. Introduction
3. Code of Conduct
4. Scope
5. Background – Statutory and non-Statutory Documents
6. Background – Overview of Issues
7. Submissions
8. Analysis
9. Issue 1 – Restrictions on Retail and Office Activities
10. Issue 2 – Use of the Urban Design Panel (UDP)
11. Issue 3 – Reverse Sensitivity Controls within the Outer Control Boundary of Queenstown Airport
12. Issue 4 – Restrictions on Residential and Visitor Accommodation Activities
13. Issue 5 – Cardrona Valley Road LSCZ – specific changes sought to Rules
14. Issue 6 – 1 Hansen Road LSCZ – specific changes sought to rules
15. Issue 7 – Veranda Heights – effects on Public Transport
16. Issue 8 – Limits on Notification
17. Issue 9 – Other Matters
18. Conclusion

Appendix 1. Recommended revised chapter

Appendix 2. List of submission points with recommended decision

Appendix 3. Section 32 Report and links

Appendix 4. Section 32AA evaluation of the recommended changes

Appendix 5. Proposed District Plan Maps showing the areas of the Local Shopping Centre Zone

I have also referred to, and relied on the following evidence filed alongside the section 42A report:

Mr Tim Heath, Economics – statement dated 02 November 2016, paragraphs 3.1 – 3.32

Mr Stephen Chiles, Noise – statement dated 02 November 2016, paragraphs 15.1 – 15.3

1. EXECUTIVE SUMMARY

- 1.1. It is recommended that the framework, structure and the majority of the provisions in the Proposed District Plan (**PDP**) Local Shopping Centre Zone (**LSCZ**) Chapter 15 should be retained as notified, and as supported in the section 32 (**s32**) assessment (see **Appendix 3**).
- 1.2. However, some changes are considered appropriate, and these are shown in the Recommended Revised Chapter attached as **Appendix 1 (Revised Chapter)** to this evidence. The changes include minor wording changes that provide better expression. For substantive changes, I have undertaken an assessment in terms of section 32AA (**s32AA**) of the Resource Management Act 1991 (**RMA**) (see **Appendix 4**). The most significant recommended amendments are:
- i. the introduction of a limit on the gross floor area of permitted retail activities and the introduction of limits on identified types of non-convenience retailing;
 - ii. the introduction of a limit on the gross floor area of office activities;
 - iii. acknowledgement of the Queenstown Airport Outer Control Boundary and reverse sensitivity effects;
 - iv. additional acknowledgement of the effects on the State Highway in respect of the site specific LSCZ rules for '1 Hansen Road'; and
 - v. provision for consideration of the effects of verandas on the safe movement of high-sided vehicles.
- 1.3. I consider that the recommended amendments to the LSCZ, as shown in **Appendix 1**, better meet the purpose of the RMA and are more effective and efficient than the notified chapter and further changes sought by submitters that I have rejected. In addition, I consider that the amendments are more effective and efficient than the Operative District Plan (**ODP**). The introduction of limits on the maximum gross floor area of retail, the types of retailing, and limits on the gross floor area of office space within the LSCZ will provide more effective safeguards to ensure that the role and function of town centres as the principal provider of commercial activities is not threatened by the scale and type of commercial activities enabled in the LSCZ.

2. INTRODUCTION

- 2.1. My name is Amy Bowbyes, I am employed by the Queenstown Lakes District Council (**Council**) (working part time) as a Senior Policy Planner. I hold the qualifications of Bachelor of Science and Bachelor of Arts from Victoria University. I have primarily worked for local authorities in policy and district plan administration roles since 2005

2.2. I am the principal author of the notified Chapter 15 – Local Shopping Centre Zone and s32 report.

3. CODE OF CONDUCT

3.1. 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.

3.2. I am authorised to give this evidence on the Council's behalf.

4. SCOPE

4.1. My evidence addresses the submissions and further submissions received on the notified LCSZ chapter.

4.2. Although the purpose of this report is not to undertake an assessment nor make recommendations on the appropriateness of the zonings, as this will be undertaken in the rezoning hearings, the relevant maps which include areas of the LSCZ are attached in **Appendix 5**. Consequently, my evidence relates only to the written provisions which relate to the notified LSCZ and I have not considered any submission points that relate to the acceptability of the specific locations of the LSCZ. On this basis, I have considered the LSCZ provisions in the context of all of the notified LSCZ land.

4.3. The table in **Appendix 2** outlines whether individual submissions are accepted, accepted in part, considered to be out of scope or transferred to another hearing stream. Six submission points have been transferred to the rezoning/mapping hearing(s). The submission points seek either:

- i. that additional land is zoned LSCZ; or
- ii. that the physical extent of the LSCZ as shown on the notified planning maps is reduced.

4.4. I note that the visitor accommodation provisions were not withdrawn for the LSCZ, as they have been for residential PDP chapters.

4.5. Although this evidence is intended to be a stand-alone document and also meet the requirements of section 42A of the RMA (**s42A**), the s32 Evaluation Report: Local Shopping

Centre Zone is attached as **Appendix 3** for information and reference purposes. This report links to supporting documents referenced in the s32 (on pages 13 and 14 of that report).

- 4.6. Throughout this evidence I refer to specific provisions of Chapter 15. Where the numbering has changed due to amendments made to the Revised Chapter from that which was notified, I have referred to both the notified and redrafted numbering for ease of use.

5. BACKGROUND – STATUTORY AND NON-STATUTORY DOCUMENTS

- 5.1. The LSCZ s32 in **Appendix 3** provides an overview of the relevant legislation and higher order planning documents that were considered in the preparation of the LSCZ. In addition, the following, more detailed summary of relevant legislation and documents is also provided.

The Resource Management Act (RMA)

- 5.2. The RMA and in particular the purpose and principles in Part 2, which require councils to promote the use, development and protection of the natural and physical resources for current and future generations in order to provide for the 'four well beings' (social, economic, cultural and environmental). While chapter 15 does not relate to any matters of national importance (s 6) the following Section 7 matters are relevant and shall be had regard to when preparing the chapter:

- i. the efficient use and development of natural and physical resources;
- ii. the maintenance and enhancement of amenity values;
- iii. the maintenance and enhancement of the quality of the environment; and
- iv. any finite characteristics of natural and physical resources.

The Local Government Act 2002 (LGA)

- 5.3. The LGA and in particular Section 14, emphasises the importance of taking an intergenerational approach to decision-making and the need to take into account the four well beings (social, economic, cultural and environmental).

Operative Otago Regional Policy Statement (1998) (Operative RPS)

- 5.4. Section 75(3) of the RMA requires that a district plan prepared by a territorial authority must "*give effect to*" any regional policy statement. In particular Chapter 9 of the Operative RPS relates to the Built Environment.
- 5.5. The relevant objectives and policies include Objectives 9.4.1 and 9.4.3 and Policies 9.5.1 - 9.5.5. Together these strive to achieve sustainable management of the built environment in a manner that meets the needs of the community and which avoids, remedies, or mitigates adverse effects by recognising cultural relationships; promoting the efficient development and

use of infrastructure (including the transport network); minimising effects of urban development on the environment (including in relation to noise, amenity, and community values); and enhancing people's quality of life (including people's health and safety).

- 5.6. In my opinion, for the reasons outlined in the s 32 report, the LSCZ chapter gives effect to this policy framework, which makes efficient use of resources, meets the foreseeable future needs, minimises adverse effects, and indeed, strives to result in positive effects.

Proposed Otago Regional Policy Statement 2015 (PRPS)

- 5.7. Section 74(2) of the RMA requires that a district plan prepared by a territorial authority shall "have regard to" any proposed Regional Policy Statement. The PRPS was notified for public submissions on 23 May 2015, and on 1 October 2016 the Otago Regional Council issued a public notice stating that decisions had been made on the PRPS submissions.

- 5.8. The following objectives and policies are relevant to Chapter 15 (referring to the decision version):

- i. Objective 4.4 (notified as 3.6) and Policy 4.4.6 (notified as 3.6.6);
- ii. Objective 4.5 (notified 3.7 and 3.8 combined) and policies 4.5.1, 4.5.3, 4.5.4, 4.5.5, 4.5.6 (notified as 3.8.1, 3.7.1, 3.7.2, 3.7.3, 3.7.4); and
- iii. Objective 5.3 (notified 4.3) and Policy 5.3.3 (notified as 4.3.4).

- 5.9. In summary, together these objectives and policies aim to ensure energy supplies to communities are secure and sustainable; that urban growth and development is well designed, reflects local character and integrates effectively with adjoining urban and rural environments; and that sufficient land is managed and protected for economic production.

- 5.10. I note that the changes made to the PRPS through the decisions on submissions are relatively minor and, in my opinion, will not have any effect on the appropriateness of the recommended revised PDP Chapter 15. I also consider that the changes do not fundamentally change the conclusion reached in the s32 report; i.e. that the LSCZ has due regard for the PRPS.

Iwi Management Plans

- 5.11. When preparing or changing a district plan, section 74(2A) of the RMA states that local authorities must "take into account" any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. Two iwi management plans are relevant:

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

- ii. *Kāi Tahu ki Otago* Natural Resource Management Plan 2005 (**KTKO NRMP 2005**).

Proposed National Policy Statement on Urban Development Capacity (NPSUDC)

- 5.12. The Minister for the Environment notified the proposed NPSUDC for public consultation on 2 June 2016, with submissions closing on 15 July 2016. The scope of the proposed NPSUDC relates to the provision of development capacity in local authority plans to address both housing and business needs. The proposed NPSUDC does not hold any statutory weight.
- 5.13. The proposed NPSUDC identifies Queenstown as a 'secondary urban area' and a high growth urban area as Queenstown is projected to experience population growth of over 10% in the next 10 years. The NPSUDC applies objectives and policies for local authorities to implement through its planning documents. I note that QLDC lodged a formal submission (dated 14 July 2016) with the Ministry for the Environment which, amongst other matters, seeks clarification as to the extent of the geographic area that the NPSUDC would apply to (i.e. whether the references to 'Queenstown' include the entire Wakatipu Basin). Insofar as the remaining geographic area of the District, Wanaka is not listed as a 'main urban area' or a 'secondary urban area' in Appendix 1 of the NPSUDC Consultation Document, the NPSUDC has less bearing on areas of the District outside of Queenstown.
- 5.14. The following objectives of the proposed NPSUDC are of relevance:
- i. OA1: To support effective and efficient urban areas that enable people and communities to provide for their social, economic and cultural wellbeing.
 - ii. OA2: To provide sufficient residential and business development capacity to enable urban areas to meet residential and business demand.
 - iii. OA3: To enable ongoing development and change in urban areas.
 - iv. OB1: To ensure plans and regional policy statements are based on a robust, accurate and frequently-updated evidence base.
 - v. OC1: To promote coordination within and between local authorities and infrastructure providers in urban areas, consistent planning decisions, integrated land use and infrastructure planning, and responsive planning processes.
 - vi. OD1: To ensure that planning decisions enable urban development in the short, medium and long-terms.
 - vii. OD2: To ensure that in the short and medium terms local authorities adapt and respond to market activity.
- 5.15. The above objectives (although they hold no legal weight) are reflected in the LSCZ provisions through enabling more capacity within the Zone than that enabled by the ODP Corner Shopping Centres, for both residential and business activities.

5.16. I became aware on 1 November, when finalising this s42A report, that the final NPSUDC has been approved. I have not had an opportunity to consider the approved version in this s42A, but will do so prior to the Business hearing.¹

PDP Strategic Directions Chapter 3

5.17. This chapter sets out the over-arching strategic direction for the management of growth, land use and development in the District and gives direction to the rest of the plan. The following objectives² are relevant to Chapter 15:

Objective 3.2.1.1 - The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine resorts and the District's economy.

Objective 3.2.1.4 - The significant socioeconomic benefits of tourism activities across the District are provided for and enabled.

Objective 3.2.1.5 - Development of innovative and sustainable enterprises that contribute to diversification of the District's economic base and create employment opportunities.

Objective 3.2.2.2 - Development in areas affected by natural hazards is appropriately managed.

Objective 3.2.3.1 - A built environment that ensures our urban areas are desirable and safe places to live, work and play.

Objective 3.2.3.2 - Development is sympathetic to the District's cultural heritage values.

Objective 3.2.6.3 - A high quality network of open spaces and community facilities.

Objective 3.2.6.4 - Safe and healthy communities through good quality subdivision and building design.

5.18. Chapter 15, as recommended in **Appendix 1**, is considered to be consistent with these objectives and the supporting policies which, in my view, provide clear and concise direction in how the Council aims to maintain and enhance the commercial hubs of the District.

Urban Development - Chapter 4

5.19. This chapter sets out the objectives and policies for managing the spatial location and layout of urban development within the District. The following objectives³ are relevant to the LSCZ:

1 http://www.mfe.govt.nz/sites/default/files/media/Towns%20and%20cities/National_Policy_Statement_on_Urban_Development_Capacity_2016-final.pdf.

2 Strategic Directions Hearing – Recommended Revised Chapter – Reply 07/04/2016.

3 Strategic Directions Hearing – Recommended Revised Chapter – Reply 07/04/2016.

Objective 4.2.1 - Urban development is integrated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.

Objective 4.2.3 – Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provision.

Objective 4.2.4 - Manage the scale and location of urban growth in the Queenstown Urban Growth Boundary.

- 5.20. The LSCZ, as recommended, is considered to implement these objectives and the supporting policies which, in my view, provide clear and concise direction in relation to how the Council aims to manage growth within the urban growth boundaries.

Tangata whenua - Chapter 5

- 5.21. This chapter sets out the objectives and policies for ensuring tangata whenua issues are appropriately considered throughout the District Plan. The following Objective and Policy⁴ is most relevant to the LSCZ:

5.4.2 Objective - Provide for a Ngāi Tahu presence in the built environment

5.4.2.1 Collaborate with Ngāi Tahu in the design of the built environment including planting, public spaces, use of Ngāi Tahu place names and interpretive material.

- 5.22. I consider the LSCZ to be consistent with this Objective and Policy as the LSCZ would not, in my view, place any inappropriate barriers on the ability for Ngāi Tahu to influence development within the zone.

Wanaka Structure Plan (2007)

- 5.23. The Wanaka Structure Plan was adopted in 2007 and provides a framework for the future growth of Wanaka. This was produced as a result of community involvement through the Wanaka 2020 community planning exercise and adopted by Council as a working document.

Hawea Community Plan (2003)

- 5.24. The Hawea Community Plan was adopted in 2003 through the Hawea 2020 community planning exercise. It provides a community vision, strategic goals and priorities for the next 10 to 20 years for the Hawea community, which includes the Hawea Township, Hawea Flat, Maungawera and John's Creek.

4 Strategic Directions Hearing – Recommended Revised Chapter – Reply 07/04/2016.

5.25. In addition to the above higher-order documents, the following non-statutory documents are considered in the s32 report:

- i. Review of District Plan Business Zones Capacity and Development of Zoning Hierarchy prepared by McDermott Miller Strategies Ltd and Allan Planning & Research Limited (November 2013); and
- ii. Peer Review of the McDermott Miller Business Zones Capacity Report prepared by McDermott Consultants Ltd (January 2014).

5.26. The following reports were considered in the s32 assessment when considering site-specific issues for proposed LSCZ locations which are not zoned Corner Shopping Centre in the ODP and are not presently used for commercial activities:

5.27. Hawea (zoned Township in the ODP). This report was commissioned by the Council:

- i. Demand for Additional Commercial Zoned Land in Hawea Report by Insight Economics (February 2015).

5.28. Cardrona Valley Road – adjoining the Wanaka Lakes Health Centre (zoned Rural General and Rural Residential in the ODP). These reports were commissioned by the landowner:

- i. Peter Gordon Development Retail Assessment Cardrona Valley Road Report by McDermott Consultants (March 2014);
- ii. Peter Gordon Development Access Assessment, Cardrona Valley Road Report by Bartlett Consulting (March 2015); and
- iii. Cardrona Valley Road Infrastructure Report prepared by Paterson Pitts Group (January 2015).

5.29. 1 Hansen Road (zoned Low Density Residential and Rural General in the ODP). This report was commissioned by the landowner:

- i. Tim Kelly Transportation Planning Preliminary Traffic Assessment (July 2015).

6. BACKGROUND – OVERVIEW OF THE ISSUES

6.1. The purpose of the LSCZ is to enable small scale commercial and business activities that are accessible to residential areas and people in transit.⁵

5 Refer to Zone Purpose – p15-2 of Chapter 15.

- 6.2. The s32 analysis⁶ identified the following issues with the ODP Corner Shopping Centre Zone:⁷
- i. the lack of the efficient use of buildings and infrastructure;
 - ii. lack of amenity;
 - iii. the dispersal of commercial activities (in particular retail activities) away from Town Centres; and
 - iv. the lack of opportunity to provide for neighbourhood retail zones.
- 6.3. After considering the submissions it is my view that the above issues are still relevant along with the following additional key issue identified by submitter Willowridge Developments Ltd (**Willowridge**) (249.11):
- i. Whether it would be appropriate to include limits on the scale and type of retail activities, and the scale of office activities, to ensure that LSCZ does not compete with the town centres and other commercial centres that specifically provide for large format retail and office activities.

7. SUBMISSIONS

- 7.1. The RMA, as amended in December 2013, no longer requires a report prepared under s42A to address each submission point. Instead, it requires a summary of the issues raised in submissions.
- 7.2. 39 original submission points (from 16 submitters) and 70 further submission points were received on the Notified Version of the LSCZ.
- 7.3. Submissions are considered by issue, or as they relate to a specific LSCZ provision. Some submissions contain more than one issue, and will be addressed where they are most relevant within this evidence.
- 7.4. A summary of submission points received and a recommendation on whether the submission is recommended to be rejected, accepted, accepted in part, or transferred to another hearing is attached as **Appendix 2**. I have read and considered all submissions, including further submissions.

⁶ Refer to **Appendix 3**.

⁷ Refer to Part 10.5 of the ODP for the operative objectives, policies, methods and anticipated environmental results; Part 10.9 for operative rules; and Part 10.10 for operative assessment matters.

8. ANALYSIS

8.1. The following key issues have been raised in the submissions and are addressed in this report under the following headings:

- i. Issue 1 – Restrictions on retail and office activities.
- ii. Issue 2 – Use of the Urban Design Panel.
- iii. Issue 3 – Reverse sensitivity controls within the OCB of Queenstown Airport.
- iv. Issue 4 – Restrictions on residential and visitor accommodation activities.
- v. Issue 5 – Cardrona Valley Road LSCZ – specific changes sought.
- vi. Issue 6 – 1 Hansen Road LSCZ – specific changes sought.
- vii. Issue 7 – Veranda heights – effects on public transport.
- viii. Issue 8 – Limits on notification.
- ix. Issue 9 – General – other matters.

8.2. Where necessary, under each issue, an analysis of the sub-key issues identified by submitters is provided using sub-headings which relate to the specific objective, policy or rule. Where a provision has not been submitted on or where a submission is not accompanied by any clear basis or reasoning, the submission is unlikely to have been directly discussed in this report (however recommendations in respect of all submissions received are set out in **Appendix 2**).

9. ISSUE 1 – RESTRICTIONS ON RETAIL AND OFFICE ACTIVITIES

9.1. Willowridge (249.11) seek that the Activity Table (notified Rule 15.4) is amended to include rules restricting the nature and scale of commercial and retail activities in the LSCZ. Specifically the submission states the following:

The rules in the Local Shopping Centre Zone are permissive of commercial and retail activities and seem to provide for a range of activities from small scale shopping to supermarkets. This has the potential to undermine the town centres and other commercial centres, particularly where the land zoned neighbourhood shopping centre is of significant size, such as the neighbourhood shopping centre on Cardrona Valley Road.

[Relief sought] Include rules in 15.4 to restrict retail activities to those providing a local service (dairies, off-license, bakery) with a gross floor area of no more than 400m², or rules to a like effect.

9.2. The relief sought therefore has two components, which I respond to in turn below.

- 9.3. I also note that the submissions received from Stuart and Melanie Pinfold & Satomi Enterprises (622.3 to 622.5) also highlight that the notified LSCZ would enable large format retailing as a permitted activity. The specific relief sought by that submitter is addressed in Issue 5 below.

