

**FORM 5****SUBMISSION ON A PUBLICLY NOTIFIED PROPOSAL FOR PLAN  
PROPOSED QUEENSTOWN LAKES DISTRICT PLAN**

*Clause 6 of First Schedule, Resource Management Act 1991*

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**TO:** Queenstown Lakes District Council ("**Council**")

**SUBMITTER:** Cardrona Village Ltd ("**Submitter**")

**SUBMISSION ON:** Stage 3B of the Proposed Queenstown Lakes District Plan

This is a submission on the following proposed plan ("**proposal**"):

Stage 3B of the Proposed Queenstown Lakes District Plan – Rural Visitor Zone ("**PDP**").

**Background**

1. The Submitter is the owner or has an interest in a substantial land holding within the existing Rural Visitor Zone at Cardrona as follows:
  - Lot 4 DP 507227;
  - Lots 7, 8, 9, 10, 11, 12 13, 14, 15, 16 and 17 DP 440230;
  - Lot 1 DP 310692; and
  - Section 47 Block I Cardrona SD.
2. These properties (referred to as "**the Submitters land**") are shown on **Figure 1** below.
3. The Submitter also has ownership in the Cardrona Community Water Supply Scheme through a subsidiary company being Cardrona Water Supply Limited.
4. The Submitter has also entered into an agreement with Crown to rectify land title oddities that have arisen as the Cardrona River has changed course over time. As a result of these changes the esplanade reserve previously created along the Cardrona River is no

longer aligned with the banks of the river. The Submitter has agreed with the Crown to exchange land that is located adjacent to the Cardrona River to ensure that the esplanade reserve is realigned to the new course of the river. This land exchange process has not yet been completed.



**Figure 1 – The Submitters Land**

5. A copy of the scheme plan prepared to confirm the agreement for the exchange of the land is shown in **Figure 2** below. Once the land exchange is completed some 9,243m<sup>2</sup> of existing Crown land and Old Cardrona River Bed (identified as Sections 1 – 8 and Sections 10 - 12 on the scheme plan) located along the western side of the Cardrona River will be transferred to the Submitter, and some 11,528m<sup>2</sup> of land and existing River Bed owned by the Submitter (identified as Sections 22, 23, 24 and 26 on the scheme

plan) located along the eastern side of the Cardrona River will be transferred to the Crown. This land exchange process will result in a net loss of land for the Submitter.

