

Further Submission on Proposed Te Pūtahi Ladies Mile Zone Variation

Details of the Submitter

- (1) Ladies Mile Property Syndicate (the Submitter) made a submission (**OS77**) on the Variation to the Proposed Queenstown Lakes District Plan – Te Pūtahi Ladies Mile Masterplan (**the Proposed TPLM Variation**).
- (2) This is a further submission by the Submitter on the Proposed TPLM Variation under Clause 8 of Schedule 1, Resource Management Act.
- (3) The Submitter has an interest in the Proposed TPLM Variation that is greater than the interest than that of the general public.
- (4) The Submitter owns 4.5 hectares of land at 497 Frankton-Ladies Mile Highway, located within proposed Sub-Area E of the Te Pūtahi Ladies Mile Structure Plan.
- (5) The address for service of this further submission is:

Ladies Mile Property Syndicate Ltd

Barker & Associates

PO Box 1986

Shortland Street

Auckland

Attn: Gerard Thompson

Email: gerardt@barker.co.nz

The Further Submission

- (6) The Submitter's further submissions, reasons for submissions and decisions sought are set out in **Appendix 1** (attached).
- (7) In addition to the specific reasons set out in **Appendix 1**, the relief sought by the Submitter in this further submission:
 - (a) will promote sustainable management of resources and achieve the purpose and principles of the Resource Management Act 1991 (**RMA**);
 - (b) represents the most appropriate way to achieve the objectives of the Proposed District Plan and Proposed TPLM Variation, in terms of section 32 of the RMA;
 - (c) will assist the Council in carrying out its statutory duties under the RMA including the integrated management of the effects of the use, development, or protection of land; and
 - (d) will give effect to the National Policy Statement on Urban Development.
- (8) The submitter wishes to be heard in support of this further submission.
- (9) The submitter intends to address their specific areas of interest, but would consider presenting a joint case on areas of shared interest and position at the proposed hearing.

Dated: Thursday 3 August 2023

On Behalf of Ladies Mile Property Syndicate

Ian Bayliss:

A handwritten signature in blue ink, appearing to read 'Ian Bayliss', with a long horizontal stroke extending to the right.

Senior Associate
Barker & Associates

Further Submission on Proposed Te Pūtahi Ladies Mile Zone Variation

| Name of Original Submitter (and Submission Number) | Submission Point | Decision requested by Original Submitters | Further Submitter support/oppose | Reason for Further Submitter support/opposition | Decision Sought by Further Submitter |
|-------------------------------------------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------------------------------------------------------------------------|--------------------------------------|
| Sanderson Group and Queenstown Commercial Ltd | OS93.17 | That Rule 49.5.15 (consistency with the Structure Plan) be amended as follows: Development shall be consistent <u>generally in accordance</u> with the Structure Plan at 49.8, <u>including</u> that: <u>d. The location of the eastern portion of Collector Road Type A may be replaced by the existing paper road to the north.</u> <u>e. The location and extent of the Community Park may be varied.</u> | Support | The Submitter supports and seeks to be involved in any future process | Accept the relief in part |
| | OS93.19 | That Rule 49.5.18.1 (Recession Planes be amended such that a 60-degree recession plane is applied from all boundaries, as follows: Recession Plane 49.5.18.1 Buildings shall not project beyond the following: In the Medium Density Residential Precinct, <u>a 60-degree recession plane measured 4m above the boundary</u> a. Northern boundary: A 55-degree recession plane measured 2.5m above the boundary; b. Western and Eastern boundaries: A 45-degree recession plane measured 2.5m above the boundary c. Southern boundary: A 25-degree recession plane measured 2.5m above the boundary. | Support in part | The Submitter supports and seeks to be involved in any future process regarding these controls | Accept the relief in part |
| | OS93.27 | That Rule 49.5.29.2 (Maximum building length in the High Density Residential Precinct) be deleted. | Support in part | The Submitter supports in part and wishes to address the implications for density. | Accept the relief in part. |