Limit the types of retail activities

- 9.4. I agree with the submitter's view that the notified provisions are permissive insofar as they place no limits on the types (or scale) of retail enabled in the LSCZ. The intent of the zone is to provide a range of activities at a limited scale (see in particular: notified Zone Purpose 15.1, notified Objective 5.2.1 and notified Policy 15.2.1.2). In many instances the scale of activities would be limited simply due to the small pocket of land zoned LSCZ. However, as the submitter points out, the LSCZ at Cardrona Valley Road (as shown on notified Planning Map 23) has a relatively large area of approximately 2.7ha.⁸ I also note that the 1 Hansen Road LSCZ has a total area of approximately 1.8ha.⁹
- 9.5. I note that the LSCZ at 1 Hansen Road, Frankton, has controls on retailing in notified Rule 15.5.4(a). These specific limits were included primarily due to the traffic constraints affecting that site, and are in place in conjunction with a requirement for a Spatial Layout Plan (as required by notified Rule 15.4.3.2). The Tim Kelly traffic assessment (which is an electronic link to the s32 report in **Appendix 3**) supports these limits, amongst others.
- 9.6. With regard to the Willowridge submission to restrict the types of retailing, I have sought advice and rely on the evidence provided by Mr Tim Heath of Property Economics. Mr Heath concludes that it would be appropriate to restrict some non-convenience store types from the LSCZ as they would rely on attracting consumers from beyond a local market to generate sales.¹⁰
- 9.7. The PDP definition of retailing and other associated definitions are of relevance to this issue. Notified Chapter 2 of the PDP (Definitions) defines Retail Sales/Retail/Retailing as:

[...] the direct sale or hire to the public from any site, and/or the display or offering for sale or hire to the public of any site of goods, merchandise or equipment, but excludes recreational activities.

8 See page 6 of the McDermott Consultants Retail Assessment – Cardrona Valley Road Commercial (March 2014) appended to the s32 Report: <http://www.gldc.govt.nz/assets/Uploads/Planning/District-Plan/District-Plan-Review-2015-s32-Links/Urban-Environment/LSCZ/McDermott-Consultants-Retail-Assessment-Cardrona-Valley-Rd-commercial-March-2014.pdf>.

9 Measurement taken from the Notified Version of Planning Map 33.

10 Statement of Evidence of Mr Timothy Heath dated 2 November 2016 at paragraph 3.20.

9.8. Recreational Activities are defined in notified Chapter 2 as:

[...] the use of land and/or buildings for the primary purpose of recreation and/or entertainment. Excludes any recreational activity within the meaning of residential activity.

9.7 Furthermore, the notified definition of Residential Activity is defined as:

[...] the use of land and buildings by people for the purpose of permanent residential accommodation, including all associated accessory buildings, recreational activities and the keeping of domestic livestock. For the purposes of this definition, residential activity shall include Community Housing, emergency, refuge accommodation and the non-commercial use of holiday homes. Excludes visitor accommodation.

9.8 Having regard to the above, and having considered the evidence provided by Mr Heath, it is my view that restricting the non-convenience retailing types suggested by Mr Heath would directly assist with ensuring that the Zone Purpose (notified 15.1) is implemented, and notified Objective 15.2.1 and Policy 15.2.1.2 are given effect to.

9.9 As considered in the attached s32AA assessment (**Appendix 4**), the recommended change would reduce the types of retailing enabled as a permitted activity, which may constrain the ability for the respective pockets of LSCZ to meet the needs of the specific communities they cater for. However, it is my view that due to the relative proximity of the town centres to the LSCZ locations (as shown on the notified Planning Maps in **Appendix 5**), consumers would not be unduly inconvenienced.

9.10 I therefore recommend that the first element of submission point 249.11 is accepted. I recommend the inclusion of a new policy that restricts identified retail activities to ensure the role of town centres is not threatened, and a new rule that prescribes a non-complying activity status for the identified retail activities. These recommended changes are shown in **Appendix 1** and considered in the s32AA assessment in **Appendix 4**.

Limit the Gross Floor Area (GFA) of retail activities

9.11 With the exception of the LSCZ at 1 Hansen Road, which has specific limits on the GFA of retail, the notified LSCZ provisions would allow for retail activities from small to large format. As previously mentioned, whilst the physical extent of the respective 'pockets' of LSCZ, along with bulk and location controls, would provide constraints on the number of buildings and their size, the scale of individual tenancies would not be limited under the notified provisions.

9.12 I note that in notified Chapter 2 (Definitions) Gross Floor Area (GFA) is defined as:

(Means) the sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings.

9.13 In the absence of any rationale accompanying the Willowridge submission as to why 400m² is an appropriate limit, I have sought advice from Mr Heath, who supports the inclusion of a limit and advises that 300m² GFA would be appropriate.¹¹

9.14 I accept and rely on Mr Heath's evidence and also note that by limiting the GFA of commercial activities, the zone would be future-proofed in the event that the physical extent of the notified LSCZ sites is increased, or new pockets of LSCZ are introduced via future amendments to the notified Planning Maps.

9.15 I also agree that providing a limit on the GFA of retail tenancies would provide greater certainty that the notified Zone Purpose, which enables "...small scale commercial and business activities..." is given effect to, and that notified Objective 15.2.1 and Policy 15.2.1.2 are implemented.

9.16 I note that this view is supported by the McDermott Consultants Retail Assessment¹² prepared for the s32 analysis in respect of the proposed Cardrona Valley Road LSCZ (my emphasis in bold):

*In summary, the [Cardrona Valley Road LSCZ] will primarily serve a neighbourhood catchment, supplemented by demand from the adjoining health care activities and retirement village. In this role it will not compete with the town centre, although as the town centre develops it may benefit from the decentralisation of demand for personal and convenience goods. **The size of the stores should be limited**, so that it will complement large format retailing at Three Parks, and may even benefit from any reduction in sales leakage likely to be associated with that development.*

9.17 Willowridge, in my view, correctly highlights that this has particular relevance for the LSCZ at Cardrona Valley Road due to the size of the LSCZ and its location relative to Three Parks. However, I consider that it should apply across all sites within the LSCZ, including the 1 Hansen Road site.

¹¹ Evidence of Mr Heath at paragraphs 3.14 to 3.15.

¹² p3, McDermott Consultants, Peter Gordon Development Retail Assessment Cardrona Valley Road, Wanaka, March 2014. [link.](#)

9.18 Mr Heath has also considered the potential impact of not limiting the GFA of office activities in the notified Chapter.¹³ It is my view that consideration of office activities is within scope of the Willowridge submission, which raises the issue of the scale of commercial activities, which includes office activities.

9.19 I note that notified Chapter 2 (Definitions) defines 'Office' as:

- *(Means) any of the following: Administrative offices where the administration of any entity, whether trading or not, and whether incorporated or not, is conducted;*
- *Commercial offices being place where trade, other than that involving the immediately exchange for goods or the display or production of goods, is transacted;*
- *Professional offices.*

9.20 Mr Heath notes the limits on 'office uses' in notified Rule 15.5.4(a), which relates only to the 1 Hansen Road LSCZ, and it is his view that the limits in notified Rule 15.5.4(a) would exceed the local centre convenience provision.¹⁴ Mr Heath has recommended that this rule is amended to remove the 700m² threshold for individual tenancies and the limit of 10 tenancies for that site. I accept and rely on Mr Heath's evidence. This change is shown in **Appendix 1**.

9.21 Mr Heath confirms that large scale office activity is more appropriately located in the higher order centres of the District's commercial network, including the town centres.¹⁵ Limits on the GFA of office activities within the LSCZ would, in my view, give further effect to notified Objective 15.2.1 and notified Policy 15.2.1.2. As such, I recommend that the limit of 200m² GFA suggested by Mr Heath¹⁶ is applied across the LSCZ (including the 1 Hansen Road site) as shown in the Recommended Revised Chapter (**Appendix 1**). Further discussion on the recommended changes is included in the s32AA assessment in **Appendix 4**.

9.22 I therefore recommend accepting the relief sought by Willowridge (249.11) in part, as shown in **Appendix 2**.

10 ISSUE 2 – USE OF THE URBAN DESIGN PANEL (UDP)

10.1 The NZIA Southern and Architecture + Women Southern (**NZIA**) (238.5; 238.15; 238.89; 238.90; and 238.91) generally support the LSCZ, however request the inclusion of an additional requirement for... "*new or remedial building work over 100m², or if remedial over 30% of GFA...*" to be reviewed by the Urban Design Panel (**UD Panel**).

¹³ Evidence of Mr Heath at paragraphs 3.17.

¹⁴ Evidence of Mr Heath at paragraph 3.24.

¹⁵ Evidence of Mr Heath at paragraph 3.32.

¹⁶ Evidence of Mr Heath at paragraph 3.33.

- 10.2 The NZIA submissions are opposed by numerous further submissions (see **Appendix 2**), however I note that the further submissions appear to oppose the NZIA submission in its entirety or raise matters to do with the Queenstown Town Centre Zone, rather than commenting specifically on the relief sought in respect of the LSCZ.
- 10.3 I note that the submitter does not provide any evidential basis for the 100m² and 30% thresholds; however that does not preclude the submitter from providing evidence at the Hearing.
- 10.4 It is my understanding that advice from the UDP is currently sought on a case-by-case basis on a range of applications in various zones, including commercial use buildings, community use, visitor accommodation and comprehensive residential developments. The Council uses their discretion as to whether advice from the UD Panel, or an urban designer, is required. I have been advised by Council's consent planners that for larger applications often applicants voluntarily approach the UD Panel prior to formally lodging their resource consent application and often any advice provided by the UD Panel is incorporated at the design stage.
- 10.5 It is my view that a requirement for mandatory urban design review in the manner suggested by the NZIA is not necessary.¹⁷ Notified Rule 15.4.3 would require restricted discretionary resource consent for all buildings. The matters of discretion provide the opportunity for design elements and building integration to be considered. Notified Objective 15.2.2 and its associated policies also assist with achieving good urban design outcomes, with flexibility for the context of the receiving environment to be considered. Therefore the processing planner has the ability to use their discretion as to whether urban design advice is required on a case-by-case basis.
- 10.6 As such, it is my view that the current process that applies to use of the UD Panel is working well and I am not persuaded that its mandatory use in the manner sought by the NZIA is necessary. I therefore reject NZIA's relief.

11 ISSUE 3 – REVERSE SENSITIVITY CONTROLS WITHIN THE OUTER CONTROL BOUNDARY OF QUEENSTOWN AIRPORT

- 11.1 Queenstown Airport Corporation (**QAC**) (433.61 to 433.66) and Spence Farms Limited (**Spence**) (698.8) submitted in relation to acoustic requirements for buildings. Their submissions relate specifically to the LSCZ at Frankton, which lies within the Outer Control Boundary (**OCB**) of Queenstown Airport.

¹⁷ In coming to this conclusion, I note I have read the evidence of Mr Garth Falconer for the Council, in the Residential hearing stream.

11.2 The Spence submission requests that notified Rule 15.5.3 is deleted and replaced with the PC35 controls for buildings within the Queenstown Airport Air Noise Boundary (**ANB**). The Further Submission lodged against this by QAC (FS1340.28) correctly points out that no area of the LSCZ is within the ANB. The relief sought by 698.9 is therefore rejected on this basis.

11.3 The QAC submissions propose numerous changes that, in their view, would bring the acoustic requirements of PC35 into Chapter 15. These changes include amending the Zone Purpose, including a new policy, and amendments to the Activity Table (15.4) and Rules Table (15.5). These are considered in turn below.

Changes sought to the Activity Table (15.4) and the Rules Table (15.5)

11.4 I consider that notified Rule 15.5.3 (Acoustic insulation) would achieve the insulation and ventilation requirements promulgated by PC35 for new buildings located within the OCB. I also note that the QAC submissions appear to attempt to require the acoustic standards for the ANB, rather than the OCB. The ANB has more stringent controls, and no part of the LSCZ is proposed for inclusion within the ANB, as shown on the notified Planning Maps.

11.5 Mr Stephen Chiles' evidence regarding the QAC submissions that relate specifically at the 'rule' level of the LSC Chapter is:¹⁸

I do not consider that any of the proposed changes with respect to rules for acoustic treatment and ventilation are necessary, and I consider that the PDP as notified is already consistent with PC35. There are two key factors:

- a) The sound insulation requirements of Rule 15.5.3 for other sources are significantly more stringent than sound insulation requirements under PC35 for airport noise.*
- b) In the vast majority of the Frankton Local Shopping Centre Zone no sound insulation or ventilation is required for airport noise. This is because the zone is at the periphery of the OCB and exposed to less than 57 dB L_{dn} airport noise.*

11.6 I accept and rely on the evidence of Mr Chiles and recommend that the QAC submissions requesting changes to notified Table 15.4 and 15.5 are rejected.

Changes sought to the Zone Purpose

11.7 QAC seek that additional text is added to notified 15.1 Zone Purpose. The text recommended by QAC highlights reverse sensitivity effects within the OCB.

¹⁸ Statement of Evidence of Mr Stephen Chiles dated 2 November 2016, at paragraph 15.1.

11.8 I consider that the notified Zone Purpose provides a very salient and high-level overview of the purpose of the LSCZ. Matters such as noise and reverse sensitivity are discrete issues that, in my view, are best to be acknowledged and considered at the policy and rule levels of the Chapter.

11.9 I therefore recommend that this element of the QAC relief is rejected.

Changes sought to introduce policy

11.10 QAC (433.62) seek that the following additional policy is introduced beneath notified Objective 15.2.3:

For sites within the Outer Control Boundary of Queenstown Airport require, as necessary, mechanical ventilation of any Critical Listening Environment within any new buildings, relocated buildings, and alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise to achieve an Indoor Design Sound Level of 40dB Ldn, based on the 2037 Noise Contours.

11.11 I agree that there is a need to acknowledge the Airport and OCB at the policy level, given that a portion of the LSCZ is within the OCB. Notified Policy 15.2.3.2 concerns itself with acoustic insulation for critical listening environments. It is my view that a simple addition to this policy that acknowledges reverse sensitivity effects on Queenstown Airport for development within the OCB would be sufficient.

11.12 I therefore recommend that the relief sought in QAC's submission 433.62 is accepted in part, with the incorporation of changes to notified Policy 15.2.3.2 as shown in **Appendix 1**.

12 ISSUE 4 – RESTRICTIONS ON RESIDENTIAL AND VISITOR ACCOMMODATION ACTIVITIES

12.1 Spence Farms Limited (698.7) seek that notified Rule 15.5.5 be deleted. This rule requires that all residential and visitor accommodation activities are located on first floor level or above, with breaches considered as a non-complying activity.

12.2 Notified Policy 15.2.1.3 is also relevant and reads:

Enable residential and visitor accommodation activities, but limit their establishment to above ground floor level to ensure that the integrity of activities occurring at street level is maintained, and that the core commercial function of the centres is not eroded.

- 12.3 Therefore, together the policy and rule seek to protect the core function of the zone, which is to provide for commercial and business activities, with the residential and visitor accommodation components being secondary. In my view notified Rule 15.5.5 is an appropriate tool for achieving this policy and giving effect to the Zone Purpose.
- 12.4 I do however note that due to the particular traffic constraints for the LSCZ at 1 Hansen Road, considered in the Tim Kelly traffic assessment, notified Rule 15.5.4(d) specifies that the number of residential units (including residential flats) shall be limited to 50.
- 12.5 Regardless of these limits, enabling residential units to be constructed at ground floor level may result in the 1 Hansen Road LSCZ being developed as a 50 lot residential subdivision, rather than as a mixed use zone, with commercial activities having primacy at street level. This outcome would be inconsistent with the Zone Purpose, and would fail to achieve notified Objective 15.2.1 or implement Policies 15.2.1.1 and 15.2.1.3.
- 12.6 A more appropriate alternative to the relief may, in my view, be to reduce the size of the LSCZ on the 1 Hansen Rd site and have the balance area zoned a residential zone. This scenario is also contemplated in the evidence provided by Mr Heath.¹⁹ This is not the specific relief sought by the submitter, however.
- 12.7 I therefore do not consider that either element of the relief is appropriate and I recommend it is rejected.

13 ISSUE 5 – CARDRONA VALLEY ROAD LSCZ – SPECIFIC CHANGES SOUGHT TO RULES

- 13.1 Susan Meyer (274.1) seeks that, in respect of the LSCZ at Cardrona Valley Road, the maximum site coverage is increased from 75% to 80% as the triangular shape of the site would result in parts of the site being unable to be developed. In addition, the submission seeks that the zone 'allow for' the linking of the LSCZ to the Wanaka Lakes Health Centre site.

Site Coverage (notified Rule 15.5.1)

- 13.2 In respect of the first part of the submission, I agree that the site is an unusual shape and this would require additional thought to be given to the positioning and articulation of buildings.
- 13.3 However, I am not persuaded that relaxing the site coverage rule for this pocket of LSCZ would provide a significant benefit, when weighed against the additional complexity the change would add to the LSCZ Chapter. A breach of notified Rule 15.5.1 (Building Coverage) would result in a

¹⁹ Evidence of Mr Heath at paragraphs 3.27.

requirement for restricted discretionary resource consent. This would provide the opportunity for any requested dispensation for exceeding the building coverage rule to be considered on its specific merits. Notified Rule 15.6.2.2 would also see such an application considered on a non-notified basis.

13.4 As such, notified Rule 15.5.1 provides the opportunity for breaches of building coverage to be considered on their specific merits, with scope for such breaches to be considered favourably.

13.5 On this basis I recommend that this element of the relief sought is rejected.

Pedestrian links to the Wanaka Lakes Health Centre

13.6 In respect of the second part of the submission, I note that the LSCZ adjoins the southern boundary of the Medical Health Centre site where the car park is located so currently there is no physical barrier that would prevent the two sites from linking, either by vehicular or pedestrian access. Enabling convenience retailing and other commercial activities within easy walking distance of the nearby retirement village (located north and east of the Health Centre site) would likely result in the LSCZ being patronised by those using the Health Centre, and by residents and employees of the retirement village. This is also acknowledged in the Retail Assessment²⁰ considered in the s32 analysis.

13.7 I do not consider it necessary to include provisions to require the LSCZ to link to the adjoining Health Centre site. I am satisfied that the LSCZ site is able to be safely accessed from Cardrona Valley Road,²¹ and am satisfied that the notified version of the LSCZ Chapter does not place any inappropriate barriers to providing linkages with the Health Centre site. It is my view that the 75% coverage rule may in fact provide opportunities for such links to be established, where appropriate, as sites will unlikely be completely occupied by buildings.

Landscaped setback and height restrictions sought

13.8 Stuart and Melanie Pinfold & Satomi Enterprises (622.3 to 622.5) own two properties that adjoin a portion of the southern boundary of the LSCZ at Cardrona Valley Road. The properties are described by the submitters as Lot 1 DP 301095 and Lot 2 DP 301095. These lots contain the submitters' home and the Mountain Range Lodge. The Lodge is understood to provide self-contained accommodation for up to 16 guests.²² Appendix B to the submission depicts the Lodge building as being located 36.4m from the boundary with the proposed LSCZ, at the closest point.

20 McDermott Consultants, Peter Gordon Development Retail Assessment Cardrona Valley Road, Wanaka, March 2014, p3. [link](#).

21 See Bartlett Consulting Access Assessment, Cardrona Valley Road, March 2015. [link](#) see p11.

22 <http://www.mountainrange.co.nz/the-lodge/>.

13.9 The submission seeks the following specific relief (paragraphs 5.3 to 5.5):

- 5.3 *The [PDP] is modified to identify a 20m buffer/setback within the [LSCZ] on proposed Planning Map 23 running along the submitters' boundary.*
- 5.4 *The [PDP] is modified to include rules that require landscaping of the 20m buffer setback prior to any development within the [LSCZ] commencing with the form of the landscaping being sufficient to screen development from the submitters' land; and*
- 5.5 *The [PDP] is modified to add rules that if breached trigger non-complying activity consent that ensure:*
- *the 20m setback (noted above) only contains landscaping and therefore remains free of any buildings, structures or car parking,*
 - *the maximum height of any building or structure within 15m of the 20m setback shall not exceed 5.5m.*

13.10 I note that the submitter has not provided evidence regarding any impact on the economic viability of the LSCZ that might result from the proposed development controls. In addition, an analysis of the proposal against the Strategic goals of the PDP has not been provided. I also note that the submitter does not oppose the LSCZ at Cardrona Valley Road, rather they appear to be accepting of the LSCZ, with the inclusion of the above additional controls.