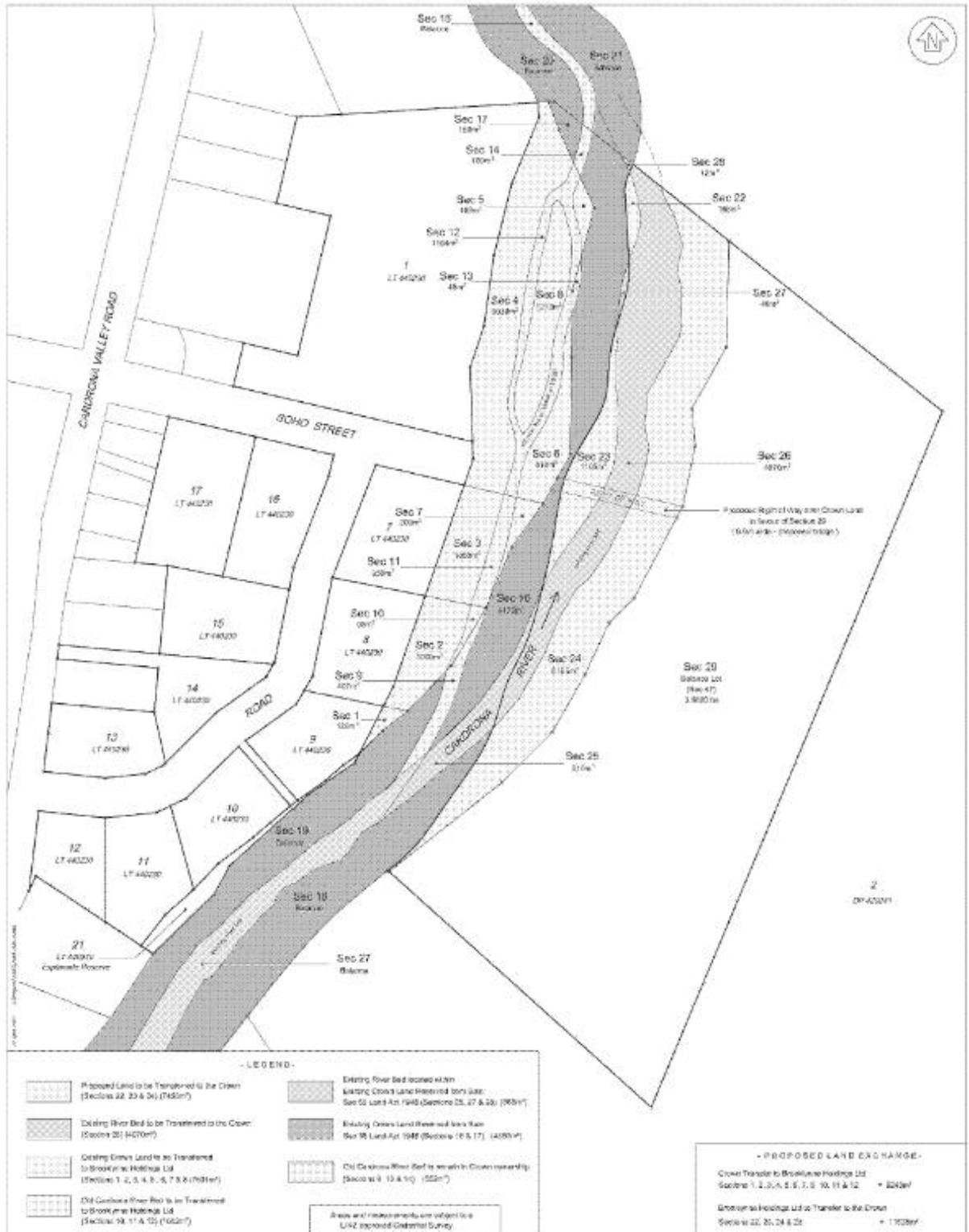


Figure 2 – Land Exchange Scheme Plan

6. The land transferred to the Submitter will become available for development at the time the land exchange process is completed and should be zoned accordingly through the District Plan Review process. The notified version of the Proposed District Plan Stage 3B planning maps correctly identifies some of the land to be transferred to the Crown as Rural Zone but the boundary between the proposed Rural Zone and the proposed Settlement Zone on Section 47 Block I Cardrona SD is not aligned with the boundary that will be created by the land exchange process as shown on **Figure 2** above.
7. In addition, the Crown land on the western side of the Cardrona River to be transferred to the Submitter has not been shown as being contained within the proposed Settlement Zone.
8. There is an approved resource consent relating to the land on the eastern side of the Cardrona River (Section 47 BLK I Cardrona SD) to undertake earthworks, construct a lodge for visitor accommodation purposes, construct 48 units for visitor accommodation and residential use, construct a managers residence and establish landscaping, car parking and access to service the proposed activities. The Submitter has confirmed its intention to give effect to the consent prior to its lapse. As such, the environment at this site needs to be considered in the context of the consented development, and any assessment of landscape sensitivity does need to take this into account. This consented development has considered the land exchange process that is being undertaken with the Crown.
9. The Submitter intends to undertake a comprehensive development of the land located on the western side of the Cardrona River for visitor accommodation and residential activities. The proposed development will comprise a mix of hotels, serviced apartments, residential apartments, serviced terraced units, residential terraced units, residential dwellings, hostels and other centralised services and facilities accessory to the visitor accommodation activities, including food and beverage spaces, gym space and shared function spaces. An overview of the proposed development is shown on **Figure 3** below.
10. The Submitter generally supports the proposed zoning of its land as Settlement Zone with the associated Commercial Precinct and Visitor Accommodation Sub-zone. However, the Submitter is concerned that the proposed Commercial Precinct is not positioned to reflect the activities that are proposed as part of the comprehensive development intended for the Submitter's land as detailed on **Figure 3** below.

11. The intended comprehensive development of the Submitters land provides for centralised services and facilities accessory to the proposed hotel activities at the Soho Street / Rivergold Way hub of the proposed development. These activities will comprise of cafes, restaurants and shared function spaces. It is therefore logical to extend the Commercial Precinct along both sides of Soho Street from Cardrona Valley Road to cover these likely future activities. The extension of the Commercial Precinct will provide for recognition of the visitor hub that is intended to be created by the Submitter around the intersection of Soho Street and Rivergold Way at Cardrona in the future.



**Figure 3 – Schematic of Development Intended for the Submitters Land at Cardrona**

12. There are also several rules and standards that do not make appropriate provision for efficient or effective comprehensive development of the proposed new Settlement Zone. The more specific submissions in relation to the proposed Cardrona Settlement Zone and the associated Commercial Precinct and Visitor Accommodation Sub-zone are detailed below.

### Trade Competition

13. The Submitter is not a trade competitor for the purposes of Section 308D of the RMA and could not gain an advantage in trade competition through this submission.

### General Extent of Submissions

14. The Submitter is interested in all aspects of Stage 3B to the Proposed Queenstown Lakes District Plan (“**PDP**”) to the extent that it may impact on the land to which the submission relates. Without limiting the generality of the above, the more specific provisions of the proposal that the submission relates to are:
  - (a) The extent of the Settlement Zoning as detailed on the Stage 3B Web Mapping Application Viewer;
  - (b) The extent of the Commercial Precinct and Visitor Accommodation Sub-zone as detailed on the Stage 3B Web Mapping Application Viewer;
  - (c) Chapter 20 – Settlement Zone, together with all consequential or associated amendments to the PDP (“**settlement zone provisions**”);
  - (d) Variation to Chapter 20 - Settlement Zone (Cardrona Settlement Zone), together with all consequential or associated amendments to the PDP (“**varied settlement zone provisions**”)
  - (e) Chapter 39 – Wāhi Tūpuna, together with all consequential or associated amendments to the PDP (“**wāhi tūpuna provisions**”); and
  - (f) The Outstanding Natural Landscape classification as it relates to the Cardrona Settlement Zone.
15. It is noted the Stage 3B review process applies the provisions of Chapter 20 - Settlement Zone and the provisions of Chapter 39 - Wāhi Tūpuna to the operative Rural Visitor Zone at Cardrona. These chapters formed part of Stage 3 of the District Plan Review process. As such, the context of these provisions and how they related to Cardrona was not known at the time these provisions were publicly notified as part of the Stage 3 District Plan Review process (as the Rural Visitor Zone at Cardrona was specifically excluded from Stage 3 to the Proposed Queenstown Lakes District Plan). The specific submission points below therefore also include submissions on the provisions of Chapter 20 - Settlement Zone and the provisions of Chapter 39 - Wāhi Tūpuna as they now relate to

Cardrona as a result of these provisions now being introduced for Cardrona as part of the proposal.

### **General Reasons for Submissions**

16. The general reasons for the submissions made below are that the proposed new provisions, in their current form:
  - (a) will not implement and / or give effect to the objectives, policies, and other provisions of the relevant planning instruments, including the other strategic and more specific provisions of the PDP, as well as the Regional Policy Statement; and
  - (b) are otherwise inconsistent with and / or will not achieve the purpose of the RMA and the other provisions of Part 2 of the RMA; and
  - (c) fail to meet the requirements of section 32 of the RMA.
17. Without limiting the generality of the above, the provisions, if adopted without the changes requested below, may undermine the ability of the Submitter to develop the land to be rezoned to Settlement Zone in a way which will achieve the sustainable management of resources. The provisions in their current form have the potential to introduce costs and complexities that are inefficient and ineffective in respect of achieving the purpose of the RMA.

## **Submission 1**

### **Specific Provision**

18. Settlement Zone and associated Visitor Accommodation Sub-zone at Cardrona.

### **Support or Oppose**

19. Support in part

### **Amendments Requested**

20. Apply the Settlement Zone and the associated Visitor Accommodation Sub-zone over the land and the Old Cardrona River Bed that is to be transferred to the Submitter from

the Crown identified as Sections 1, 2, 3, 4, 5, 6, 7 and 8 (7,601m<sup>2</sup>) and Sections 10, 11 and 12 (1,642m<sup>2</sup>) on the Scheme Plan attached as **Appendix 1**.

21. Locate the boundary between the Settlement Zone (and the associated Visitor Accommodation Sub-zone) and the Rural Zone on the land described as Section 47 Block I Cardrona SD on the new boundary to be created as a result of the land exchange to be completed between the Submitter and the Crown as detailed on the Scheme Plan attached as **Appendix 1**.

