

**ANNEXURE A**

**ZJV (NZ) Limited's submission and further submission**

## Queenstown Lakes District Council

### Proposed District Plan – Stage 2 Submission Form

Clause 6 of First Schedule, Resource Management Act 1991  
FORM 2

Correspondence to:  
Attn: Submission Team  
Queenstown Lakes District Council  
Private Bag 50072  
QUEENSTOWN 9348

For office use only

Submission No:

Receipt Date:

#### 1. Submitter details:

**Full Name of Submitter:** ZJV (NZ) LIMITED (“ZJV”)  
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**Contact Person:** J Young / R Ward

#### 2. Scope of submission

**2.1 This is a submission to the Queenstown Lakes District Proposed District Plan (“PDP”) Stage 2, notified 23 November 2015**

#### **2.2 Summary and purpose of the submission:**

ZJV opposes the proposed Open Space & Recreation Zone (**OS&RZ**) and the Ben Lomond Sub-Zone (**Sub-Zone**) in its entirety because:

- The Council has not established through its section 32 assessment that there is a shortfall in supply of land that is able to be developed for informal recreation purposes in the district;
- Even if an undersupply of recreation land were established, the Council has not assessed all options across the district in an effort to identify those that are least sensitive and most appropriate for additional development;
- The Sub-Zone appears to be driven by a response to one commercial operator’s desires for further development, rather than the output of a comprehensive assessment of options for further recreation development across the district;
- The existing designation within the Ben Lomond Reserve functions effectively, enables a range of activities that are appropriate for the location and provides greater certainty than the proposed zone. For these reasons it is better than the proposed zone;
- The OS&RZ and the Sub-Zone could potentially obstruct, hinder or prevent ZJV’s existing and future commercial recreation activities for which it holds resource consent and has entered into commercial arrangements;
- The liberal controls on future development promoted within the OS&RZ and the Sub-Zone are contrary to the Ben Lomond Reserve Management Plan and inappropriate in an ONL setting;

- The zone is not supported by an adequate examination of alternatives, costs and benefits under section 32 of the Resource Management Act 1991 (**Act**).

In addition, ZJV is concerned that the OS&RZ zone and the Sub-Zone:

- do not promote sustainable or integrated management;
- do not manage the use, development and protection of natural and physical resources;
- do not avoid, remedy or mitigate adverse effects;
- do not meet the requirements under section 32 of the Act;
- are not the “most appropriate” way to achieve the purpose of the Act; and
- do not represent sound resource management practice.

ZJV seeks reinstatement of the Rural General Zone provisions contained in the operative District Plan.

In the alternative, ZJV could support the OS&RZ and the Sub-Zone if the amendments set out in this submission, and summarised below are made:

- Tighter restrictions on the level and intensity of development that can occur on the reserve through amendment to the activity tables;
- Modifications to the OS&RZ and Sub-Zone policies and rules to promote efficiency in the provisions;
- Amendment of the spatial extent of the Sub-Zone – Bobs Peak Area and the Sub-Zone – Corridor Area;
- The addition of further matters of discretion for development in the Sub-Zone – Bobs Peak Area.

ZJV generally supports the proposed Earthworks Chapter 25, insofar as it relates to the OS&RZ.

The details of the submission and the reasons for the submission are set out in Parts 3.1 – 3.4 below.

### **2.3 The specific provisions that this submission relates to are:**

- 2.3.1 Planning maps, including maps 34 and 35;
- 2.3.2 Chapter 38 – OS&RZ: sections 38.2, 38.4, 38.8;
- 2.3.3 Chapter 25 – Earthworks;
- 2.3.4 Any other provisions relevant to the purpose of this submission described in Part 2.2 above.

## **3. Submission**

### **3.1 Planning maps, including maps 34 and 35**

#### **3.1.1 Open Space and Recreation Zone, and the Ben Lomond Sub-Zone**

ZJV **SUPPORTS** the Open Space and Recreation Zone, and the Ben Lomond Sub-Zone, as shown on the planning maps, including maps 34 and 35, except in relation to the matters in 3.1.2 – 3.1.3 below.

The reason for the support is that the OS&RZ / Ben Lomond Sub-Zone is a more appropriate zoning regime for this part of Queenstown than the Rural Zone because it better reflects the existing range of commercial, commercial recreation and other activities that have established in the area; and a specialised zone is more consistent with the existing Ben Lomond / Queenstown Hill Reserve Management Plan.