13.11 Intensification of development has been previously signalled in this area of Wanaka through the 2004 Wanaka Structure Plan, and the Structure Plan Review of 2007. Albeit, the most recent iteration of the Structure Plan depicted medium to high density residential activities,²³ rather than the mixture of residential and commercial uses which would be enabled by the LSCZ. The building heights and setbacks proposed by the LSCZ are in my view consistent with the bulk and location of development that was broadly anticipated by the Structure Plan.

13.12 This location is within the Urban Growth Boundary (**UGB**) as shown on notified Planning Map 23. The proposed LSCZ is in my view consistent with the Strategic goals of the PDP which seek to encourage consolidation of development within UGBs.²⁴ In my view the development controls sought by the submitter would result in an inefficient use of the land resource within the UGB.

23 See page 17 of the Wanaka Structure Plan Review:

http://www.qldc.govt.nz/assets/OldImages/Files/Strategies/Structure_Plans/2007_Wanaka_Structure_Plan_Review.pdf.

24 In particular, see Objective 4.2.8 and associated policies of proposed Chapter 4 - Urban Development.

13.13 It is my view that the bulk and location controls proposed in the LSCZ are appropriate, given the intensification of development anticipated by the PDP for this part of Wanaka.

13.14 In comparing the bulk and location controls of the LSCZ to the s42A Version of the Low Density Residential Zone, I note the following:

- i. The LSCZ prescribes a maximum permitted building height of 7m (as per notified Rule 15.5.6);
- ii. The notified Low Density Residential Zone also prescribes a maximum permitted building height of 7m for flat sites in Wanaka (as per redrafted Rule 7.5.1);
- iii. The sunlight access rule in notified Rule 15.5.2 prescribes a recession line to be applied at an angle of 35 degrees inclined towards the site from points 3m above any residential zone boundary;
- iv. The s 42A Version of the Low Density Residential Zone (redraft Rule 7.5.8.3) prescribes a recession plane of 35 degrees measured at points 2.5m above a Residential zone boundary, on the southern aspect;
- v. The prescribed setback by buildings from boundaries would be 3m from a residential boundary (as per notified Rule 15.5.2)); and
- vi. The s 42A Version of Rule 7.5.9 of the Low Density Residential Zone would prescribe a minimum setback of 2m.

13.15 I consider that the above controls that influence the bulk and location of buildings in the LSCZ are appropriate for the Cardrona Valley Road context, and furthermore they are appropriate in the context of the zoning regime proposed for the submitters' land by the PDP. I do, however note that the submitters seek changes to the zoning of their property and I understand that their submissions will be heard at the Hearing on Mapping.

13.16 I note the LCSZ does not contain continuous building length rules however, in my view the matters of discretion for buildings (notified Rule 15.4.3, in particular bullet 3) provides sufficient scope for a proposal to be declined if the design outcomes are poor.

13.17 I therefore, recommend that the relief sought is rejected.

14 ISSUE 6 – 1 HANSEN ROAD LSCZ – SPECIFIC CHANGES SOUGHT TO RULES

14.1 I note that I have made some specific recommendations in relation to 1 Hansen Road, earlier in this report. I now consider additional submission points.

Vehicle access to the State Highway

- 14.2 The New Zealand Transport Agency (NZTA) (719.90) seek that notified Rule 15.4.3.2a be amended to add a requirement that there shall be no direct access to the LSCZ at 1 Hansen Rd from the State Highway.
- 14.3 It is my view that this change is not necessary as notified Rule 15.5.4(e) requires (in respect of development at 1 Hansen Road only) that ... "*there shall be no vehicle access directly onto the State Highway*". Failure to comply with this rule would result in a requirement for a discretionary activity resource consent.
- 14.4 I consider that NZTA's requested change would result in duplication and, most importantly, uncertainty as to the activity status resulting from a breach of the requirement (as a breach of notified Rule 15.4.3.2a would result in a restricted discretionary activity consent). Furthermore, notified Rule 15.4.3.2a concerns itself with the information requirements for a Spatial Layout Plan, rather than detailing the rules that apply to activities.
- 14.5 On this basis, I recommended that the requested relief is rejected.
- 14.6 The NZTA (719.92) also seek that notified Rule 15.5.1 is amended to make it clear that the effects on the State Highway are considered as a matter of discretion. I agree with the submission insofar as it is appropriate that effects on the wider roading network (i.e. beyond the intersection of Hansen Rd and State Highway 6) are considered. However I consider that the specific change of wording requested by the submitter is not appropriate as it would not give sufficient scope for consideration of any effects on non-state highway roads. I therefore recommend that the submission is accepted in part, as per the changes shown in **Appendix 1**.

Building Heights

- 14.7 Spence Farms Ltd (698.6) seek that notified Rule 15.5.6 (maximum building heights) is amended in respect of the LSCZ at 1 Hansen Road so that building heights are limited to 10m, except for buildings or parts of buildings located 55m or further from the State Highway boundary, in which case the maximum height should in their view be 15m.
- 14.8 The submission states the following reasons:

Due to the characteristics of the site, it is possible to increase the height of buildings to the rear of the site to 15m without resulting in adverse effects on amenity values. It is considered that no parties would be adversely affected by this greater height and

that the additional height can be appropriately accommodated from an urban design perspective.

14.9 I note that no urban design reasoning, consideration of the potential traffic effects caused by the increased capacity, or consideration of economic factors accompanied the submission.

14.10 I also note that the NZTA (719.93) supports notified Rule 15.5.4, stating that:

... the restrictions placed on the [1 Hansen Road] site... should mitigate some of the potential adverse traffic effects of development on this site.

14.11 I agree with the NZTA submission and I am not persuaded that increasing building heights in the manner proposed is an appropriate amendment. The building height rule, combined with the site coverage rule, in the notified LSCZ chapter serve to limit development on the 1 Hansen Road site, and in doing so address the issue of adverse impacts on the roading network. Notified Policy 15.2.3.5 requires particular regard to be given to... *ensuring the safe and efficient operation of the transport network.*

14.12 In summary, and in the particular absence of any evidence regarding the impact on the roading network that would result from the resulting increase in development capacity, I am unable to support the requested relief.

15 ISSUE 7 – VERANDA HEIGHTS – EFFECTS ON PUBLIC TRANSPORT

15.1 The Otago Regional Council (798.44 and 798.45) highlights that poorly designed shop front veranda setbacks and heights can interfere with kerbside bus movement, although no specific relief is requested by the submitter.

15.2 Notified Rule 15.4.2 lists verandas as controlled activities and sets out the matters of control, namely:

- *"Design*
- *Materials*
- *External appearance; and*
- *The impact on, and relationship to, adjoining verandas."*

15.3 I am of the view that the submitter raises a valid issue, which I address in the recommended changes to notified Policy 15.2.2.5 and Rule 15.4.2, as shown in **Appendix 1** and considered in the s32AA analysis in **Appendix 4**.

16 ISSUE 8 – LIMITS ON NOTIFICATION

16.1 The NZTA (719.94) requests that notified Rule 15.6.2 (Non-notification of Applications) is deleted for the following reasons:

It is inappropriate to not require the written approval of some persons for some activities. We note that Building Coverage is a restricted discretionary activity (Rule 15.5.1) with discretion restricted over State highway traffic effects. We suggest it is appropriate for the Transport Agency as the road controlling authority, to assess State highway traffic effects. Therefore, the Transport Agency should be deemed an affected party and its written approval sought. If this is not obtained then these applications should be processed as limited-notified applications.

16.2 I consider that the submitter makes a valid point, in particular given that the effects on the State Highway are listed specifically as a matter of discretion for breaches of site coverage on the 1 Hansen Road site. Accordingly I recommend that notified Rule 15.6.2.2 is amended to specify the NZTA as an affected party for such breaches, as shown in **Appendix 1** and considered in the s32AA analysis in **Appendix 4**.

16.3 QAC (433.67) seek that notified Rule 15.6 (Non-notification of Applications) is amended to include a requirement for notice to be served on the Requiring Authority for Queenstown Airport for applications that do not comply with acoustic treatments within the OCB.

16.4 I note that notified Rule 15.6 does not propose any restrictions on the ability for breaches of notified Rule 15.5.3 (Acoustic insulation) to be publically notified or limited notified.

16.5 It is my view that a requirement for consultation with the Requiring Authority for every application to breach notified Rule 15.5.3 within the OCB would be onerous. I am of the view that the determination of affected parties in these instances should occur on a case-by-case basis, as intended by section 95 of the Act. I would expect such a determination to depend largely on the extent of departure from the threshold and requirements of the relevant rule. The notified rule provides scope for this to occur and I recommend that the relief sought is rejected.

17 ISSUE 9 – OTHER MATTERS

Drafting style for objectives and policies

17.1 In the Panel's Fourth Procedural Minute dated 8 April 2016, concern was expressed that many objectives and policies were not framed as such. Accordingly, I have amended the wording of notified Objectives 15.2.1 and 15.2.3 to accord with the Panel's minute while being careful not to alter their intent. These recommended changes are marked in **Appendix 1**.

Recommended changes to Rule 15.4.3.1 – matter of discretion for natural hazards

17.2 As shown in **Appendix 1**, I recommend that the matter of discretion for natural hazards in notified Rule 15.4.3.1 is modified to remove the requirement for an assessment by a suitably qualified person. This recommended change is consistent with the recommended change across the business and residential chapters of the PDP (the latter to come through the Residential right of reply), and gives effect to notified Policy 28.3.2.3 of Chapter 28 (Natural Hazards), which lists the information requirements for natural hazards assessments and does not include a requirements for all natural hazards assessments to be undertaken by a suitably qualified person. I note that the Otago Regional Council sought considerable changes to the Natural Hazards framework within the PDP.

Recommended changes for clarification and improvement

17.3 A number of non-substantive changes are recommended to be made to the provisions to clarify the intent and improve the drafting of the chapter. A number of these have been discussed in other hearing streams and in the interests of consistency I have also recommended these changes. I consider that the changes do not alter the regulatory effect or change the geographic application of the provision and I consider the Panel are able to recommend these changes are made without a submission on the provisions.

17.4 I have identified some provisions in the notified chapter that could be improved, however no submissions have been made on these and the changes recommended would lessen the regulatory effect of the rule. Therefore, I do not consider that the Panel are able to recommend these changes without a submission. These provisions are:

- i. Notified Rule 15.5.8(a). The component of the rule that states... *as to limit effects on the night sky ...* in my view provides too much discretion and subjectivity associated with whether an activity would be compliant; and
- ii. Notified Rule 15.5.8(d) which states that.... *All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.* Nearly all surfaces, especially all roofs that comprise pressed steel (i.e. brands such as colorsteel) emit a reflectance value to some degree. Even the more recessive coloursteel colours on the market have a light reflectance value in the order of 10% (Ironsand).²⁵

17.5 In any event, I consider that the notified Rules 15.5.8(a) and 15.5.8(d) are ultra vires and therefore in my view should be removed from the PDP. This is shown in **Appendix 1**.

25 http://www.roof.co.nz/uploads/resources/Colorsteel_luminous_reflectance_values.pdf.

17.6 In addition, I note that the notified LSCZ does not include a requirement for development of large sites to provide a Comprehensive Development Plan. Introducing this requirement would in my view give effect to Strategic Direction Policy 3.2.3.1.2²⁶ which seeks that development on large sites is undertaken in a comprehensive manner. The introduction of a rule akin to notified Rule 12.4.6.2 of the Queenstown Town Centre Zone (and accompanying notified Policy 12.2.2.9) would, in my view be an important addition to the LSCZ.

Subdivision and Development Chapter 27 of the PDP

17.7 The Subdivision and Development Chapter was heard in Hearing Stream 04 between 25 July and 17 August 2016.

17.8 Subdivision of land within the LSCZ is a restricted discretionary activity in accordance with Rule 27.5.6 of the Subdivision Chapter (Chapter 27).²⁷ In addition, Rule 27.6 prescribes that there is no minimum lot area for subdivision within the LSCZ.

17.9 I note that no submissions were received specifically seeking to amend the above density regime as it applies to the LSCZ, and no changes are recommended. I have included the relevant Chapter 27 provisions in **Appendix 1** for reference purposes.

18 CONCLUSION

18.1 On the basis of my analysis within this evidence, I recommend that the changes within the Revised Chapter in **Appendix 1** are accepted.

18.2 The changes will improve the clarity and administration of the Plan; contribute towards achieving the objectives of the Plan and Strategic Direction goals in an effective and efficient manner and give effect to the purpose and principles of the RMA.



Amy Bowbyes

Senior Planner

2 November 2016

²⁶ Strategic Directions Hearing – Recommended Revised Chapter – Reply 07/04/2016

²⁷ Subdivision and Development Hearing – Recommended Revised Chapter – Reply 26/08/2016

Appendix 1. Recommended Revised Chapter

LOCAL SHOPPING CENTRES 15

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to s42A report, dated 2 November 2016.

15 Local Shopping Centres

Local Shopping Centres: Albert Town, Arrowtown, Fernhill, Frankton, Hawea, Sunshine Bay and Wanaka

15.1 Zone Purpose

The **Local Shopping Centre Zone** enables small scale commercial and business activities in discrete pockets of land that are accessible to residential areas and people in transit.

The zone seeks to reduce the necessity for people to travel longer distances to town centres to purchase convenience goods and access services. Due to the nature of the Zone's locations in predominantly residential environments, Zone standards limit the potential adverse effects on residential amenity and discourage the establishment of inappropriate activities. Visitor accommodation and residential activities are provided for in the Zone, adding to the vibrancy and viability of the Zone, whilst contributing to the diversity of housing options enabled by the District Plan.

15.2 Objectives and Policies

15.2.1 ~~Objective – Enable a range of activities to occur in the Local Shopping Centre Zone to meet the day to day needs of the community and ensure that they are of a limited scale that supplements the function of town centres.~~

Comment [AB1]: Recommended changes seek to articulate this as an objective, rather than an action as per instructions of the fourth procedural minute of 8 April 2016.

Policies

15.2.1.1 Provide for a diverse range of activities that meet the needs of the local community, enable local employment opportunities and assist with enabling the economic viability of local shopping centres.

15.2.1.2 Ensure that local shopping centres remain at a small scale that does not undermine the role and function of town centres.

15.2.1.3 Enable residential and visitor accommodation activities, but limit their establishment to above ground floor level to ensure that the integrity of activities occurring at street level is maintained, and that the core commercial function of the local shopping centres is not eroded.

Comment [AB2]: Minor, non-substantive change to improve clarity.

15.2.1.4 Avoid individual retail activities exceeding 300m² gross floor area and individual office activities exceeding 200m² gross floor area that would adversely affect the:

- a. retention and establishment of a mix of activities within the local shopping centre;
- b. role and function of town centres and commercial zones that provide for large scale retailing; and
- c. safe and efficient operation of the transport network.

Comment [AB3]: 249.11

15.2.1.5 Restrict identified retail activities to ensure that the role and function of town centres as the District's principal centres of retailing activity is not threatened.

Comment [AB4]: 249.11

LOCAL SHOPPING CENTRES 15

15.2.2 Objective – Buildings respond to the existing character, quality and amenity values of their neighbourhood setting.

Policies

15.2.2.1 Control the height, scale, appearance and location of buildings in order to achieve a built form that complements the existing patterns of development and is consistent with established amenity values.

15.2.2.2 Ensure that development generally comprises a scale that is commensurate with the receiving built environment.

15.2.2.3 Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.

15.2.2.4 Place specific controls on the bulk and location of buildings on sites adjoining Residential-zoned properties to ensure that an appropriate standard of residential amenity is maintained.

15.2.2.5 Control the design and appearance of verandas so they integrate well with the buildings they are attached to, ~~and~~ complement the overall streetscape and do not interfere with kerbside movements of high-sided vehicles, while providing appropriate cover for pedestrians.

Comment [AB5]: 798.44 & 798.45

15.2.2.6 Ensure that outdoor storage areas are appropriately located and screened to limit any adverse visual effects and to be consistent with established amenity values.

15.2.3 ~~Objective – Appropriate limits are placed on activities to minimise a~~Adverse environmental effects received both within and beyond the zone are minimised.

Comment [AB6]: Recommended changes seek to articulate this as an objective, rather than an action as per instructions of the fourth procedural minute of 8 April 2016.

Policies

15.2.3.1 Provide appropriate noise limits to control adverse noise effects generated by activities occurring within the Local Shopping Centre Zone and received by nearby properties.

15.2.3.2 Require acoustic insulation for critical listening environments (including residential activities and visitor accommodation) to:

- a. limit the impact of noise generated within the Zone on occupants; and, where relevant
- b. limit the reverse sensitivity effects on Queenstown Airport for buildings within the Queenstown Airport Outer Control Boundary.

Comment [AB7]: 433.62

15.2.3.3 Ensure that the location and direction of lights does not cause significant glare to other properties, roads, and public places and promote lighting design that mitigates adverse effects on the night sky.

15.2.3.4 Avoid the establishment of activities that are not consistent with established amenity values, cause inappropriate environmental effects, or are more appropriately located in other zones.

15.2.3.5 For development of the site(s) at 1 Hansen Road, between Hansen Road and the Frankton Cemetery (as shown on Planning Maps 31, 31a and 33), in addition to other Zone-wide requirements:

- a. Ensure that development is undertaken in an integrated manner, having particular regard to ensuring the safe and efficient operation of the transport network.
- b. Implement specific controls to limit effects on the historic values of the neighbouring cemetery.

15.3 Other Provisions and Rules

LOCAL SHOPPING CENTRES 15

15.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as ~~Operative District Plan (ODP)~~operative.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 Operative DP)	25 Earthworks (22 Operative DP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 Operative DP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 Operative DP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

Comment [AB8]: Minor, non-substantive change for clarification only.

15.3.2 Clarification

Advice Notes

15.3.2.1 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply.

15.3.2.2 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

15.3.2.3 The following abbreviations are used within this Chapter.

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

Comment [AB9]: Minor, non-substantive change for clarification only.