### **Reasons**

22. The inclusion of the Submitters land at Cardrona within the Settlement Zone and the associated Commercial Precinct or the associated Visitor Accommodation Sub-zone is supported.
23. However, the land exchange agreed between the Submitter and the Crown will result in some 9,243m<sup>2</sup> of existing Crown land and Old Cardrona River Bed (identified as Sections 1 – 8 and Sections 10 - 12 on the scheme plan) located along the western side of the Cardrona River to be transferred to the Submitter, and some 11,528m<sup>2</sup> of land and existing River Bed owned by the Submitter (identified as Sections 22, 23, 24 and 26 on the scheme plan) located along the eastern side of the Cardrona River to be transferred to the Crown. The proposed new zoning arrangement does not reflect this land exchange, which is being undertaken to regularise the new position of the Cardrona River, and will be completed shortly.
24. The new zoning and the new boundaries between the zones do need to reflect the land exchange that has been agreed between the Submitter and the Crown. If these inconsistencies are not addressed through the District Plan Review process a private plan change process will be required which is neither an efficient nor an effective way to achieve the purpose of the RMA.

### **Decision Sought**

25. Include the land and the Old Cardrona River Bed that is to be transferred to the Submitter from the Crown identified as Sections 1, 2, 3, 4, 5, 6, 7 and 8 (7,601m<sup>2</sup>) and Sections 10, 11 and 12 (1,642m<sup>2</sup>) on the Scheme Plan attached as **Appendix 1** within the Settlement Zone and apply the Visitor Accommodation Sub-zone to this land.

26. Align the boundary between the Settlement Zone (and the associated Visitor Accommodation Sub-zone) and the Rural Zone on the land described as Section 47 Block I Cardrona SD on the new boundary to be created as a result of the land exchange to be completed between the Submitter and the Crown as detailed on the Scheme Plan attached as **Appendix 1**.
27. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the changes requested, including retention of the operative Rural Visitor Zone.

## **Submission 2**

### **Specific Provision**

28. Outstanding Natural Landscape classification

### **Support or Oppose**

29. Oppose

### **Amendments Requested**

30. Remove the Outstanding Natural Landscape classification from that land to be included within the Settlement Zone at Cardrona.

### **Reasons**

31. It appears on the Stage 3B Web Mapping Application Viewer that the Outstanding Natural Landscape (ONL) classification has been applied to the land to be located within the Settlement Zone at Cardrona. As can be seen on **Figure 4** below the ONL classification was not applied to any of the land located within the operative Rural Visitor Zone at Cardrona as part of the Stage 1 District Plan Review process. This reflects the factual position that the Settlement Zone at Cardrona is not, as a matter of fact, an ONL, although it may sit within a wider ONL. This is also consistent with the position in the operative District Plan which did not find any of the land located within the Rural Visitor Zone at Cardrona to be located within the ONL that overlays the rural area that surrounds the village.
32. The Cardrona Village lies within the Cardrona Valley basin between the Mt Pisa range to the east and Mt Cardrona to the west. The village has been used for settlement

activities for more than 150 years and currently services the major visitor and tourist attractions in the area, being the Cardrona Alpine Resort downhill ski runs and terrain parks to the north-west, the Snow Farm New Zealand cross-country ski trails to the north-east and the Cardrona Distillery some 2km to the north on Cardrona Valley Road. While the rural area and the ranges beyond the village have long been recognised as an Outstanding Natural Landscape, the Cardrona Village has consistently been recognised as not itself being an ONL, although it sits within the ONL. The operative Rural Visitor Zone has long provided for an urban settlement at this location, and those future outcomes are relevant to the question of whether the land is itself an ONL. This position appears to be supported by the direction that has been taken for the operative Rural Visitor Zone at Cardrona under the proposal, which has rezoned this area as Settlement Zone, rather than retain this area within the new Rural Visitor Special Zone, which has been used for specific visitor industry facilities located in the rural area within the ONL, rather than established rural settlements.



Figure 4 – Copy of PDP Decision Version Map 24 – Cardrona

33. The proposed new Settlement Zone will continue to provide for relatively intensive urban development within that part of the Cardrona Village that is currently contained by the operative Rural Visitor Zone. The relatively flat land, which is generally devoid of any indigenous vegetation; the scattered modern and historic buildings; and the completed vacant lot subdivision and associated roading and infrastructure that characterises the landscape within the village is not in itself outstanding. The open rural landscape character of the area has been extensively modified over time as a result of the subdivision, development and non-farming activities that has occurred within the village. The proposed new Settlement Zone provides for this change to urban activities to intensify within the village over time which is not consistent with the proposed ONL classification. The proposed new Settlement Zone provisions do however recognise the Cardrona Village is surrounded by an ONL and provide for the protection of this landscape through requirements for appropriate subdivision and development within the village.
34. The Strategic Objectives and Landscape and Rural Character Policies of the PDP are not aligned with the proposed classification of the Cardrona Village as a ONL as these objectives and policies do not anticipate such a classification applying to an established and growing settlement like Cardrona. The ONLs are anticipated to be open rural landscapes with established rural living and development, not an established urban landscape. These objectives and policies therefore direct that subdivision and development will be inappropriate in almost all locations in a ONL and that successful applications will only be exceptional cases where the landscape can absorb the change.
35. The existing Cardrona Village is clearly one location where such change can be absorbed especially given the extent of completed and consented subdivision and development that has occurred with the village over time as a result of the operative Rural Visitor zoning. The proposed new Settlement Zone is therefore the most appropriate zoning for the village. However, the proposed ONL classification that overlays this proposed zone does not reflect the threshold required to meet ONL status, and will further create confusion as future subdivision and development for non-rural activities will be an anticipated outcome in the zone, not a “*exceptional case*”. The future subdivision and development enabled by the Settlement Zone provisions will also be immediately visible from beyond the boundary of the sites located within the proposed new zone.

36. The application of the ONL classification to the land to be included in the Settlement Zone at Cardrona is factually incorrect and / or, for all the reasons given above, not the most appropriate way to achieve the objectives of the PDP and should be removed.

#### **Decision Sought**

37. Remove the Outstanding Natural Landscape classification from all the land located within the proposed Settlement Zone at Cardrona.
38. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the changes requested, including retention of the operative Rural Visitor Zone.

