

Ruth Evans for QLDC – Summary of Evidence for Group 1A, 21 July 2017

Queenstown Mapping – Hearing Stream 13

1. I have been engaged by Queenstown Lakes District Council (**QLDC**) to provide evidence in relation to planning matters regarding zoning requests grouped as 'Queenstown Business and Industrial'.
2. A number of the submissions that I address are seeking an Operative District Plan (**ODP**) zone that has not been notified in Stage 1 of the Proposed District Plan (**PDP**).
3. I have read the Panel's minutes of 29 May and 8 June 2017 regarding submissions that have requested an ODP zone. I agree with the view of the Panel that where a submitter seeks a zone other than a notified PDP zone, there is a minimum statutory test that needs to be achieved, in that the submitter would need to show how those provisions fit within the strategic directions chapters of the PDP. I also note the Panel's advice that the Panel needs to understand the objective, policy and rule framework in order to understand the effects of the rezoning.
4. None of the submitters that have sought an ODP zone (in this case Industrial) have provided this level of detail in their submission or evidence.

Corrections

5. I wish to make the following corrections to my evidence:
 - (a) In section 5 of my s42A report at the Summary tables for submitters Williams (141), Giddens (828) and Hansen (840), delete the words '*and infrastructure network*' from the summary row of the Overall Recommendation table.

Glenda Drive

6. A number of submissions sought rezoning of properties along Glenda Drive.
7. Schist Holdings Limited and BNZL Properties Limited (488) have sought rezoning from Rural and (ODP) Industrial A to Business Mixed Use Zone (**BMUZ**). I do not consider the BMUZ to be appropriate as it could facilitate a

level of intensification and residential development that is inconsistent with the Glenda Drive industrial area, and therefore a BMUZ is not a more appropriate zone. I consider that the part of the site that has been notified as Rural would be more appropriate as industrial, given the location in an industrial area, however there is no scope for this change through this hearing, nor is there any evidence before the Panel that one of the ODP Industrial zones as currently drafted, meets the various statutory tests to justify the zone's incorporation directly into the PDP. As the second part of the site is yet to be notified, I also recommend that the Council consider notifying the entire site, at the time it reviews the Industrial zones.

8. Fletcher Distribution and Mico New Zealand Limited (344) and Reavers NZ Limited (720) have submitted that the rural zoned parts of the Placemakers site be rezoned Industrial A. I consider an industrial zone for these areas of land to be appropriate, given the existing use and location within an industrial area. Again no evidence has been provided by these submitters (nor any other submitters) that the Industrial A zone could be inserted, unchanged, into the PDP and still meet the various statutory tests. I therefore recommend that the Council initiate a change or variation during a later stage of the PDP review for this land, when the industrial provisions are reviewed.
9. Aviemore Corporation Ltd (418) have requested that their site at the airport end of Glenda Drive be rezoned to Industrial A. The site was notified with an Airport Mixed Use zone (not rural as set out in the submission). Queenstown Airport Corporation have confirmed that the airport designation is not required for this piece of land. As with the other submissions seeking Industrial A, no evidence has been provided justifying the Industrial A zone's inclusion in the PDP. However, as I consider that the land is better suited to an industrial zone than the AMUZ, I have recommended that the Council initiate a variation for this land, when the industrial provisions are reviewed. The majority of consents under the AMUZ provisions in the meantime, would be restricted discretionary.

Skyline Enterprises Limited

10. Skyline Enterprises Limited (547) (**Skyline**) have sought a Commercial Tourism and Recreation Sub-Zone (**CTRSZ**) within the Rural Zone, over land

associated with the Skyline gondola in Queenstown. For the gondola, upper terminal, restaurant, luge and associated activities, the PDP notified zone is Rural. For the lower terminal building, the notified zone is Queenstown Town Centre.

11. Skyline's proposed CTRSZ provisions contain an objective and policies, and a series of activities and standards, which generally facilitate commercial and tourism activities in the sub-zone and are more permissive than the underlying Rural zone. My s42A, and the expert landscape and transport evidence for the Council raised a number of concerns with the permissive nature of the provisions. These have since been refined by the submitter through evidence.
12. While I acknowledge that the revised provisions address some of the Council's issues, in particular with regard to landscape matters, I still have concerns about the permissive nature of the activities provided for, including that commercial and commercial recreation activities are proposed to be permitted, with no control over scale or effects. Ms Wendy Banks is concerned about the potential for adverse traffic and transport effects associated with these activities.
13. ZJV (NZ) Limited (FS1370) has raised concerns that the proposed sub-zone is not supported by a s32 analysis, that the proposed provisions are too liberal and would need to be modified significantly to recognise a broader range of activities and sensitives. This further submitter has also noted that the proposed CRTSZ is not consistent with the Reserve Management Plan, and that the planning framework for this area needs review as it does not represent what has and is occurring.
14. Given that the Skyline operations represent an existing hub of commercial and recreation activities within Queenstown that are not typical of the Rural Zone and ONL overlay, I consider this area could be distinguished at a policy level. This would be in addition to the policies in the Rural Zone chapter that provide for commercial activities, and recognise the modified nature of this part of the Rural Zone and ONL and the tourism activities that occur within this area.
15. Regarding the noise limits for helicopter landing areas within the proposed sub-zone, while I acknowledge that a higher noise limit of 60dB Ldn has been

approved by Environment Court decision *ZJV (NZ) Ltd v Queenstown Lakes District Council* [2015] NZEnvC 205, I note that this consent was granted with a five year duration and for a particular location in a particular set of circumstances. I do not consider it appropriate to transfer the higher noise limit to the PDP and for it to apply more broadly than what has been approved in the resource consent. This specific matter was also considered in the hearing on the PDP Noise Chapter.