15.4 Rules - Activities

	Activities located in the Local Shopping Centre Zone	Activity status
15.4.1	Activities which are not listed in this table and comply with all standards	P

LOCAL SHOPPING CENTRES 15

	Activities located in the Local Shopping Centre Zone	Activity status
15.4.2	<p>Verandas, in respect of:</p> <ul style="list-style-type: none"> • Design; • Materials; • External appearance; and • The impact on, and relationship to, adjoining verandas; and • The enabling of unobstructed kerbside movements of high-sided vehicles. 	C
15.4.3	<p>15.4.3.1 Buildings:</p> <p>*Discretion is restricted to consideration of all of the following: external appearance, materials, sign platform, lighting, impact on the street, and natural hazards to ensure that:</p> <ul style="list-style-type: none"> • External appearance, including materials, glazing treatment vertical and horizontal emphasis and the location of storage; • Signage platforms; • Lighting; • The impact of the building on the streetscape, compatibility with adjoining buildings and contribution to an integrated built form; • The design of the building blends well with and contributes to an integrated built form; • The external appearance of the building is sympathetic to the surrounding natural and built environment; • The detail of the facade is sympathetic to other buildings in the vicinity, having regard to; building materials, glazing treatment, symmetry, external appearance, vertical and horizontal emphasis and storage; • Where residential units are proposed as part of a development, the extent to which open space is provided on site, provision of open space either through private open space or communal open space, or a combination thereof; and • Where a site is subject to any Natural hazards and where the proposal to results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses including considering the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated.¹ 	RD*

Comment [AB10]: 798.44 & 798.45

Comment [AB11]: Minor, non-substantive change to re-phrase to be matters of discretion rather than assessment matters

¹ Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

LOCAL SHOPPING CENTRES 15

Activities located in the Local Shopping Centre Zone	Activity status
<p><u>Assessment Matters relating to natural hazards:</u></p> <ul style="list-style-type: none"> • <u>the nature and degree of risk the hazard(s) pose to people and property;</u> • <u>whether the proposal will alter the risk to any site; and</u> • <u>whether such risk can be avoided or sufficiently reduced.</u> <p>15.4.3.2 Development of 1 Hansen Road only:</p> <p>The following additional requirements apply to the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33):</p> <p>a. Applications for buildings shall be accompanied by a Spatial Layout Plan for the entire part of this site, which is zoned Local Shopping Centre, showing:</p> <ul style="list-style-type: none"> (i) The location, width and design of roads, laneways, footpaths and accessways, which shall include consideration of pedestrian/cycling connectivity and safety as well as the potential for vehicular access to and from the Local Shopping Centre Zone land to the west of the Frankton Cemetery; (ii) Proposed building locations and parking areas; (iii) Concept landscape design treatment; (iv) Detailed landscaping plan addressing the interface between development and the Frankton Cemetery for the purpose of managing effects on the amenity and historic values in and around the cemetery; and (v) Three waters infrastructure. <p>Note: where relevant, applications may rely upon an approved Spatial Layout Plan submitted as part of a prior application for this site.</p> <p>*Discretion is restricted to consideration of all of the following in addition to the matters in Rule 15.4.3.1 above:</p> <ul style="list-style-type: none"> • historic heritage and the amenity values of the Frankton Cemetery; • the safe and efficient operation of the transport network; • pedestrian/cycling connectivity and safety; • amenity values; and • three waters infrastructure. 	<div style="border: 1px solid black; padding: 5px; margin-top: 100px;"> <p>Comment [AB12]: Minor, non-substantive change to re-phrase to be a matter of discretion, with the accompanying guidance clearly listed as assessment matters. The change also implements notified Policy 28.3.2.3 of Chapter 28 (Natural Hazards), which lists the information requirements for natural hazards assessments and does not include a requirement for all natural hazard assessments to be undertaken by a suitably qualified person.</p> </div>

LOCAL SHOPPING CENTRES 15

	Activities located in the Local Shopping Centre Zone	Activity status
15.4.4	<p>Visitor Accommodation</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The location, provision, and screening of access and parking, traffic generation, and Travel Demand Management; • Landscaping; • The location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring uses; • The location and screening of bus and car parking from public places; and • Where the site adjoins a residential zone: <ul style="list-style-type: none"> - Noise generation and methods of mitigation; and - Hours of operation of ancillary activities. 	RD*
15.4.5	<p>Licensed Premises</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor:</p> <p>a) to any person who is residing (permanently or temporarily) on the premises; and/or</p> <p>b) to any person who is present on the premises for the purpose of dining up until 12am.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The scale of the activity; • Car parking and traffic generation; • Effects on amenity (including that of adjoining residential zones and public reserves); • The configuration of activities within the building and site (e.g. outdoor seating, entrances); • Noise issues; • Hours of operation; and • Any relevant Council alcohol policy or bylaw. 	RD*
15.4.6	<u>Appliance Stores, Electronic and Electrical Goods Stores, Fashion Stores, Furniture and Floor Covering Stores</u>	NC
15.4.6 15.4.7	Industrial Activities not otherwise provided for in this Table	NC
15.4.7 15.4.8	Factory Farming	PR
15.4.8 15.4.9	Forestry Activities	PR

Comment [AB13]: 249.11

LOCAL SHOPPING CENTRES 15

	Activities located in the Local Shopping Centre Zone	Activity status
15.4.9 <u>15.4.10</u>	Mining Activities	PR
15.4.10 <u>15.4.11</u>	Airport	PR
15.4.14 <u>15.4.12</u>	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

15.5 Rules - Standards

	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
15.5.1	<p>Building Coverage</p> <p>Maximum building coverage - 75%.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The effects on the quality of the overall streetscape; and • The ability to meet outdoor storage requirements. <p>Except that in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33) the maximum building coverage shall be 50% with discretion restricted to the above matters and:</p> <ul style="list-style-type: none"> • The traffic effects of additional building coverage, including the effects on the State Highway, particularly with particular regard to the intersection between Hansen Road and State Highway 6. 	RD*
15.5.2	<p>Setbacks and Sunlight Access – sites adjoining any Residential zone, Township Zone or public open space</p> <p>a) Buildings shall not project beyond a recession line constructed at an angle of 35° inclined towards the site from points 3m above any Residential Zone or Township Zone boundary.</p> <p>b) Where the site adjoins any Residential zone, Township Zone or public open space the setback shall be not less than 3m.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The visual effects of the height, scale, location and appearance of the building, in terms of <ul style="list-style-type: none"> - Dominance; 	RD*

Comment [AB14]: Non substantive change for consistency with the PDP

Comment [AB15]: 719.92

LOCAL SHOPPING CENTRES 15

	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
	<ul style="list-style-type: none"> - Loss of privacy on adjoining properties; and - Any resultant shading effects. 	
15.5.3	<p>Acoustic insulation</p> <p>a) A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 6 in Chapter 36.</p> <p>b) All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R_w+C_{tr} determined in accordance with ISO 10140 and ISO 717-1.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • the noise levels that will be received within the critical listening environments, with consideration including the nature and scale of the residential or visitor accommodation activity; • the extent of insulation proposed; and • whether covenants exist or are being volunteered which limit noise emissions on adjacent sites and/or impose no complaints covenants on the site. 	RD*
15.5.4	<p>Development of 1 Hansen Road</p> <p>The following additional standards shall apply to development in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33):</p> <p>(a) The total gross floor area dedicated to retail uses shall not exceed 4000m², with no individual tenancy larger than 700m² and no more than 10 retail tenancies across the site in total;</p> <p>(b) The total gross floor area dedicated to office uses shall not exceed 3000m²;</p> <p>(c) No retail or office activities (aside from those ancillary to permitted uses) shall take place until an upgrade of the intersection between Hansen Road and State Highway 6 has occurred;</p> <p>(d) The total number of residential units (for the purposes of this rule, this shall include residential flats) shall not exceed 50 units;</p> <p>(e) There shall be no vehicle access directly onto the State Highway;</p> <p>(f) Buildings shall be set back a minimum distance of 6m from the boundary with the State Highway; and</p> <p>(g) Buildings shall be set back a minimum distance of 4m from the boundary with Frankton Cemetery.</p>	D
15.5.5	<p>Residential and Visitor Accommodation Activities</p> <p>All residential and visitor accommodation activities shall be restricted to first floor level or above.</p>	NC

Comment [AB16]: 249.11

LOCAL SHOPPING CENTRES 15

	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
15.5.6	<p>Building Height</p> <p>a) For the Local Shopping Centre Zone located at Albert Town, Arrowtown, Fernhill, Hawea, Sunshine Bay and Wanaka the maximum building height shall be 7m.</p> <p>b) For all other areas in the Local Shopping Centre Zone the maximum building height shall be 10m.</p>	NC
15.5.7	<p>Noise</p> <p>a) Sound* from activities shall not exceed the following noise limits at any point within any other site in this zone:</p> <ul style="list-style-type: none"> • Daytime (0800 to 2200 hrs) 60 dB LAeq(15 min) • night-time (2200 to 0800 hrs) 50 dB LAeq(15 min) • night-time (2200 to 0800 hrs) 75 dB LAFmax <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>Exemptions:</p> <ul style="list-style-type: none"> • The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999. • The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan. • The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport. <p>b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.</p>	NC
15.5.8	<p>Glare</p> <p>a) All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky.</p> <p>b) No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is in any Residential zone or Township Zone measured at any point more than 2m inside the boundary of the</p>	NC

Comment [AB17]: Recommend that this be removed from a merits perspective but no scope so has not been struck out. See paragraph 17.5 of the s42A Report.

LOCAL SHOPPING CENTRES 15

	Standards for activities located in the Local Shopping Centre Zone	Non-compliance status
	adjoining property. d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.	
15.5.9	Retail and Office activities: a. Retail activities shall not exceed 300m ² gross floor area b. Office activities shall not exceed 200m ² gross floor area	NC

Comment [AB18]: Recommend that this be removed from a merits perspective but no scope so has not been struck out. See paragraph 17.5 of the s42A Report.

Comment [AB19]: 249.11

15.6 Non-Notification of Applications

15.6.1 Applications for Controlled activities shall not require the written consent of other persons and shall not be notified or limited-notified.

15.6.2 The following Restricted Discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified:

15.6.2.1 Buildings (Rule 15.4.3).

Comment [AB20]: Non substantive change for clarity

15.6.2.2 Building coverage, except for applications to exceed permitted building coverage between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33) with any notification limited to road controlling authority.

Comment [AB21]: 719.94

15.6.3 The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

15.6.3.1 Setbacks and sunlight access – sites adjoining any Residential zone, Township Zone or public open space.

SUBDIVISION AND DEVELOPMENT 27

Excerpts from the Subdivision and Development Chapter¹ (Chapter 27 of the PDP)

	Subdivision Activities – District Wide	Activity status
27.5.6	<p>All urban subdivision activities, unless otherwise stated, within the following zones:</p> <ol style="list-style-type: none"> 1. Low Density Residential Zones; 2. Medium Density Residential Zones; 3. High Density Residential Zones; 4. Town Centre Zones; 5. Arrowtown Residential Historic Management Zone; 6. Large Lot Residential Zones; 7. Local Shopping Centres; 8. Business Mixed Use Zones; 9. Queenstown Airport Mixed Use Zone. <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> • Lot sizes and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land; • Subdivision design and layout of lots; • Property access and roading; • Esplanade provision; • On site measures to address the risk of natural and other hazards on land within the subdivision; • Fire fighting water supply; • Water supply; • Stormwater design and disposal; • Sewage treatment and disposal; • Energy supply and telecommunications; • Open space and recreation; and • Ecological and natural values; • Historic Heritage; • Easements; and • Bird strike and navigational safety. 	RD

¹ Subdivision and Development Hearing – Recommended Revised Chapter – Reply 26/08/2016

SUBDIVISION AND DEVELOPMENT 27

	For the avoidance of doubt, where a site is governed by a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan, subdivision activities shall be assessed in accordance with Rule 27.7.1.	
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27.6 Rules – Standards for Subdivision Activities

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

Zone		Minimum Lot Area
Town Centres		No minimum
Local Shopping Centre		No minimum
Business Mixed Use		200m ²
Airport Mixed Use		No minimum

Appendix 2. List of Submitters and Recommended Decisions

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
117.7		Maggie Lawton		Other	Confirms Zone's purpose. More amenities need to be included at Northlake	Accept in Part		With respect to the second part of the submission, no detail is provided regarding the specific types of amenities the submitter wishes to be included at Northlake. In the absence of such detail or supporting reasons or evidence, I am unable to recommend supporting the requested relief .
238.89		NZIA Southern and Architecture + Women Southern		Other	States that there is a high emphasis on context ,urban design and amenity in this chapter. Encourages review by urban design panel for assessment over a certain size of new work or modification. Questions what about further local shopping centres with intensification there may be other opportunities.	Reject		Issue Reference 2
238.89	FS1107.94	Man Street Properties Ltd		Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.89	FS1226.94	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited		Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.89	FS1234.94	Aspiring Lifestyle Retirement Village		Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.89	FS1239.94	Skyline Enterprises Limited & O'Connells Pavillion Limited		Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.89	FS1241.94	Skyline Enterprises Limited & Accommodation and Booking Agents		Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.89	FS1248.94	Trojan Holdings Limited & Beach Street Holdings Limited		Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.89	FS1249.94	Tweed Development Limited		Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.89	FS1242.117	Antony & Ruth Stokes		Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.	Accept in Part		Issue Reference 2
249.26		Willowridge Developments Limited		Oppose	The Neighbourhood Shopping Centre on Cardrona Valley Road is reduced in size as per Attachment 2 of the submission.		Transferred to the hearing on mapping	
249.26	FS1193.3	Trustees of the Gordon Family Trust		Oppose	The proposed rezoning, and the proposed amendment to the Wanaka Urban Growth Boundary are not suitable to achieve the sustainable management of the land. We seek that all of the relief sought be declined.		Transferred to the hearing on mapping	
274.1		Susan Meyer		Support	The creation a Wanaka Local Shopping Centre adjacent to the corner of Stone Street and Cardrona Valley Road (Map 23). I ask that the building capacity be increased to 80% as the area is somewhat triangulated creating opportunity for wasted space. I also ask of the zoning to allow for the linking of the local shopping centre zone to the zone that the Wanaka Lakes Health Centre . this would allow for extension of services and linking of services that are supportive the health center and the hospital	Reject		Issue Reference 5
274.1	FS1101.3	Aspiring Lifestyle Retirement Village		Support	The Local Shopping Centre zone better reflects the usage of the Wanaka Lakes Health Centre and the Aspiring Enliven Care Centre than the proposed Large Lot Residential.	Accept in Part		Issue Reference 5
274.1	FS1212.3	Wanaka Lakes Health Centre		Support	The Local Shopping Centre zone better reflects the usage of the Wanaka Lakes Health Centre and the Aspiring Enliven Care Centre than the proposed Large Lot Residential.	Accept in Part		Issue Reference 5
399.2		Peter and Margaret Arnott		Oppose	That the part of the submitters' land (legally described as Lot 1 DP 19932 and Section 129 Block 1 Shotover Survey District) shown on Planning Map 31a currently proposed to be zoned Rural General be rezoned Local Shopping Centre and/or Business Zone.		Transferred to the hearing on mapping	

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
399.2	FS1270.59	Hansen Family Partnership		Support	Supports. Seeks the submission be allowed, subject to a consistent zoning regime being applied to the land north of and adjoining State Highway 6 between Hansen Road and Ferry Road.		Transferred to the hearing on mapping	
399.2	FS1340.95	Queenstown Airport Corporation		Oppose	QAC opposes the proposed rezoning of this land and submits that it is counter to the land use management regime established under PC35. Rezoning the land would have potentially significant adverse effects on QAC that have not been appropriately assessed in terms of section 32 of the Act.		Transferred to the hearing on mapping	
562.1		Jim Ledgerwood		Not Stated	Amend planning map 23 to change the zoning from low density residential to commercial to provide for the continuation and expansion of commercial activities on the land generally located on the eastern side of Cardrona Valley Road and the northern side of Orchard Road, Wanaka.		Transferred to the hearing on mapping	
698.2		Spence Farms Ltd		Not Stated	Confirm all provisions as notified in Section 15 of the Proposed Plan unless otherwise submitted upon in this submission (698) and confirm all maps showing the extent of the Local Shopping Zone in Frankton.	Accept in Part		Issue References 4 and 6
771.2		Hawea Community Association		Support	Confirm the proposed Lake Hawea Shopping Centre Zone subject to a change that it is extended as shown in Attachment 2 of the submission.		Transferred to the hearing on mapping	
793.2		Lesley Burdon		Oppose	Enlarge the proposed Lake Hawea Shopping Zone and apply a visitor accommodation overlay according to the map submitted by the HCA.		Transferred to the hearing on mapping	
840.2		C & S Hansen		Not Stated	The submitter opposes the Low Density Residential zoning of land described as Lot 1 DP 43449, Section 4 Blk XX TN OF Frankton and Sections 2- 11, 13 & 14 Blk XX TN OF Frankton, which comprises land generally bounded by McBride Street, Gray Street and adjacent to SH6 near Frankton Junction, and as shown on Planning Map 33. The submitter requests that the land is zoned Local Shopping Centre zone.		Transferred to the hearing on mapping	
840.2	FS1340.159	Queenstown Airport Corporation		Not Stated	Oppose in part/Support in part - QAC remains neutral with respect to the rezoning of this area to Local Shopping Centre zone provided it does not result in the intensification of ASAN in this area. Subsequent amendments to the relevant zone chapter may be required to ensure that the occurrence of ASAN does not intensify at this site above the currently permitted levels set out in the Operative Plan (i.e. the levels prescribed in the Low Density Residential Zone).		Transferred to the hearing on mapping	
19.8		Kain Fround	15.1 Zone Purpose	Support	Support	Accept		
433.61		Queenstown Airport Corporation	15.1 Zone Purpose	Other	Insert the following text at the end of the Zone Purpose: <u>The Frankton Local Shopping Centre is located within close proximity to Queenstown Airport and is located within with the Airport's Outer Control Boundary. Reverse sensitivity effects on Queenstown Airport may arise where Activity Sensitive to Aircraft Noise are established within the Airport's Air Noise Boundary or Outer Control Boundary.</u>	Accept		Issue Reference 3
433.61	FS1077.41	Board of Airline Representatives of New Zealand (BARNZ)	15.1 Zone Purpose	Support	Make the amendments sought by QAC	Accept		Issue Reference 3
433.61	FS1097.347	Queenstown Park Limited	15.1 Zone Purpose	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Reject		Issue Reference 3
433.61	FS1117.110	Remarkables Park Limited	15.1 Zone Purpose	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Reject		Issue Reference 3
380.40		Villa delLago	15.2.1 Objective 1	Support	Support	Accept		
238.5		NZIA Southern and Architecture + Women Southern	15.2.2 Objective 2	Other	Support with following additions: add additional bullet point that says... 'New or remedial building work over 100m2 or if remedial over 30% of GFA is reviewed by Urban Design Panel.'	Reject		Issue Reference 2

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.5	FS1107.10	Man Street Properties Ltd	15.2.2 Objective 2	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.5	FS1226.10	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	15.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.5	FS1234.10	Shotover Memorial Properties Limited & Horne Water Holdings Limited	15.2.2 Objective 2	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.5	FS1239.10	Skyline Enterprises Limited & O'Connells Pavillion Limited	15.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.5	FS1241.10	Skyline Enterprises Limited & Accommodation and Booking Agents	15.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.5	FS1242.33	Antony & Ruth Stokes	15.2.2 Objective 2	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.	Accept in Part		Issue Reference 2
238.5	FS1248.10	Trojan Holdings Limited & Beach Street Holdings Limited	15.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.5	FS1249.10	Tweed Development Limited	15.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.90		NZIA Southern and Architecture + Women Southern	15.2.2 Objective 2	Other	Supports with additions. Add new bullet point: •New or remedial Building work over 100m2 or if remedial over 30% of GFA is reviewed by Urban Design Panel.	Reject		Issue Reference 2
238.90	FS1107.95	Man Street Properties Ltd	15.2.2 Objective 2	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.90	FS1226.95	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	15.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.90	FS1234.95	Shotover Memorial Properties Limited & Horne Water Holdings Limited	15.2.2 Objective 2	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.90	FS1239.95	Skyline Enterprises Limited & O'Connells Pavillion Limited	15.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.90	FS1241.95	Skyline Enterprises Limited & Accommodation and Booking Agents	15.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.			Issue Reference 2
238.90	FS1248.95	Trojan Holdings Limited & Beach Street Holdings Limited	15.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.90	FS1249.95	Tweed Development Limited	15.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.90	FS1242.118	Antony & Ruth Stokes	15.2.2 Objective 2	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.	Accept in Part		Issue Reference 2
433.62		Queenstown Airport Corporation	15.2.3 Objective 3	Other	Insert the following new policy: Policy 15.2.3.5 <i>Require, as necessary, mechanical ventilation of any Critical Listening Environment within any new and alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise on sites within the Outer Control Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.</i>	Accept in Part		Issue Reference 3
433.62	FS1077.42	Board of Airline Representatives of New Zealand (BARNZ)	15.2.3 Objective 3	Support	Make the amendments sought by QAC	Accept in Part		Issue Reference 3
433.62	FS1097.348	Queenstown Park Limited	15.2.3 Objective 3	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
433.62	FS1117.111	Remarkables Park Limited	15.2.3 Objective 3	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
719.86		NZ Transport Agency	15.2.3 Objective 3	Support	Retain	Accept		
719.87		NZ Transport Agency	15.2.3 Objective 3	Support	Retain	Accept		
719.88		NZ Transport Agency	15.2.3 Objective 3	Support	Retain	Accept		
719.89		NZ Transport Agency	15.2.3 Objective 3	Support	Retain	Accept		
249.11		Willowridge Developments Limited	15.4 Rules - Activities	Oppose	Include rules in 15.4 to restrict retail activities to those providing a local service (dairies, off-license, bakery) with a gross floor area of no more than 400m ² , or rules to a like effect.	Accept in Part		Issue Reference 1
433.63		Queenstown Airport Corporation	15.4 Rules - Activities	Other	Insert a new rule as follows: Rule 15.4.X Activities located in the Local Shopping Centre Zone <i>Any Activity Sensitive to Aircraft Noise that does not comply with Standard 15.5.X [acoustic treatment provision within the OCB];</i> Activity Status	Reject		Issue Reference 3
433.63	FS1077.43	Board of Airline Representatives of New Zealand (BARNZ)	15.4 Rules - Activities	Support	Make the amendments sought by QAC	Reject		Issue Reference 3
433.63	FS1097.349	Queenstown Park Limited	15.4 Rules - Activities	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
433.63	FS1117.112	Remarkables Park Limited	15.4 Rules - Activities	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
433.65		Queenstown Airport Corporation	15.4 Rules - Activities	Other	Amend the rule as follows: Rule 15.4.3.4 Activities located in the Local Shopping Centre Zone <i>Visitor Accommodation</i> <i>*Discretion is restricted to consideration of all of the following:</i> *..... <u>Acoustic treatment of any new or additions or alterations to existing buildings containing Activities Sensitive to Aircraft</u>	Reject		Issue Reference 3
433.65	FS1077.45	Board of Airline Representatives of New Zealand (BARNZ)	15.4 Rules - Activities	Support	Make the amendments sought by QAC	Reject		Issue Reference 3
433.65	FS1097.351	Queenstown Park Limited	15.4 Rules - Activities	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
433.65	FS1117.114	Remarkables Park Limited	15.4 Rules - Activities	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
433.66		Queenstown Airport Corporation	15.4 Rules - Activities	Other	Amend proposed Rule 15.4.3.3 and insert a new rule as follows: Rule 15.4.3.3 Activities located in the Local Shopping Centre Zone <i>Acoustic Insulation in the Frankton Local Shopping Centre Zone</i> <i>New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 4 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</i> Activity Status <i>NC</i> Rule 15.4.3.3 Activities located in the Local Shopping Centre Zone <i>Acoustic insulation in all other Local Shopping Centre Zones.</i> Activity Status <i>BD</i>	Reject		Issue Reference 3
433.66	FS1077.46	Board of Airline Representatives of New Zealand (BARNZ)	15.4 Rules - Activities	Support	Make the amendments sought by QAC	Reject		Issue Reference 3