### **Submission 3**

#### **Specific Provision**

39. Commercial Precinct

#### **Support or Oppose**

40. Support in part.

#### **Amendments Requested**

41. Extend the Commercial Precinct some 30 metres into Lot 17 DP 440230, Lot 16 DP 440230, Lot 7 DP 440230 and Lot 4 DP 507227 along both sides of Soho Street to the boundary with the Cardona River.

#### **Reasons**

42. The comprehensive development that is intended for the Submitter's land provides for a hub of hotels in behind the main commercial street to be created along Cardrona Valley Road that are centred around the intersection of Soho Street / Rivergold Way. This is the most appropriate location for the higher hotel buildings with the other visitor accommodation buildings and residential buildings that are intended for the area reducing in height as they move out towards the zone boundaries.
43. The hotel buildings will contain centralised services and facilities accessory to the proposed hotel activities (such as cafes, restaurants and shared function spaces) that front to Soho Street and the corner of Soho Street and Rivergold Way. This will provide

for the creation of an active and pedestrian focused street environment from the Cardrona Valley Road / Soho Street intersection to the Cardrona River. It is therefore logical, in order to encourage such a desirable outcome, to extend the Commercial Precinct along both sides of Soho Street to the Cardrona River to accommodate these likely future activities.

44. The extension of the Commercial Precinct along both sides of Soho Street from Cardrona Valley Road will also provide for recognition of the visitor accommodation hub or the visitor accommodation heart of Cardrona that is to be created around the intersection of Soho Street and Rivergold Way in the future.

#### **Decision Sought**

45. Include the land within Lot 17 DP 440230, Lot 16 DP 440230, Lot 7 DP 440230 and Lot 4 DP 507227 located 30 metres from the boundary with Soho Street within the Commercial Precinct.
46. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the changes requested, including retention of the operative Rural Visitor Zone.

### **Submission 4**

#### **Specific Provision**

47. Chapter 20 – Settlement Zone - 20.1 Purpose

#### **Support or Oppose**

48. Support in part

#### **Amendments Requested**

49. Amend the requested varied text to be inserted after the fourth paragraph in 20.1 – Purpose of the PDP as follows (or words to like effect):

Within the Cardrona Settlement the Commercial Precinct applies to land located around the focal points of the Cardrona Hotel and Cardrona Valley Road **and the hotels at the intersection of Soho Street and Rivergold Way and provides for a mix of retail, commercial, commercial recreation, community and visitor accommodation activities.** Throughout the balance of the Settlement Zone at Cardrona, the Visitor Accommodation Sub-zone enables the further establishment of visitor

accommodation activities **and low to medium intensity residential (such as duplex and terrace housing and small-scale apartments) activities.**

50. Delete the following paragraph in 20.1 – Purpose of the PDP, or, in the alternative amend it as follows (or words to like effect):

The Cardrona Village Character Guideline 2012 applies **provides broad design guidance** for all development within the Zone at Cardrona. The guideline identifies the key characteristics that make Cardrona distinctive, and provides guidance on how these characteristics can be incorporated into the design of development. **The Guideline is, however, now dated and in need of review. A review of the Guideline will provide the design basis for Cardrona into the future consistent with the new Settlement Zone provisions. The Guideline will therefore be reviewed, and the new Guideline incorporated into the Cardrona Settlement Zone through a plan change. Until the review is completed the Guideline should be taken into account but does not need to be given effect to.**

### **Reasons**

51. The Submitter intends to undertake a comprehensive development of what constitutes the majority of the land located within the proposed new Settlement Zone at Cardrona that is still available for development.
52. The proposed development will comprise a mix of hotels, serviced apartments, residential apartments, serviced terraced units, residential terraced units, residential dwellings and a hostel consistent with the design outcomes anticipated by the Cardrona Village Character Guideline 2012. The proposal will also include some centralised services and facilities accessory to the visitor accommodation activities, including food and beverage spaces, gym spaces and shared function spaces.
53. The Submitter is the only entity that could undertake the comprehensive development of the proposed new Settlement Zone as no other entity has ownership or an interest in what constitutes some 65% of the land to be located within the Settlement Zone at Cardrona. The Submitter is also the owner (through another company) of the Cardrona reticulated community water supply and therefore can ensure any such development is appropriately serviced with potable water and water for firefighting purposes. The proposed development is to be consented under the operative Rural Visitor Zone provisions, which provides for the form, bulk and location of the buildings anticipated and for the mix of activities anticipated as a Controlled Activity. Minor aspects of the proposal trigger technical non-compliance with earthwork standards and transport standards as Restricted Discretionary Activities (with jurisdiction strictly limited to the matters reserved for discretion). On this basis, the development intended will inevitably

obtain resource consent prior to the Cardrona Settlement Zone provisions becoming fully operative. The proposed Settlement Zone and other PDP provisions should give effect to such an anticipated outcome, as the PDP has done elsewhere.

54. The Settlement Zone does not currently provide for the development outcomes desired for the Submitter's land which are currently provided for as Controlled Activities in the operative Rural Visitors Zone. The Submitter is therefore seeking changes to the provisions proposed for the Cardrona Settlement Zone to enable a mix of retail, commercial, commercial recreation, community and visitor accommodation activities in the Commercial Precinct and a mix of low to medium intensity residential (such as duplex and terrace housing and small-scale apartments) and visitor accommodation activities in the Visitor Accommodation Sub-zone.
55. The Cardrona Village Character Guidelines were developed over several years and 'finalised' in January 2012. The content of the Guidelines is therefore now essentially 10 years old and does not reflect the natural and built (including the unimplemented resource consents that have not yet expired) character of the village that has evolved over the last 10 years. Nor does the Guideline reflect the current and evolving urban design, architecture and landscape expertise that has seen updates in the approach to development proposals for locations such as at Cardrona.
56. The Submitter considers a review of the Guidelines is needed given the intention to apply a new Settlement zoning to the village to manage the use and development of land within the Cardrona Village into the future and the changes that have occurred within the village over the past 10 years. Until a review is completed it is not known whether the dated Guidelines are still appropriate to provide for design guidance within the village into the future. There is a good prospect that the Guidelines will need significant updating.
57. As such, the Submitter is of the view that there should be no statutory requirement contained within the PDP to achieve consistency with the Guidelines until these Guidelines have been formally reviewed through a public process and deemed appropriate to achieve the design outcomes now desired for the Cardrona Village over the next 10 or so years.