The relief that ZJV seeks is the adoption of the OS&RZ / Ben Lomond Sub-Zone area, subject to the matters addressed in 3.1.2 below.

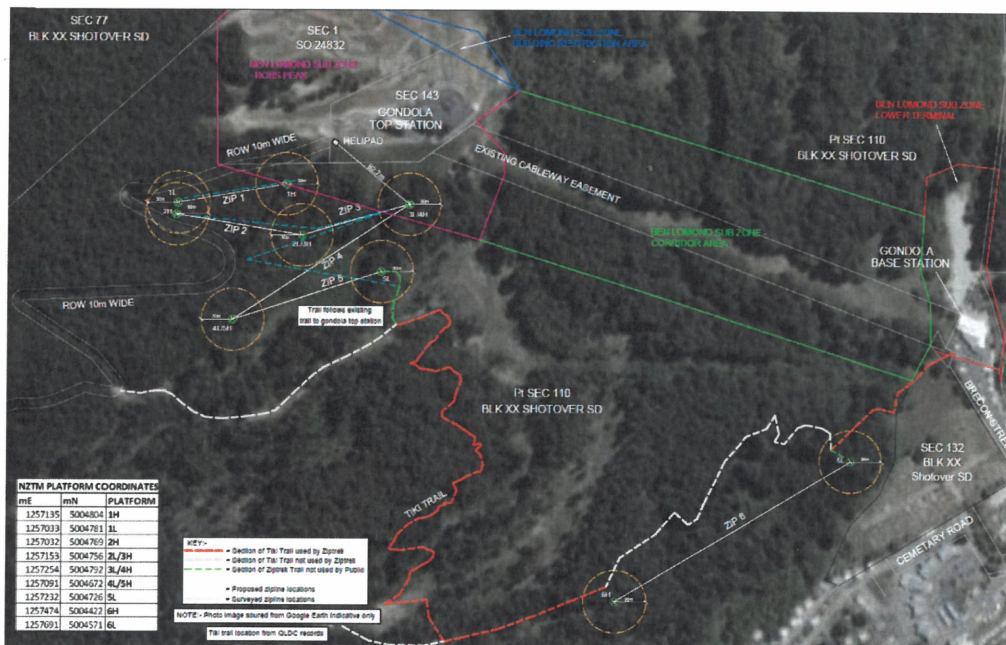
**3.1.2 Boundaries of the Ben Lomond Sub-Zone – Bobs Peak and Corridor Area**

ZJV **OPPOSES** the southern and western boundaries of:

- the Ben Lomond Sub-Zone – Bobs Peak Area; and
- the Ben Lomond Sub-Zone – Corridor Area.

The reasons for this opposition are:

- (a) The extended areas of the Ben Lomond Sub-Zone – Bobs Peak Area and the Ben Lomond Sub-Zone – Corridor Area directly impinge on land that is subject to the Council’s long-term lease to ZJV, as shown on **Figure 1** below:



**Figure 1: Location of proposed zone in relation to ZJV’s activities**

- (b) The boundaries of the extended areas are an unreasonably and unnecessarily long distance from the existing physical infrastructure and the additional upper gondola terminal footprint and widened gondola corridor as sought by Skyline Enterprises Limited in the consent application RM160647.
- (c) There is no clear section 32 evaluation that justifies the extended areas.

- (d) The extended areas are inconsistent with the Ben Lomond / Queenstown Hill Reserve Management Plan.
- (e) The activities enabled by the OP&RZ within the extended areas would have significant adverse effects on:
  - (i) ZJV's operations;
  - (ii) the wider landscape and amenity values of the reserve area.
- (f) The extended areas do not achieve the District-wide objectives and policies for open space and recreation, as follows:
  - (i) Objective 38.2.1; Policy 38.2.1.1; Policy 38.2.1.2; Policy 38.2.1.4; Policy 38.2.1.5;
  - (ii) Objective 38.2.2; Policy 38.2.2.1; Policy 38.2.2.2; Policy 38.2.2.4; 38.2.2.5; Policy 38.2.2.6;
  - (iii) Objective 38.2.3; Policy 38.2.3.1; Policy 38.2.3.2; Policy 38.2.3.3.
- (g) The extended areas do not achieve the specific objectives and policies for the Informal Recreation Zone, as follows:
  - (i) Objective 38.4.1; Policy 38.4.1.2; Policy 38.4.1.3; Policy 38.4.1.4; Policy 38.4.1.5; Policy 38.4.1.6.
- (h) The extended areas are contrary to the principles of the Act, specifically:
  - (i) Section 6;
  - (ii) Section 7(b), (c), (f) and (g).
- (i) The extended areas are contrary to the purpose of the Act.