| | | | | | |
|-----------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Threepwood (OS33) | OS33.5 | That, whilst opposed to the Variation in its current form, the submitter recognises the need for additional housing and amenities within the masterplan area and is open to working with the QLDC to achieve a workable solution for wastewater and stormwater management, and an active travel link. | Support in part | The Submitter supports and seeks to be involved in any future process involving solutions for stormwater management. | Accept the relief in part |
| Department of Conservation (OS44) | OS44.1 | That the proposed Variation is not approved unless or until there is adequate offsetting and/ or compensation for the loss of bird habitat, and provision for a consolidated stormwater management approach. | Oppose | <p>The Submitter seeks to be involved in the provision of stormwater management solutions but opposes the basis for requiring offsetting and/or compensation for loss of bird habitat on rural lifestyle block land on the urban fringe with little in the way of obvious value for indigenous biodiversity.</p> <p>The current zoning of the area is Rural Lifestyle, which enables more intensive development than currently exists on Ladies Mile that would also significantly reduce the availability of land through the construction of buildings, roads, domestic landscaping and an increase in activity and predators. Further, the ecological reports (included as part of the notified Variation) do not confirm</p> | Decline the relief |

| | | | | | |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| | | | | what contribution the open paddocks of Ladies Mile make to bird habitat as they nest and forage in the braided river to the south west predominantly. | |
| OS44.4 | That the Variation is not approved unless or until off- site monitoring and effects management measures have been developed and confirmed in relation to native bird species. These could include stand-alone measures, and/or collaboration with, or support for, existing community initiatives | Oppose | <p>The requirement for off-site monitoring and/or effects management measures as part of the Variation is opposed.</p> <p>The effects of urbanisation on bird habitat is a wider issue and the plan change should not be contingent on extraordinary monitoring requirements.</p> <p>In addition it is unclear how effects on native bird populations could be monitored and attributed to the development of Te Pūtahi Ladies Mile as distinct from development in the vicinity of the Lower Shotover area more generally.</p> | Decline the relief | |

| | | | | | |
|-----------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| | OS44.6 | That an additional matter of discretion be inserted into Rule 27.7.8.1 as follows, or wording to like effect: "x. ecological and natural values" | Oppose | Te Pūtahi Ladies Mile is proposed to be a high density area, with some of the highest density development in New Zealand. Requiring consideration and compensation of effects on ecological and natural values would not support achieving the levels of density required and proposed through this plan change. | Decline the relief |
| | OS44.7 | That an additional assessment matter be added to 29.9.8.1 as follows, or wording to like effect: "x. the extent to which the subdivision protects, maintains or enhances indigenous biodiversity, including through offsetting or compensation." | Oppose | Requiring offsetting and ecological compensation would undermine the intent of the Plan Change, particularly since the loss of foraging habitat in this instance is large open fields that cannot be replaced with trees or other urban vegetation. | Decline the relief |
| Glenpanel Development Ltd (OS73) | OS73.4 | That the generally over- prescriptive nature of the Variation is opposed. | Support | These submissions support the general direction and amendments sought by the Submitter. | Accept the relief to the extent it is consistent with what is sought by the Submitter. |

| | | | | | |
|-----------------------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| | OS73.5 | That the development triggers relating to road access into Ladies Mile from SH6, and Lower Shotover Road are opposed. | | | |
| | OS73.6 | That the location of the Collector Road type A is opposed. | | | |
| | OS73.8 | That the layout of Open Space is opposed. | | | |
| | OS73.11 | That the density in the Medium Density Residential Precinct be set at a minimum of 25- 30 units per hectare. | | | |
| | OS73.14 | That flexibility is enabled for the collector road or alternative roading and access connections which achieve positive outcomes. | | | |
| | OS73.42 | That Rule 49.5.50 (Staging development to integrate with transport infrastructure) is deleted. | | | |
| Lake Hayes Estate Community Association | OS79. | That the Variation is placed on hold, OR a deferred zoning is applied until there is a guarantee that the traffic solutions will be achieved; the Ministry of Education has committed to constructing secondary and primary schools; community facilities and affordable housing are committed to; and that inclusionary zoning will apply to the Zone. | Oppose | Greater availability of affordable housing would be achieved by having an efficient plan framework to allow the Ladies Mile to be developed for homes than introducing the highly uncertain inclusionary | The relief sought is opposed. |