#### **Decision Sought**

58. Make the requested amendments to 20.1 – Purpose of Chapter 20 – Settlement Zone of the PDP.

59. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the amendments requested, including retention of the operative Rural Visitor Zone.

## Submission 5

### Specific Provision

60. Chapter 20 – Settlement Zone - 20.2 – Objectives and Policies

### Support or Oppose

61. Support in part

### Amendments Requested

62. Amend the requested variation to Policy 20.2.2.4 of the PDP as follows:

Include development controls that reflect key characteristics of development in Settlements, including through building height limits, encouraging gable roof forms in Glenorchy and Cardrona, ~~and achieving consistency with the Cardrona Village Character Guideline 2012.~~

63. Insert the following new objectives and policies in 20.2 of the PDP (or words to like effect):

**20.2.4 Objective – Comprehensive master planned mixed use development is enabled within the Settlement Zone at Cardrona to provide for local and visitor convivence and to support the local economy and tourist attractions, in a way that will maintain the character and amenity of the existing village, and protect the Outstanding Natural Landscape within the wider Cardrona valley from inappropriate development.**

**Policy 20.2.4.1 Provide for a mix of retail, commercial, commercial recreation, community, visitor accommodation and above ground floor level residential activities within the Commercial Precinct of the Cardrona Settlement Zone at a scale and intensity that is commiserate with the character and heritage values within the settlement and the natural and visual values within the surrounding rural landscape.**

**Policy 20.2.4.2 Provide for a mix of visitor accommodation and low to medium density residential (such as duplex and terrace housing and small-scale apartments) activities within the Visitor Accommodation Sub-zone of the Cardrona Settlement Zone at a scale and intensity that is commiserate with the character and heritage values within the settlement and the natural and visual values within the surrounding rural landscape.**

**Reasons**

64. The Settlement Zone does not currently provide for the development outcomes desired for the Submitters land which are currently provided for as Controlled Activities in the operative Rural Visitor Zone. The Submitter is therefore seeking changes to the provisions proposed for the Cardrona Settlement Zone to enable the comprehensive development of the zone for a mix of retail, commercial, commercial recreation, community, visitor accommodation and above ground floor level residential activities in the Commercial Precinct and a mix of low to medium intensity residential (such as duplex and terrace housing and small-scale apartments) and visitor accommodation activities in the Visitor Accommodation Sub-zone.
65. It is considered that the comprehensive development of the Submitter's land for such activities will provide for more appropriate and integrated development outcomes to be achieved within the Cardrona Village that can more efficiently and effectively provide for the maintenance and enhancement of the amenity, character and heritage values associated with the existing village and the protection of the biodiversity values and the outstanding natural landscapes within the surrounding rural area.
66. The provision requested to be made for the more intensive use of the limited land resource available within the Cardrona Settlement Zone will also result in economic and social benefits to the local and wider economy and will provide for additional support to the local tourist attractions specifically and the wider tourist industry generally. The provision made for the more intensive use of the limited urban land resource will also provide for more appropriate protection of the significant biodiversity values and the outstanding natural landscapes within the wider Cardrona valley, as it will reduce the pressure for lifestyle residential and visitor accommodation activities to establish outside of the village within the surrounding Rural Zone.
67. The Submitter is of the view that there should be no statutory requirement contained within the PDP to achieve consistency with the Guidelines until these Guidelines have been formally reviewed through a public process and deemed appropriate to achieve the design outcomes now desired for the Cardrona Village over the next 10 or so years.

**Decision Sought**

68. Make the requested amendments to 20.2 – Objectives and Policies of Chapter 20 – Settlement Zone of the PDP.

69. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the amendments requested, including retention of the operative Rural Visitor Zone.

## Submission 6

### Specific Provision

70. 20.4 – Rules- Activities – Table 20.4 – Activities located in the Settlement Zone

### Support or Oppose

71. Support in part

### Amendments Requested

72. Amend the requested variation to Rule 20.4.7 of the PDP as follows:

~~... f. At Cardrona, consistency with the Cardrona Village Character Guideline 2012, to the extent allowed by matters of discretion 20.4.6(a) to (e).~~

73. Insert the following new rule into Table 20.4 – Activities located in the Settlement Zone of the PDP (or words to like effect):

**20.4.5 (B) Within Commercial Precinct at Cardrona Settlement Zone identified on the Planning Maps: Commercial activities, commercial recreation activities, community activities, visitor accommodation activities and above ground floor level residential activities - P**

### Reasons

74. The Settlement Zone does not currently provide for the development outcomes desired for the Submitters land which are currently provided for as Controlled Activities in the operative Rural Visitor Zone. The Submitter is therefore seeking changes to the provisions proposed for the Cardrona Settlement Zone to enable the comprehensive development of the zone for a mix of retail, commercial, commercial recreation, community, visitor accommodation and above ground floor level residential activities in the Commercial Precinct at Cardrona.
75. This will provide for beneficial environmental, economic, social and cultural outcomes to be achieved within the Cardrona Village and the surrounding rural area as outlined above.

76. The activities the Commercial Precinct is intending to accommodate should be provided for as Permitted Activities to ensure that certainty is provided to landowners as to the activities that are desired within the precinct. The control of amenity outcomes can still be achieved through the provision of Restricted Discretionary Activity status for buildings within the Commercial Precinct. In this respect visitor accommodation activities and above ground floor level residential activities need to be provided for in the Commercial Precinct along with commercial activities, commercial recreation activities and community activities. Overall, the activity component of proposals should be permitted while the built component of proposals should be restricted discretionary in the Commercial Precinct.

#### **Decision Sought**

77. Make the requested amendments to Rules- Activities – Table 20.4 – Activities located in the Settlement Zone of the PDP.
78. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the amendments requested, including retention of the operative Rural Visitor Zone.