The relief that ZJV seeks is the reduction of the area contained within the Ben Lomond Sub-Zone – Bobs Peak Area and the Ben Lomond Sub-Zone – Corridor Area, to address the matters in (a) – (i) above.

**3.2 Chapter 38: Open Space and Recreation Zone**

ZJV **SUPPORTS** Chapter 38: Open Space and Recreation Zone, subject to the modifications addressed in 3.2.1 – 3.2.5 below.

**3.2.1 Policy 38.2.1.1**

Modify this policy as follows:

<b>38.2.1</b>	<b>Objective</b>	
	...	
<b>Policies</b>	<b>38.2.1.1</b>	<i>The design, development, management and maintenance of Open Space and Recreation Zones shall provide for:</i>
		<ul style="list-style-type: none"> <li>a. <i>the needs of the community in the area in which the zones are located, and the needs of the wider community and visitors to the District;</i></li> </ul>

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

The reasons for the support and the modifications are:

- (a) The OS&RZ is an appropriate planning method for addressing the various resource management issues relating to Council-owned public areas.
- (b) In respect of planning processes and outcomes:
  - (i) the more focussed OS&RZ and sub-zones are more consistent with the relevant designations that apply in the areas subject to the OS&RZ; and
  - (ii) the OS&RZ is a more efficient method than the operative regime of relying on generic underlying zonings (such as town centre, residential, or rural) which typically do not correlate well with the activities that have established and continue to evolve within specific reserve locations.
- (c) The modifications in Policy 38.2.1.1 streamline the policy and reduce wordage and repetition, as follows:
  - (i) In clause b., the reference to multi-functional use of the zones is unnecessary because multi-functional use is addressed directly in Policy 38.2.1.2;
  - (ii) Clause (d) is unnecessary because the functionality and safety of the zones are addressed in the modified clause b., and the attractiveness is addressed broadly in Objective 38.2.2 and its policies;
  - (iii) The modifications allow the clauses in the policy to more efficiently and effectively achieve the objective.

The relief that ZJV seeks is the adoption of the modifications set out above.

### 3.2.2 Part 38.4: Objectives and policies of the Informal Recreation Zone

Modify the last paragraph of the Purpose statement as follows:

*The Informal Recreation Ben Lomond Sub Zone recognises and manages the existence and extent of commercial and informal recreation activities in the Ben Lomond Recreation Reserve. This site is of particular importance because of its close proximity to the Queenstown Town Centre and its popularity with visitors and residents. The Ben*

*Lomond Recreation Reserve is also unique in terms of the breadth of activities present, which include a gondola and restaurant, luge, Zipline **operations**, helicopter flights, parasailing, management of forestry, wildlife park and trails used for both commercial and informal recreation. Further development is contemplated where it is undertaken in a manner that is sensitive to other occupiers and users, and where it will maintain the overall landscape values, visual amenity values and recreation experiences of users of the sub zone.*

The reason for the modification is that the ZJV operation comprises a series of ziplines as well as base facilities and this should be reflected in the purpose statement.

The relief that ZJV seeks is the adoption of the modifications set out above.

### 3.2.3 Part 38.9: Rules – Activities – Table 38.1

ZJV generally **SUPPORTS** the provisions in this Activity Table insofar as they relate to the Open Space and Recreation Zone, except as set out in 3.2.4 and 3.2.5 below for the Ben Lomond Sub-Zone – Bobs Peak Area.

As a general comment, ZJV agrees with the Council's rationale for the Sub-Zone described in its section 32 report:<sup>1</sup>

*“...to recognise the existing significant levels of tourism and recreation infrastructure unique to this location and to provide for further sensitive development that takes into account the established activities at this location.”*

However, ZJV considers that the rules contained in the activity table will not sufficiently achieve this purpose. They will allow activities that go beyond “sensitive development” and they do not adequately allow for an assessment that takes into account established activities on the reserve.

In addition, it is considered that the rules will not appropriately achieve the objectives and policies for Outstanding Natural Landscapes contained in Chapter 6: Landscapes. Further expression of the relationship between the Sub-Zone provisions and Landscape provisions is sought, including how tensions between often conflicting objectives will be achieved.