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
433.66	FS1097.352	Queenstown Park Limited	15.4 Rules - Activities	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
433.66	FS1117.115	Remarkables Park Limited	15.4 Rules - Activities	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
719.90		NZ Transport Agency	15.4 Rules - Activities	Not Stated	Amend Rule 15.4.3.2a by adding the following requirement: <u>(vi) No direct access to the State highway.</u>	Reject		Issue Reference 6
798.44		Otago Regional Council	15.4.2	Oppose	Effects on Public Transport Poorly designed shop front veranda setbacks and heights can interfere with kerbside bus movement.	Accept		Issue Reference 7
238.15		NZIA Southern and Architecture + Women Southern	15.4.3	Other	Support with following additions: add additional bullet point that says... ' <u>New or remedial building work over 100m2 or if remedial over 30% of GFA is reviewed by Urban Design Panel.</u> '	Reject		Issue Reference 2
238.15	FS1107.20	Man Street Properties Ltd	15.4.3	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.15	FS1226.20	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	15.4.3	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.15	FS1234.20	Shotover Memorial Properties Limited & Home Water Holdings Limited	15.4.3	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.15	FS1239.20	Skyline Enterprises Limited & O'Connells Pavillion Limited	15.4.3	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.15	FS1241.20	Skyline Enterprises Limited & Accommodation and Booking Agents	15.4.3	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.15	FS1242.43	Antony & Ruth Stokes	15.4.3	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.	Accept in Part		Issue Reference 2
238.15	FS1248.20	Trojan Holdings Limited & Beach Street Holdings Limited	15.4.3	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.15	FS1249.20	Tweed Development Limited	15.4.3	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.91		NZIA Southern and Architecture + Women Southern	15.4.3	Other	Supports with additions. Add new bullet point: <u>*New or remedial Building work over 100m2 or if remedial over 30% of GFA is reviewed by Urban Design Panel.</u>	Reject		Issue Reference 2

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.91	FS1107.96	Man Street Properties Ltd	15.4.3	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.91	FS1226.96	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	15.4.3	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.91	FS1234.96	Shotover Memorial Properties Limited & Horne Water Holdings Limited	15.4.3	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.91	FS1239.96	Skyline Enterprises Limited & O'Connells Pavillion Limited	15.4.3	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.91	FS1241.96	Skyline Enterprises Limited & Accommodation and Booking Agents	15.4.3	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Issue Reference 2
238.91	FS1248.96	Trojan Holdings Limited & Beach Street Holdings Limited	15.4.3	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.91	FS1249.96	Tweed Development Limited	15.4.3	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Issue Reference 2
238.91	FS1242.119	Antony & Ruth Stokes	15.4.3	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.	Accept in Part		Issue Reference 2
433.64		Queenstown Airport Corporation	15.4.3	Other	Amend Rule 15.4.3.1 as follows: Rule 15.4.3.1 Activities located in the Local Shopping Centre Zone Buildings <i>* Discretion is restricted to consideration of all of the following: external appearance, material, sign platform, lighting, impact on street, acoustic treatment of new buildings or alterations to existing buildings containing Activities Sensitive to Aircraft Noise within the Outer Control Boundary and natural hazards to ensure that:</i> *..... <i>*Queenstown Airport is protected from reverse sensitivity effects of Activities Sensitive to Aircraft Noise.</i> Activity Status <i>RD</i>	Reject		Issue Reference 3
433.64	FS1077.44	Board of Airline Representatives of New Zealand (BARNZ)	15.4.3	Support	Make the amendments sought by QAC	Reject		Issue Reference 3
433.64	FS1097.350	Queenstown Park Limited	15.4.3	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3
433.64	FS1117.113	Remarkables Park Limited	15.4.3	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 3

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
798.45		Otago Regional Council	15.4.3	Oppose	Effects on Public Transport Poorly designed shop front veranda setbacks and heights can interfere with kerbside bus movement.	Accept		Issue Reference 7
719.91		NZ Transport Agency	15.4.4	Support	Retain	Accept		
223.1		Sam Gent	15.5 Rules - Standards	Support	Support	Accept in Part		
719.92		NZ Transport Agency	15.5.1	Other	Amend Rule 15.5.1 to read as follows: . The traffic effects of additional building coverage on the State highway, particularly with regard to the intersection between Hansen Road and State Highway 6.	Accept in Part		Issue Reference 6
698.8		Spence Farms Ltd	15.5.3	Not Stated	Amend as follows: Acoustic insulation a) A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 6 in Chapter 36. b) All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB Rw+Ctr determined in accordance with ISO 10140 and ISO 717-1. Discretion is restricted to consideration of all of the following: • the noise levels that will be received within the critical listening environments, with consideration including the nature and scale of the residential or visitor accommodation activity; • the extent of insulation proposed; and whether covenants exist or are being volunteered which limit noise emissions on adjacent sites and/or impose no-complaints covenants on the site. Airport Noise – Queenstown Airport (excluding any noncritical listening environments) within the Air Noise Boundary (ANB) New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise (ASAN) shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 4 of Chapter 36 and installation of mechanical ventilation to achieve the requirements in Table 5 of Chapter 36, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open. Note – Refer to the Definitions for a list of activities sensitive to aircraft noise (ASAN).	Reject		Issue Reference 3
698.8	FS1077.58	Board of Airline Representatives of New Zealand (BARNZ)	15.5.3	Oppose	Leave the acoustic insulation requirement unaltered.	Accept		Issue Reference 3
698.8	FS1340.28	Queenstown Airport Corporation	15.5.3	Oppose	Oppose in Part - QAC submits that the proposed amendments incorrectly apply the acoustic insulation requirements for activities within the ANB. None of the Local Shopping Centre Zone area is located within the ANB. This rule should therefore be amended to refer to the OCB as follows: <u>New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 4 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</u>	Reject		Issue Reference 3
719.93		NZ Transport Agency	15.5.4	Support	Retain	Accept in Part		Issue Reference 6
698.7		Spence Farms Ltd	15.5.5	Not Stated	Delete: Residential and Visitor Accommodation Activities All residential and visitor accommodation activities shall be restricted to first floor level or above.	Reject		Issue Reference 4
698.7	FS1340.27	Queenstown Airport Corporation	15.5.5	Oppose	QAC opposes the amendments sought. Restricting visitor accommodation and residential activities to the first floor of buildings and above (combined with a few other performance standards) is one of the few controls governing the density of residential or visitor accommodation development on Local Shopping Centre zoned land within the OCB. To remove this rule would therefore enable the intensification of ASAN within the Local Shopping Zone with no density constraints. The further intensification of ASAN within the OCB is opposed by QAC.	Accept in Part		Issue Reference 4
698.6		Spence Farms Ltd	15.5.6	Not Stated	Amend as follows: Building Height a) For the Local Shopping Centre Zone located at Albert Town, Arrowtown, Fernhill, Hawea, Sunshine Bay and Wanaka the maximum building height shall be 7m. b) For the Located Shopping Centre Zone located at 1 Hansen Road (being the land located between Hansen Road and Frankton Cemetery) the maximum height shall be 10 m except for buildings or parts of buildings 55m or further from the State High boundary, in which case the maximum height shall be 15 m. bc) For all other areas in the Local Shopping Centre Zone the maximum building height shall be 10m.	Reject		Issue Reference 6

Appendix 2 to the Section 42A report for Chapter 15 - Local Shopping Centres

Original Point No.	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
433.67		Queenstown Airport Corporation	15.6 Non-Notification of Applications	Other	Insert a new notification parameter as follows: <i>15.6.4 Notice shall be served on the requiring authority for Queenstown Airport for applications which do not comply with the acoustic treatment requirements of Rule 15.4.3.3.</i>	Reject		Issue Reference 8
433.67	FS1077.47	Board of Airline Representatives of New Zealand (BARNZ)	15.6 Non-Notification of Applications	Support	Make the amendments sought by QAC	Reject		Issue Reference 8
433.67	FS1097.353	Queenstown Park Limited	15.6 Non-Notification of Applications	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 8
433.67	FS1117.116	Remarkables Park Limited	15.6 Non-Notification of Applications	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.	Accept in Part		Issue Reference 8
719.94		NZ Transport Agency	15.6.2	Oppose	Delete	Reject		Issue Reference 8
622.3		Stuart Ian & Melanie Kiri Agnes Pinfold & Satomi Enterprises Limited		Other	Oppose in part. The Proposed District Plan is modified to identify a 20m buffer/setback within the Local Shopping Centre Zone on Proposed Planning Map 23 running along the submitters' boundary.	Reject		Issue Reference 5
622.4		Stuart Ian & Melanie Kiri Agnes Pinfold & Satomi Enterprises Limited		Other	Oppose in part. The Proposed District Plan is modified to include rules that require landscaping of the 20m buffer setback prior to any development within the Local Shopping Centre Zone commencing with the form of the landscaping being sufficient to screen development from the submitters' land,	Reject		Issue Reference 5
622.5		Stuart Ian & Melanie Kiri Agnes Pinfold & Satomi Enterprises Limited		Other	Oppose in part. The Proposed District Plan is modified to add rules that if breached trigger non-complying activity consent that ensure: - the 20m setback (noted above) only contains landscaping and therefore remains free of any buildings, structures or car parking, - the maximum height of any building or structure within 15m of the 20m setback shall not exceed 5.5m.	Reject		Issue Reference 5

Appendix 3. Section 32 Report and links



Section 32 Evaluation Report

Local Shopping Centres

(formerly Corner Shopping Centres)

Contents

Section 32 Evaluation Report: Local Shopping Centres (formerly Corner Shopping Centres)	2
1. Strategic Context	2
2. Regional Planning Documents	2
3. Resource Management Issues	2
4. Purpose and Options	4
5. Scale and Significance Evaluation	6
6. Evaluation of proposed Objectives S32 (1) (a).....	6
7. Evaluation of the proposed provisions S32 (1) (b)	8
8. Efficiency and effectiveness of the provisions.....	13
9. The risk of not acting.	13
References	13

Section 32 Evaluation Report: Local Shopping Centres (formerly Corner Shopping Centres)

1. Strategic Context

Section 32(1)(a) of the Resource Management Act 1991 requires that a Section 32 evaluation report must examine the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act.

The purpose of the Act demands an integrated planning approach and direction:

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

2. Regional Planning Documents

The District Plan must *give effect to* the operative RPS and must *have regard to* any proposed RPS.

The operative RPS contains a number of objectives and policies that are relevant to this review, namely objectives 9.4.1 to 9.4.3 and policies 9.5.1 to 9.5.5 (inclusive). The proposed plan change provisions are consistent with, and give effect to, these RPS provisions.

The Otago Regional Council ["ORC"] is currently in the process of reviewing the RPS 1998. In May 2014 the ORC published and consulted on the RPS 'Otago's future: Issues and Options Document, 2014' (www.orc.govt.nz). The proposed RPS was released for formal public notification on the 23 May 201 and also contains a number of objectives and policies that are relevant, namely objectives 3.6 to 3.8 (incl.) & 4.3, and policies 3.6.6, 3.7.1 to 3.7.4 (incl.), 3.8.1, 4.3.3 & 4.3.4.

3. Resource Management Issues

This review of the operative provisions seeks to consider the relevant issues outlined in the operative Plan as they relate to Local Shopping Centres and critically assess whether the operative provisions are appropriately addressing the issues.

This assessment is also informed by the following (see Section 10 of this report for a full list of references and associated weblinks):

- Business Zones Capacity Report prepared by McDermott Miller Strategies Limited
- Peer review of Business Zones Capacity Report by Dr Phil McDermott
- Community consultation, Council workshops and a meeting of the Council's Resource Management Focus Group
- Hawea Community Plan 2003
- Wanaka Structure Plan 2007
- Demand for Additional Commercial Zoned Land in Hawea Report prepared by Insight Economics, February 2015
- Peter Gordon Development Retail Assessment Cardrona Valley Road, Wanaka Report by McDermott Consultants March 2014

- Peter Gordon Development Access Assessment, Cardrona Valley Road, Wanaka prepared by Bartlett Consulting, March 2015
- Cardrona Valley Road, Wanaka, Infrastructure Report prepared by Paterson Pitts Group, January 2015
- Tim Kelly Transportation Planning Preliminary Traffic Assessment for 1 Hansen Road rezoning (July 2015)

- Relevant legislative changes enacted since the Plan became operative

The relevant issues are:

- Efficient use of buildings and infrastructure
- Amenity
- The dispersal of commercial activity (in particular, retail activity) away from town centres
- The opportunity to provide for neighbourhood retail zones

4. Purpose and Options

The overarching purpose of the Local Shopping Centre Zone is to enable the establishment of convenience goods stores serving residents. The Plan provides for a range of activities to occur in this zone to enable the specific needs of individual communities to be met, whilst also placing limits to exclude activities that are not appropriate for this zone.

Strategic Directions

The following goals and objectives from the Strategic Directions chapter of the draft District Plan are relevant to this assessment:

<p><i>Goal 3.2.2: The strategic and integrated management of urban growth</i></p> <p><i>Objective 3.2.2.1: Ensure urban development occurs in a logical manner:</i></p> <ul style="list-style-type: none"><i>to promote a compact and integrated urban form; [...]</i>
<p><i>Goal 3.2.3: A quality built environment taking into account the character of individual communities</i></p> <p><i>Objective 3.2.3.1: Achieve a built environment that ensures our urban areas are desirable places to live, work and play</i></p>
<p><i>Goal 3.2.4: The protection of our natural environment and ecosystems</i></p> <p><i>Objective 3.2.4.8: To respond positively to Climate Change</i></p>
<p><i>Goal 3.2.6: To enable a safe and healthy community that is strong, diverse and inclusive for all people.</i></p> <p><i>Objective 3.2.6.2: To ensure a mix of housing opportunities.</i></p>

Determining the most appropriate methods to resolve the issues that relate to Local Shopping Centres will enable the Plan to give effect to relevant parts of the Strategic Directions chapter, and ultimately meet the purpose of the Act.

As required by s32(1)(b) RMA, the following section considers various broad options considered to address the issues, and makes recommendations as to the most appropriate course of action in each case.

Broad Options considered (see Table 1, below)

Option 1 is to retain the current provisions (objectives, policies and rules) as they stand. This will allow for the familiarity of users to remain but would not address the resource management issues and would not enable the Council to meet the RMA requirement to review the Plan every ten years.

Option 2 (Recommended) provisions to be examined in light of the issues highlighted. Would result in all provisions being critically assessed, with many of the current provisions likely to be retained and improved, and provisions to be structured and articulated in a clearer manner than the status quo. Would enable additional sites to be considered for inclusion in the zone.

Option 3 requires the provisions to be completely overhauled. Given the limited range of issues highlighted, this option is not considered necessary.

Table 1 – Broad options considered

	Option 1: Status quo/ No change	Option 2: (Recommended) Comprehensive review – likely result in many existing provisions being retained and improved	Option 3: Comprehensive Review – overhaul existing provisions
Costs	<ul style="list-style-type: none"> • Would fail to fulfil Council’s statutory obligation to review the Plan every ten years. • Would not enable a thorough assessment of the operative Plan provisions. 	<ul style="list-style-type: none"> • Has costs associated with going through the District Plan Review process (but this is required by legislation). 	<ul style="list-style-type: none"> • Has costs associated with going through the District Plan Review process (but this is required by legislation). • The operative provisions are generally creating appropriate outcomes. The time and financial cost associated with drafting completely new provisions would be significant and is considered unnecessary.
Benefits	<ul style="list-style-type: none"> • No costs resulting from the District Plan Review Process. 	<ul style="list-style-type: none"> • The operative provisions are generally creating appropriate environmental outcomes. This approach enables operative provisions to be retained, as appropriate. • Enables provisions to be articulated in a format that is more legible, and provides greater clarity, than the status quo. • Enables the operative policy framework to be critically assessed and strengthened where necessary. • Enables existing developments that have established in inappropriate zones (such as Residential) to be included in the Local Shopping Centre Zone. • Enables additional sites that are currently undeveloped to be considered for inclusion in the zone. 	<ul style="list-style-type: none"> • Would fulfil Council’s statutory obligation to review the Plan every ten years.
Ranking	3	1	2

5. Scale and Significance Evaluation

The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions for the Local Shopping Centre Zone. In making this assessment, regard has been had to the following, namely whether the objectives and provisions:

- Result in a significant variance from the existing baseline.
- Have effects on matters of national importance.
- Adversely affect those with specific interests, i.e., Tangata Whenua.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

6. Evaluation of proposed Objectives S32 (1) (a)

<i>Proposed Objective</i>	<i>Appropriateness</i>
<p>Objective 15.2.1:</p> <p>Enable a range of activities to occur in the Local Shopping Centre Zone to meet the day to day needs of the community without undermining the role of town centres</p>	<p>Provides for a diverse range of activities to occur to serve the needs of the community the shopping centre serves. Acknowledges that these centres supplement the commercial activities offered by town centres, and ensures that they remain at a scale that does not undermine the function of town centres.</p> <p>Consistent with Objectives 3.2.1.1 to 3.2.1.3 (incl.), 3.2.2.1, 3.2.3.1, 3.2.5.3, 3.2.6.2, 3.2.6.3 , of the Strategic Directions chapter.</p>
<p>Objective 15.2.2:</p> <p>Buildings respond to the existing character, quality and amenity values of their neighbourhood setting</p>	<p>Enables development controls to ensure that building design and appearance is appropriate to each individual location. Although buildings in this zone are likely to have a greater presence in the streetscape than a residential dwelling would, this objective sets an expectation that their design must also be sympathetic to the receiving environment.</p> <p>Consistent with Objectives 3.2.3.1 and 3.2.3.2 of the Strategic Directions chapter.</p>
<p>Objective 15.2.3:</p> <p>Appropriate limits are placed on activities to minimise adverse environmental effects received both within and beyond the zone</p>	<p>The Zone enables a broad range of activities which ultimately seeks to support the viability of the Zone. Providing for mixed use development increases the diversity of housing options enabled in the District, and makes a positive contribution to the District's economy.</p> <p>However, the mix of uses provided for includes activities which have sensitive noise environments. Nearby Residential-zoned properties also expect appropriate levels of amenity.</p> <p>This objective acknowledges that appropriate limits must be placed on the environmental effects generated by activities occurring in the Zone to enable a mix of uses to occur without any one use</p>

<i>Proposed Objective</i>	<i>Appropriateness</i>
	<p>being inappropriately compromised by the effects of another. This, in particular, sets a framework for noise issues to be addressed through specifying noise limits that regulate, and seek to discourage, the establishment of noisy activities and requiring acoustic treatments where appropriate.</p> <p>This objective also enables activities that are inappropriate for the Zone to be encouraged to establish elsewhere in the district.</p> <p>Consistent with Objective 3.2.3.1 of the Strategic Directions chapter.</p>

7. Evaluation of the proposed provisions S32 (1) (b)

The below table considers whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions. (See also Table 1- Broad options considered, in Section 4 above.)