### **Submission 7**

#### **Specific Provision**

79. 20.4 – Rules- Activities – Table 20.4 – Activities located in the Settlement Zone

#### **Support or Oppose**

80. Support in part

#### **Amendments Requested**

81. Insert the following new rule into Table 20.4 – Activities located in the Settlement Zone of the PDP (or words to like effect):

**20.4.7 (B) Within the Visitor Accommodation Sub-zone at Cardrona Settlement Zone identified on the Planning Maps: Visitor accommodation activities and residential activities - P**

### **Reasons**

82. The Settlement Zone does not currently provide for the development outcomes desired for the Submitter's land which are currently provided for as Controlled Activities in the operative Rural Visitor Zone. The Submitter is therefore seeking changes to the provisions proposed for the Cardrona Settlement Zone to enable the comprehensive development of the zone for a mix of low to medium intensity residential (such as duplex and terrace housing and small-scale apartments) and visitor accommodation activities in the Visitor Accommodation Sub-zone at Cardrona.
83. This will provide for beneficial environmental, economic, social and cultural outcomes to be achieved within the Cardrona Village and the surrounding rural area as outlined above.
84. The activities the Visitor Accommodation Sub-zone is intending to accommodate should be provided for as Permitted Activities to ensure that certainty is provided to landowners as to the activities that are desired within the Sub-zone. The control of amenity outcomes can still be achieved through the provision of Restricted Discretionary Activity status for buildings within the Sub-zone in the same manner as intended for the Commercial Precinct. In this respect residential activities need to be provided for in the Visitor Accommodation Sub-zone along with visitor accommodation activities. Overall, the activity component of proposals should be permitted while the built component of proposals should be restricted discretionary in the Visitor Accommodation Sub-zone.

### **Decision Sought**

85. Make the requested amendments to Rules- Activities – Table 20.4 – Activities located in the Settlement Zone of the PDP.
86. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the amendments requested, including retention of the operative Rural Visitor Zone.

## **Submission 8**

### **Specific Provision**

87. 20.4 – Rules- Activities – Table 20.4 – Activities located in the Settlement Zone

### Support or Oppose

88. Support in part

### Amendments Requested

89. Insert the following new rule into Table 20.4 – Activities located in the Settlement Zone of the PDP (or words to like effect):

**20.4.6 (B)**

**Within the Commercial Precinct and / or Visitor Accommodation Sub-zone at Cardona identified on the Planning Maps: Buildings (including ancillary activities) - RD**

**Discretion is restricted to:**

- a. **the location, nature and scale of activities within buildings;**
- b. **design, scale and appearance of buildings;**
- c. **parking, access and traffic generation;**
- d. **landscaping;**
- e. **signage platforms;**
- f. **noise;**
- g. **servicing;**
- h. **hours of operation, including in respect of ancillary activities;**
- i. **design, scale and appearance of buildings;**
- j. **location and screening of recycling and waste; and**
- k. **natural hazards.**

### Reasons

90. The Settlement Zone does not currently provide for the development outcomes desired for the Submitter's land which are currently provided for as Controlled Activities in the operative Rural Visitor Zone. The Submitter is therefore seeking changes to the provisions proposed for the Cardrona Settlement Zone to enable the comprehensive

development of the zone for a mix of low to medium intensity residential (such as duplex and terrace housing and small-scale apartments) and visitor accommodation activities in the Visitor Accommodation Sub-zone at Cardrona.

91. This will provide for beneficial environmental, economic, social and cultural outcomes to be achieved within the Cardrona Village and the surrounding rural area as outlined above.
92. The control of amenity outcomes within the Visitor Accommodation Sub-zone at Cardrona should be achieved through the provision of Restricted Discretionary Activity status for buildings within the Sub-zone in the same manner as intended for the Commercial Precinct. The actual visitor accommodation and residential activities should be provided for as Permitted Activities to provide certainty to landowners as detailed above. Overall, the activity component of proposals should be permitted while the built component of proposals should be restricted discretionary in the Visitor Accommodation Sub-zone.

#### **Decision Sought**

93. Make the requested amendments to Rules- Activities – Table 20.4 – Activities located in the Settlement Zone of the PDP.
94. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the amendments requested, including retention of the operative Rural Visitor Zone.

### **Submission 9**

#### **Specific Provision**

95. 20.5 - Rules – Standards – Standard 20.5.1

#### **Support or Oppose**

96. Support in part

#### **Amendments Requested**

97. Add the following exclusion to Standard 20.5.1 in 20.5 of the PDP (or words to like effect):

**Except that this standard shall not apply to residential activities within the Cardrona Settlement Zone where multiple unit residential development is provided for on sites. There shall be no minimum site sizes in the Commercial Precinct or the Visitor Accommodation Sub-zone at Cardrona. Subdivision will be provided around existing buildings or development and / or in accordance with an approved land use consent.**

### **Reasons**

98. The Settlement Zone does not currently provide for the development outcomes desired for the Submitters land which are currently provided for as Controlled Activities in the operative Rural Visitor Zone. The Submitter is therefore seeking changes to the provisions proposed for the Cardrona Settlement Zone to enable low to medium intensity residential (such as duplex and terrace housing and small-scale apartments) within the Settlement Zone at Cardrona.
99. The provision requested to be made for more intensive residential use of the limited land resource available within the Cardrona Settlement Zone will result in economic and social benefits to the local and wider economy and will provide for additional support to the local tourist attractions specifically and the wider tourist industry generally. Any provision made for more intensive use of the limited urban land resource will also provide for more appropriate protection of the significant biodiversity values and the outstanding natural landscapes within the wider Cardrona valley, as it will reduce the pressure for lifestyle residential activities to establish outside of the village within the surrounding Rural Zone.
100. To ensure that design lead development outcomes are achieved there should only be minimum lot sizes for vacant site subdivisions. Subdivision within the Cardrona Settlement Zone in accordance with an approved land use resource consent and / or around existing buildings and development should not be subject to any minimum lot size or shape factor standards and should be provided for as a Controlled Activity.

### **Decision Sought**

101. Make the requested amendments to 20.5 – Rules – Standards - Standard 20.5.1 of Chapter 20 – Settlement Zone of the PDP.
102. Any other similar or alternative decision as is necessary to provide for the general outcome that is being sought by the amendments requested, including retention of the operative Rural Visitor Zone.

## Submission 10

### Specific Provision

103. Variation to Chapter 27 – Subdivision and Development – 27.7 – Zone – Location Specific Rules

### Support or Oppose

104. Oppose.

### Amendments Requested

105. Insert the following new rule into Table 27.7 – Activities in 27 – Subdivision and Development of the PDP (or words to like effect):

#### 27.7.10 – Cardrona Settlement Zone

Subdivision around existing buildings and development and / or subdivision in accordance with an approved land use consent within the Cardrona Settlement Zone that complies with standard 27.7.10.1 and / or standard 27.10.2 – C

27.7.10.1 Prior to subdivision around existing buildings and development occurring, all development must meet one of the following matters:

(a) have existing use rights; or

(b) comply with the relevant Zone and District Wide rules; or

(c) be in accordance with an approved land use resource consent.