While Ziptrek is generally supportive of the Restricted Discretionary activity status for most activities within the sub zone, we record the potential risk that unanticipated effects that are not identified in the matters of discretion cannot be considered. This risk gives rise to the importance of a comprehensive list of assessment criteria.

ZJV supports the proposed Rule 38.12.1, that RD activities will be publicly or limited notified, because of the high concentration of interests in a small area within the Ben Lomond Reserve.

The relief that ZJV seeks is the adoption of the provisions in Activity Table 38.1 except as set out in 3.2.4 and 3.2.5 below.

### 3.2.4 Part 38.9: Rules – Activities – Table 38.3

ZJV **SUPPORTS** the provisions in this Activity Table subject to the following modifications:

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Table 38.3	Activities and Standards for Activities in the Ben Lomond Sub Zone	Activity or Non-compliance Status
	Activity	
38.11.1	<p><b>Buildings</b></p> <p>Construction, relocation, addition or alteration of any building.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> <li>• The extent to which landscape and visual amenity values are protected;</li> <li>• Scale, intensity and cumulative effects, taking into account the open space values of the reserve;</li> <li>• <b><u>Location and external appearance of buildings;</u></b></li> <li>• <b><u>Relationship of buildings with open space;</u></b></li> <li>• <b><u>Methods of access to activities within the reserve</u></b></li> <li>• <b><u>Effects of the building and related activities on nearby reserve users and existing recreation activities;</u></b></li> <li>• <b><u>Sensitivity of the building to natural and open space values of the reserve</u></b></li> <li>• <b><u>The maintenance and enhancement of biodiversity and ecological values.</u></b></li> <li>• ...</li> </ul>	RD
	Standards	
38.11.7	<p>Building Height</p> <p>...</p> <p><b><u>d. Treehouse structures and other buildings associated with zipline operations 20m</u></b></p> <p><b><u>Discretion is restricted to the following:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Sensitivity of structure to natural and open space values of the reserve</u></b></li> <li>• <b><u>Health and Safety</u></b></li> <li>• <b><u>Landscape and Visual Amenity Values</u></b></li> <li>• <b><u>Effects on existing recreation uses</u></b></li> </ul>	RD
38.11.3	<p>Commercial recreation activity including:</p> <p>...</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> <li>• <b><u>The nature of the activity and its appropriateness in the context of the reserve</u></b></li> <li>• <b><u>Sensitivity to the natural and open space values of the reserve</u></b></li> <li>• ...</li> </ul>	RD
38.11.4	<p>Harvesting and management of existing Forestry:</p> <p>Control is reserved to the following:</p> <ul style="list-style-type: none"> <li>• <b><u>Effects on existing recreation activities and reserve users</u></b></li> <li>• ...</li> </ul>	RD



The reason for the support and amendments is that:

- (a) In relation to Rule 38.11.1:
- The location and external appearance of buildings is an important and critical determinant of the effects of the buildings on landscape values and visual amenity values, and therefore the matters of discretion should include “*The location and external appearance of buildings*”;
  - The spatial layout of buildings in public reserves such as the Ben Lomond Reserve should involve the relationship with open space and the methods of access to activities and to the reserve; and these are therefore included in the discretionary matters;
  - There are limited means of accessing Ben Lomond Reserve (by road gondola and via the track system). Discretion should include the manner in which access is gained to ensure that fair and reasonable access to the reserve is maintained for the public and current and future operators within the Zone.
  - The assessment needs to recognise that there are multiple users of the Ben Lomond Reserve, and users of neighbouring reserve areas, and therefore need to be expanded to include the “*Effects of the building and related activities on nearby reserve users*”;
  - Biodiversity and ecological values are important and can be enhanced as part of development of the reserve and the matter of discretion provides for this.
- (b) In relation to Rule 38.11.7, ZJV’s zipline operation involves tree huts and other structures built entirely within and supported by trees in the reserve. Their height can be up to 20m and the development standard should recognise this.
- (c) In relation to Rule 38.11.3, Ziptrek considers that commercial recreation activities that are developed in the reserve should be appropriate given the nature of the reserve and the fact that it is rural rather than urban in nature.
- (d) In relation to Rule 38.11.4, Ziptrek seeks amendment to ensure any harvesting of forestry will not impact its operations, which relies on tree hut structures built entirely within and supported by trees in the reserve. In addition, it is considered that harvesting trees should not impact other leisure activities that rely on the naturalness that forestry planting brings to the reserve.

The relief that ZJV seeks is the adoption of the provisions in Activity Table 38.3, subject to the modifications set out above.