| | | | | | |
|-----------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| | | | | zoning proposals into this challenging plan variation. | |
| Ministry of Education | (OS86.12) | That Rule 49.5.16 (Density) be amended as follows: ...gross developable area of a site means the land within the site shown on the Structure Plan, excluding ... c. <u>Stormwater Management Areas and Swales.</u> | Accept the relief in part. | The Submitter supports in part and wishes to address the implications for density. | The Submitter supports in part and wishes to address the implications for density. |
| Waka Kotahi (OS104) | OS104.1 | That the proposal is supported in principle as the vision and principles set out in the Transport Strategy are consistent with the outcomes sought by Waka Kotahi. | Support | These submissions support the general direction and amendments sought by the Submitter. | Accept the Relief |
| | OS104.3 | That Policy 27.3.24.6 (is amended to read as follows: "Avoid development where specific transport infrastructural works in Rules 49.5.10, 49.5.33, 49.5.50 and 49.5.56 have not been completed, unless it can be demonstrated that development will avoid future and cumulative adverse effects from additional traffic movements on State Highway 6. " | Oppose | The Submitter does not support any requirement to construct the underpass prior to development occurring. The Submitter considers that Policy 27.3.24.6 should allow flexibility should it be demonstrated that specific infrastructural works are not required. | Decline the relief |

| | | | | |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| OS104.14 | <p>That Policy 49.2.6.5 is amended to read;</p> <p>"Avoid development where specific transport infrastructural works have not been completed, unless it can be demonstrated that development will avoid future and cumulative adverse effects from additional traffic movements, particularly at weekday daily peak periods on State Highway 6.</p> | Oppose | <p>The Submitter opposes requirements to construct the underpass prior to development occurring. The Submitter considers Policy 49.2.6.5 should allow flexibility should it be demonstrated that specific infrastructural works are not required.</p> | Decline the relief |
| OS104.33 | <p>That the following improvements with regard to safety would be required to facilitate the development envisaged by the Structure Plan.</p> <ul style="list-style-type: none"> -Howards Drive Roundabout -Grade-separated crossing points (Howards Drive and Stalker Road vicinity) for pedestrians to achieve cross highway access to buses and schools and wider community. -Shared path connections along the highway and to the underpasses linking to the wider network. -Adequate bus stops on the highway | Accept in part | <p>These changes could potentially provide for safe pedestrian crossing without requiring the construction of an underpass. This aspect is supported by the Submitter.</p> | Accept the relief, subject to it being consistent with the outcomes sought by the submitter. |
| OS104.36 | <p>That further discussion with Council is required to provide clarity around how much on- street carparking is being provided.</p> | Support in part | <p>The Submitter supports and seeks to be involved in any future process involving parking provisions.</p> | Accept the relief, subject to it being consistent with the Submitter's relief. |

| | | | | | |
|--------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Mary Hill Ltd (OS105) | OS105.4 | That public transport providers be required to ensure a reliable, frequent and convenient public transport service, and corresponding infrastructure, in order to facilitate a modal shift. | Support | If a modal shift is going to be successful, regular, reliable and frequent public transport will be required. | Accept the relief, to the extent it is consistent with outcomes sought by the Submitter. |
| | OS105.5 | That the provisions be amended to create greater flexibility for commercial, community, and other non- residential activities throughout the HDR precinct so as to allow flexibility in design for apartment style typologies, including housing seasonal staff, offices, and gyms. | Support | These submissions support the general direction and amendments sought by the Submitter. | Accept the relief, to the extent it is consistent with outcomes sought by the Submitter. |
| | OS105.11 | That the policies requiring strict adherence to the Structure Plan are opposed | | | |
| | OS105.17 | That the provisions be amended to enable greater flexibility to ensure the developments are responsive to community demand, whilst encouraging a modal shift. | | | |
| | OS105.18 | That the building and urban design standards be simplified in order to ensure the TPLM land is able to be developed efficiently and effectively. | | | |