27.7.10.2 Any subdivision relating to an approved land use consent must comply with that consent, including all conditions and all approved plans.

106. Amend the requested varied Rule 27.6.1 as follows:

... Cardrona...

### Reasons

107. Without limiting the generality of the reasons above, to ensure that design-led development outcomes are achieved within the Cardrona Settlement Zone, there should only be minimum lot sizes for vacant site subdivisions. Subdivision within the Cardrona Settlement Zone in accordance with an approved land use resource consent and / or

around existing buildings and development should not be subject to any minimum lot size or shape factor standards and should be provided for as a Controlled Activity.

108. The density and intensity of future development within the Cardrona Settlement Zone will be managed through the land use consent process. The subdivision consent process is effectively a mechanism to provide for the separate legal ownership of the consented commercial units, visitor accommodation units or residential units. The likely nature of future development means the subsequent subdivision is likely to be a unit title subdivision, although single, duplex or terraced dwellings may be provided on fee simple tiles.

#### **Decision Sought**

109. Make the requested amendments to 27.2 – Zone – Location Specific Rules of Chapter 27 – Subdivision and Development of the PDP.
110. Make the requested amendments to varied Rule 27.6.1 of the PDP.
111. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested.

### **Submission 11**

#### **Specific Provision**

112. 20.5 - Rules – Standards – Standard 20.5.5

#### **Support or Oppose**

113. Oppose

#### **Amendments Requested**

114. Amend the requested varied standard 20.5.5 as follows:

Maximum building coverage on any site – buildings located in Commercial Precincts and Visitor Accommodation Sub-zones only

20.5.5.1 Within the Commercial Precinct and Visitor Accommodation Sub-zone at Cardrona: 80%.

~~20.5.5.2 Within the Visitor Accommodation Sub-zone at Cardrona: 50%.~~

20.5.5.3 At all other locations within Commercial Precincts or Visitor Accommodation Sub-zones building coverage shall not exceed 80% on any site ...

### **Reasons**

115. The requested amendments are consequential changes to the Cardrona Settlement Zone provisions to support the implementation of the proposed new objectives and policies requested above.
116. The provision requested to be made for more intensive visitor accommodation development on the limited land resource available within the Cardrona Settlement Zone will result in economic and social benefits to the local and wider economy and will provide for additional support to the local tourist attractions specifically and the wider tourist industry generally. Any provision made for more intensive use of the limited urban land resource will also provide for more appropriate protection of the significant biodiversity values and the outstanding natural landscapes within the wider Cardrona valley, as it will reduce the pressure for lifestyle residential and / or visitor accommodation activities to establish outside of the village within the surrounding Rural Zone.
117. It is considered that the Cardrona Village should support a higher density of residential and visitor accommodation activities to ensure the limited land resource available within the village is used efficiently to support the major recreation and tourist attractions that are located within the wider Cardrona Valley area. This will ensure that the growth of the village is retained within its current zoned limits thereby continuing to protect the surrounding outstanding natural features and landscapes from inappropriate subdivision, use and development.

### **Decision Sought**

118. Make the requested amendments to 20.5 - Rules – Standards – Standard 20.5.5 of the PDP.
119. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested

## Submission 12

### Specific Provision

120. 20.5 - Rules – Standards – Standard 20.5.7

### Support or Oppose

121. Oppose

### Amendments Requested

122. Amend the requested varied standard 20.5.7 as follows:

#### Minimum boundary setbacks

20.5.7.1 Road boundary: 4.5m; except:

- a. At Makarora, where the minimum setback of any building from the State Highway shall be 8m.
- b. At Cardrona, ~~where the minimum setback of any building from roads shall be 3m.~~ where buildings can be built up to the road boundary.

### Reasons

123. The requested amendments are consequential changes to the Cardrona Settlement Zone provisions to support the implementation of the proposed new objectives and policies requested above.
124. The changes requested will allow buildings to be built up to the street frontage to ensure a pedestrian focused and active street environment can be achieved within the Commercial Precinct and the Visitor Sub-zone at Cardrona. This will ensure that the desired pedestrian focused environment can be achieved within the Cardrona Village.

### Decision Sought

125. Make the requested amendments to 20.5 - Rules – Standards – Standard 20.5.7 of the PDP.
126. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested.

## Submission 13

### Specific Provision

127. 20.5 - Rules – Standards – Standard 20.5.8

### Support or Oppose

128. Oppose

### Amendments Requested

129. Amend the requested varied standard 20.5.8 as follows (or words to like effect):

#### Continuous building length

The length of any building façade above the ground floor level shall not exceed 16m, **except that within the Commercial Precinct at Cardrona, the length of any building façade above the ground floor level shall not exceed 20m, without appropriate modulation and / or recession being provided within building façade.**

**b. At Cardrona, consistency with the Cardrona Village Character Guideline 2012, to the extent allowed by matter of discretion 20.5.8(a).**

### Reasons

130. The requested amendments are consequential changes to the Cardrona Settlement Zone provisions to support the implementation of the proposed new objectives and policies requested above.
131. The changes requested will allow buildings to be built up to the street frontage to ensure a pedestrian focused and active street environment can be achieved within the Commercial Precinct and Visitor Sub-zone at Cardrona with appropriate modulation and / or recession being provided within the building façades to ensure that the buildings do not dominate the pedestrian environment and / or form a noticeable monotonous element within the environment.

### Decision Sought

132. Make the requested amendments to 20.5 - Rules – Standards – Standard 20.5.8 of the PDP.

133. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested.

## Submission 14

### Specific Provision

134. 20.5 - Rules – Standards – Standard 20.5.9

### Support or Oppose

135. Oppose

### Amendments Requested

136. Amend the requested varied standard 20.5.9 as follows (or words to like effect):

Gable roof form and pitch – Glenorchy and Cardrona only

- (i) All buildings ***at Glenorchy*** shall be designed with a gable roof form with a minimum pitch from the horizontal of 25 degrees.
- (ii) ***All buildings within the Visitor Accommodation Sub-zone at Cardrona shall be designed with a gable roof form. The minimum pitch from the horizontal shall generally be 25 degrees but other roof pitches may be considered acceptable and will be assessed through the Restricted Discretionary resource consent process required for buildings.***

Exemptions: verandas, lean-to's and other minor roof projections from the primary roof form.