Table 2 – Evaluation of proposed provisions

Proposed provisions	Costs	Benefits
<p>Policies: 15.2.1.1 to 15.2.1.3 (incl.)</p> <p>Rules: 15.4.1 15.5.5</p> <p>Other Methods: Zoning extent</p>	<ul style="list-style-type: none"> • Enabling a diverse range of activities means that controls must be implemented to ensure that the amenity values of nearby residential areas are not compromised. • Limits placed on the location of residential and visitor accommodation activities (restricted to above ground floor level) may limit the development potential within this zone, however these limits seek to maintain the integrity of activities occurring at street level. 	<ul style="list-style-type: none"> • Enabling a wide range of activities to occur in the Local Shopping Centre Zone encourages a diverse range of businesses and activities to establish to meet the needs of patrons. • Seeks to aid the economic viability of local shopping centres by enabling a broad range of uses. • Placing controls around the location of residential and visitor accommodation activities enables the integrity of activities occurring at street level to be maintained. • The limited physical extent of areas within the Local Shopping Centre Zone ensures that they do not compete with, or undermine the role of, the respective Town Centre Zones. • The sites proposed for inclusion in the zone that have existing commercial development currently have inappropriate zonings. Including them in the Local Shopping Centre Zone enables appropriate controls to be implemented and provides greater certainty for the future use of these sites, which have established uses commensurate with the activities provided for by the Local Shopping Centre Zone. • In the case of the ‘Albert Town Tavern’ site, the site currently has an underlying Township Zone, with a Commercial Precinct Overlay. Rezoning the site to Local Shopping Centre enables greater consistency in how these existing local commercial sites are treated by the District Plan, and a stronger and more targeted policy framework than that provided by the operative

<i>Proposed provisions</i>	<i>Costs</i>	<i>Benefits</i>
		<p>Township provisions.</p> <ul style="list-style-type: none"> • Including a Local Shopping Centre Zone at the Hawea site, which is currently zoned Township, formalises the existing café/dairy/restaurant activities occurring at 'Sailz'. The proposed zone extent includes land adjoining 'Sailz', most of which is currently undeveloped. The zone extent gives effect to the Hawea Community Plan 2003 insofar as the Key Community Outcome to have... "<i>... a low-key commercial area that provides services to the locals, with buildings that are in keeping with the surrounding environment.</i>" The location of the zone seeks to ensure that commercial/retail activities in Hawea are centrally-located, rather than dispersed in an ad hoc manner. Locating the commercial zone within close proximity to local amenities such as the community centre and library reduces the need for additional car trips and reinforces this locality as a focus for community amenities. • The proposed Local Shopping Centre Zone at Cardrona Valley Road in Wanaka gives effect to an indicative commercial zone proposed through the Wanaka Structure Plan 2007. The District Plan Review proposes residential-zoned land in addition to that which is currently within walking distance of the zone, as well as the already-consented retirement village and existing medical centre complex that adjoin the site, • The proposed Local Shopping Centre Zone at 1 Hansen Road in Frankton allows mixed use development to establish on this site. The current Low Density Residential zoning for the site has been considered by successive landowners to be unsuitable. This is in part due to the non-residential character of the surrounding area and residential safety and amenity issues arising from its proximity to the State Highway. It is possible that this site may have the potential to contribute

Proposed provisions	Costs	Benefits
		<p>toward transport solutions in this area in the future, for example by offering an alternative exit out of Terrace Junction / BP to the west of the site. Decisions on transport solutions are not yet far enough advanced to be certain as to whether this is the case, however this is a further indication that a Low Density Residential environment for this site is unlikely to be suitable. It is considered important that limits on the overall amount of retail and office development are proposed to manage potential traffic effects and ensure that the main focus of such activities in this area remains in the Frankton Flats zones.</p> <ul style="list-style-type: none"> Commercial land supply is considered in the appended reports detailed in section 3.0, above. These reports find that the inclusion of the proposed additional land to be zoned Local Shopping Centre is appropriate in the wider context of demand for commercial-zoned land in the Wanaka and Queenstown areas.
<p>Policies: 15.2.2.1 to 15.2.2.6</p> <p>Rules: 15.4.2 15.4.3 15.5.1 15.5.2 15.5.6 15.6.1 to 15.6.3 (incl.)</p>	<ul style="list-style-type: none"> The controlled activity status for all buildings will incur costs associated with the resource consent process. Costs associated with providing design elements that meet the matters for control. Increasing height limits from 8m to 10m will increase the street presence of local shops built up to maximum height, however controls over the bulk and location of buildings at the interface with residential-zoned properties and public open space will limit their impact. 	<ul style="list-style-type: none"> Placing controls on the external appearance of buildings encourages them to respond to the character and amenity values of the individual communities they are located within. Increasing the height limit from 8m to 10m will enable greater development opportunities and increased capacity within the discrete zone extents. Providing a 7m height limit for the Local Shopping Centre zone at Arrowtown, Hawea, Albert Town and Wanaka, acknowledges that these localities have a low scale of development. The proposed 7m limit, along with controls on building design, enables subsequent development to have an appropriate street presence, whilst remaining low scale. Removing the requirement for residential activities to provide a separate outdoor living area enables diversity in the District's

Proposed provisions	Costs	Benefits
		<p>existing housing stock, decreases development costs, and does not preclude outdoor areas from being provided if desired. The proposed matters of discretion for buildings include consideration of how open space is provided for residential units. This enables more creative responses to how outdoor spaces are provided, rather than the prescribed approach in the operative Plan.</p>
<p>Policies: 15.2.3.1 & 15.2.3.5</p> <p>Rules: 1015.4.5 to 15.4.11(incl.) 15.5.4 15.5.3 15.5.7 15.5.8</p>	<ul style="list-style-type: none"> • Costs associated with complying with the specified limits, such as acoustic treatments for noisier activities required to demonstrate compliance with noise standards. • Costs associated with the resource consent process for activities requiring consent to exceed limits. • Precludes some activities from establishing in the Local Shopping Centre Zone, which slightly decreases the range activities that can establish. These activities can, however be considered on their particular merits through the resource consent process. • Providing acoustic treatments for critical listening environments will increase development costs. 	<ul style="list-style-type: none"> • Due to the wide range of activities enabled by the Zone, the proposed controls seek to limit the impact of activities on each other, and on properties in adjoining zones. • The operative noise standards acknowledge the proximity of residential properties to local shopping centres, and seek to limit the impact of noise beyond the Local Shopping Centre Zone. In addition, noise generated by local shopping centre activities will still be required to comply with residential limits when received in a Residential or Township-zoned property. • Acoustic insulation requirements seek to mitigate the noise effects occurring within the Zone, as received in noise-sensitive environments such as residential units or visitor accommodation. • The proposed provisions exclude inappropriate activities from establishing in local shopping centres. These activities generally result in effects that are not appropriate and are provided for in other zones. • Prohibiting completely inappropriate activities (i.e. factory farming, mining, forestry and airports) ensures such activities will not occur in the zone. It ensures that consent for such activities will not be applied for, which provides a high degree of certainty and efficiency. As no application can be made it is unnecessary to include objectives and policies addressing these activities, which further contributes to the efficiency of the proposed provisions. • Development at 1 Hansen Road needs to be managed in a

<i>Proposed provisions</i>	<i>Costs</i>	<i>Benefits</i>
		<p>manner which minimises any adverse effects on the historic cemetery (including the stone wall at its perimeter). A policy acknowledges the need for this to be accounted for and a rule requires development to be set back from the cemetery. Traffic effects are also essential to manage at this site. A traffic report (appended) gives an indication as to the scale of development that can occur on the site, which along with an appropriate intersection arrangement between Hansen Road and the State Highway, can ensure that development does not compromise the efficiency and safety of the State Highway and local road network. Accordingly, a policy acknowledging the importance of this issue and a rule limiting the amount of retail, office and residential development on the site are proposed, along with a rule that requires that traffic intensive activities cannot occur until the intersection between State Highway 6 and Hansen Road has been upgraded. If undertaken well, development has the potential to improve the amenity of this area. It is considered that planning for development on this site is best undertaken in an integrated manner which shows how effects on a range of matters such as amenity, traffic and historic heritage are to be managed. The requirement to submit a Spatial Layout Plan is therefore proposed so that the Council can understand the context of applications for individual buildings and be satisfied that such an integrated approach is being applied.</p>

8. Efficiency and effectiveness of the provisions.

The above provisions are drafted to specifically address the resource management issues identified with the current provisions, and to enhance those provisions that already function well. A number of areas of the existing chapter have been removed to aid the readability of the Plan by keeping the provisions at a minimum, whilst still retaining adequate protection for the resource.

By simplifying the objectives, policies and rules (the provisions), the subject matter becomes easier to understand for users of the Plan both as applicant and processing planner. Removal of technical or confusing wording also encourages correct use. With easier understanding, the provisions create a more efficient consent process.

9. The risk of not acting.

The changes proposed here-in seek to address the known resource management issues for the operative Corner Shopping Zone. The changes also reflect the current changing nature of the RMA with its drive to simplify and streamline. Not taking the more compact approach to this section and others, will not advance the usefulness of the District Plan in pursuit of its function in the sustainable management of natural and physical resources.

Some of the risks associated with not reviewing the operative Corner Shopping Zone and proposing amended provisions are that:

- The opportunity to formalize commercial sites that function as local shops but currently have inappropriate zones will be missed;
- The opportunity to enable limited additional commercial land for local shopping centre purposes will be missed;
- Not enabling mixed use development would not make a positive contribution to addressing the issue of housing supply, with appropriate limits to address issues that occur in mixed use environments, such as noise;
- Not critically assessing the specific issues arising from the proposed new commercial zones (such as potential traffic issues arising from the rezoning of 1 Hansen Road) would not provide sufficient certainty that such issues would be appropriately addressed;
- Opportunities to intensify within the zone, where appropriate, may be missed.

The level of certainty and information available to the Council is considered sufficient for it to make a reasonable decision.

References

General

Review of District Plan Business Zones Capacity and Development of Zoning Hierarchy undertaken by McDermott Miller Strategies Limited & Allan Planning & Research Limited (November 2013) [Link](#)

Peer Review of the McDermott Miller report (January 2014) prepared by McDermott Consultants Ltd [Link](#)

Cardrona Valley Road

Wanaka Structure Plan Review (2007) [Link](#)

McDermott Consultants Retail Assessment – Cardrona Valley Road Commercial (March 2014) [Link](#)
Patterson Pitts, Bartlett Consulting – Access and Infrastructure Assessment – Cardrona Valley Road (2015) [Link](#)

Cardrona Valley Road Final Layout doc (2015) [Link](#)

Hawea

Hawea Community Plan 2003 [Link](#)

Insight Economics – Hawea Commercial Rezoning Assessment (February 2015) [Link](#)

1 Hansen Road, Frankton

Tim Kelly Transportation Planning Preliminary Traffic Assessment (July 2015) [Link](#)

Appendix 4. Section 32AA Evaluation

Appendix 4

Section 32AA Assessment

This evaluation assesses the costs, benefits, efficiency, and effectiveness of the various new (and, where of significance, amended) policies and rules that are being recommended in the s42A report.

The relevant provisions from the revised chapter are set out below, showing additions to the notified text in underlining and deletions in ~~strike-through~~ text (ie as per the revised chapter). The section 32AA assessment then follows in a separate table underneath the provisions.

Recommended New Policies 15.2.1.4 & 15.2.1.5, new Rules 15.4.6 & 15.5.9, and amendments to the notified Rule 15.5.4

New Policy: 15.2.1.4

Avoid individual retail activities exceeding 300m² gross floor area and individual office activities exceeding 200m² gross floor area that would adversely affect the:

15.2.1.4

- a. retention and establishment of a mix of activities within the local shopping centre;
- b. role and function of town centres and commercial zones that provide for large scale retailing; and
- c. safe and efficient operation of the transport network.

15.2.1.5 Restrict identified retail activities to ensure that the role and function of town centres as the District's principal centres of retailing activity is not threatened.

New Activity: insert into Activity Table 15.4

15.4.6

	<u>Appliance Stores, Electronic and Electrical Goods Stores, Fashion Stores, Furniture and Floor Covering Stores</u>	NC
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15.5.4 Amendments to the Notified Version of Rule 15.5.4:

	<p>Development of 1 Hansen Road</p> <p>The following additional standards shall apply to development in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33):</p> <ul style="list-style-type: none"> (a) The total gross floor area dedicated to retail uses shall not exceed 4000m², with no individual tenancy larger than 700m² and no more than 10 retail tenancies across the site in total; (b) The total gross floor area dedicated to office uses shall not exceed 3000m²; (c) No retail or office activities (aside from those ancillary to permitted uses) shall take place until an upgrade of the intersection between Hansen Road and State Highway 6 has occurred; 	D
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	<p>(d) The total number of residential units (for the purposes of this rule, this shall include residential flats) shall not exceed 50 units;</p> <p>(e) There shall be no vehicle access directly onto the State Highway;</p> <p>(f) Buildings shall be set back a minimum distance of 6m from the boundary with the State Highway; and</p> <p>(g) Buildings shall be set back a minimum distance of 4m from the boundary with Frankton Cemetery.</p>	
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New Standard – insert into notified Table 15.5:

<u>15.5.9</u>	<p><u>Retail and Office activities:</u></p> <p><u>a. Retail activities shall not exceed 300m² gross floor area</u></p> <p><u>b. Office activities shall not exceed 200m² gross floor area</u></p>	<u>NC</u>
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The changes will place limitations on the scale and types of retail activities enabled in the LSCZ. This will reduce the variety of retail activities offered as a permitted activity in the LSCZ, which may impact on the economic viability of the Zone. These effects are, in my view, lessened due to the broad range of activities that would still be enabled in the zone as permitted activities. • The non-complying status for breaches to the GFA thresholds sets a rigorous test, which may result in increased time and financial costs for applicants drafting resource consent applications. 	<ul style="list-style-type: none"> • The change gives better effect to the notified Zone Purpose (15.1), Objective 15.2.1, and Policies 15.2.1.1 and 15.2.1.2. • The LSCZ will still fulfil its intended function set out in the Zone Purpose of the Notified Version, which includes providing small scale convenience retailing that meets local needs. • The change provides better safeguards to ensure that the role and function of town centres as the principal provider of retailing is not threatened by retailing in the LSCZ. These safeguards also apply insofar as the potential effects on other commercial areas that specifically provide for large format retailing. • The non-complying status for breaches of the proposed rules sets a rigorous test and sends a clear signal as to the types of retailing that is 	<ul style="list-style-type: none"> • The change is more effective and efficient than the notified version as it better implements the relevant notified objectives and policies. It also provides very clear guidance as to the scale and types of retailing that are, in my view, appropriate for the LSCZ. • More effective use of LCSZ land to meet the needs of the community, particularly in terms of the discouragement of large format retail activities that do not serve a convenience purpose. • More effective protection of the Wanaka Town Centre Zone retail viability and Three Parks Zone. • The non-complying activity status is more likely to be effective at discouraging inappropriate activities.

	<p>appropriate for the LSCZ.</p> <ul style="list-style-type: none"> Removing the bespoke limits on retailing from notified Rule 15.5.4(a) streamlines the provisions and reduces their complexity. This change also acknowledges it is appropriate to apply limits across all sites within the LSCZ, rather than just sites that have constraints due to traffic considerations. 	
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Recommended Amendments to:		
<ul style="list-style-type: none"> Policy 15.2.2.5 Rule 15.4.2 		
15.2.2.5	Control the design and appearance of verandas so they integrate well with the buildings they are attached to, <u>and complement the overall streetscape and do not interfere with kerbside movements of high-sided vehicles</u> , while providing appropriate cover for pedestrians.	
15.4.2	<p>Verandas, in respect of:</p> <ul style="list-style-type: none"> Design; Materials; External appearance; and The impact on, and relationship to, adjoining verandas; <u>and</u> <u>The enabling of unobstructed kerbside movements of high-sided vehicles.</u> 	C

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> May result in increased costs to applicants due to additional design/building costs. 	<ul style="list-style-type: none"> Ultimately the changes will ensure that verandas do not interfere with vehicle movements, which will have a positive effect on traffic and pedestrian safety. <p>The change to the rule provides further specificity the notified version of the matter of control. This provides Plan users greater certainty as to the requirements of the rule.</p>	<ul style="list-style-type: none"> The changes will increase the effectiveness and efficiency of the notified provisions by ensuring that kerbside vehicle movements are considered in the assessment of resource consents for verandas.

Recommended Amendments to Policy 15.2.3.2

Require acoustic insulation for critical listening environments (including residential activities and visitor accommodation) to:

- a. limit the impact of noise generated within the Zone on occupants; and, where relevant
- b. limit the reverse sensitivity effects on Queenstown Airport for buildings within the Queenstown Airport Outer Control Boundary.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • The change acknowledges that a portion of the LSCZ is within the OCB, providing clarity regarding the purposes of the acoustic requirements in those areas. • The notified version of the LSCZ includes acoustic insulation and ventilation requirements that do not need further adjustment to give effect to the amended policy. 	<ul style="list-style-type: none"> • The change is minor and simply acknowledges that a portion of the LSCZ is within the OCB. In my view it increases the effectiveness and efficiency of the policy by specifying the purpose of the acoustic requirements for sites within the OCB.

Recommended Amended Rule 15.5.1

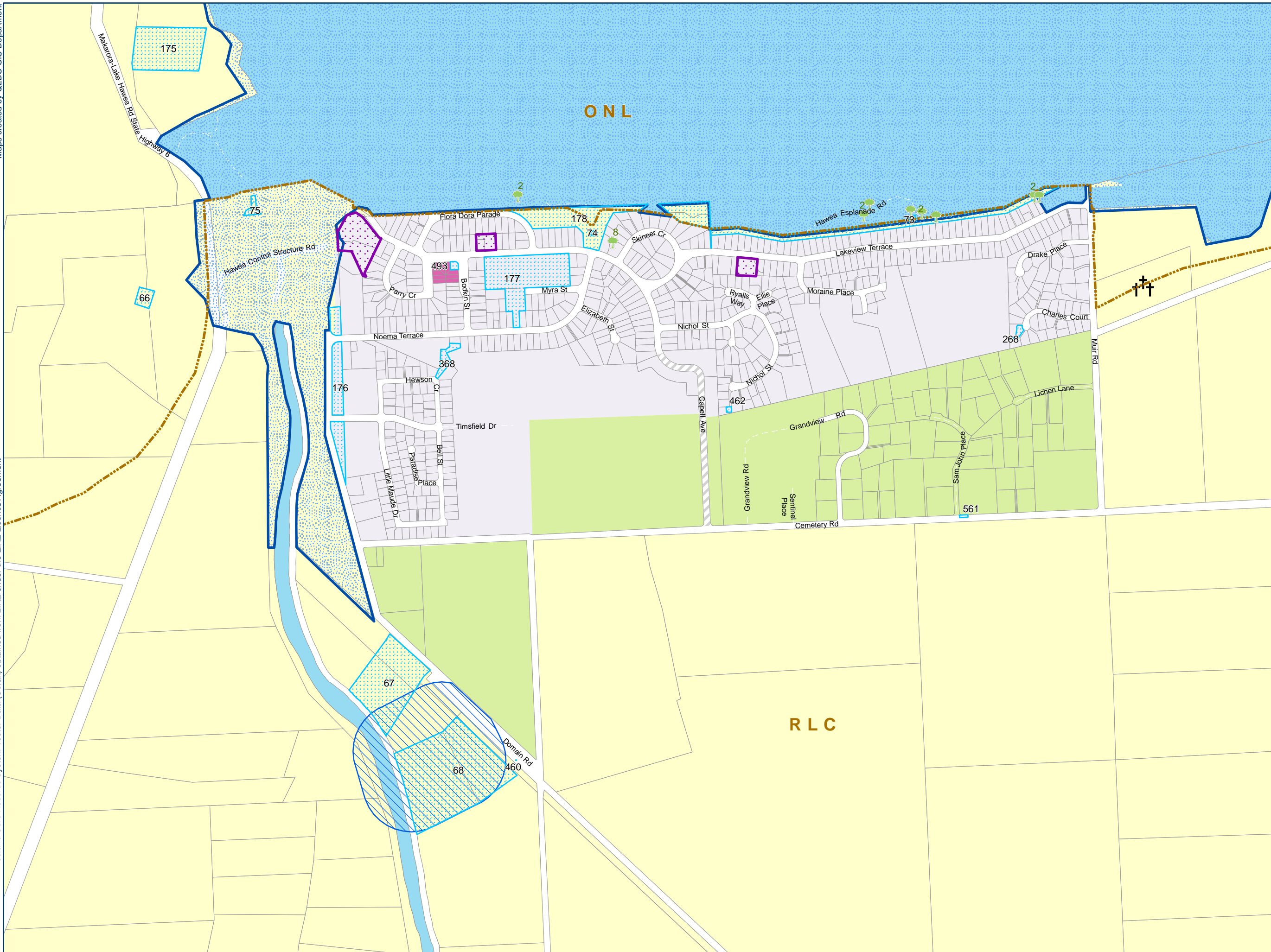
15.5.1	Building Coverage	RD*
	<p>Maximum building coverage - 75%.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The effects on the quality of the overall streetscape; and • The ability to meet outdoor storage requirements. <p>Except that in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33) the maximum building coverage shall be 50% with discretion restricted to the above matters and:</p> <ul style="list-style-type: none"> • <u>The traffic effects of additional building coverage, including the effects on the State Highway, particularly with particular regard to the intersection between Hansen Road and State Highway 6.</u> 	

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Cost to applicants who breach the building coverage rule and might require a transportation generation assessment irrespective of the type of land use associated with the site coverage breach, • Cost to applicants who seek to establish high traffic generating activities. 	<ul style="list-style-type: none"> • The change would ensure that the effects on the State Highway and wider roading network are considered for breaches of site coverage on the 1 Hansen Road site. 	<ul style="list-style-type: none"> • The change is more effective and efficient than the notified version as it clarifies that effects on the State Highway are a matter to be considered for site coverage breaches on the 1 Hansen Road site.