### 3.2.5 Part 38.9: Rules – Activities

ZJV submits that alternative rules for the Ben Lomond Sub-Zone – Bobs Peak Area should be contemplated, in particular in relation to the buildings under Rule 38.11.1 above, as part of the OS&RZ public policy process.

The restricted discretionary status for buildings along with the no-build area and the relevant development controls (height, coverage) provide some guidance as to the appropriateness of future proposals within the Bobs Peak Area, but they are “reactive”, could lead to ad hoc outcomes, and potentially carry high transaction costs for all parties.

ZJV considers that a more proactive planning approach should be considered because the Bobs Peak Area has greater visitor numbers than most reserve areas and a range of activities – passive, active, commercial, non-commercial, high intensity and low intensity, high impact and low impact.

A proactive planning method would be to formulate a structure plan for the Bobs Peak Area. The structure plan would identify the spatial layout of buildings, activities, open space, landscaping, access, helicopter location, and common public areas. Rules could potentially provide for buildings and activities as a controlled activity if in accordance with the structure plan, thereby providing greater certainty for all users.

The structure plan formulation process would primarily involve the Council as owners and the current leaseholders in the area, as well as the Department of Conservation and interested parties. The process would take into account, for example:

- the range of activities that are appropriate in the reserve setting;
- the spatial layout of activities;
- the effects of built development, facilities and activities;
- the effects of noise and related sensitivities and reverse sensitivities, taking into account all operators;
- natural hazards;
- whether helicopters are appropriate;
- forestry;
- co-ordination and integration of the public/private realms; and
- co-ordination and integration with the Reserve Management Plan.

The relief that ZJV seeks is the initiation of a structure planning exercise, which could be facilitated through this Stage 2 PDP process, and the adoption of a structure plan and associated suite of policies and rules.

### **3.3 Chapter 25 – Earthworks**

**3.3.1** ZJV **SUPPORTS** the proposed provisions of Chapter 25 – Earthworks, insofar as they relate to the OS&RZ.

### **3.4 Part 2 and section 32 of the Act**

#### **3.4.1 Section 5**

Subject to the modifications sought in this submission, the PDP achieves the sustainable management purpose of the Act by enabling people and communities of the District to provide for their collective well-being and safety in a manner that: sustains the potential of the natural and physical resources of the OS&RZ for future generations; will continue to safeguard the life-supporting capacity of air, water, soil, and ecosystems; and will avoid or mitigate potential adverse landscape effects.

The purpose of the Act is therefore achieved by the PDP and the proposed modifications sought in this submission.

### 3.4.2 Sections 6 and 7

The modifications sought in this submission would ensure that the provisions better achieve section 6(b) of the act in relation to the inappropriateness or otherwise of the development within an Outstanding Natural Landscape.

The modifications sought in this submission are directly relevant to achieving the following matters to which particular regard must be given:

- (b) *the efficient use and development of natural and physical resources;*
- (c) *the maintenance and enhancement of amenity values;*
- (f) *maintenance and enhancement of the quality of the environment;*
- (g) *any finite characteristics of natural and physical resources;*

### 3.4.3 Summary – Part 2 of the Act

The OS&RZ, with the modifications sought in this submission, achieve the purpose and principles of the Act, for the reasons set out above.

### 3.4.4 Section 32

ZJV considers that, subject to the modifications sought in this submission:

- (a) The OS&RZ objectives are the most appropriate way to achieve the purpose of this Act; and
- (b) The OS&RZ provisions as sought to be modified by this submission are the most appropriate, practicable and most effective and efficient way for achieving the relevant objectives; and
- (c) The provisions will have benefits (from better correlating the relevant designations with the land zonings, thereby reducing potential transaction costs) and minimal costs overall; and
- (d) There is no risk of acting (by adopting the modifications sought in this submission) because there is no uncertainty or insufficient information about the subject matter of the provisions.

## 4. ZJV seeks the following decision from the Queenstown Lakes District Council:

- 4.1 ZJV seeks the OS&RZ and the Ben Lomond Sub-Zone be rejected in its entirety.
- 4.2 In the alternative, ZJV seeks the relief set out in Parts 3.1 – 3.4 of this submission.
- 4.2 ZJV seeks in the alternative any such other further and consequential amendments through a combination of objectives, policies, rules and standards provided that the intent of this submission, as set out in Parts 2 and 3 of this submission, is enabled.

ZJV **DOES** wish to be heard in support of this submission.

If others make a similar submission, ZJV will consider presenting a joint case with them at a hearing.