| | | | | |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| OS105.19 | <p>That, in addition to the specific amendments requested to Table 2 with respect to height, residential density, non-compliance activity statuses set out in Appendix B of the submission, all standards in Table 2 (Standards for activities located in the MDR Precinct and the HDR Precinct relating to building form and design outcomes), which are additional to, or more restrictive than, the Medium Density Residential Standards (in the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021) are opposed in part unless justified by further evidence and Section 32 assessment.</p> | | | |
| OS105.20 | <p>That the subdivision regime be simplified through concise objectives, policies, and assessment matters, which seek to achieve an integrated and high quality mixed urban/residential outcome for the Structure Plan area.</p> | | | |
| OS105.21 | <p>That the provisions and Structure Plan are amended in order to ensure the rezoning anticipates a realistic and feasible density and height outcome for residential development that will encourage a 'modal shift'.</p> | | | |

| | | | | | |
|--|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| | OS105.22 | That the provisions and Structure Plan are amended in order to promote the development of alternative modes of transportation (other the private vehicle usage) to complement the increased residential density enabled within the zone. | | | |
| | OS105.23 | That the provisions and Structure Plan are amended in order to ensure that the requirements for infrastructure upgrades are realistic and proportionate to the development proposed, allowing for appropriate levels of development to occur prior to construction, and ensuring that stormwater is managed appropriately across the Zone to avoid stormwater runoff impacting adjacent landowners. | | | |
| | OS105.24 | That the provisions and Structure Plan are amended in order to ensure that the affordable housing and development contribution requirements, if any, are determined through this Variation and withdrawn from the Inclusionary Housing variation, and that these provisions are realistic and equitable, taking into account the common infrastructure and community asset land indicated in the Structure Plan, such as to not dissuade affordable and efficient development of the land. | | | |

| | | | | |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| <p>OS105.25</p> | <p>That the provisions and Structure Plan are amended to include methods by which the Structure Plan restrictions on development, including infrastructure areas, protected trees, parks, amenity access areas, and recreation, are to be equitably offset/ compensated with landowners.</p> | | | |
| <p>OS105.36</p> | <p>That Policy 49.2.5.5 (renumbered by this submission to 49.2.5.4) be amended as follows:</p> <p>49.2.5.5 49.2.5.4 Avoid Visitor Accommodation and Residential Visitor Accommodation Provide for <u>seasonal and short term worker accommodation</u>, consistent with the role of the residential amenity outcomes <u>sought for the Zone.</u> in providing for the needs of local residents</p> | | | |

| | | | | |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| OS105.45 | <p>That Policy 49.2.7.11 be amended as follows: 49.2.7.11 Apply recession plane, building height, yard setback and site coverage controls as the primary means of ensuring a minimum high quality building design through provision for level of outlook, sunshine and light access, while acknowledging that through an application for land use consent an outcome superior to that likely to result from strict compliance with the controls may well be identified.</p> | | | |
| OS105.48 | <p>That Council consider including a new definition of seasonal or short term worker accommodation and/ or changes to the residential activity definition to provide for worker accommodation options.</p> | | | |
| OS105.63 | <p>That the activity status of Standard 49.5.16 (Density) be changed from Non complying to Discretionary and the rule be further amended as follows:</p> <p>Residential Density 49.5.16.1 n the Medium Density Residential Precinct, development shall achieve an average density of 40 48 residential units per hectare across the gross developable area of a the site.</p> <p>49.5.16.2 In the High Density Residential Precinct, development shall achieve an average density of 4060 – 72 residential</p> | | | |