Recommended Amended Rule 15.6.2.2
<p>15.6.2.2 Building coverage, except for applications to exceed permitted building coverage between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33) with any notification limited to road controlling authority.</p>

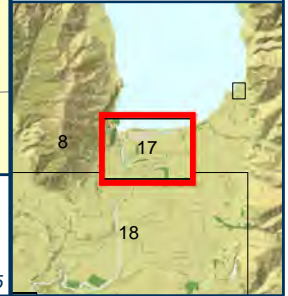
Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • The time and financial costs for consultation and/or notification and hearings for site coverage breaches on the 1 Hansen Road site. 	<ul style="list-style-type: none"> • As the effects on the State Highway are specifically listed as a matter of control for breaches of site coverage on the 1 Hansen Road site (Notified and Recommended Revised Version of Rule 15.5.1), it is appropriate that the opportunity for consultation with the NZTA should be enabled. • Consultation with the NZTA provides the opportunity for the impact on the State Highway to be thoroughly interrogated 	<ul style="list-style-type: none"> • The change is more effective and efficient than the notified version as it provides the opportunity for input from the NZTA for breaches of site coverage, particularly for instances where the increase in site coverage increases the development capacity of the 1 Hansen Road site, which may in turn increase traffic volumes.

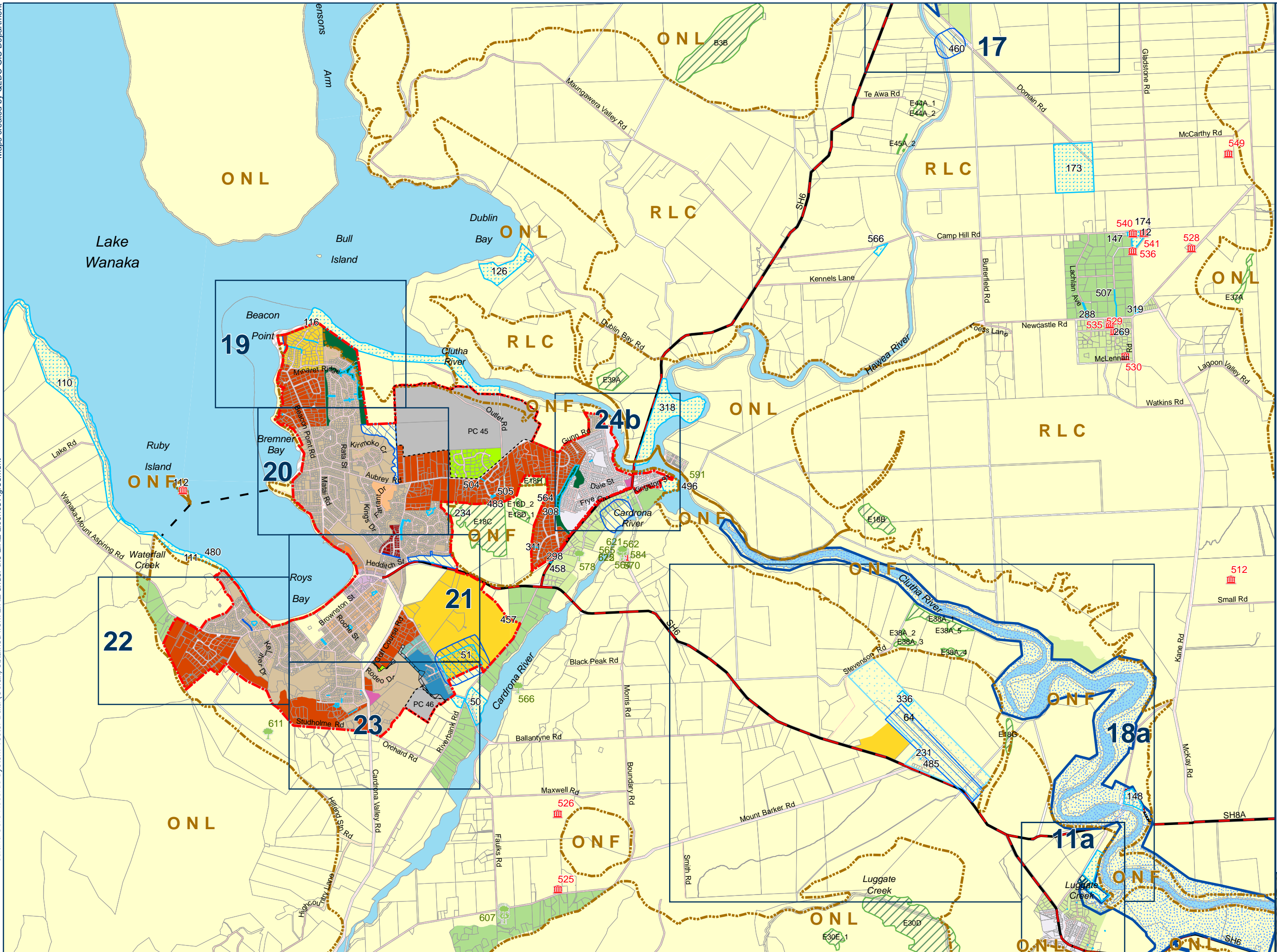
**Appendix 5. Proposed District Plan Maps showing the areas of the
LSCZ**



- Legend**
- Open Cemetery
 - Protected Tree
 - Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Unformed Roads
 - Designated Areas
 - Visitor Accommodation Sub-Zone
 - Building Restriction
 - Hydro Generation Zone (Operative)
 - Local Shopping Centre
 - Townships (Operative)
 - Rural
 - Rural Residential
 - Water

17





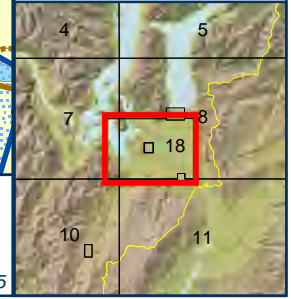
- Legend**
- Historic Heritage Features
 - Protected Tree
 - Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Roads
 - State Highways
 - Significant Natural Area
 - Unformed Roads
 - Designated Areas
 - Building Restriction
 - Rural Industrial Sub-Zone
 - Potential Open Space (Stage 2 DP Review)
 - Plan Change Boundary
 - Hydro Generation Zone (Operative)
 - Industrial B Zone (Operative)
 - Rural General (Operative)
 - Rural Residential (Operative)
 - Medium Density Residential
 - Local Shopping Centre
 - Low Density Residential
 - Business Mixed Use
 - High Density Residential
 - Large Lot Residential
 - Townships (Operative)
 - Town Centres
 - Industrial A Zone (Operative)
 - Rural
 - Rural Residential
 - Rural Lifestyle
 - Open Space Zone
 - Special Zones
 - Water

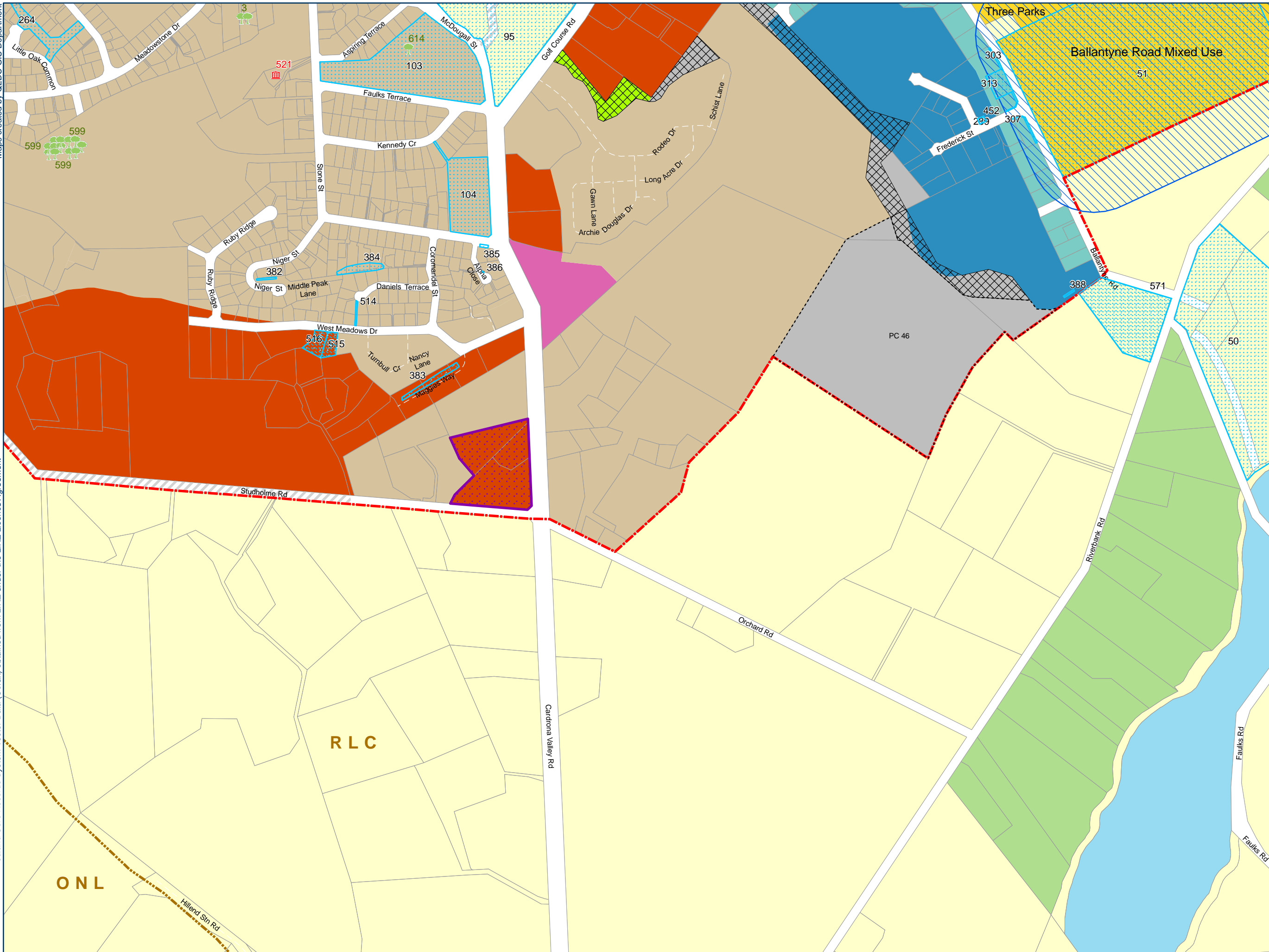


Proposed District Plan Map 18 - Wanaka Rural, Hawea Flat



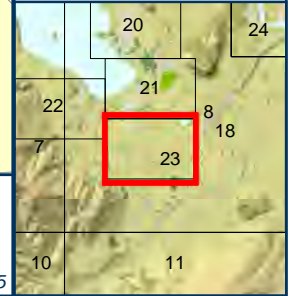
Date Published: 26/08/2015





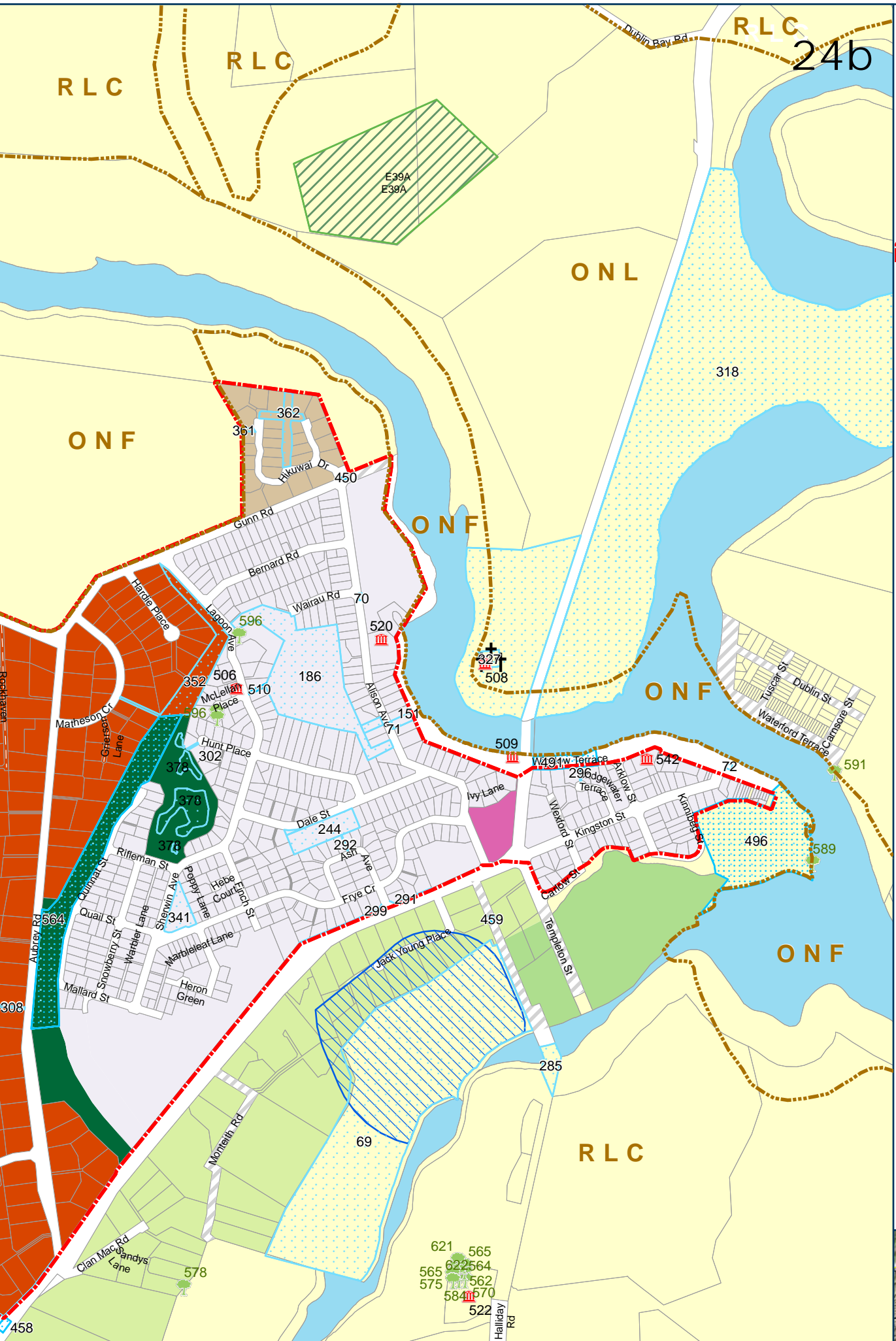
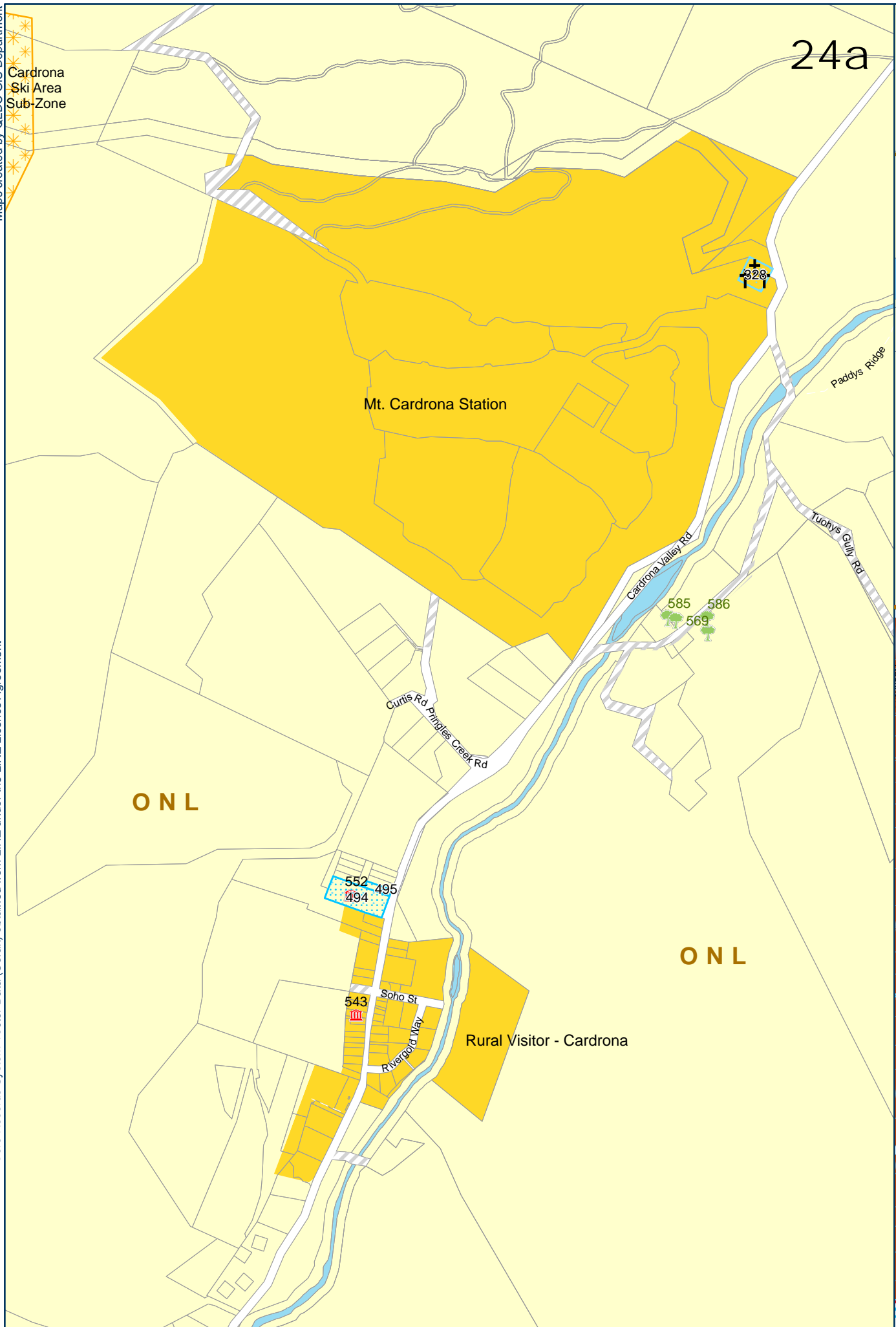
- Legend**
- Historic Heritage Features
 - Protected Tree
 - Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Unformed Roads
 - Designated Areas
 - Visitor Accommodation Sub-Zone
 - Building Restriction
 - Potential Open Space (Stage 2 DP Review)
 - Plan Change Boundary
 - Industrial B (Operative)
 - Rural General (Operative)
 - Rural Residential (Operative)
 - Low Density Residential
 - Large Lot Residential
 - Local Shopping Centre
 - Industrial A Zone (Operative)
 - Rural
 - Rural Residential
 - Rural Lifestyle
 - Special Zones
 - Water