### Reasons

137. The requested amendments are consequential changes to the Cardrona Settlement Zone provisions to support the implementation of the proposed new objectives and policies requested above.
138. There should not be a standard that specifies a minimum pitch for gable roofs. A general encouragement of gable roof forms is considered appropriate. However, a specific pitch requirement will unreasonably restrict innovative development that may still be able to achieve the amenity outcomes desired by the gable design direction for primary roof forms on buildings. The statutory focus on gable roof forms also creates a situation where other alternative innovative approaches are immediately deemed to result in an adverse effect (because they are not entirely consistent with the direction) where this

may not necessarily be the case where high-quality design approaches are still undertaken.

139. The Cardrona Settlement Zone provisions should provide the opportunity for other design outcomes to be considered without any possible pre-determination as to adverse amenity effects where an alternative option may be acceptable in the context of the developing settlement of Cardrona (e.g. commercial buildings in the Commercial Precinct with flat roofs similar to the Historic Cardrona hotel).

**Decision Sought**

140. Make the requested amendments to 20.5 - Rules – Standards – Standard 20.5.9 of the PDP.
141. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested.

**Submission 15**

**Specific Provision**

142. 20.5 - Rules – Standards – Standard 20.5.12

**Support or Oppose**

143. Support

**Amendments Requested**

144. None.

**Reasons**

145. The proposed varied standard supports the implementation of the proposed new objectives and policies requested above which provide more intensive development within the Cardrona Settlement Zone.

**Decision Sought**

146. Retain varied Standard 20.5.12 of the PDP as proposed.

## Submission 16

### Specific Provision

147. 20.5 - Rules – Standards – Standard 20.5.14

### Support or Oppose

148. Support in part

### Amendments Requested

149. Amend Standard 20.5.14 of the PDP as follows (or words to like effect):

Exceptions:

...

**c. Recession planes do not apply on sites located within the Commercial Precinct at Cardrona.**

### Reasons

150. The requested amendments are consequential changes to the Cardrona Settlement Zone provisions to support the implementation of the proposed new objectives and policies requested above.
151. It is possible that unreasonable recession plane requirements will restrict innovative development within the Commercial Precinct at Cardrona including the provision of a continuous commercial building frontage along Cardrona Valley Road and / or Soho Street with parking provided at the rear or within a basement.

### Decision Sought

152. Make the requested amendments to 20.5 - Rules – Standards – Standard 20.5.14 of the PDP.
153. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested.

## Submission 17

### Specific Provision

154. 20.6 – Non-Notification of Applications – Rule 20.6.2

### Support or Oppose

155. Support in part

### Amendments Requested

156. Amend Rule 20.6.2 of the PDP as follows:

The following Restricted Discretionary activities shall not require the written approval of other persons and shall not be notified:

- a. Buildings located within a Commercial Precinct (Rule 20.4.6) **and the Visitor Sub-zone at Cardrona**
- b. Visitor accommodation **and residential dwellings** located within a Visitor Accommodation Sub-Zone or Commercial Precinct (Rule 20.4.7)
- c. Residential visitor accommodation (Rule 20.5.16)
- d. Homestays (Rule 20.5.17).

### Reasons

157. The requested amendments are consequential changes to the Settlement Zone provisions to support the implementation of the proposed new objectives and policies in respect to the Cardrona Settlement Zone requested above.

### Decision Sought

158. Make the requested amendments to Rule 20.6.2 of the PDP.
159. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested.

## Submission 18

### Specific Provision

160. The wāhi tūpuna provisions contained Chapter 39 of the PDP as they relate to the Cardrona Settlement Zone.

### Support or Oppose

161. Oppose, at least in their current form, as far as Chapter 39 of the PDP relates to the Cardrona Settlement Zone.

### Amendments Requested

162. The removal of the wāhi tūpuna overlay from the Cardrona Settlement Zone.

### Reasons

163. Chapter 39 of the PDP seeks to implement the strategic direction of Chapter 5 of the PDP by:
- identifying specific wāhi tūpuna areas with an overlay on the planning maps;
  - setting out objectives and policies relating to subdivision, use and development within this overlay; and
  - identifying recognised threats that may be incompatible with values for each specific area in Schedule 39.6 to the PDP.
164. The Submitters land appears to be identified in the wāhi tūpuna overlay. However, this area cannot be identified in Table 39.6 Schedule of Wāhi Tūpuna. Under the proposed provisions any building or structure, or Earthworks<sup>1</sup> on the Submitters land will require consent as a restricted discretionary activity with discretion restricted to “*Effects on cultural values of Manawhenua*”.
165. The Submitter is particularly concerned that the wāhi tūpuna provisions are not certain and may introduce unnecessary and onerous consent requirements, at least in their current form.

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<sup>1</sup> Although possibly not under 10 m<sup>3</sup>; the rules are not entirely clear.

166. The Submitter considers that the wāhi tūpuna provisions, in their current form:

- will not implement and / or give effect to the objectives, policies, and other provisions of the relevant planning instruments, including the other strategic and more specific provisions of the PDP, as well as the Regional Policy Statement; and
- are otherwise inconsistent with and / or will not achieve the purpose of the RMA and the other provisions of Part 2 of the RMA; and
- fail to meet the requirements of section 32 of the RMA.

167. Without limiting the generality of the above, the provisions, if adopted, may also undermine the ability of the Submitter to develop land to be zoned Settlement in a way which will achieve the sustainable management of resources. The wāhi tūpuna provisions have the potential to introduce costs and complexities that are inefficient and ineffective in respect of achieving the purpose of the RMA.

#### **Decision Sought**

168. The wāhi tūpuna overlay be removed from the Submitters land.

169. Any other similar or alternative decision as is necessary to provide for the general outcome that is sought by the amendments requested.

#### **Hearing of Submissions**

170. The Submitter wishes to be heard in support of the submissions.

171. If others make a similar submission Cardrona Village Ltd would consider presenting a joint case with them at any hearing.

**DATED** 18 November 2019



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Tim Grace  
**Planning Consultant for the Submitter**

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