Signature of Submitter



Y D Young / R S Ward

*Authorised to sign on behalf of ZJV (NZ) Ltd.*

Date: 23 February 2018

Telephone: 09 9792248

**Notes to person making submission:**

If you make your submission by electronic means, the email address from which you send the submission will be treated as an address for service.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of Schedule 1 of the Resource Management Act 1991.

**The submitter could NOT gain an advantage in trade competition through this submission**

**ZJV (NZ) LTD – FURTHER SUBMISSION ON THE QUEENSTOWN LAKES DISTRICT  
COUNCIL PROPOSED DISTRICT PLAN**

Correspondence to:  
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Queenstown Lakes District Council  
Private Bag 50072  
QUEENSTOWN 9348

For office use only

Submission No:

Receipt Date:

**Submitter details:**

**Full Name of Submitter:** ZJV (NZ) LIMITED (“ZJV”)  
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**Contact Person:** J Young / R Ward

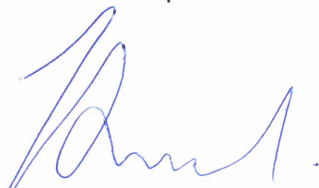
This is a further submission on the Queenstown Lakes District Council’s Proposed District Plan (PDP). ZJV (NZ) Ltd (**Ziptrek**) has an interest greater than the public generally. Ziptrek operates a commercial tourist operation on Bob’s Peak, within the Ben Lomond Reserve.

The attached table (Attachment A) is by submitter number and records the submissions that Ziptrek supports and opposes together with the reasons for each further submission.

Ziptrek wishes to be heard in respect of its further submission.

If others present a similar submission Ziptrek will consider presenting a joint case with them at the hearing.

Dated: 27 April 2018



J D Young / R S Ward  
*Authorised to sign on behalf of ZJV (NZ) Ltd.*

Telephone: 09 9792248

Sub # / Point	Sub #	Name	Topic	Provision	Summary	Ziptrek position (Support or Oppose)	In whole or in part	Reasons
2493.1	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.13 - Matters of control for controlled activities	Add matters of control for harvesting of existing forestry in the ONL.	Oppose	In whole	Support forestry harvesting remaining a Discretionary activity given the potential for significant landscape and ecological effects.
2493.2	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.1 - Purpose	That the Purpose statement is amended to identify four sub zones.	Support	In whole	Amendment improves clarity of the zone provisions.
2493.3	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.4 - Objectives and Policies - Informal Recreation Zone	Add a new Objective and six new policies applicable to the Ben Lomond Sub Zone.	Oppose	In part	<p>Support in principle a bespoke objective and set of policies to apply to the sub-zone to support the purpose and rules of the sub-zone.</p> <p>Seek the following amendments to the proposed Objective:</p> <p>38.4.2 Objective – The <del>future growth,</del> development and use of the Ben Lomond Sub-Zone as an <u>iconic destination</u> <del>Icon Destination</del> for residents, as well as domestic and international tourists is enabled subject to maintaining <u>and enhancing</u> the landscape and amenity values of the surrounding ONL.</p> <p><i>Reason: Amenity values of the reserve contribute to its success as a recreation area and should be both maintained and enhanced. The amendments sought better align the provisions with the ONL classification of the reserve and the RMA.</i></p> <p>Do not support proposed policies applying in lieu of Policies 38.4.1.1-38.4.1.5.</p>
2461.1	2461	Queenstown Commercial Parapenters	Open Space and Recreation Zone	Informal Recreation Zone: Ben Lomond Sub Zone	Removal of the building restriction area in the Ben Lomond Subzone to enable some development in the area	Support	In part	Some development may be appropriate within the building restriction area, if appropriate assessments are made to meet the objectives and policies on the zone. The exact extent of the building restriction area is unclear as currently mapped.
2461.2	2461	Queenstown Commercial Parapenters	Open Space and Recreation Zone	Informal Recreation Zone: Ben Lomond Sub Zone	That the Ben Lomond Subzone provides for permitted commercial recreation activities	Oppose	In whole	Oppose for reasons set out in Ziptrek's primary submission. A permitted activity status is not considered appropriate for commercial recreation activities. Development should be assessed against criteria in order to meet the objectives and policies of the zone.
2466.147	2466	Real Journeys Ltd	Open Space and	38.11 - Informal Recreation	That Rule 38.11.1 is amended to ensure the matters of discretion include benefits of the proposal.	Support	In whole	Benefits of a proposed development are considered appropriate considerations in an