23



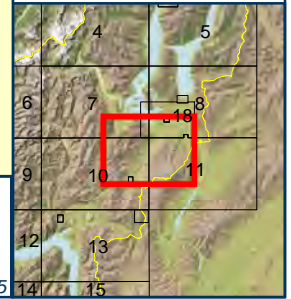
Proposed District Plan Map 23 - Wanaka

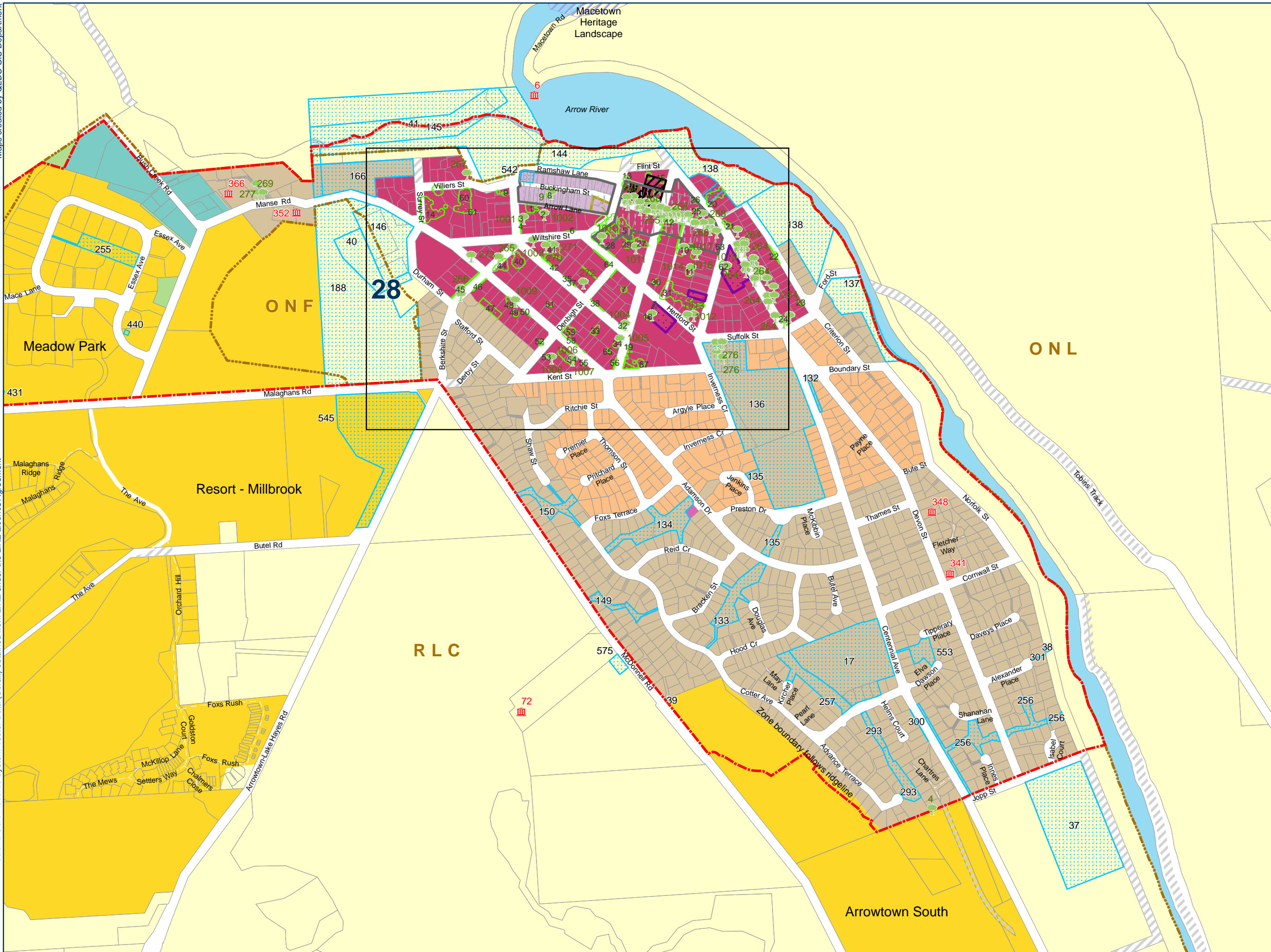




- Legend**
- Protected Tree
 - Open Cemetery
 - Historic Heritage Features
 - Parcel / Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Significant Natural Area
 - Special Zone
 - Unformed Roads
 - Designation
 - Building Restriction
 - Low Density Residential
 - Large Lot Residential
 - Local Shopping Centre
 - Townships (Operative)
 - Rural
 - Rural Residential
 - Rural Lifestyle
 - Open Space Zone
 - Water

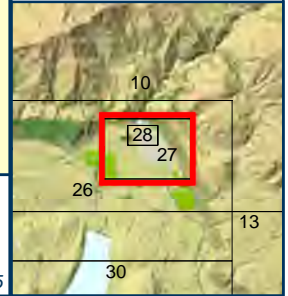
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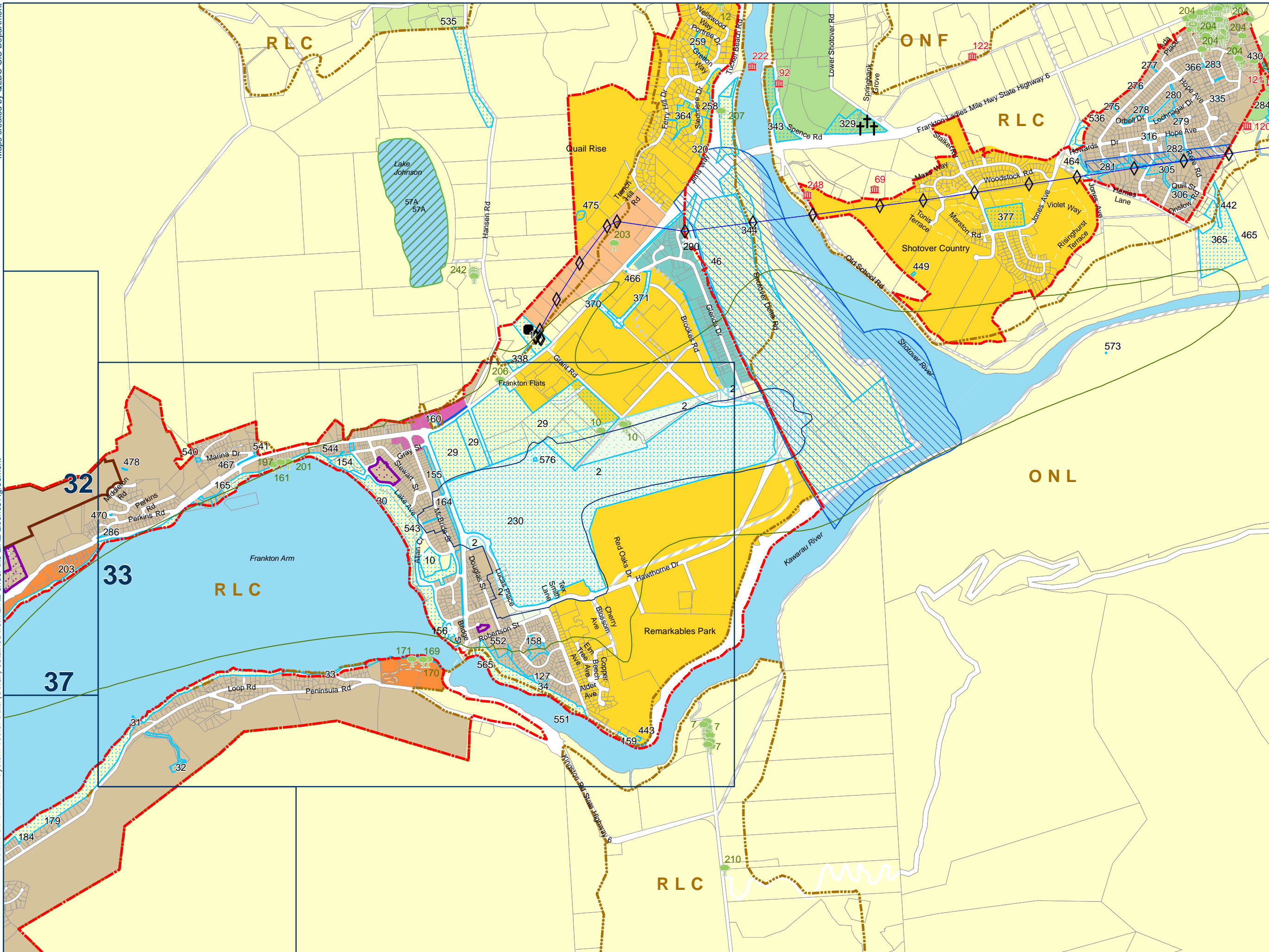




- Legend**
- Historic Heritage Features
 - Protected Tree
 - Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Arrowtown Character Tree
 - Heritage Landscape
 - Unformed Roads
 - Historic Heritage Precinct
 - Designated Areas
 - Visitor Accommodation Sub-Zone
 - Heritage Protection Order
 - Town Centre Transition Overlay
 - Medium Density Residential
 - Low Density Residential
 - Town Centres
 - Local Shopping
 - Arrowtown Residential Historic Management Zone
 - Zone
 - Rural
 - Rural Lifestyle
 - Special Zones
 - Water

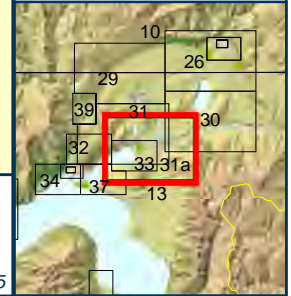
27





- Legend**
- Transpower AC Substation
 - ◇ Transpower Pylons
 - ††† Open Cemetery
 - Historic Heritage Features
 - 🌳 Protected Tree
 - Transmission Corridor
 - ▭ Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Queenstown Airport Air Noise Boundary (Ldn65)
 - Queenstown Airport Outer Control Boundary (Ldn65)
 - ▨ Significant Natural Area
 - ▨ Unformed Roads
 - Queenstown Heights Overlay Area
 - ▨ Designated Areas
 - Visitor Accommodation Sub-Zone
 - ▨ Building Restriction
 - Medium Density Residential
 - Low Density Residential
 - High Density Residential
 - Local Shopping Centre
 - Airport Mixed Use Zone
 - Industrial A Zone
 - Rural
 - Rural Residential
 - Rural Lifestyle
 - Special Zones
 - Water

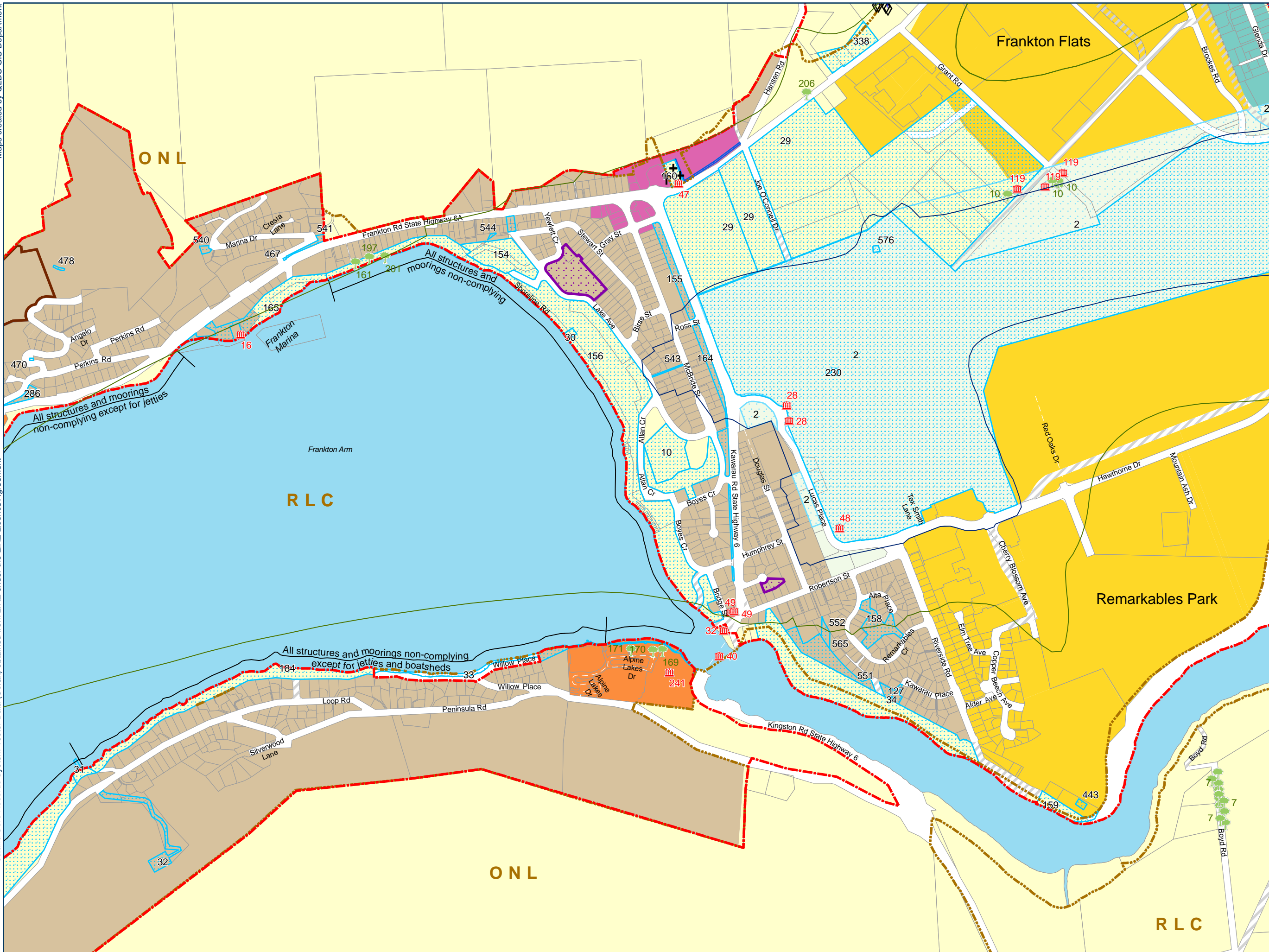
31a



Proposed District Plan Map 31a - Queenstown Airport

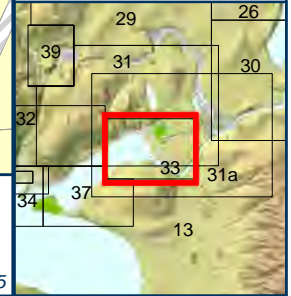


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- Legend**
- Transpower Pylons
 - Open Cemetery
 - Historic Heritage Features
 - Protected Tree
 - Transmission Corridor
 - Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Queenstown Airport Air Noise Boundary (Ldn65)
 - Queenstown Airport Outer Control Boundary (Ldn65)
 - Unformed Roads
 - Queenstown Heights Overlay Area
 - Designated Areas
 - Visitor Accommodation Sub-Zone
 - Building Restriction
 - Medium Density Residential
 - Low Density Residential
 - High Density Residential
 - Local Shopping Centre
 - Airport Mixed Use Zone
 - Industrial A Zone (Operative)
 - Rural
 - Special Zones
 - Water

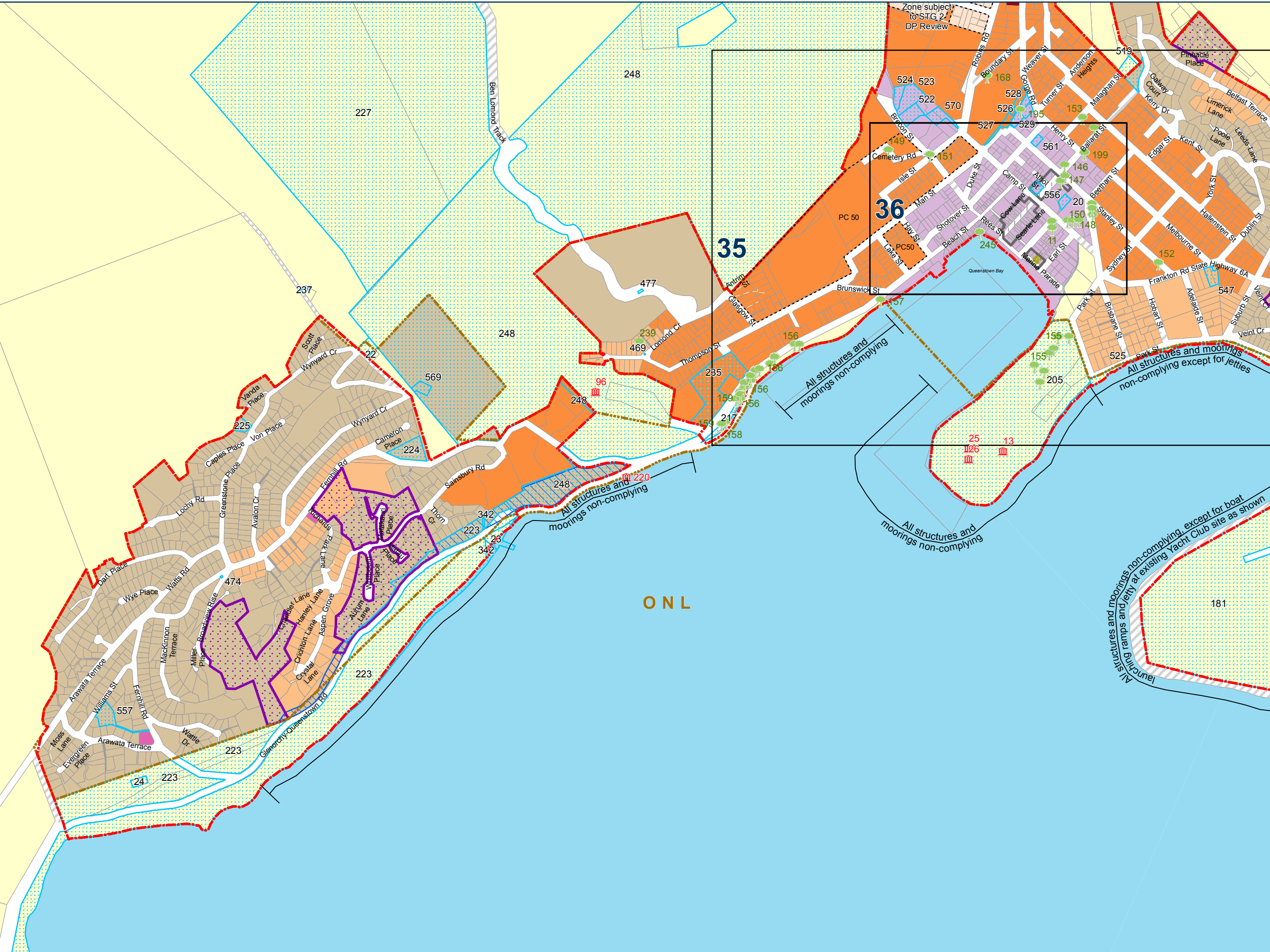
33



Proposed District Plan Map 33 - Frankton

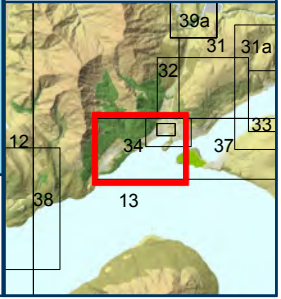


Date Published: 26/08/2015



- Legend**
- Historic Heritage Features
 - Protected Tree
 - Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Unformed Roads
 - Historic Heritage Precinct
 - Designated Areas
 - Visitor Accommodation Sub-Zone
 - Building Restriction
 - Heritage Protection Order
 - Plan Change Boundary
 - High Density (Operative) Residential
 - Medium Density Residential
 - Low Density Residential
 - High Density Residential
 - Town Centres
 - Local Shopping Centre
 - Rural
 - Water

34



Proposed District Plan Map 34 - Fernhill and Sunshine Bay



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