| | | | | | |
|-----------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| | | <p>units per hectare across the gross developable area of a the site.</p> <p>For the purpose of this rule, gross developable area of a site means the land within the a site shown on the Structure Plan, excluding the following: Building Restriction areas as shown on the planning maps; Roads, Open Space, Amenity Access Areas and Landscape Buffer as shown on the Structure Plan. But including any vested or private roads, reserves, accesses and walkways not shown on the Structure Plan.</p> <p>Note: this standard only applies when a development includes residential activity. NB: The submitter reserves leave to provide evidence and/ or further submissions proposing different, including lower, average densities to those outlined above.</p> | | | |
| Winter Miles Airstream Ltd (OS94) | OS94.4 | That the minimum density is amended to 40 units per hectare. | Support | These submissions support the general direction and amendments sought by the Submitter. | Accept the Relief, to the extent it is consistent with outcomes sought by the Submitter. |
| | OS94.5 | <p>That 49.1 be amended as follows:</p> <ul style="list-style-type: none"> The High Density Residential Precinct provides for high density residential multi-unit residential multi-unit accommodation, to a density of at least 40 60 units per hectare, in locations close to areas of public open space, future transportation links, and facilities; <p>The primary Commercial Precinct is centrally located within the Zone and provides a focal point for commercial activities and amenities to serve the resident community while providing for smaller pockets of commercial activity, while ultimately not undermining the role of the commercial areas at Frankton or the Queenstown Town Centre</p> | | | |

| | | | | |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| OS94.10 | That 49.2.21 be amended to ensure that 499 Frankton – Ladies Mile Highway (legally described as Lot 2 DP 359142) is not unreasonably restricted by density limits by reducing the density to a minimum of 40 units per ha. | | | |
| OS94.11 | That 49.5.16 be amended to remove the exclusions for gross developable area. | | | |
| OS94.20 | That Objective 49.2.6 be amended as follows: Traffic generating activity Development in the Zone minimises the generation of additional <u>significant</u> vehicle trips along State Highway 6, and reduces, as far where as <u>as far where as</u> practicable, vehicle trips along State Highway 6 generated by the adjoining residential areas at Ladies Mile. | | | |
| OS94.23 | That it should be made clear that providing a pedestrian underpass is not the only way of providing a crossing of the state highway. | | | |
| OS94.31 | That 49.2.7.11 be amended to be more flexible. | | | |
| OS94.42 | That the provisions be amended to zone the land encompassing Collector Type A as legal road and provide for a land swap mechanism within the provisions. | | | |

| | | | | | |
|------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| | OS94.43 | That Rule 49.5.16 be amended to ensure that 499 Frankton – Ladies Mile Highway (Lot 2 DP 359142) is not unreasonably restricted in terms of density limits. | | | |
| | OS94.44 | That Rule 49.5.16 be amended to reduce the density to a minimum of 40 units per ha and remove the exclusion for gross developable area. | | | |
| Milstead Trust (OS108) | OS108.5 | That Rule 49.5.18.1 (Recession Planes) be amended to increase the vertical height above the boundary from which the recession plane starts and increasing the degree of recession from boundaries. | Support | These submissions are matters of interest to the Submitter and support the general direction and amendments sought. | Accept the Relief, to the extent it is consistent with outcomes sought by the Submitter. |
| | OS108.12 | That provision be made to collect development contributions to be allocated to Waka Kotahi to deliver the projects included in the Rules 49.5.10 and 49.5.33. | | | |
| | OS108.22 | That Rule 49.5.16.1 (Density) be amended by replacing 'gross developable area' with 'net developable area'. | | | |
| | OS108.23 | That Rule 49.5.16.1 (Density) be amended to decrease density. | | | |

| | | | | | |
|--|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| | OS108.33 | That 49.4.7 be amended to enable residential flats (as defined in the PDP) within the Low density Residential and Medium Density Residential precincts as a permitted activity | | | |
|--|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|