			Recreation Zone	Zone: Ben Lomond Sub Zone				assessment against the objectives and policies of the zone.
2466.148	2466	Real Journeys Ltd	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	That Rule 38.11.3 is amended to ensure the matters of discretion include benefits of the proposal.	Support	In whole	Benefits of a proposed development are considered appropriate considerations in an assessment against the objectives and policies of the zone.
2493.4	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Amend the matters of discretion in Rule 38.11.1 (Buildings): by adding storm water disposal, and deleting the matters regarding effects on the transportation network.	Oppose	In part	Support including storm water disposal in matters of discretion.  Oppose deleting effects on transportation network from matters of discretion where they are not covered in rules contained in Chapter 27 Transportation.
2493.5	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Amend Rule 38.11.3 by making the rule applicable to commercial and commercial recreation activity, and providing for commercial recreation undertaken on land, outdoors and involving not more than 10 persons a restricted discretionary activity.	Oppose	In full	The proposed amendment significantly broadens the scope of activities that may be developed within the zone. It is considered that only commercial activities associated with recreation activities are compatible with the environment of the reserve. Oppose for reasons set out in Ziptrek's primary submission.
2493.6	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Amend Rule 38.11.5 to make parking within the lower terminal area of the Ben Lomond Sub Zone a permitted activity, instead of controlled.	Oppose	In full	Oppose to the extent that these provisions are not addressed through the Transportation Chapter. Otherwise, support.
2493.7	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Add a new rule (38.11.7) that provides for Informal Airports as a restricted discretionary activity with matters of discretion.	Oppose	In part	Support provisions to the extent that they apply for up to one Informal Airport in the reserve.  Seek addition of assessment criterion: "Effects on other users of the Ben Lomond Reserve"
2493.8	2493	Skyline Enterprises Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	Add a new rule (38.11.8) that makes buildings within the Gondola Corridor area a Non-Complying Activity.	Oppose	In part	Pursuant to the current zoning, this provision is contrary to Ziptrek's lease agreement with the QLDC. The current scale of the gondola corridor zoning far exceeds the gondola itself.
2494.145	2494	Te Anau Developments Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	That Rule 38.11.1 is amended to ensure the matters of discretion include benefits of the proposal.	Support	In full	Benefits of a proposed development are considered appropriate considerations in an assessment against the objectives and policies of the zone.
2494.146	2494	Te Anau Developments Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	That Rule 38.11.3 is amended to ensure the matters of discretion include benefits of the proposal.	Support	In full	Benefits of a proposed development are considered appropriate considerations in an assessment against the objectives and policies of the zone.

2581.147	2581	Go Orange Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	That Rule 38.11.1 is amended to ensure the matters of discretion include benefits of the proposal.	Support	In full	Benefits of a proposed development are considered appropriate considerations in an assessment against the objectives and policies of the zone.
2581.148	2581	Go Orange Limited	Open Space and Recreation Zone	38.11 - Informal Recreation Zone: Ben Lomond Sub Zone	That Rule 38.11.3 is amended to ensure the matters of discretion include benefits of the proposal.	Support	In full	Benefits of a proposed development are considered appropriate considerations in an assessment against the objectives and policies of the zone.
2466.149	2466	Real Journeys Ltd	Open Space and Recreation Zone	38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	That the entire suite of Landscape Assessment Matters are deleted.	Oppose	In full	Oppose for reasons set out in Ziptrek's primary submission. The Landscape Assessment Matters are considered entirely appropriate for an ONL and recreation reserve. Deletion of this provision is considered contrary to the RMA.
2494.147	2494	Te Anau Developments Limited	Open Space and Recreation Zone	38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	That the entire suite of Landscape Assessment Matters are deleted.	Oppose	In full	Oppose for reasons set out in Ziptrek's primary submission. The Landscape Assessment Matters are considered entirely appropriate for an ONL and recreation reserve. Deletion of this provision is considered contrary to the RMA.
2581.149	2581	Go Orange Limited	Open Space and Recreation Zone	38.15 - Landscape Assessment Matters for Discretionary and Non-Complying Activities	That the entire suite of Landscape Assessment Matters are deleted.	Oppose	In full	Oppose for reasons set out in Ziptrek's primary submission. The landscape assessment matters are considered entirely appropriate for an ONL and recreation reserve. Deletion of this provision is considered contrary to the RMA.
2618.18	2618	Queenstown Airport Corporation	Open Space and Recreation Zone	38.2 - Objectives and Policies - District Wide	That Policy 38.2.2.2 be amended to limit activities, buildings and structures to those that are " <u>compatible with the sensitivity of the surrounding environment and zones</u> "	Support	In full	It is considered appropriate to assess a proposed development against the sensitivity of its surrounding environment.
2466.123	2466	Real Journeys Ltd	38.4 - Objectives and Policies - Informal Recreation Zone	38.2.1 - Objective 1	That Policy 38.2.1.5 is amended to remove limbs (b) and (c).	Oppose	In full	Oppose for reasons set out in Ziptrek's primary submission. The matters addressed in limbs (b) and (c) are considered appropriate. Recreation and commercial recreation in the Informal Recreation Zone benefits from amenity values and these should therefore be maintained and/or enhanced. Avoiding precluding the development of new open space and recreation activities is also appropriate.
2581.123	2581	Go Orange Limited	Open Space and Recreation Zone	38.2.1 - Objective 1	That Policy 38.2.1.5 is amended to remove limbs (b) and (c).	Oppose	In full	Oppose for reasons set out in Ziptrek's primary submission. The matters addressed in limbs (b) and (c) are considered appropriate. Recreation and commercial recreation in the Informal