Queenstown Town Centre

16. A number of submissions were lodged seeking to change the boundaries of the Queenstown Town Centre Entertainment Precinct (**TCEP**) and or Waterfront Sub Zone of the Queenstown Town Centre. I rely on the evidence of Ms Jones and Dr Chiles for Stream 8, that the extent of the notified TCEP is appropriate, and to expand the TCEP could result in unacceptable noise effects on residential amenity. I have not recommended any changes to the TCEP boundary.

"GEOGRAPHIC OVERLAP" SUBMISSIONS (GROUP 1A AND 1B)

1 Hansen Road

17. There were a number of submissions received on the Local Shopping Centre Zone (**LSCZ**) provisions as they apply to 1 Hansen Road. These were assessed in the s42A report for Chapter 15, but transferred to this Queenstown mapping hearing stream by a Panel minute of 2 December 2016, that directed these submissions be deferred so that the Panel could hear the submissions on the text with a better understanding of the factual situation. I continue to adopt the recommendations made by Ms Bowbyes.
18. During the hearing for Chapter 15, I understand the Panel questioned the *vires* of Rule 15.4.3.2, which required a spatial layout plan. I have proposed some amendments to this rule to ensure that consent is required for an activity (ie. a building), and that a comprehensive development plan is provided that addresses the matters of discretion.
19. At the time of drafting my s42A report there were two consents lodged over 1 Hansen Road being processed by Council. The first application has since

been approved (RM164410 on 20 June 2017) for 10 residential allotments, roading, access and balance allotments. The other consent remains on hold.

McBride Street

20. Three submissions (from Williams (141), Giddens (828) and Hansen (840)) sought the rezoning of properties ranging from 16 to 106 McBride Street from Low Density Residential (**LDR**) to a commercial or LSCZ or BMUZ.
21. Submitter evidence was provided for the Giddens and Hansen submissions that refined the relief sought by these submitters to be 16-20 McBride Street, being four properties, three of which contain some form of commercial use.
22. I have recommended to reject these rezoning requests for a number of reasons, including:
 - (a) the potential effect on the residential amenity of McBride Street from a commercial zone, and in particular the BMUZ;
 - (b) the size of LSCZ that would be created and inconsistency with the purpose of the zone;
 - (c) advice that there is sufficient commercial land in this area to meet projected demand over the next 20 years;
 - (d) potential for adverse traffic effects;
 - (e) potential for further development of Activities Sensitive to Aircraft Noise (ASAN); and
 - (f) inconsistency with Strategic Directions chapter policies.
23. Ms Kimberley Banks considers the request to rezone these properties to a higher density residential zone, and does not support the submissions on the basis of traffic and parking effects.

Frankton Marina / Frankton Road

24. Two submissions, one from De Se Properties (16) and one from Kenneth Muir (125) sought the rezoning of the Sugar Lane / Frankton Marina area from LDR to a commercial zone or BMUZ. Z Energy (312) sought that the service station opposite the Sugar Lane intersection be rezoned from LDR to Medium

Density or High Density Residential, or a consistent zoning with any rezoning of the Sugar Lane area.

25. The Sugar Lane area contains a mix of activities and does not exhibit LDR characteristics, and nor does the Z Energy site. The existing uses do not align with the purpose of the LDR zone.
26. I also do not consider that either LSCZ or BMUZ is appropriate for this area, due to the potential for significant intensification afforded by these zones (in the BMUZ in particular). Neither of these zones reflect the broad mix of existing land uses and the planned Frankton Marina. Ms Wendy Banks is also concerned about the potential adverse traffic effects associated with the proposed rezonings. Similar to my assessment of McBride Street, I do not consider the LSCZ to be appropriate in this location given the proximity to the LSCZ at Frankton.
27. In my opinion this area would benefit from a comprehensive review and possible implementation of a marine based commercial zone, or a structure plan or outline plan that considers the future of the Sugar Lane area as a whole. As no evidence has been provided by the two Sugar Lane submitters on the implementation of either commercial zone option at this location, I have recommended that the rezoning requests of these submissions be rejected. With regard to the Z Energy site, while there may be an existing commercial use on the site, this has been established via resource consent, which does not automatically mean the site should therefore have a commercial zoning.
28. Ms Kimberley Banks considers the request to rezone these properties to a higher density residential zone, concluding that the increased residential development sought would result in an inappropriate 'spot zone' and would result in adverse effects in regard to character, residential amenities and dominance.