								Recreation Zone benefits from amenity values and these should therefore be maintained and/or enhanced. Avoiding precluding the development of new open space and recreation activities is also appropriate.
2466.124	2466	Real Journeys Ltd	Open Space and Recreation Zone	38.2.2 - Objective 2	Delete Policy 38.2.2.1.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2466.126	2466	Real Journeys Ltd	Open Space and Recreation Zone	38.2.2 - Objective 2	Delete Policy 38.2.2.2.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2466.127	2466	Real Journeys Ltd	Open Space and Recreation Zone	38.2.2 - Objective 2	Amend Policy 38.2.2.3 to remove reference to screening structures, outdoor storage and parking.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2466.128	2466	Real Journeys Ltd	Open Space and Recreation Zone	38.2.2 - Objective 2	Amend Policy 38.2.2.5 to reduce the level of environmental protection.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed. Environmental protection is considered appropriate in Open Space Zones to protect amenity and landscape values.
2494.122	2494	Te Anau Developments Limited	Open Space and Recreation Zone	38.2.2 - Objective 2	Delete Policy 38.2.2.1.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2494.124	2494	Te Anau Developments Limited	Open Space and Recreation Zone	38.2.2 - Objective 2	Delete Policy 38.2.2.2.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2494.125	2494	Te Anau Developments Limited	Open Space and Recreation Zone	38.2.2 - Objective 2	Amend Policy 38.2.2.3 to remove reference to screening structures, outdoor storage and parking.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2494.126	2494	Te Anau Developments Limited	Open Space and Recreation Zone	38.2.2 - Objective 2	Amend Policy 38.2.2.5 to reduce the level of environmental protection.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed. Environmental protection is considered appropriate in Open Space Zones to protect amenity and landscape values.
2581.124	2581	Go Orange Limited	Open Space and Recreation Zone	38.2.2 - Objective 2	Delete Policy 38.2.2.1.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2581.125	2581	Go Orange Limited		38.2.2 - Objective 2	Delete Policy 38.2.2.1.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2581.126	2581	Go Orange Limited		38.2.2 - Objective 2	Delete Policy 38.2.2.2.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.
2581.127	2581	Go Orange Limited	38.4 - Objectives and Policies - Informal Recreation Zone	38.2.2 - Objective 2	Amend Policy 38.2.2.3 to remove reference to screening structures, outdoor storage and parking.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed.

2581.128	2581	Go Orange Limited	Open Space and Recreation Zone	38.2.2 - Objective 2	Amend Policy 38.2.2.5 to reduce the level of environmental protection.	Oppose	In full	For the reasons addressed in Ziptrek's primary submission, deleting this policy is opposed. Environmental protection is considered appropriate in Open Space Zones to protect amenity and landscape values.
<b>Uncoded submission points</b>								
Submission point at paragraph 4.82-4.84	2493	Skyline Enterprises Ltd	Open Space and Recreation Zone	38.12.2	Delete notification rule which specifies that Controlled activities in the Ben Lomond Sub-Zone may require affected party approvals and / or limited notification to such parties	Oppose	In full	The notification rule is considered appropriate in a highly crowded and developed environment such as the Ben Lomond Reserve, where developments are likely to have greater than usual impacts on neighbouring businesses.